

**LOUIS R. RIGBY**  
Mayor  
**JOHN ZEMANEK**  
Councilmember At Large A  
**DOTTIE KAMINSKI**  
Mayor Pro-Tem  
Councilmember At Large B  
**DANNY EARP**  
Councilmember District 1  
**CHUCK ENGELKEN**  
Councilmember District 2



**DARYL LEONARD**  
Councilmember District 3  
**TOMMY MOSER**  
Councilmember District 4  
**JAY MARTIN**  
Councilmember District 5  
**MIKE CLAUSEN**  
Councilmember District 6

## **CITY COUNCIL MEETING AGENDA**

**Notice is hereby given of a Regular Meeting of the La Porte City Council to be held June 8, 2015, beginning at 6:00 PM in the City Hall Council Chambers, 604 W. Fairmont Parkway, La Porte, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.**

- 1. CALL TO ORDER**
- 2. INVOCATION** – The invocation will be given by Michael Thannisch, Congregation Benim Avraham.
- 3. PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Councilmember Dottie Kaminski.
- 4. PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
  - (a) Recognition - Retirement of Wanda Richards (City of La Porte Police Department) - Mayor Rigby
- 5. PUBLIC COMMENTS** (Limited to five minutes per person.)
- 6. CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
  - (a) Consider approval or other action regarding the minutes of the City Council meeting held on May 11, 2015 - P. Fogarty
  - (b) Consider approval or other action regarding an Ordinance amending the City of La Porte Fiscal Year 2014-2015 Budget - M. Dolby
  - (c) Consider approval or other action regarding an Ordinance vacating, abandoning, and closing a portion of the alley in Block 182, La Porte, retaining a 16-foot wide Public Utility Easement within the area to be closed and authorizing the City Manager to execute a deed to the adjacent owner for the subject right-of-way (215 E. Main) - T. Tietjens
  - (d) Consider approval or other action regarding an Ordinance vacating, abandoning, and closing the alley in Block 866, La Porte, and authorize the City Manager to execute a deed to the adjacent owner for the subject right-of-way (900 block of S. 14th Street) - T. Tietjens
  - (e) Consider approval or other action regarding an Ordinance vacating, abandoning and closing a portion of the East "E" Street, Texas Avenue, and Dakota Avenue Rights-Of-Way, as well as the entire alleys in Blocks 243 and 244, La Porte; retaining a 25 foot wide Storm Sewer Easement within the area to be closed and authorizing the City Manager to execute a deed to the adjacent owner - T. Tietjens
  - (f) Consider approval or other action authorizing the City Manager and the La Porte Police Department to submit for the Crime Victim's Liaison Grant for the 2016-2017 Fiscal Year in order to continue partial funding for the Crime Victim's Liaison position - K. Adcox

**7. PUBLIC HEARINGS AND ASSOCIATED ORDINANCES**

- (a) Public hearing to receive comments regarding the La Porte Fire Control, Prevention and Emergency Medical Services District's proposed budget for the fiscal year which begins October 1, 2015, as approved by the Board of Directors of the District at its meeting held on May 26, 2015; consider approval of proposed budget of La Porte Fire Control, Prevention and Emergency Medical Services District - D. Ladd
- (b) Public hearing to receive comments regarding recommendation of the La Porte Planning and Zoning Commission to approve a Special Conditional Use Permit (SCUP) #15-91000002 for the purpose of constructing a warehouse facility on a 7.1-acre tract of land at the southeast corner of South 16th Street and West M Street intersection, and consider an Ordinance amending Chapter 106, "Zoning," of Code of Ordinances by approving Special Conditional Use Permit (SCUP) #15-91000002 - E. Ensey

**8. AUTHORIZATION/ORDINANCE**

- (a) Consider approval or other action authorizing expenditure by the La Porte Development Corporation in an amount not to exceed \$300,000.00 in connection with project for an economic development incentive to "Gantstein Esquire, LLC.," to open a new Pipeline Grill Restaurant in La Porte, Texas - S. Livingston
- (b) Consider approval or other action regarding an Ordinance appointing a member of the City Council to serve as Mayor Pro-Tem of the City of La Porte, Texas, for the period June 1, 2015, through May 31, 2016 - P. Fogarty

**9. DISCUSSION OR OTHER ACTION**

- (a) Discussion or other action regarding potential amendments to the City of La Porte Truck Route Map - C. Alexander

**10. ADMINISTRATIVE REPORTS**

- La Porte Redevelopment Authority/La Porte Tax Reinvestment Zone Number One Meeting, Wednesday, June 10, 2015
- City Council Meeting, Monday, June 22, 2015
- Drainage and Flooding Committee Meeting, Monday, June 29, 2015

- 11. COUNCIL COMMENTS** regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies – Councilmembers Kaminski, Zemanek, Leonard, Engelken, Earp, Clausen, Martin, Moser and Mayor Rigby

**12. EXECUTIVE SESSION**

The City Council reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code, in accordance with the authority contained in:

**Texas Government Code, Section 551.071(2)** – Consultation with City Attorney: Meet with City Attorney to discuss Port Crossing Business Park - SCUP 06-006.

**Texas Government Code, Section 551.087(2)** – Deliberation regarding economic development negotiations: Sector 23.

**Texas Government Code, Section 551.074** – Personnel Matter: Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, unless the officer or employee requests a public hearing: City Manager Corby Alexander.

**13. RECONVENE** into regular session and consider action, if any, on item(s) discussed in executive session.

**14. ADJOURN**

**In compliance with the Americans with Disabilities Act, the City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meeting. Please contact Patrice Fogarty, City Secretary, at 281.470.5019.**

**CERTIFICATION**

I certify that a copy of the June 8, 2015, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on June 2, 2015.

*Patrice Fogarty*



**Council Agenda Item  
June 8, 2015**

1. **CALL TO ORDER**
2. **INVOCATION** – The invocation will be given by Michael Thannisch, Congregation Benim Avraham.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Councilmember Dottie Kaminski.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
  - (a) Recognition - Retirement of Wanda Richards (City of La Porte Police Department) - Mayor Rigby
5. **PUBLIC COMMENTS** (Limited to five minutes per person.)

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Wanda Richards began her career as a telecommunications officer with the City of La Porte on May 22, 1985 and retired with 30 years of service on May 29, 2015.

In addition to her work as a telecommunications officer, Wanda volunteered to work countless special events within the City, including Sylvan Beach Day, National Night Out, Veteran Blood Drives, and the American Cancer Society Fun Run. She also assisted the La Porte Police Officers Association with countless hosted events.

Wanda was known widely for her dedication, devotion, and strong work ethic and, while we wish her the best as she begins a new chapter in her life, the City of La Porte is going to miss her greatly.

Please join me in thanking Ms. Wanda Richards for her 30 years of dedicated service to our community.



**Council Agenda Item  
June 8, 2015**

- 6. CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
- (a) Consider approval or other action regarding the minutes of the City Council meeting held on May 11, 2015 - P. Fogarty
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**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF LA PORTE  
MAY 11, 2015**

The City Council of the City of La Porte met in a regular meeting on **Monday, May 11, 2015**, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at **6:00 p.m.** to consider the following items of business:

**1. CALL TO ORDER**

Mayor Rigby called the meeting to order at 6:02 p.m. Members of Council present: Councilmembers Kaminski, Martin, Moser, Earp, Leonard, and Zemanek. Absent: Councilmembers Engelken and Clausen. Also present were City Secretary Patrice Fogarty and City Manager Corby Alexander.

**2. INVOCATION** – The invocation was given by Brian Christen, La Porte Community Church.

**3. PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Tommy Moser.

**4. PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS**

**(a)** Proclamation – Motorcycle Safety & Awareness Month – Mayor Rigby

Mayor Rigby presented a proclamation for Motorcycle Safety & Awareness Month.

**(b)** Proclamation – Neuropathy Awareness Week – Mayor Rigby

Mayor Rigby presented a proclamation for Neuropathy Awareness Week.

**(c)** Proclamation – Emergency Medical Services Week – Mayor Rigby

Mayor Rigby presented a proclamation for Emergency Medical Services Week.

**(d)** Recognition – Employee of the (First) Quarter – Ashley Ellison (City of La Porte Public Works Department) – Mayor Rigby

Mayor Rigby recognized Ashely Ellison as Employee of the (First) Quarter.

**5. PUBLIC COMMENTS** (Limited to five minutes per person.)

Kathleen Duncan, 10010 Dover Hill, addressed Council and thanked them for approving the reconstruction of the La Porte Recreation and Fitness Center and asked for additional communications

to the community regarding the closing of the center. Ms. Duncan questioned the use of the contingency fund and the \$25,000.00 deductible for the insurance.

**6. CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*

- (a) Consider approval or other action regarding the minutes of the special called city council meeting held on April 18, 2015, and the minutes of the regular meeting held on April 27, 2015 – P. Fogarty
- (b) Consider approval or other action regarding a Resolution denying the Application for Approval of a Distribution Cost Recovery Factor (DCRF) proposed by CenterPoint Energy Houston Electric, LLC. – C. Alexander
- (c) Consider approval or other action regarding a Resolution authorizing the City of La Porte to join with other municipalities as part of the Houston Coalition of Cities, in connection with CenterPoint Energy Houston Electric, LLC.'s Application for Approval of a Distribution Cost Recovery Factor (DCRF) – C. Alexander
- (d) Consider approval or other action regarding a community cooperation project with Fairmont Park HOA for installation of lighting at neighborhood entryways, for a total City contribution of \$5,000.00 – T. Leach
- (e) Consider approval or other action dedicating a 0.372-acre drainage easement to Harris County Flood Control District out of City of La Porte owned property located at Outlots 327 and 334, Town of La Porte – B. Eng
- (f) Consider approval or other action to reduce industrial waste sanitary sewer surcharge fees for Non-Significant Industrial Users, by authorizing the Public Works Department to change the maintenance and operation (O&M) variable used in the Industrial Waste Surcharge formula to \$0.64 per 1000 gallons – D. Mick
- (g) Consider approval or other action regarding the appointment of Larry Hawkins to the La Porte Police Department Reserve Force – K. Adcox
- (h) Consider approval or other action regarding an Ordinance amending Chapter 10, "Amusements" of the Code of Ordinances of the City of La Porte, enacting certain regulations related to the operation of Game Rooms – K. Adcox

Councilmember Moser asked that Consent Item 6(f) be considered under a separate vote.

Councilmember Moser moved to approve the Consent Agenda Items 6 (a-e), (g) and (h) pursuant to staff recommendations. Councilmember Earp seconded. **MOTION PASSED.**

Ayes: Mayor Rigby, Councilmembers Moser, Leonard, Martin, Zemanek,  
Kaminski and Earp  
Nays: None

Absent: Councilmembers Clausen and Engelken

Prior to Council vote, Assistant City Attorney Clark Askins read the caption of the ordinance from Consent Agenda Item 6(h):

**Ordinance 2015-3576:** AN ORDINANCE AMENDING CHAPTER 10 "AMUSEMENTS" OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, BY ENACTING CERTAIN REGULATIONS RELATED TO THE OPERATION OF GAME ROOMS, IN COORDINATION WITH HARRIS COUNTY; PROVIDING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW' PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED FIVE HUNDRED DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE HEREOF.

Councilmember Zemanek moved to approve Consent Agenda Item 6(f) pursuant to staff recommendations. Councilmember Earp seconded. **MOTION PASSED.**

Ayes: Councilmembers Leonard, Martin, Zemanek, Kaminski and Earp  
Nays: Mayor Rigby and Councilmember Moser  
Absent: Councilmembers Clausen and Engelken

## 7. PUBLIC HEARINGS AND ASSOCIATED ORDINANCES

(a) Public hearing to receive comments regarding a request to rezone a .809-acre tract of land from GC, General Commercial, to R-1, Low Density Residential, to allow for construction of a single family residence; and consider an ordinance amending Chapter 106, "Zoning," of the Code of Ordinances. The subject site is located on Farrington Blvd., north of Fairmont Parkway. The Planning and Zoning Commission forwarded a recommendation to approve Rezone Request #14-9200001. Applicant is Jose Angel Sandoval, Jr. – E. Ensey

The public hearing opened at 6:23 p.m.

City Planner Eric Ensey presented a summary and advised that the Planning and Zoning Commission recommended approval of the request.

There being no public comments, the public hearing closed at 6:25 p.m.

Councilmember Leonard moved to approve an Ordinance amending Chapter 106, "Zoning" of the Code of Ordinances by rezoning a .809-acre tract of land from GC, General Commercial, to R-1, Low Density Residential, to allow for construction of a single family residence. Councilmember Zemanek seconded. **MOTION PASSED.**

Ayes: Mayor Rigby, Councilmembers Zemanek, Kaminski, Moser, Leonard, Earp and Martin  
Nays: None  
Absent: Councilmembers Clausen and Engelken

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2015-3577:** AN ORDINANCE AMENDING CHAPTER 106 "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE BY CHANGING THE ZONING CLASSIFICATION FROM GENERAL COMMERCIAL (GC) TO LOW DENSITY RESIDENTIAL (R-1) FOR A .809 ACRE TRACT OF LAND HEREIN DESCRIBED; MAKING CERTAIN

FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

- (b) Public hearing to receive comments regarding a request to approve a Special Conditional Use Permit (SCUP) at 227 South Y Street, for the purpose of constructing a secondary dwelling unit; and consider an ordinance amending Chapter 106, "Zoning," of the Code of Ordinances. The Planning and Zoning Commission forwarded a recommendation to approve proposed SCUP #15-91000001. Applicant is Rhonda Carraway – E. Ensey

The public hearing opened at 6:26 p.m.

Councilmember Moser stated he is not participating in this item as his company may perform wiring on the dwelling, and he may have a conflict of interest.

City Planner Eric Ensey presented a summary and advised the Planning and Zoning Commission recommended approval of the request.

Councilmember Martin asked if this is a rental property. Mr. Ensey advised the applicant plans to use the property as a mother-in-law suite for Mrs. Carraway's mother and will have to comply with all City codes.

Councilmember Earp questioned if the lot coverage meets all codes. Mr. Ensey responded yes.

There being no public comments, the public hearing closed at 6:29 p.m.

Councilmember Zemanek moved to approve an Ordinance amending Chapter 106 Zoning of the Code of Ordinances of the City of La Porte by granting a special conditional use permit for the purpose of constructing a secondary dwelling unit. Councilmember Leonard seconded. **MOTION PASSED.**

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| Ayes:   | Mayor Rigby, Councilmembers Zemanek, Kaminski, Moser, Leonard, Earp and Martin |
| Nays:   | None   |
| Absent: | Councilmembers Clausen and Engelken  |

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2015-3578: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA PORTE CHAPTER 106, MORE COMMONLY REFERRED TO AS THE ZONING ORDINANCE OF THE CITY OF LA PORTE, BY GRANTING SPECIAL CONDITIONAL USE PERMIT NO. 15-91000001 FOR THAT CERTAIN PARCEL OF LAND HEREIN DESCRIBED, FOR THE PURPOSE OF CONSTRUCTING A SECONDARY DWELLING UNIT AT 227 SOUTH Y STREET; MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

- (c) Public hearing to receive comments regarding a request to approve a Special Conditional Use Permit (SCUP) at the southeast corner of South 16<sup>th</sup> Street and West M Street intersection, for the purpose of constructing a warehouse facility on a 7.1-acre portion of a 12.6-acre tract of land; and consider an ordinance amending Chapter 106, "Zoning," of the Code of Ordinances. The Planning and Zoning Commission forwarded a recommendation to approve proposed SCUP #15-91000002. Applicant is General Commercial Properties – E. Ensey

The public hearing was not opened as the applicant had previously requested in writing that the item be postponed to the June 8, 2015, council meeting.

Councilmember Moser moved to postpone the public hearing and consideration of this item to the June 8 meeting. Councilmember Martin seconded. **MOTION PASSED.**

Ayes: Mayor Rigby, Councilmembers Zemanek, Kaminski, Moser, Leonard, Earp and Martin  
Nays: None  
Absent: Councilmembers Clausen and Engelken

## 8. AUTHORIZATIONS/ORDINANCES/RESOLUTIONS

- (a) Consider approval or other action regarding issuance of a permit for Boone Exploration, Inc., to conduct Geophysical Mineral Exploration and Testing Permit – T. Tietjens

Planning Director Tim Tietjens presented a summary.

Councilmember Zemanek asked how Boone Exploration, Inc., will notify the property owners. Mr. Tietjens responded door hangers on every dwelling unit. Councilmember Zemanek questioned how the City will monitor the 300-foot rule. Mr. Tietjens responded Boone Exploration, Inc., has equipment that mandates the locations, and the City require proof of the locations.

Councilmember Earp questioned how Boone Exploration, Inc., will be granted permission to access the City-owned property in Lomax. Mr. Tietjens responded the company will provide a notice to the City as a property owner. Councilmember Earp asked if the permit has to come forward to Council for approval. Assistant City Attorney Askins advised it is discretionary whether Council approves the permit tonight. It is up to Council.

Councilmember Earp moved to deny this issuance of a permit for Boone Exploration, Inc., to conduct Geophysical Mineral Exploration and Testing Permit. Councilmember Zemanek seconded. **MOTION PASSED.**

Ayes: Councilmembers Leonard, Zemanek, Kaminski and Earp  
Nays: Mayor Rigby, Councilmembers Moser and Martin  
Absent: Councilmember Clausen and Engelken

- (b) Consider approval or other action authorizing the City Manager to execute a Memorandum of Agreement between the City of La Porte and the La Porte Boys Baseball Association for installation of improvements at Pecan Park Baseball Complex – R. Epting

Parks and Recreation Director Rosalyn Epting presented a summary.

Councilmember Moser moved to authorize the City Manager to execute a Memorandum of Agreement between the City of La Porte and the La Porte Boys Baseball Association for installation of improvements at Pecan Park Baseball Complex. Councilmember Kaminski seconded. **MOTION PASSED.**

Ayes: Mayor Rigby, Councilmembers Leonard, Martin, Zemanek, Moser, Kaminski and Earp  
Nays: None  
Absent: Councilmember Clausen and Engelken

## 9. DISCUSSION OR OTHER ACTION

**(a)** Discussion or other action regarding amending Chapter 70 “Traffic and Vehicles” of the Code of Ordinances in connection with comprehensive review and update to truck route regulations – C. Alexander –

City Manager Corby Alexander introduced Phil Stillman, Chair of the Ad Hoc Trucking Committee; and he presented recommendations for changes to Chapter 70 “Traffic and Vehicles” of the Code of Ordinances.

Committee member Maggie Anderson spoke and advised the committee worked really hard updating the truck route regulations and asked Council to think about the truck route because the traffic will be increasing.

Mayor Rigby commented the item is being presented to Council to approve what’s been submitted, amend what’s been submitted, or to send it back to the committee.

Councilmember Zemanek requested comments and a point of view from Assistant Fire Chief Donald Ladd. Mr. Ladd commented he agrees with most of what the committee suggested; but one section he is against is opening the section on Bay Area Blvd. between Fairmont Parkway and Spencer Hwy. Mr. Ladd commented Spencer Hwy is the main corridor for the La Porte Fire Department with one of the fire stations being located on Spencer Hwy. In addition, Mr. Ladd commented traffic will increase at Spencer Hwy and Highway 146, and he would like it taken off from consideration.

Councilmember Earp asked Mr. Stillman what the rationale is on the Spencer Highway corridor. Mr. Stillman responded the rationale is to get hazardous materials from 16<sup>th</sup> Street east to Hwy. 146 and those down 16<sup>th</sup> Street to Wharton Weems Blvd.; and the committee believes some of the traffic south of Fairmont to Bay Area Blvd. up to Spencer Hwy would help alleviate traffic congestion.

Councilmember Earp questioned the daily truck and vehicle volume. Mr. Stillman responded from the Fred Hartman Bridge to Hwy 225 there are 33,000 commercial vehicles coming into La Porte. Councilmember Earp commented the comprehensive plan has a vision for the City and addresses the truck issues and anticipated truck loads.

Councilmember Zemanek commented the City needs to keep the one main east/west artery free of trucks and questioned why Spencer Hwy west of 16<sup>th</sup> Street was ever on the truck route without an origin or destination. Councilmember Zemanek also commented he understands the concerns of emergency services, and the City needs to work with Harris County to improve Fairmont Parkway into three lanes each direction. In addition, Councilmember Zemanek commended the committee on their efforts.

Councilmember Martin asked if there were any thoughts to allowing all trucks on the proposed hazardous truck route. Mr. Stillman responded yes, the thought was to take the Haz Mat away with the synchronization of lights and signals in the area and allow all trucks along the route. Councilmember Martin agreed with Councilmember Zemanek to work with Harris County on expanding Fairmont Parkway.

City Manager Corby Alexander advised the City has spoken with Harris County regarding the need to eliminate traffic congestion along Fairmont Parkway, and they agreed there is a problem. Mr. Alexander advised synchronizing lights is the first step to solving the traffic congestion.

Mayor Rigby commented he would like to thank the committee regardless of the outcome tonight and advised the City is still working on the heavy haul corridor concerns.

Councilmember Moser questioned why didn't the committee consider taking all trucks along 16<sup>th</sup> Street south? Mr. Stillman responded it was based on the data the committee had and leveling the load of trucks and accidents on a daily basis.

Councilmember Martin asked Mr. Stillman if the committee recommend the City review the ordinance every two years. Mr. Stillman responded yes.

Councilmember Zemanek moved to adopt all changes from the trucking committee with the exception of the addition of Bay Area Blvd. on the truck route, which is that portion between Fairmont and Spencer, including the two additional items that were discussed. Councilmember Leonard seconded.  
**MOTION PASSED.**

|         |  |
|---------|--|
| Ayes:   | Mayor Rigby, Councilmembers Leonard, Zemanek, Moser, Kaminski and Earp |
| Nays:   | Councilmember Martin   |
| Absent: | Councilmember Clausen and Engelken                                     |

Councilmember Zemanek asked to bring back in June a proposal to remove from the truck route map that portion of Spencer Hwy. west of 16<sup>th</sup> Street to Underwood Blvd. Councilmember Zemanek stated there is not an origin nor a destination between these two. Staff will place it on the June meeting agenda.

**10. ADMINISTRATIVE REPORTS**

City Manager Corby Alexander reminded Council of the Plant Manager's Breakfast in the morning and advised staff will follow-up with Ms. Duncan regarding her concerns of communication regarding the closing of the La Porte Recreation and Fitness Center.

**11. COUNCIL COMMENTS** regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies – Councilmembers Martin, Moser, Kaminski, Zemanek, Leonard, Engelken, Earp, Clausen and Mayor Rigby.

Councilmembers Moser and Kaminski thanked the trucking committee; Councilmember Zemanek recognized all mothers with a Happy Belated Mother's Day, thanked the trucking committee and congratulated Mayor Rigby and Councilmembers Leonard and Engelken for being re-elected into office, and David Janda and Lee Wallace for being re-elected into office on the La Porte Independent School District Board; Councilmember Leonard congratulated everyone receiving proclamations and recognitions and sent Happy Belated Mother's Day wishes; Councilmember Earp thanked the trucking committee for the fine job; Councilmember Martin thanked the trucking committee and commented his vote was not against their work and congratulated the Emergency Medical Services Department for receiving a proclamation and Ashley Ellison for being recognized as Employee of the First Quarter;

Mayor Rigby thanked the trucking committee; thanked Chief Ray Nolen and the Emergency Medical Services Department for being a fine team and commented he attended the Fire Department Awards Banquet at the Monument Inn this past Saturday and thanked the department for their hard work, as well.

**12. ADJOURN**

There being no further business, the meeting adjourned at 7:41 p.m.

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Patrice Fogarty, City Secretary

Passed and approved on June 8, 2015.

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Mayor Louis R. Rigby

## REQUEST FOR CITY COUNCIL AGENDA ITEM

|  |  |
|--|--|
| <b>Agenda Date Requested:</b> <u>June 8, 2015</u>  | <u><b>Appropriation</b></u>                |
| <b>Requested By:</b> <u>Michael Dolby, CPA</u>   | <b>Source of Funds:</b> <u>N/A</u>         |
| <b>Department:</b> <u>Finance</u>  | <b>Account Number:</b> <u>N/A</u>          |
| <b>Report:</b> <u>    </u> <b>Resolution:</b> <u>    </u> <b>Ordinance:</b> <u>XX</u>                | <b>Amount Budgeted:</b> <u>N/A</u>         |
| <b>Exhibits:</b> <u>Ordinance</u>  | <b>Amount Requested:</b> <u>N/A</u>        |
| <b>Exhibits:</b> <u>Excerpt from FY 2015 Adopted Budget &amp; Amended Budget (Exhibit A &amp; B)</u> | <b>Budgeted Item:</b> <b>YES</b> <b>NO</b> |
| <b>Exhibits:</b> <u>Explanations / Backup for Amendment</u>  |  |

### SUMMARY & RECOMMENDATION

The City Council adopted the Fiscal Year 2014-15 Budget on September 8, 2014.

The Summary of Funds, which is shown below, represents the amendments which council previously approved to the FY 2014-15 Budget. (\*denotes funds with current changes)

|  | Original Budget      | Previously Amended Budget | Proposed Amended Budget |
|--|----------------------|---------------------------|-------------------------|
| <b>General Fund</b>                        | <b>\$ 42,524,058</b> | <b>\$ 42,702,320</b>      | <b>\$ 42,852,320 *</b>  |
| Grant Fund                                 | 502,678              | 1,114,282                 | 1,114,282               |
| Street Maintenance Sales Tax Fund          | 795,000              | 795,000                   | 795,000                 |
| Emergency Services District Sales Tax Fund | 1,322,638            | 1,390,917                 | 1,390,917               |
| Hotel/Motel Occupancy Tax                  | 826,039              | 828,589                   | 828,589                 |
| Economic Development Corporation           | 1,418,611            | 1,518,611                 | 1,518,611               |
| Tax Increment Reinvestment Zone            | 2,807,737            | 2,807,737                 | 2,807,737               |
| Utility                                    | 8,056,291            | 8,133,236                 | 8,133,236               |
| Airport                                    | 47,496               | 78,082                    | 78,082                  |
| La Porte Area Water Authority              | 1,129,481            | 1,129,481                 | 1,129,481               |
| Motor Pool                                 | 3,130,099            | 3,177,768                 | 3,177,768               |
| Insurance Fund                             | 6,247,649            | 6,247,649                 | 6,247,649               |
| Technology Fund                            | 220,000              | 269,600                   | 269,600                 |
| General Capital Improvement                | 1,615,000            | 1,790,000                 | 1,790,000               |
| <b>Utility Capital Improvement</b>         | <b>1,175,000</b>     | <b>1,175,000</b>          | <b>1,375,000 *</b>      |
| Sewer Rehabilitation Capital Improvement   | 350,000              | 350,000                   | 350,000                 |
| Drainage Improvement Fund                  | 240,000              | 240,000                   | 240,000                 |
| 2010 Certificates of Obligation Bond Fund  | 280,000              | 280,000                   | 280,000                 |
| General Debt Service                       | 4,358,723            | 4,358,723                 | 4,358,723               |
| Utility Debt Service                       | 277,226              | 277,226                   | 277,226                 |
| La Porte Area Water Authority Debt Service | 691,838              | 691,838                   | 691,838                 |
| Total of All Funds                         | \$78,015,564         | \$79,356,059              | \$79,706,059            |

#### Action Required by Council:

Adopt Ordinance Amending Fiscal Year 2014-15 Budget for the following items:

- A. \$200,000 in the Utility CIP Fund for meter replacement.
- B. \$150,000 in the General Fund to replenish contingency funds.

#### Approved for City Council Agenda

\_\_\_\_\_  
Corby D. Alexander, City Manager

\_\_\_\_\_  
Date

## ORDINANCE

AN ORDINANCE APPROVING AN AMENDMENT TO THE BUDGET FOR THE CITY OF LA PORTE, TEXAS, FOR THE PERIOD OF OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015; FINDING THAT ALL THINGS REQUISITE AND NECESSARY HAVE BEEN DONE IN PREPARATION AND PRESENTMENT OF SAID BUDGET; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, the Charter of the City of La Porte, Texas, and the Statutes of the State of Texas, require that an annual budget be prepared and presented to the City Council of the City of La Porte, Texas, prior to the beginning of the fiscal year of said City, and that a public hearing be held prior to the adoption of said Budget; and

WHEREAS, the Budget for the fiscal year October 1, 2014, through September 30, 2015, has heretofore been presented to the City Council and due deliberation had thereon, was filed in the office of the City Secretary on July 28, 2014, and a public hearing scheduled for September 8, 2014 was duly advertised and held.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:

SECTION 1: That the Budget for the City of La Porte, Texas, now before the said City Council for consideration, a complete copy of which is on file with the City Secretary and a summary of which is attached hereto by reference as Exhibit "A", is hereby amended as reflected on the amended budget summary document, attached hereto by reference as Exhibit "B", as the Budget for the said City of La Porte, Texas, for the period of October 1, 2014, through September 30, 2015.

SECTION 2: Be it FURTHER ORDAINED, that the said City Council finds that all things requisite and necessary to the adoption of said Budget have been performed as required by charter or statute.

SECTION 3: The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 4: This Ordinance shall be in effect from and after its passage and approval.

PASSED AND APPROVED this the 8<sup>th</sup> day of June, 2015.

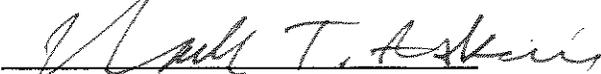
CITY OF LA PORTE, TEXAS

\_\_\_\_\_  
Louis R. Rigby, Mayor

ATTEST:

\_\_\_\_\_  
Patrice Fogarty, City Secretary

APPROVED:

  
\_\_\_\_\_  
Clark Askins, Assistant City Attorney

**EXHIBIT A**  
**(ORIGINAL BUDGET)**

---

**City of La Porte**  
**Consolidated Summary of All Funds**

|                               | FY 14-15<br>Revenues | FY 14-15<br>Expenses |
|-------------------------------|----------------------|----------------------|
| Governmental Fund Types:      |                      |                      |
| General Fund                  | \$ 41,057,475        | \$ 42,524,058        |
| Grant Fund                    | 409,287              | 502,678              |
| Street Maintenance Sales Tax  | 1,105,715            | 795,000              |
| Emergency Services District   | 1,104,815            | 1,322,638            |
| Hotel/Motel Occupancy Tax     | 576,500              | 826,039              |
| Economic Development Corporat | 2,213,130            | 1,418,611            |
| Tax Increment Reinvestment    | <u>2,688,633</u>     | <u>2,807,737</u>     |
| Total Governmental Types      | 49,155,555           | 50,196,761           |
| Enterprise:                   |                      |                      |
| Utility                       | 8,079,000            | 8,056,291            |
| Airport                       | 59,500               | 47,496               |
| La Porte Area Water Authority | <u>1,284,359</u>     | <u>1,129,481</u>     |
| Total Enterprise              | 9,422,859            | 9,233,268            |
| Internal Service              |                      |                      |
| Motor Pool                    | 2,668,048            | 3,130,099            |
| Insurance Fund                | 5,781,791            | 6,247,649            |
| Technology Fund               | <u>477,688</u>       | <u>220,000</u>       |
| Total Internal Service        | 8,927,527            | 9,597,748            |
| Capital Improvement:          |                      |                      |
| General                       | 1,020,000            | 1,615,000            |
| Utility                       | 2,100,500            | 1,175,000            |
| Sewer Rehabilitation          | 300,500              | 350,000              |
| Drainage Improvement Fund     | 267,750              | 240,000              |
| 2010 C/O Bond Fund            | <u>-</u>             | <u>280,000</u>       |
| Total Capital Improvement     | 3,688,750            | 3,660,000            |
| Debt Service:                 |                      |                      |
| General                       | 4,228,560            | 4,358,723            |
| Utility                       | 277,726              | 277,226              |
| La Porte Area Water Authority | <u>691,838</u>       | <u>691,838</u>       |
| Total Debt Service            | 5,198,124            | 5,327,787            |
| Total All Funds               | \$ 76,392,815        | \$ 78,015,564        |

**EXHIBIT B**  
**(AMENDED BUDGET)**

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**City of La Porte**  
**Consolidated Summary of All Funds**

|                               | FY 14-15<br>Revenues | FY 14-15<br>Expenses |
|-------------------------------|----------------------|----------------------|
| Governmental Fund Types:      |                      |                      |
| <b>General Fund</b>           | \$ 41,057,475        | \$ 42,852,320        |
| Grant Fund                    | 1,011,947            | 1,114,282            |
| Street Maintenance Sales Tax  | 1,105,715            | 795,000              |
| Emergency Services District   | 1,104,815            | 1,390,917            |
| Hotel/Motel Occupancy Tax     | 579,050              | 828,589              |
| Economic Development Corporat | 2,388,130            | 1,518,611            |
| Tax Increment Reinvestment    | <u>2,688,633</u>     | <u>2,807,737</u>     |
| Total Governmental Types      | 49,935,765           | 51,307,456           |
| Enterprise:                   |                      |                      |
| Utility                       | 8,148,161            | 8,133,236            |
| Airport                       | 60,086               | 78,082               |
| La Porte Area Water Authority | <u>1,284,359</u>     | <u>1,129,481</u>     |
| Total Enterprise              | 9,492,606            | 9,340,799            |
| Internal Service              |                      |                      |
| Motor Pool                    | 2,684,011            | 3,177,768            |
| Insurance Fund                | 5,781,791            | 6,247,649            |
| Technology Fund               | <u>477,688</u>       | <u>269,600</u>       |
| Total Internal Service        | 8,943,490            | 9,695,017            |
| Capital Improvement:          |                      |                      |
| General                       | 1,020,000            | 1,790,000            |
| <b>Utility</b>                | <b>2,100,500</b>     | <b>1,375,000</b>     |
| Sewer Rehabilitation          | 300,500              | 350,000              |
| Drainage Improvement Fund     | 267,750              | 240,000              |
| 2010 C/O Bond Fund            | <u>-</u>             | <u>280,000</u>       |
| Total Capital Improvement     | 3,688,750            | 4,035,000            |
| Debt Service:                 |                      |                      |
| General                       | 5,832,377            | 4,358,723            |
| Utility                       | 277,726              | 277,226              |
| La Porte Area Water Authority | <u>691,838</u>       | <u>691,838</u>       |
| Total Debt Service            | 6,801,941            | 5,327,787            |
| Total All Funds               | \$ 78,862,552        | \$ 79,706,059        |

**From:** [Dolby, Michael](#)  
**To:** [Wolny, Shelley](#)  
**Subject:** budget amendment  
**Date:** Monday, May 18, 2015 4:02:00 PM

---

Shelly,

Project UTL 655- Meter Replacement Program has a zero balance. We use this account to order the electrical and water components needed to read meters. Our system is nine years old and requires maintenance and replacement of parts that are malfunctioning. Upon discussion with the city manager, we requested an increase to this project of \$200,000 dollars, which will be drawn from fund balance.

Thank you

Michael G Dolby, CPA  
Director of Finance  
City of La Porte

**From:** [Dolby, Michael](#)  
**To:** [Wolny, Shelley](#)  
**Cc:** [Alexander, Corby](#)  
**Subject:** General Fund Contingency  
**Date:** Monday, May 18, 2015 4:28:31 PM

---

Shelly,

The City Manager is requesting an additional \$150,000 dollars be added to our general fund contingency account. We had an unforeseen emergency at the fitness center that depleted our contingency reserves. As always, if this money is not spent during the year, it will revert back to fund balance.

Thanks

Michael Dolby, CPA  
Director of Finance  
City of La Porte, Texas

## REQUEST FOR CITY COUNCIL AGENDA ITEM

|   |   |
|---|---|
| Agenda Date Requested: <u>June 8, 2015</u>  | <u>Appropriation</u>  |
| Requested By: <u>Tim Tietjens</u>   | Source of Funds: <u>N/A</u>                                       |
| Department: <u>Planning &amp; Development</u>   | Account Number:   |
| Report: <input type="radio"/> Resolution: <input type="radio"/> Ordinance: <input checked="" type="radio"/> | Amount Budgeted:  |
| Other: <input type="radio"/>  | Amount Requested:   |
|   | Budgeted Item: <input type="radio"/> YES <input type="radio"/> NO |

**Attachments :**

1. Ordinance
2. Utility Easement
3. Deed
4. Appraisal Summary
5. Area Map

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### SUMMARY & RECOMMENDATIONS

The City has received and processed an application from Oakland Land & Development, LLC to vacate, abandon and close a portion of the alley in Block 182, La Porte, in order to incorporate the tract into the applicant's existing site located at 215 East Main St.

Staff's review of the application has determined that an existing 8" sanitary sewer line and an existing 2" waterline are located within the area to be closed. Additionally, Centerpoint Energy, Comcast and AT&T have requested an easement be granted for existing facilities each company maintains within the existing alley.

In accordance with Section 62.35 of the Code of Ordinances, an independent appraisal of the alley has established a value of \$3.00 per square foot for the 2,128 square foot area of right-of-way to be closed. The applicant has subsequently placed \$4,788.00 in escrow with the City (after 25% discount by ordinance) pending final consideration and action by Council.

---

**Action Required of Council:**

Consider approval of an ordinance or other action vacating, abandoning, and closing a portion of the alley in Block 182, La Porte, retaining a 16 foot wide Public Utility Easement within the area to be closed and authorizing the City Manager to execute a deed to the adjacent owner for the subject right-of-way.

---

**Approved for City Council Agenda**

---

**Corby D. Alexander, City Manager**

---

**Date**

ORDINANCE NO. 2015-\_\_\_\_\_

**AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF THE ALLEY IN BLOCK 182, LA PORTE; RETAINING A 16' WIDE PUBLIC UTILITY EASEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A DEED TO THE ADJOINING LANDOWNER, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

WHEREAS, the City Council of the City of La Porte has been requested by the record owner of the property abutting the hereinafter described portion of the alley in Block 182, La Porte, and;

WHEREAS, the City Council of the City of La Porte has determined and does hereby find, determine, and declare that the hereinafter described portion of the portion of the alley in Block 182, La Porte is not suitable, needed, or beneficial to the public as a public road, street, or alley, and the closing of hereinafter described portion of the portion of the alley in Block 182, La Porte is for the protection of the public and for the public interest and benefit, and that the hereinafter described portion of the alley in Block 182, La Porte should be vacated, abandoned, and permanently closed.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:**

**Section 1.** Under and by virtue of the power granted to the City of La Porte under its home rule charter and Chapter 253, Section 253.001, Texas Local Government Code, the hereinafter described portion of the alley in Block 182, La Porte is hereby permanently vacated, abandoned, and closed by the City of La Porte, being generally illustrated on Exhibit "A" incorporated herein, and further described to wit:

BEING a 2,128 square foot tract of land out of the alley in Block 182, La Porte, more particularly described as follows:

BEGINNING at a the northeast corner of Lot 22, Block 182, La Porte, said point being located at the intersection of the south line of the east/west alley in Block 182, La Porte, and the west line of the North Iowa Street Right-of-Way and being the southeast corner of the herein described tract;

THENCE in a westerly direction along the south line of the east/west alley in Block 182, La Porte, to its intersection with the northwest corner of Lot 26, Block 182, La Porte, said point being the southwest corner of the herein described tract;

THENCE in a northerly direction along the projected west line of Lot 26, Block 182, La Porte, to its intersection with a line projected between the south lines of Lot 6 and Lot 21, Block 182, La Porte, said point being located on the centerline of the north/south alley in Block 182, La Porte and being the northwest corner of the herein described tract;

THENCE in an easterly direction along the projected south line of Lot 21, Block 182, La Porte, to its intersection with the southwest corner of Lot 21, Block 182, La Porte, and continuing eastward along the south line of Lot 21, Block 182, La Porte, to its intersection with the west line of the North Iowa Street Right-of-Way, said point being the northeast corner of the herein described tract;

THENCE in a southerly direction along the west line of the North Iowa Street Right-of-Way to the POINT OF BEGINNING of the herein described tract.

**Section 2.** The City of La Porte hereby retains for itself and its successors and assigns, a 16 foot wide Public Utility Easement to be located within the herein described portion of the alley in Block 182, La Porte.

**Section 3.** The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

**Section 4.** This ordinance shall be effective from and after its passage and approval, and it is so ordered.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015.

CITY OF LA PORTE

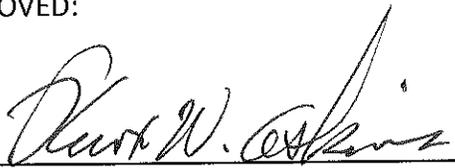
By:

\_\_\_\_\_  
Louis R. Rigby, Mayor

ATTEST:

\_\_\_\_\_  
Patrice Fogarty, City Secretary

APPROVED:

  
\_\_\_\_\_  
Knox W. Askins, City Attorney

**PUBLIC UTILITY EASEMENT**

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF HARRIS

That **OAKLAND LAND & DEVELOPMENT, LLC** ("Grantor"), for and in consideration of Ten and no/100 Dollars (\$10.00) and other good and valuable consideration paid by the **CITY OF LA PORTE** ("Grantee"), a Municipal Corporation, the receipt and sufficiency of which is hereby acknowledged and confessed, have this day GRANTED, BARGAINED, SOLD AND CONVEYED and by these presents do GRANT, SELL AND CONVEY unto said GRANTEE, and to its successors and assigns the perpetual right, privilege and easement, with appropriate rights of ingress and reasonable working area for construction and maintenance, to enter upon and construct, reconstruct, maintain, operate, inspect, replace, repair and remove **PUBLIC UTILITIES**, together with all necessary appurtenances, over, across, through and under that certain tract or parcel of land lying and being situated in Harris County, Texas and being more particularly described on Exhibits "A" & "B" attached hereto and made a part hereof for all purposes.

TO HAVE AND TO HOLD the above described easement, together with all and singular the rights and appurtenances thereto in anywise belonging unto said GRANTEE, its FRANCHISED UTILITY COMPANIES, and its successors or assigns, in accordance with the terms and conditions hereinabove set forth. The GRANTOR does hereby bind itself, its successors or assigns to WARRANT AND FOREVER DEFEND, all and singular the said easement unto the GRANTEE, its FRANCHISED UTILITY COMPANIES, its successors or assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

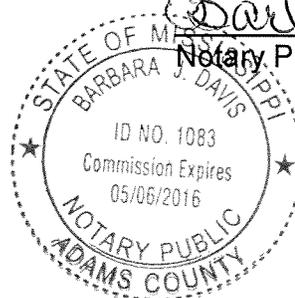
WITNESS THE EXECUTION HEREOF on this the 11<sup>th</sup> day of May, 2015.

BY: [Signature]  
Grantor or Authorized Representative

This instrument was acknowledged before me on the 11<sup>th</sup> day of May, 2015

by JEFF L. Burkhalter.

Barbara J. Davis  
Notary Public, State of ~~Texas~~ MISSISSIPPI



Mailing Address of Grantee  
City of La Porte  
604 West Fairmont Parkway  
La Porte, Texas 77571

## **EXHIBIT "A"**

BEING a 2,128 square foot tract of land out of the alley in Block 182, La Porte, more particularly described as follows:

BEGINNING at a the northeast corner of Lot 22, Block 182, La Porte, said point being located at the intersection of the south line of the east/west alley in Block 182, La Porte, and the west line of the North Iowa Street Right-of-Way and being the southeast corner of the herein described tract;

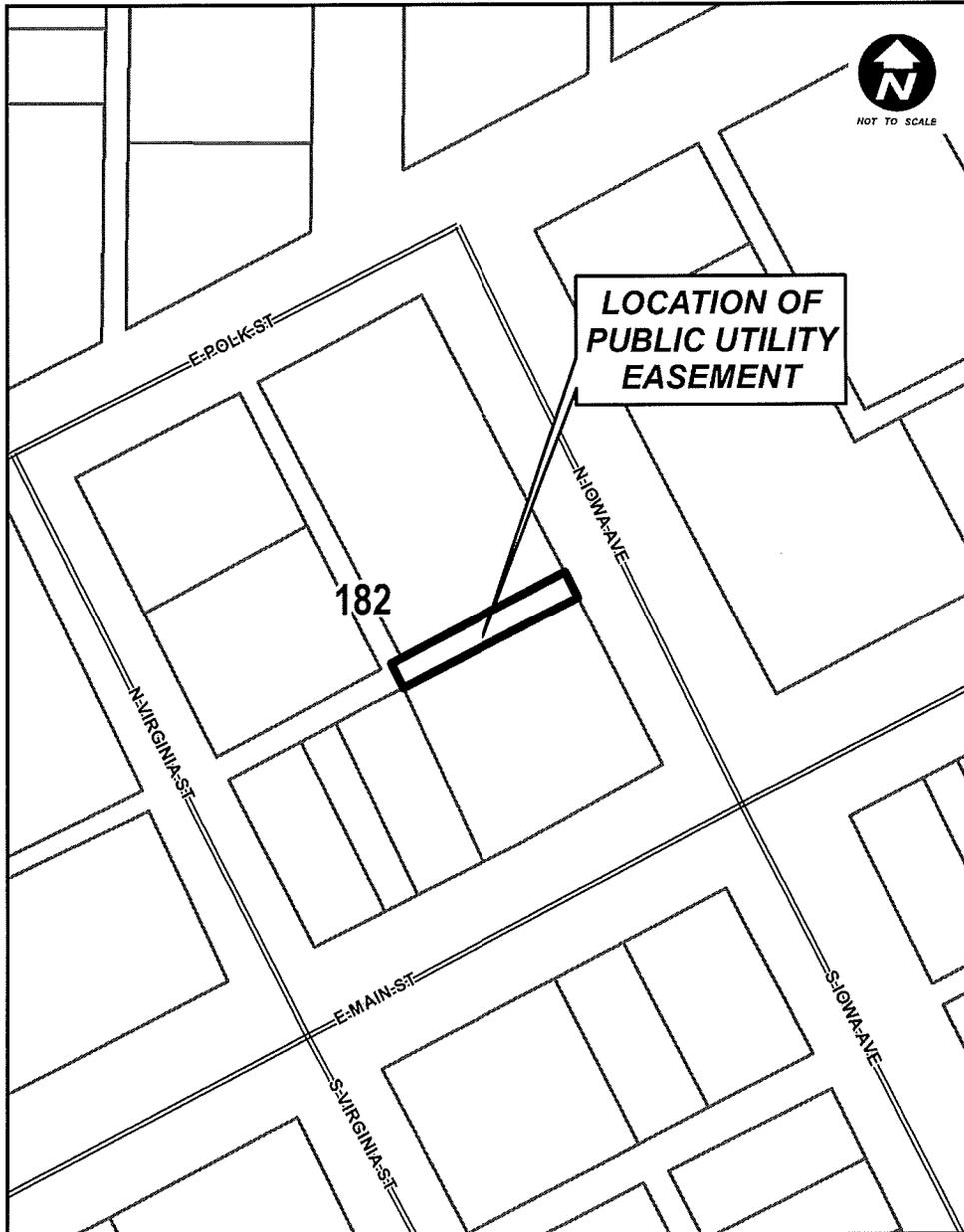
THENCE in a westerly direction along the south line of the east/west alley in Block 182, La Porte, to its intersection with the northwest corner of Lot 26, Block 182, La Porte, said point being the southwest corner of the herein described tract;

THENCE in a northerly direction along the projected west line of Lot 26, Block 182, La Porte, to its intersection with a line projected between the south lines of Lot 6 and Lot 21, Block 182, La Porte, said point being located on the centerline of the north/south alley in Block 182, La Porte and being the northwest corner of the herein described tract;

THENCE in an easterly direction along the projected south line of Lot 21, Block 182, La Porte, to its intersection with the southwest corner of Lot 21, Block 182, La Porte, and continuing eastward along the south line of Lot 21, Block 182, La Porte, to its intersection with the west line of the North Iowa Street Right-of-Way, said point being the northeast corner of the herein described tract;

THENCE in a southerly direction along the west line of the North Iowa Street Right-of-Way to the POINT OF BEGINNING of the herein described tract.

**EXHIBIT 'B'**  
**PUBLIC UTILITY EASEMENT - BLOCK 182, LA PORTE**



## **DEED WITHOUT WARRANTY**

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: June 8, 2015

Grantor: City of La Porte, Texas, a municipal corporation

Mailing Address: 604 West Fairmont Parkway, La Porte, TX 77571

Grantee: Oakland Land & Development, LLC

Mailing Address: P.O. Box 952, Natchez, MS 39121

Consideration: Ten and No/100 Dollars (\$10.00) cash  
and other good and valuable considerations

Property (including any improvements):

Being a 2,128 square foot tract of land out of the alley in Block 182, in the Town of La Porte, Harris County, Texas, being further described by metes and bounds on Exhibit "A", attached hereto and as shown on a plat attached hereto as Exhibit "B", reference to which is made for all purposes, which was vacated, abandoned and closed by City of La Porte Ordinance No. 2015-\_\_\_\_ passed and approved by the City Council of the City of La Porte on the 8<sup>th</sup> day of June, 2015.

Reservations from and Exception to Conveyance and Warranty: This conveyance is made subject to all and singular the restrictions, conditions, oil, gas, and other mineral reservations, easements, and covenants, if any, applicable to and enforceable against the above described property as reflected by the records of the county clerk of the aforesaid county.

Grantor for the consideration and subject to the reservations from and exceptions to conveyance, conveys to Grantee the property without express or implied warranty, and all warranties that might arise by common law and the warranties in §5.023 of the Texas Property Code (or its successor) are excluded.

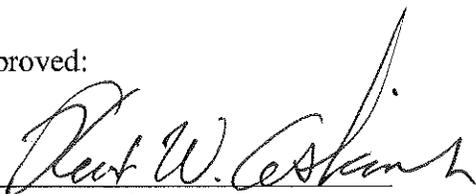
Attest:

City of La Porte

\_\_\_\_\_  
Patrice Fogarty  
City Secretary

By: \_\_\_\_\_  
Corby D. Alexander  
City Manager

Approved:

  
\_\_\_\_\_  
Knox W. Askins  
City Attorney

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

This instrument was acknowledged before me on \_\_\_\_ day of June, 2015, by Corby D. Alexander, City Manager of the City of La Porte, a municipal corporation.

\_\_\_\_\_  
Notary Public, State of Texas

**AFTER RECORDING RETURN TO:**

**PREPARED IN THE LAW OFFICE OF:**

ASKINS & ASKINS, P.C.  
P.O. Box 1218  
La Porte, TX 77572-1218

ASKINS & ASKINS, P.C.  
P.O. Box 1218  
La Porte, TX 77572-1218

## **EXHIBIT "A"**

BEING a 2,128 square foot tract of land out of the alley in Block 182, La Porte, more particularly described as follows:

BEGINNING at a the northeast corner of Lot 22, Block 182, La Porte, said point being located at the intersection of the south line of the east/west alley in Block 182, La Porte, and the west line of the North Iowa Street Right-of-Way and being the southeast corner of the herein described tract;

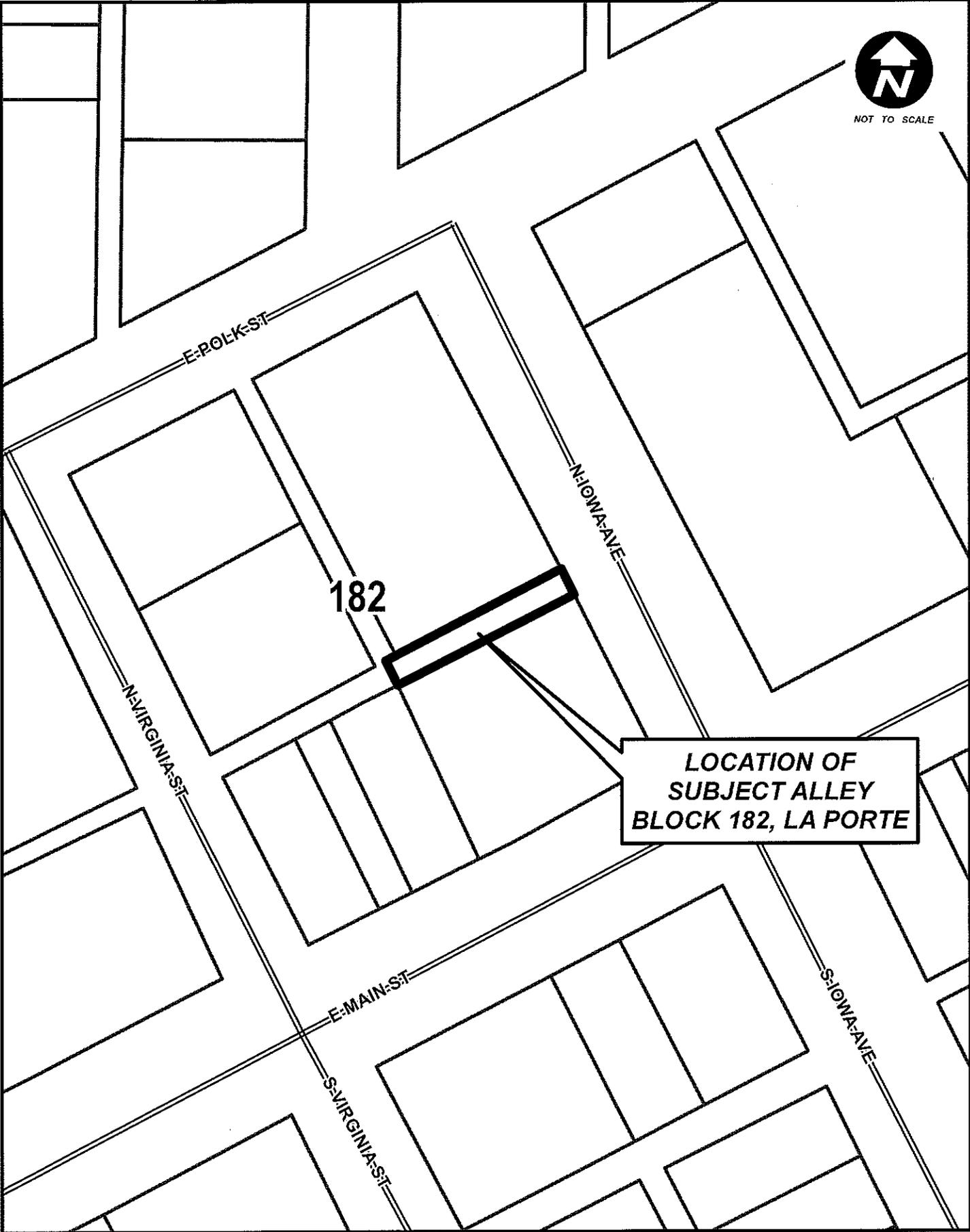
THENCE in a westerly direction along the south line of the east/west alley in Block 182, La Porte, to its intersection with the northwest corner of Lot 26, Block 182, La Porte, said point being the southwest corner of the herein described tract;

THENCE in a northerly direction along the projected west line of Lot 26, Block 182, La Porte, to its intersection with a line projected between the south lines of Lot 6 and Lot 21, Block 182, La Porte, said point being located on the centerline of the north/south alley in Block 182, La Porte and being the northwest corner of the herein described tract;

THENCE in an easterly direction along the projected south line of Lot 21, Block 182, La Porte, to its intersection with the southwest corner of Lot 21, Block 182, La Porte, and continuing eastward along the south line of Lot 21, Block 182, La Porte, to its intersection with the west line of the North Iowa Street Right-of-Way, said point being the northeast corner of the herein described tract;

THENCE in a southerly direction along the west line of the North Iowa Street Right-of-Way to the POINT OF BEGINNING of the herein described tract.

# EXHIBIT 'B'



NOT TO SCALE

182

LOCATION OF  
SUBJECT ALLEY  
BLOCK 182, LA PORTE

E:POLK-ST

N:IOWA-AVE

N:VIRGINIA-ST

E:MAIN-ST

S:VIRGINIA-ST

S:IOWA-AVE

**R.C. Chuoke & Associates, Inc.**  
Appraisers & Consultants

P.O. Box 1447  
League City, Texas 77574

Office- 281-338-9633  
Fax- 281-338-9533

May 15, 2015

City of La Porte  
P.O. Box 1115  
La Porte, Texas 77572

RE: Restricted Appraisal regarding the estimated **Market Value** of a portion of the alleyway in Block 182, La Porte, Harris County, Texas.

Dear Sirs:

In accordance with your request, I have inspected the following described property for the purpose of estimating the **Market Value** following described property as of the date of this Restricted Appraisal. As per our agreement, the data and analysis is presented in an abbreviated Restricted Appraisal format and is not intended to contain the full analysis.

**BRIEF LEGAL DESCRIPTION OF PROPERTY**

Known as portion of the alleyway in Block 182, La Porte, Harris County, Texas. (See site plan in addenda).

I hereby certify that I have personally inspected the property described via a street inspection and that all data gathered by my investigation is from sources believed reliable and true. In preparing this Restricted Appraisal, a study of comparable sales and other related market data was performed.

It should clearly be understood that this letter only constitutes only a statement of the final value and that does not presume to be the complete analysis of the subject property nor a complete appraisal format and is subject to the preparation of a detailed appraisal report.

.....Page 2 Continued.....

The market values in the subject neighborhood appear to vary generally from +-\$1.00 PSF to over \$3.00 PSF for tracts generally similar to the subject property with locations on secondary type roadways such as East Main Street and other smaller nearby collector streets. The area has general access public utilities. The subject site appears to be generally flat and level. The subject property is not located in the 100 year flood plain. The Highest and Best Use of the subject property is determined to be for use as an alleyway or for use by adjacent property owners due to its unique configuration. Adjacent property uses on the north, east and west boundaries of the subject property are commercial tracts of land with frontage along East Main Street, E. Polk Street, Virginia Avenue and North Iowa Avenue. The client and intended user of this appraisal is the City of La Porte only. The intended use is to estimate the current market value of the subject property of this analysis as described above for use in street abandonment procedures. There has been no transfer of the subject property noted for the past 36 months per appraisal district records. The effective date of the appraisal is May 14, 2015. The effective date of the report is May 15, 2015. The estimated exposure time is up to 24 months.

After a review of the comparable sales it is my opinion the estimated unit value range of between **\$1.50 PSF to \$4.00 PSF** would be placed on the subject property with a mid-range value of **\$3.00 PSF** being indicated for the subject property before any discounting. **Therefore the unit market value of the subject tract is estimated at \$3.00 PSF which is based on 100% fee simple ownership with no discounting applied.**

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'C Chuoke', written over a horizontal line.

Chris Chuoke, President  
R.C. CHUOKE & ASSOCIATES, INC.

# AREA MAP

CLP PROJECT NO. 15-2500004



**PROP. CLOSING  
PT ALLEY, BLOCK 182,  
LA PORTE**



E POLK ST

N IOWA AVE

N VIRGINIA ST

E MAIN ST

S IOWA AVE

S VIRGINIA ST

1 inch = 100 feet

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: June 8, 2015  
Requested By: Tim Tietjens  
Department: Planning & Development  
Report:  Resolution:  Ordinance:   
Other:  N/A

Appropriation  
Source of Funds:  
Account Number:  
Amount Budgeted:  
Amount Requested:  
Budgeted Item:  YES  NO

### Attachments :

1. Ordinance
2. Deed
3. Appraisal Summary
4. Area Map

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### SUMMARY & RECOMMENDATIONS

The City has received and processed an application from Oakland Land & Development, LLC to vacate, abandon and close the alley in Block 866, La Porte, in order to incorporate the tract into the applicant's proposed development located in the 900 block of South 14<sup>th</sup> St. (see Area Map).

Staff's review of the application has determined that no existing City utility mains are located within the area to be closed. Additionally, Centerpoint Energy, Comcast and AT&T have each submitted letters stating "no objection" to the closing.

In accordance with Section 62.35 of the Code of Ordinances, an independent appraisal of the alley has established a value of \$2.50 per square foot for the 6,400 square foot area of alley to be closed. The applicant has subsequently placed \$12,000.00 in escrow with the City (after 25% discount by ordinance) pending final consideration and action by Council.

---

### Action Required of Council:

Consider approval or other action of an ordinance vacating, abandoning, and closing the alley in Block 866, La Porte, and authorize the City Manager to execute a deed to the adjacent owner for the subject right-of-way.

---

Approved for City Council Agenda

---

**Corby D. Alexander, City Manager**

---

**Date**

**ORDINANCE NO. 2015-\_\_\_\_\_**

**AN ORDINANCE VACATING, ABANDONING AND CLOSING A THE ALLEY IN BLOCK 866, LA PORTE; AUTHORIZING THE EXECUTION AND DELIVERY OF A DEED TO THE ADJOINING LANDOWNER, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

WHEREAS, the City Council of the City of La Porte has been requested by the record owner of the property abutting the hereinafter described alley in Block 866, La Porte, and;

WHEREAS, the City Council of the City of La Porte has determined and does hereby find, determine, and declare that the hereinafter described alley in Block 866, La Porte is not suitable, needed, or beneficial to the public as a public road, street, or alley, and the closing of hereinafter described alley in Block 866, La Porte is for the protection of the public and for the public interest and benefit, and that the hereinafter described alley in Block 866, La Porte should be vacated, abandoned, and permanently closed.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:**

**Section 1.** Under and by virtue of the power granted to the City of La Porte under its home rule charter and Chapter 253, Section 253.001, Texas Local Government Code, the hereinafter described alley in Block 866, La Porte is hereby permanently vacated, abandoned, and closed by the City of La Porte, being generally illustrated on Exhibit "A" incorporated herein, and further described to wit:

**BEING a 6,400 square foot tract of land out of the alley in Block 866, La Porte, said tract being more particularly described by metes and bounds as follows:**

**BEGINNING at the northeast corner of Lot 1, Block 866, La Porte, said point being the northwest corner of the herein described tract;**

**THENCE in a southerly direction along the east line of Lots 1 through 16, Block 866, La Porte, and the west line of the alley in Block 866, La Porte to its intersection with the southeast corner of Lot 16, Block 866, La Porte, a distance of 400 feet to a point marking the southwest corner of the herein described tract;**

**THENCE** in an easterly direction along the projected south line of the alley in Block 866, La Porte, to its intersection with the southwest corner of Lot 17, Block 866, La Porte, a distance of 16 feet to a point marking the southeast corner of the herein described tract;

**THENCE** in a northerly direction along the west line of Lots 17 through 32, Block 866, La Porte to its intersection with the northwest corner of Lot 32, Block 866, La Porte, a distance of 400 feet to a point marking the northeast corner of the herein described tract;

**THENCE** in a westerly direction along the projected north line of the alley in Block 866, La Porte, to the POINT OF BEGINNING of the herein described tract.

**Section 2.** The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

**Section 3.** This ordinance shall be effective from and after its passage and approval, and it is so ordered.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015.

CITY OF LA PORTE

By:

\_\_\_\_\_  
Louis R. Rigby, Mayor

ATTEST:

\_\_\_\_\_  
Patrice Fogarty, City Secretary

APPROVED:

  
\_\_\_\_\_  
Knox W. Askins, City Attorney

## DEED WITHOUT WARRANTY

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: June 8, 2015

Grantor: City of La Porte, Texas, a municipal corporation

Mailing Address: 604 West Fairmont Parkway, La Porte, TX 77571

Grantee: Oakland Land & Development, LLC

Mailing Address: P.O. Box 952, Natchez, MS 39121

Consideration: Ten and No/100 Dollars (\$10.00) cash  
and other good and valuable considerations

Property (including any improvements):

A 6,400 square foot tract of land out of the alley in Block 866, in the Town of La Porte, Harris County, Texas, being further described by metes and bounds on Exhibit "A", attached hereto and as shown on a plat attached hereto as Exhibit "B", reference to which is made for all purposes, which was vacated, abandoned and closed by City of La Porte Ordinance No. 2015-\_\_\_\_\_ passed and approved by the City Council of the City of La Porte on the 8<sup>th</sup> day of June, 2015.

Reservations from and Exception to Conveyance and Warranty: This conveyance is made subject to all and singular the restrictions, conditions, oil, gas, and other mineral reservations, easements, and covenants, if any, applicable to and enforceable against the above described property as reflected by the records of the county clerk of the aforesaid county.

Grantor for the consideration and subject to the reservations from and exceptions to conveyance, conveys to Grantee the property without express or implied warranty, and all warranties that might arise by common law and the warranties in §5.023 of the Texas Property Code (or its successor) are excluded.

Attest:

City of La Porte

\_\_\_\_\_  
Patrice Fogarty  
City Secretary

By: \_\_\_\_\_  
Corby D. Alexander  
City Manager

Approved:

  
\_\_\_\_\_  
Knox W. Askins  
City Attorney

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

This instrument was acknowledged before me on \_\_\_\_ day of June, 2015, by Corby D. Alexander, City Manager of the City of La Porte, a municipal corporation.

\_\_\_\_\_  
Notary Public, State of Texas

**AFTER RECORDING RETURN TO:**

**PREPARED IN THE LAW OFFICE OF:**

ASKINS & ASKINS, P.C.  
P.O. Box 1218  
La Porte, TX 77572-1218

ASKINS & ASKINS, P.C.  
P.O. Box 1218  
La Porte, TX 77572-1218

## **EXHIBIT 'A'**

**BEING a 6,400 square foot tract of land out of the alley in Block 866, La Porte, said tract being more particularly described by metes and bounds as follows:**

**BEGINNING at the northeast corner of Lot 1, Block 866, La Porte, said point being the northwest corner of the herein described tract;**

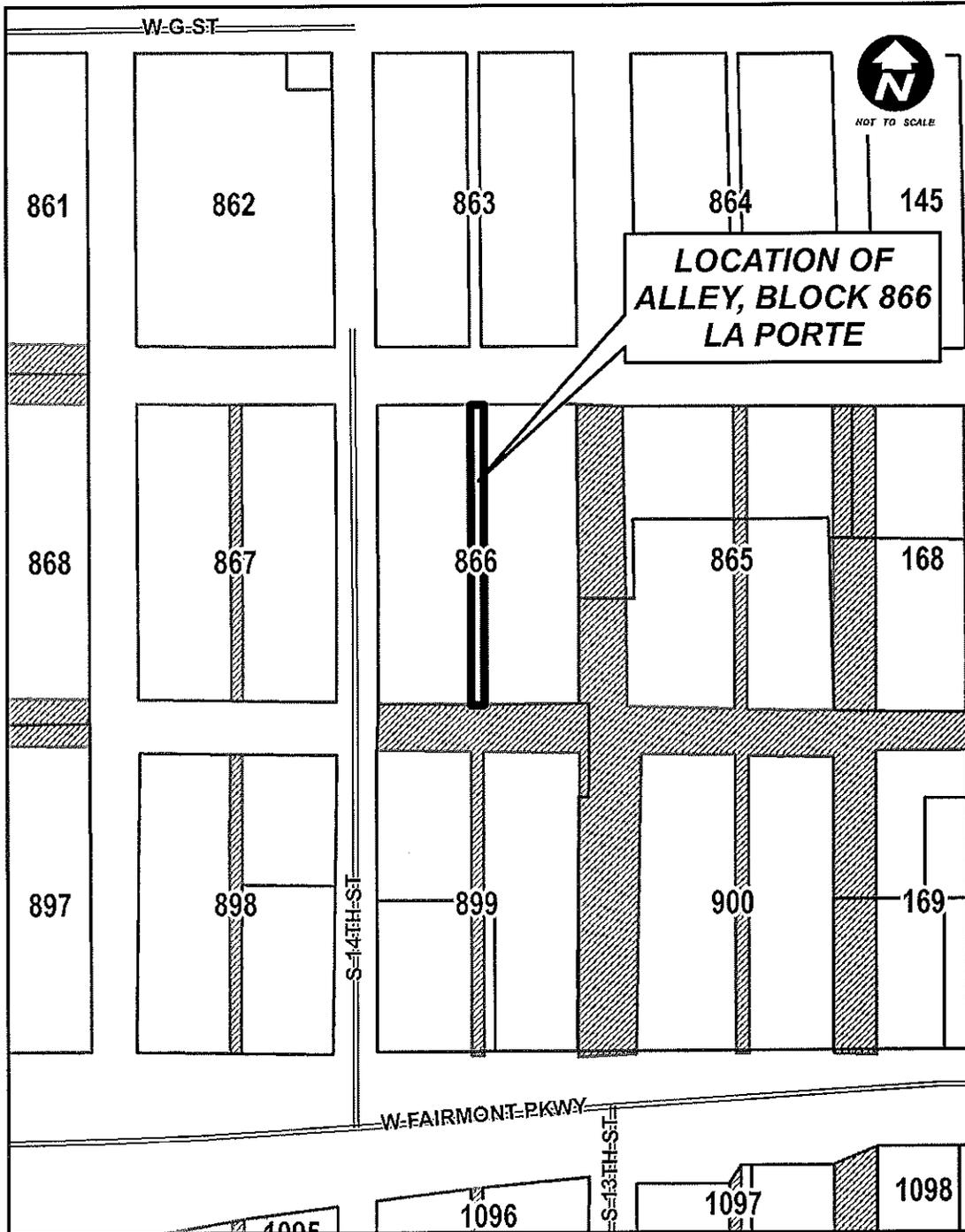
**THENCE in a southerly direction along the east line of Lots 1 through 16, Block 866, La Porte, to its intersection with the southeast corner of Lot 16, Block 866, La Porte, a distance of 400 feet to a point marking the southwest corner of the herein described tract;**

**THENCE in an easterly direction along the projected south line of the alley in Block 866, La Porte, to its intersection with the southwest corner of Lot 17, Block 866, La Porte, a distance of 16 feet to a point marking the southeast corner of the herein described tract;**

**THENCE in a northerly direction along the west line of Lots 17 through 32, Block 866, La Porte to its intersection with the northwest corner of Lot 32, Block 866, La Porte, a distance of 400 feet to a point marking the northeast corner of the herein described tract;**

**THENCE in a westerly direction along the projected north line of the alley in Block 866, La Porte, to the POINT OF BEGINNING of the herein described tract.**

# EXHIBIT 'A'



**R.C. Chuoke & Associates, Inc.**  
Appraisers & Consultants

P.O. Box 1447  
League City, Texas 77574

Office- 281-338-9633  
Fax- 281-338-9533

May 18, 2015

City of La Porte  
P.O. Box 1115  
La Porte, Texas 77572

RE: Restricted Appraisal regarding the estimated **Market Value** of a portion of the alleyway in Block 866 La Porte, Harris County, Texas.

Dear Sirs:

In accordance with your request, I have inspected the following described property for the purpose of estimating the **Market Value** following described property as of the date of this Restricted Appraisal. As per our agreement, the data and analysis is presented in an abbreviated Restricted Appraisal format and is not intended to contain the full analysis.

**BRIEF LEGAL DESCRIPTION OF PROPERTY**

Known as portion of the alleyway in Block 866, La Porte, Harris County, Texas. (See site plan in addenda).

I hereby certify that I have personally inspected the property described via a street inspection and that all data gathered by my investigation is from sources believed reliable and true. In preparing this Restricted Appraisal, a study of comparable sales and other related market data was performed.

It should clearly be understood that this letter only constitutes only a statement of the final value and that does not presume to be the complete analysis of the subject property nor a complete appraisal format and is subject to the preparation of a detailed appraisal report.

.....Page 2 Continued.....

The market values in the subject neighborhood appear to vary generally from +-\$1.00 PSF to over \$4.00 PSF for tracts generally similar to the subject property with locations on secondary type roadways such as S. 14th Street, and South 16th Street and other smaller nearby collector streets. The primary roadways in the immediate neighborhood are State Highway 146 and Fairmont Parkway. The area has general access public utilities. The subject site appears to be generally flat and level. The subject property is not located in the 100 year flood plain. The Highest and Best Use of the subject property is determined to be for use an alleyway or for use by adjacent property owners due to its unique configuration. Adjacent property uses on the north, east and west boundaries of the subject property are all either commercial/light industrial tracts of land or commercial/light industrial buildings with frontage along S. 14th Street, and West G Street. The client and intended user of this appraisal is the City of La Porte only. The intended use is to estimate the current market value of the subject property of this analysis as described above for use in street abandonment procedures. There has been no transfer of the subject property noted for the past 36 months per appraisal district records. The effective date of the appraisal is May 15, 2015. The effective date of the report is May 18, 2015. The estimated exposure time is up to 24 months.

After a review of the comparable sales it is my opinion the estimated unit value range of between **\$1.50 PSF to \$3.00 PSF** would be placed on the subject property with a mid-range value of **\$2.50 PSF** being indicated for the subject property before any discounting. Therefore the unit market value of the subject tract is estimated at **\$2.50 PSF which is based on 100% fee simple ownership with no discounting applied.**

Respectfully Submitted,

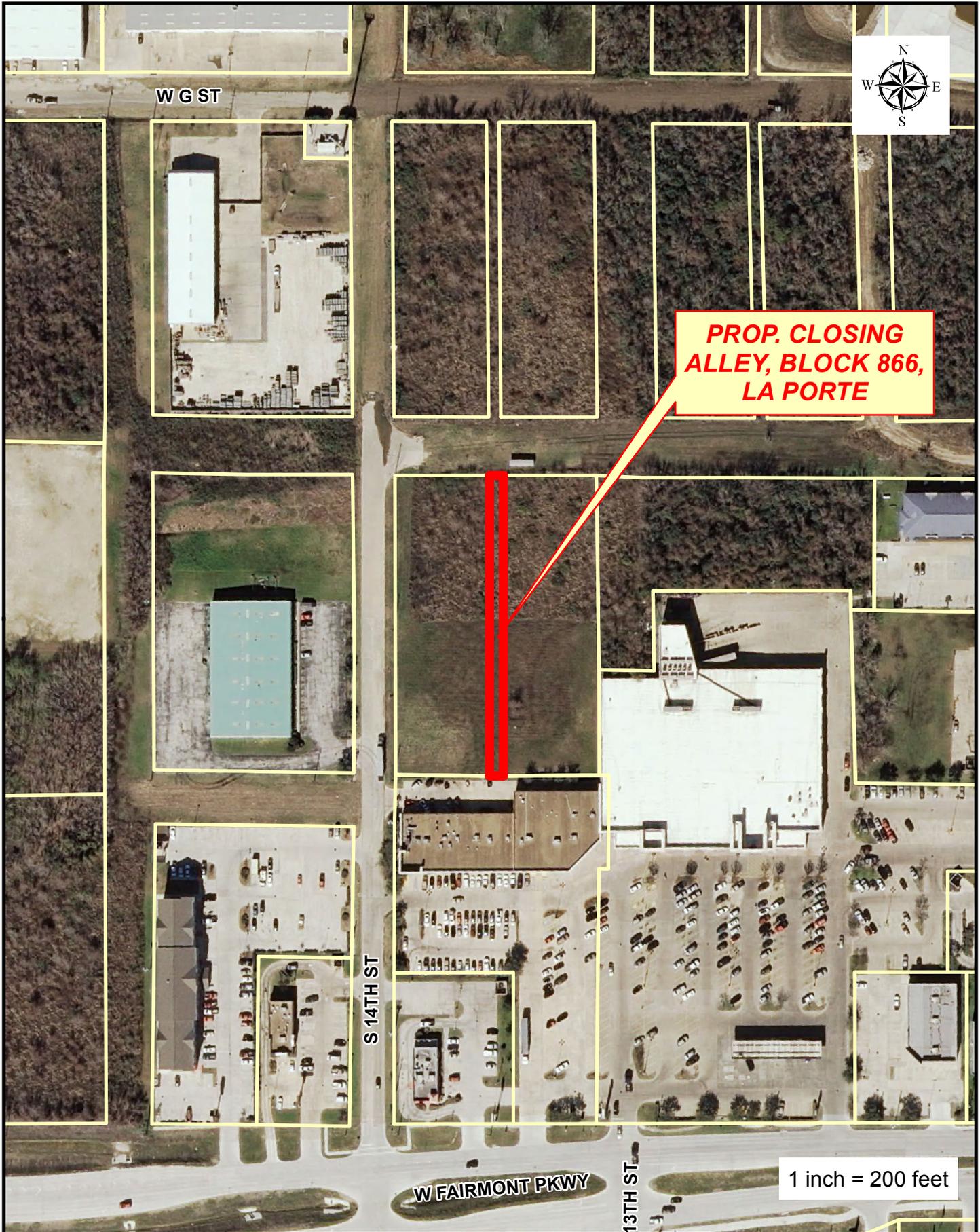
A handwritten signature in black ink, appearing to read "Chris Chuoke". The signature is written in a cursive style with a horizontal line underneath it.

---

Chris Chuoke, President  
R.C. CHUOKE & ASSOCIATES, INC.

# AREA MAP

CLP PROJECT NO. 15-2500003



**PROP. CLOSING  
ALLEY, BLOCK 866,  
LA PORTE**

1 inch = 200 feet

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: June 8, 2015 Appropriation  
Requested By: Tim Tietjens Source of Funds: N/A  
Department: Planning & Development Account Number:  
Report:  Resolution:  Ordinance:  Amount Budgeted:  
Other:  Amount Requested:  
Budgeted Item:  YES  NO

### Attachments :

1. Ordinance
2. Deed
3. Area Map

---

### SUMMARY & RECOMMENDATIONS

The City has processed an application from La Porte Independent School District to vacate, abandon and close portions of the E. "E" St., Texas Avenue, and Dakota Avenue Rights-of-Way as well as the alleys in Blocks 243 and 244, La Porte. The purpose of these closings is to facilitate expansion of the district's La Porte Jr. High School campus located at 401 S. Broadway.

Staff's review of the application has determined that an existing 24"/30" storm sewer system is located within the E. "E" St. Right-of-Way subject to closing for which a 25' wide centerline storm sewer easement will be retained. Centerpoint Energy, Comcast and AT&T have no utilities within the subject closings.

In accordance with Sections 62-32, Paragraph "C", and 62-35, Paragraph "C", of the City's Code of Ordinances, La Porte Independent School District, being a governmental entity having the power of eminent domain, is exempted from payment of application and closing fees for the subject rights-of-way.

### Action Required of Council:

Consider approval of an ordinance or other action vacating, abandoning, and closing a portion of the E. "E" Street, Texas Avenue, and Dakota Avenue Rights-of-Way, as well as the entire alleys in Blocks 243 and 244, La Porte; retaining a 25 foot wide Storm Sewer Easement within the area to be closed and authorizing the City Manager to execute a deed to the adjacent owner for the subject right-of-way.

---

### Approved for City Council Agenda

\_\_\_\_\_  
Corby D. Alexander, City Manager

\_\_\_\_\_  
Date

ORDINANCE NO. 2015-\_\_\_\_\_

**AN ORDINANCE VACATING, ABANDONING AND CLOSING PORTIONS OF THE EAST "E" STREET, TEXAS AVENUE, AND DAKOTA AVENUE RIGHTS-OF-WAY; RETAINING A 25' WIDE STORM SEWER EASEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A DEED TO THE ADJOINING LANDOWNER, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

WHEREAS, the City Council of the City of La Porte has been requested by the record owner of the property abutting the hereinafter described portions of the East "E" Street, Texas Avenue, and Dakota Avenue Rights-of-Way, and;

WHEREAS, the City Council of the City of La Porte has determined and does hereby find, determine, and declare that the hereinafter described portions of the East "E" Street, Texas Avenue, and Dakota Avenue Rights-of-Way, is not suitable, needed, or beneficial to the public as a public road, street, or alley, and the closing of hereinafter described portions of the East "E" Street, Texas Avenue, and Dakota Avenue Rights-of-Way is for the protection of the public and for the public interest and benefit, and that the hereinafter described portions of the East "E" Street, Texas Avenue, and Dakota Avenue Rights-of-Way should be vacated, abandoned, and permanently closed.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:**

**Section 1.** Under and by virtue of the power granted to the City of La Porte under its home rule charter and Chapter 253, Section 253.001, Texas Local Government Code, the hereinafter described portions of the East "E" Street, Texas Avenue, and Dakota Avenue Rights-of-Way is hereby permanently vacated, abandoned, and closed by the City of La Porte, being generally illustrated on Exhibit "A" incorporated herein, and further described to wit:

**TRACT ONE: ALLEY IN BLOCK 244, LA PORTE:**

The entire alley in Block 244, La Porte, situated between the East "D" Street and the East "E" Street Rights-of-Way.

**TRACT TWO: TEXAS AVENUE RIGHT-OF-WAY (60' WIDE)**

Being a 0.5507 acre right-of-way out of the J. Hunter Survey, Abstract 35, Harris County, Texas, and being out of the Town of La Porte, as recorded in Harris County Deed Records (HCDR) Volume 60, Page 113, Harris County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8" iron rod with cap found at the east right-of-way line of South Broadway and the south right-of-way line of C Street, recorded in Volume 60, Page 113, Harris County Deed Records.

THENCE S 03°03'04" E a distance of 880.00 feet along the east right-of-way line of South Broadway Street and the west property line of block 244 of the Town of La Porte to a 5/8" iron rod found at the north right-of-way line of E Street;

THENCE N 86°55'46" E a distance of 265.98 feet along the north right-of-way line of E Street and the south property line of block 244 of the Town of La Porte to the place of BEGINNING;

THENCE N 03°02'55" W a distance of 400.00 feet along the west right-of-way line of Texas Street and the east property line of block 244 of the Town of La Porte to a 5/8" iron rod found for corner at the south line of the D Street right-of-way;

THENCE N 86°53'57" E a distance of 60.00 feet along the south right-of-way line of D Street to a point on the west property line of block 243 of the Town of La Porte;

THENCE S 03°03'33" E a distance of 394.79 feet along the east right-of-way line of Texas Street and the west property line of block 243 of the Town of La Porte;

THENCE S 59°36'46" W a distance of 11.42 feet along the north right-of-way line of E Street;

THENCE S 86°55'46" W a distance of 49.92 feet along the north right-of-way line of E Street to the place of BEGINNING, containing 23,989 square feet or 0.5507 acres of land, more or less.

**TRACT THREE: ALLEY IN BLOCK 243, LA PORTE:**

The entire alley in Block 243, La Porte, situated between the East "D" Street and the East "E" Street Rights-of-Way.

**TRACT FOUR: DAKOTA AVENUE RIGHT-OF-WAY (60' WIDE)**

Being a 0.1636 acre right-of-way out of the J. Hunter Survey, Abstract 35, Harris County, Texas, and being out of the Town of La Porte, as recorded in Harris County Deed Records (HCDR) Volume 60, Page 113, Harris County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8" iron rod with cap found at the east right-of-way line of South Broadway and the south right-of-way line of C Street, recorded in Volume 60, Page 113, Harris County Deed Records.

THENCE S 03°03'04" E a distance of 880.00 feet along the east right-of-way line of South Broadway Street and the west property line of block 244 of the Town of La Porte to a 5/8" iron rod found at the north right-of-way line of E Street;

THENCE N 86°55'46" E a distance of 315.90 feet along the north right-of-way line of E Street and the south property line of block 244 of the Town of La Porte;

THENCE S 59°36'46" W a distance of 11.42 feet along the north right-of-way line of E Street to the place of BEGINNING;

THENCE N 03°03'33" W a distance of 187.17 feet along the east right-of-way line of Texas Street to the south line of the D Street right-of-way;

THENCE S 30°19'12" E a distance of 166.28 feet along the east right-of-way line of Dakota Street and the west property line of block 243 of the Town of La Porte to the north line of the E Street right-of-way;

THENCE S 59°36'46" W a distance of 85.73 feet along the north right-of-way line of E Street to the place of BEGINNING, containing 7,128 square feet or 0.1636 acres of land, more or less.

**TRACT FIVE: EAST "E" STREET RIGHT-OF-WAY (60' WIDE)**

Being a 0.9554 acre right-of-way out of the J. Hunter Survey, Abstract 35, Harris County, Texas, and being out of the Town of La Porte, as recorded in Harris County Deed Records (HCDR) Volume 60, Page 113, Harris County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8" iron rod with cap found at the east right-of-way line of South Broadway and the south right-of-way line of C Street, recorded in Volume 60, Page 113, Harris County Deed Records.

THENCE S 03°03'04" E a distance of 880.00 feet along the east right-of-way line of South Broadway Street and the west property line of block 244 of the Town of La Porte to a 5/8" iron rod found at the north right-of-way line of E Street at the place of BEGINNING;

THENCE N 86°55'46" E a distance of 315.91 feet along the north right-of-way line of E Street and the south property line of block 244 of the Town of La Porte;

THENCE N 59°36'46" E a distance of 363.16 feet along the north right-of-way line of E Street and the south property line of block 243 of the Town of La Porte to a 5/8" iron rod found for corner at the west line of Arizona Street right-of-way;

THENCE S 30°18'51" E a distance of 60.00 feet along the west right-of-way line of Arizona Street to a 5/8" iron rod found for corner at the south line of E Street;

THENCE S 59°36'46" W a distance of 377.67 feet along the south right-of-way line of E Street and the north property line of block 247 of the Town of La Porte;

THENCE S 86°55'46" W a distance of 330.51 feet along the south right-of-way line of E Street and the north property line of block 245 of the Town of La Porte to a 5/8" iron rod found for corner at the east right-of-way line of South Broadway Street;

THENCE N 03°03'04" W a distance of 60.00 feet along the east right-of-way line of South Broadway Street to the place of BEGINNING, containing 41,617 square feet or 0.9554 acres of land, more or less.

**Section 2.** The City of La Porte hereby retains for itself and its successors and assigns, a twenty five (25) foot wide Storm Sewer Easement to be located within the herein described portion of the East "E" Street Right-of-Way (60' wide) identified as Tract Five.

**Section 3.** The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed,

considered, and formally acted upon. The City Council further ratifies, approves, and confirms such written notice and the contents and posting thereof.

**Section 4.** This ordinance shall be effective from and after its passage and approval, and it is so ordered.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2015.

CITY OF LA PORTE

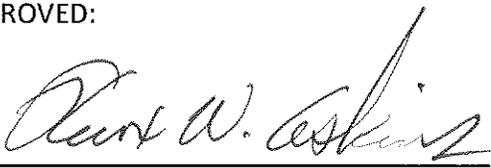
By:

\_\_\_\_\_  
Louis R. Rigby, Mayor

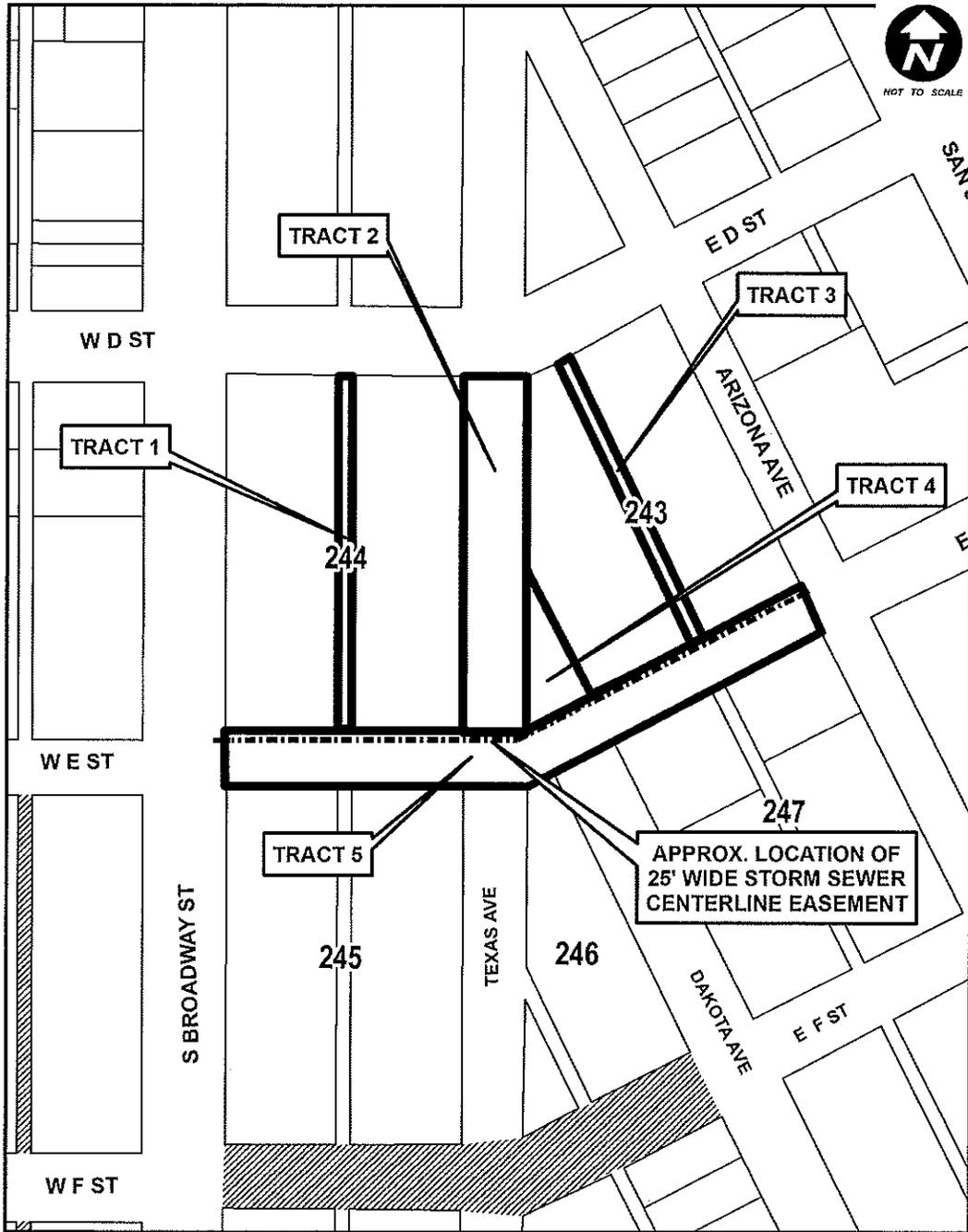
ATTEST:

\_\_\_\_\_  
Patrice Fogarty, City Secretary

APPROVED:

  
\_\_\_\_\_  
Knox W. Askins, City Attorney

# EXHIBIT "A"



## DEED WITHOUT WARRANTY

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: June 8, 2015

Grantor: City of La Porte, Texas, a municipal corporation

Mailing Address: 604 West Fairmont Parkway, La Porte, TX 77571

Grantee: La Porte Independent School District

Mailing Address: 1002 San Jacinto Street, La Porte, TX 77571

Consideration: Ten and No/100 Dollars (\$10.00) cash  
and other good and valuable considerations

Property (including any improvements):

Those certain street and alley rights-of-way, in the Town of La Porte, Harris County, Texas, being further described by metes and bounds on Exhibit "A", attached hereto and as shown on a plat attached hereto as Exhibit "B", reference to which is made for all purposes, which was vacated, abandoned and closed by City of La Porte Ordinance No. 2015-\_\_\_\_\_ passed and approved by the City Council of the City of La Porte on the 8<sup>th</sup> day of June, 2015.

Reservations from and Exception to Conveyance and Warranty: This conveyance is made subject to all and singular the restrictions, conditions, oil, gas, and other mineral reservations, easements, and covenants, if any, applicable to and enforceable against the above described property as reflected by the records of the county clerk of the aforesaid county.

Grantor for the consideration and subject to the reservations from and exceptions to conveyance, conveys to Grantee the property without express or implied warranty, and all warranties that might arise by common law and the warranties in §5.023 of the Texas Property Code (or its successor) are excluded.

Attest:

City of La Porte

\_\_\_\_\_  
Patrice Fogarty  
City Secretary

By: \_\_\_\_\_  
Corby D. Alexander  
City Manager

Approved:

\_\_\_\_\_  
*Knox W. Askins*  
Knox W. Askins  
City Attorney

STATE OF TEXAS           §  
  §  
COUNTY OF HARRIS       §

This instrument was acknowledged before me on \_\_\_\_\_ day of June, 2015, by Corby D. Alexander, City Manager of the City of La Porte, a municipal corporation.

\_\_\_\_\_  
Notary Public, State of Texas

**AFTER RECORDING RETURN TO:**

**PREPARED IN THE LAW OFFICE OF:**

ASKINS & ASKINS, P.C.  
P.O. Box 1218  
La Porte, TX 77572-1218

ASKINS & ASKINS, P.C.  
P.O. Box 1218  
La Porte, TX 77572-1218

## **EXHIBIT "A"**

### **TRACT ONE: ALLEY IN BLOCK 244, LA PORTE:**

The entire alley in Block 244, La Porte, situated between the East "D" Street and the East "E" Street Rights-of-Way.

### **TRACT TWO: TEXAS AVENUE RIGHT-OF-WAY (60' WIDE)**

Being a 0.5507 acre right-of-way out of the J. Hunter Survey, Abstract 35, Harris County, Texas, and being out of the Town of La Porte, as recorded in Harris County Deed Records (HCDR) Volume 60, Page 113, Harris County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8" iron rod with cap found at the east right-of-way line of South Broadway and the south right-of-way line of C Street, recorded in Volume 60, Page 113, Harris County Deed Records.

THENCE S 03°03'04" E a distance of 880.00 feet along the east right-of-way line of South Broadway Street and the west property line of block 244 of the Town of La Porte to a 5/8" iron rod found at the north right-of-way line of E Street;

THENCE N 86°55'46" E a distance of 265.98 feet along the north right-of-way line of E Street and the south property line of block 244 of the Town of La Porte to the place of BEGINNING;

THENCE N 03°02'55" W a distance of 400.00 feet along the west right-of-way line of Texas Street and the east property line of block 244 of the Town of La Porte to a 5/8" iron rod found for corner at the south line of the D Street right-of-way;

THENCE N 86°53'57" E a distance of 60.00 feet along the south right-of-way line of D Street to a point on the west property line of block 243 of the Town of La Porte;

THENCE S 03°03'33" E a distance of 394.79 feet along the east right-of-way line of Texas Street and the west property line of block 243 of the Town of La Porte;

THENCE S 59°36'46" W a distance of 11.42 feet along the north right-of-way line of E Street;

THENCE S 86°55'46" W a distance of 49.92 feet along the north right-of-way line of E Street to the place of BEGINNING, containing 23,989 square feet or 0.5507 acres of land, more or less.

**TRACT THREE: ALLEY IN BLOCK 243, LA PORTE:**

The entire alley in Block 243, La Porte, situated between the East "D" Street and the East "E" Street Rights-of-Way.

**TRACT FOUR: DAKOTA AVENUE RIGHT-OF-WAY (60' WIDE)**

Being a 0.1636 acre right-of-way out of the J. Hunter Survey, Abstract 35, Harris County, Texas, and being out of the Town of La Porte, as recorded in Harris County Deed Records (HCDR) Volume 60, Page 113, Harris County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8" iron rod with cap found at the east right-of-way line of South Broadway and the south right-of-way line of C Street, recorded in Volume 60, Page 113, Harris County Deed Records.

THENCE S 03°03'04" E a distance of 880.00 feet along the east right-of-way line of South Broadway Street and the west property line of block 244 of the Town of La Porte to a 5/8" iron rod found at the north right-of-way line of E Street;

THENCE N 86°55'46" E a distance of 315.90 feet along the north right-of-way line of E Street and the south property line of block 244 of the Town of La Porte;

THENCE S 59°36'46" W a distance of 11.42 feet along the north right-of-way line of E Street to the place of BEGINNING;

THENCE N 03°03'33" W a distance of 187.17 feet along the east right-of-way line of Texas Street to the south line of the D Street right-of-way;

THENCE S 30°19'12" E a distance of 166.28 feet along the east right-of-way line of Dakota Street and the west property line of block 243 of the Town of La Porte to the north line of the E Street right-of-way;

THENCE S 59°36'46" W a distance of 85.73 feet along the north right-of-way line of E Street to the place of BEGINNING, containing 7,128 square feet or 0.1636 acres of land, more or less.

**TRACT FIVE: EAST "E" STREET RIGHT-OF-WAY (60' WIDE)**

Being a 0.9554 acre right-of-way out of the J. Hunter Survey, Abstract 35, Harris County, Texas, and being out of the Town of La Porte, as recorded in Harris County Deed Records (HCDR) Volume 60, Page 113, Harris County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8" iron rod with cap found at the east right-of-way line of South Broadway and the south right-of-way line of C Street, recorded in Volume 60, Page 113, Harris County Deed Records.

THENCE S 03°03'04" E a distance of 880.00 feet along the east right-of-way line of South Broadway Street and the west property line of block 244 of the Town of La Porte to a 5/8" iron rod found at the north right-of-way line of E Street at the place of BEGINNING;

THENCE N 86°55'46" E a distance of 315.91 feet along the north right-of-way line of E Street and the south property line of block 244 of the Town of La Porte;

THENCE N 59°36'46" E a distance of 363.16 feet along the north right-of-way line of E Street and the south property line of block 243 of the Town of La Porte to a 5/8" iron rod found for corner at the west line of Arizona Street right-of-way;

THENCE S 30°18'51" E a distance of 60.00 feet along the west right-of-way line of Arizona Street to a 5/8" iron rod found for corner at the south line of E Street;

THENCE S 59°36'46" W a distance of 377.67 feet along the south right-of-way line of E Street and the north property line of block 247 of the Town of La Porte;

THENCE S 86°55'46" W a distance of 330.51 feet along the south right-of-way line of E Street and the north property line of block 245 of the Town of La Porte to a 5/8" iron rod found for corner at the east right-of-way line of South Broadway Street;

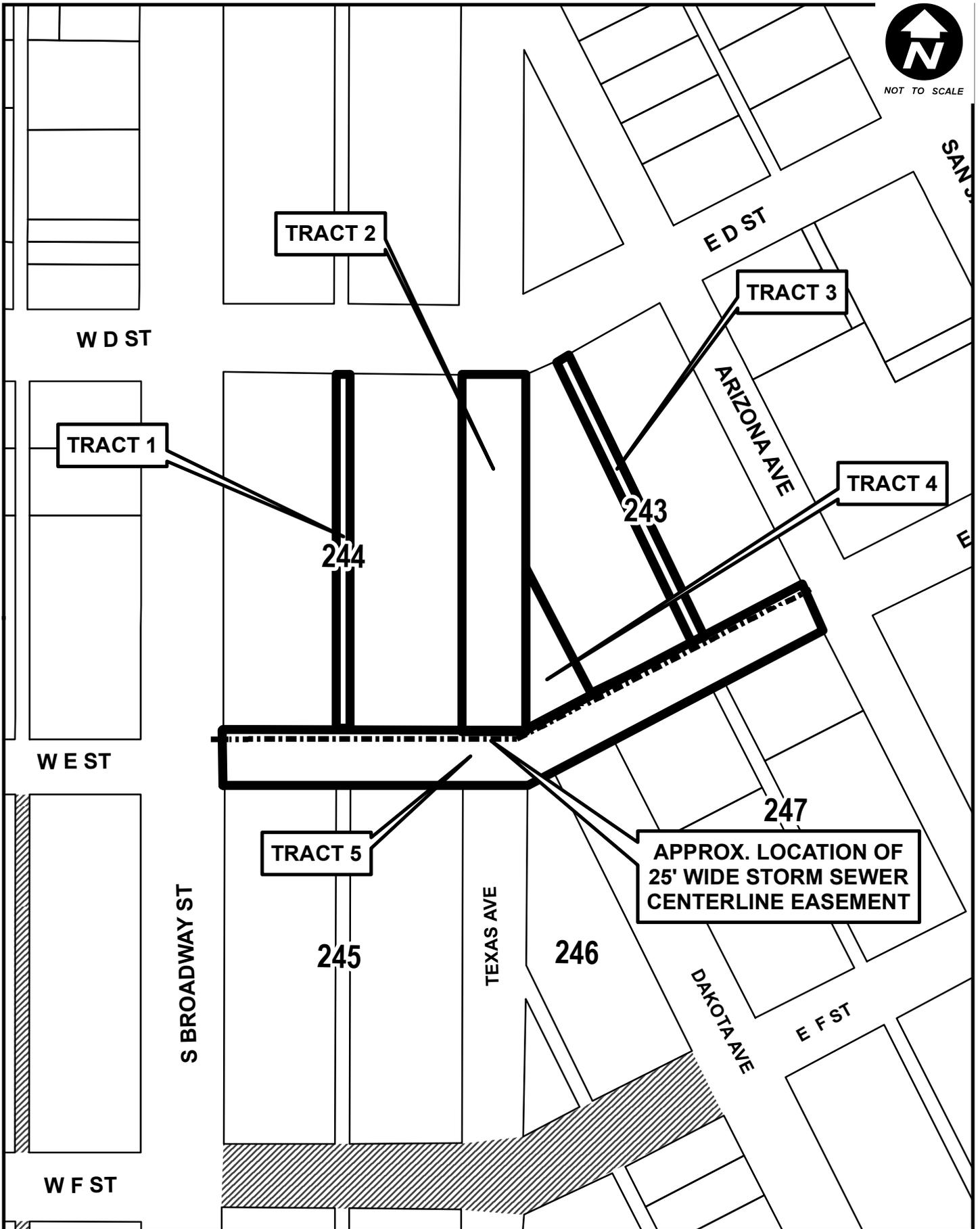
THENCE N 03°03'04" W a distance of 60.00 feet along the east right-of-way line of South Broadway Street to the place of BEGINNING, containing 41,617 square feet or 0.9554 acres of land, more or less.

Note: The City of La Porte hereby reserves a 25 foot wide centerline storm sewer easement for an existing storm sewer system located within the herein described Tract Five, East "E" Street Right-of-Way closing.

# EXHIBIT "B"



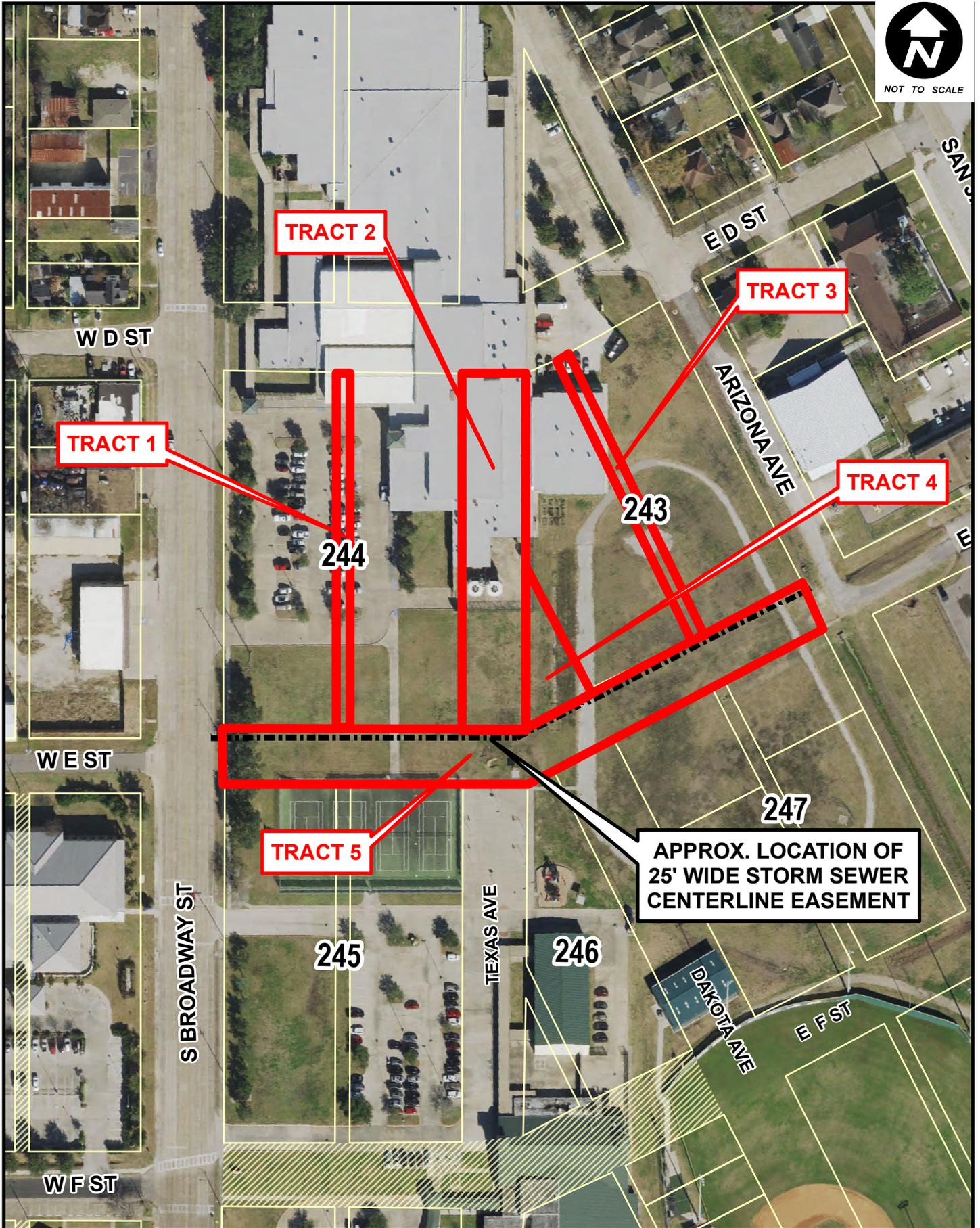
NOT TO SCALE



# AREA MAP



NOT TO SCALE



## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: June 8, 2015  
Requested By: Ken Adcox  
Department: Police  
Report:  Resolution:  Ordinance:   
Other:  N/A

Appropriation  
Source of Funds:  
Account Number:  
Amount Budgeted:  
Amount Requested:  
Budgeted Item:  YES  NO

**Attachments :**

### 1. Resolution

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#### SUMMARY & RECOMMENDATIONS

Pursuant to the Texas Code of Criminal Procedure, Section 56.04, (c), "Each local law enforcement agency shall designate one person to serve as the agency's crime victim liaison."

The primary duties of the Crime Victim Liaison include: to ensure that a victim, guardian of a victim, or close relative of a deceased victim of a crime involving bodily injury is afforded the rights granted victims in accordance with state law, including notification of victim's rights; providing advocacy for victims; referring victims to community resources; and providing moral support during any time the victim is required to make a court appearance. The Crime Victim Liaison, however, is also available and provides assistance to anyone in need by making appropriate referrals to other public and private community service agencies, which has in the past included victims of property crimes, displaced families/homeless persons, out of state run-aways, etc.

For calendar years 2013 and 2014, the Crime Victim Liaison provided valuable services to eight hundred ninety-three (893) victims. The Crime Victim Liaison was also able to assist victims with crime victim compensation and monetary support in several cases where such was needed. Since the inception of the La Porte Police Department's Crime Victims Program in 2002, over four hundred forty-four thousand dollars (\$444,000.00) in Crime Victim's Compensation has been awarded to local crime victims with the assistance of the Department's Crime Victim Liaison.

The Crime Victim Liaison position is partially funded through a Crime Victim's grant. As required by the Attorney General's Office, a resolution is being sought authorizing the Mayor and Police Department to submit application for a two year continuation grant for the Crime Victim Liaison position. The Grant request will be for the maximum allowable amount of forty-two thousand dollars (\$42,000.000) each year. Assuming that the full amount of the request is awarded, the City will be mandated to continue to support the program by absorbing approximately thirty-six thousand dollars (\$36,000.00) each year in its personnel operating budget to cover this position. If approved the new grant would run from 9/1/15 thru 8/31/17, encompassing the State's 2016 and 2017 fiscal years.

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**Action Required of Council:**

Consider approval or other action of a Resolution authorizing the City Manager and the La Porte Police Department to submit for the Crime Victim's Liaison Grant for the 2016-2017 Fiscal Year in order to continue partial funding for the Crime Victim's Liaison position.

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**Approved for City Council Agenda**

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**Corby D. Alexander, City Manager**

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**Date**



## ***RESOLUTION***

**WHEREAS**, The City of La Porte has applied for or wishes to apply to the Office of the Attorney General, (OAG) Crime Victim Services Division for the Victim Coordinator and Liaison Grant (VCLG); the application will be filed under the Legal Name of Applicant: **City of La Porte**; Unique Application Number **V0013-16-0072**; and

**WHEREAS**, the City Council of The City of La Porte has considered and supports the Application filed or to be filed with the Office of the Attorney General; and

**WHEREAS**, The City of La Porte has designated or wishes to designate Corby Alexander, City Manager, as the “Authorized Official” who is given or has been given the power to apply for, accept, reject, alter or terminate the Victim Coordinator and Liaison Grant (VCLG) with the Office of the Attorney General (OAG), Crime Victim Services Division as well as given the authority to sign all grant adjustment requests, inventory reports, progress reports, and financial reports or any other official documents related to the grant on behalf of the grantee:

**NOW THEREFORE, BE IT RESOLVED** that The City of La Porte City Council approves submission of the application for the Victim Coordinator and Liaison Grant to the Office of the Attorney General, Crime Victim Services Division as well as the designation of the Authorized Official.

**Signed by:**

**Attest:**

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Louis Rigby, Mayor  
City of La Porte

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Patrice Fogarty  
City Secretary

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Date

## REQUEST FOR CITY COUNCIL AGENDA ITEM

|   |   |
|---|---|
| Agenda Date Requested: <u>June 8, 2015</u>  | <u>Appropriation</u>  |
| Requested By: <u>Donald Ladd</u>  | Source of Funds: <u>N/A</u>                                       |
| Department: <u>Fire</u>   | Account Number:   |
| Report: <input checked="" type="radio"/> Resolution: <input type="radio"/> Ordinance: <input type="radio"/> | Amount Budgeted:  |
| Other: <input type="radio"/>  | Amount Requested:   |
|   | Budgeted Item: <input type="radio"/> YES <input type="radio"/> NO |

**Attachments :**

- 1. Fire Control District Budget 2015-2016**
- 2. Presentation**

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### SUMMARY & RECOMMENDATIONS

The Fire Control, Prevention, and Emergency Medical Services District (LPFCPEMSD) was established after a city-wide vote during elections in May of 2011, creating the District and Board. The mission for the City of La Porte's Fire Department is to provide the community with the most efficient and progressive Fire Prevention, Protection, and Emergency Medical Services possible in an effective and responsible manner. This mission is accomplished by providing the best possible training, updated equipment, and protocols for the personnel that respond. LPFCPEMSD will incorporate strategies to help the Fire Department and Emergency Medical Services accomplish its mission.

The LPFCPEMSD Board has established the budget, held a public hearing and approved the budget during the May 26, 2015 meeting. The next step in the process is for the budget approved by the Board be presented to Council in a public hearing format. Council will then approve or decline to approve the budget as presented.

Staff is recommending Council approval of the LPFCPEMSD budget as passed by the Board.

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#### **Action Required of Council:**

Consider approval or other action of the La Porte Fire Control, Prevention, and Emergency Medical Services District budget for the fiscal year beginning October 1, 2015, as approved by the Board of Directors of the District at its meeting of May 26, 2015.

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#### **Approved for City Council Agenda**

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**Corby D. Alexander, City Manager**

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**Date**



BUDGET PREPARATION WORKSHEET  
FOR FISCAL YEAR 2016

| ACCOUNT NUMBER                   | ACCOUNT DESCRIPTION             | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|----------------------------------|---------------------------------|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034 EMERGENCY SERVICES DIST |                                 |                   |                   |                   |                 |                     |                      |
| DEPT 50 EMERGENCY SERVICES       |                                 |                   |                   |                   |                 |                     |                      |
| DIV 50 FIRE PREVENTION           |                                 |                   |                   |                   |                 |                     |                      |
| 034-5050-522.10-10               | REGULAR EARNINGS                | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-20               | OVERTIME                        | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-30               | CERTIFICATION                   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-35               | LONGEVITY                       | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-40               | CLOTHING ALLOWANCE              | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-44               | CLEANING ALLOWANCE              | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-46               | PHYSICAL FITNESS ALLOWANC       | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-50               | WC LOSS TIME                    | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-60               | FICA                            | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-65               | RETIREMENT                      | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-67               | PARS - RETIREMENT               | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-70               | WORKERS COMPENSATION            | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-80               | INSURANCE - MEDICAL             | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-81               | INSURANCE - LIFE                | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-90               | OTHER BENEFITS                  | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.10-99               | ATTRITION                       | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.20-01               | OFFICE                          | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.20-02               | POSTAGE                         | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.20-03               | PROTECTIVE CLOTHING             | 735               | 1,143             | 1,500             | 577             | 1,500               | 2,000                |
| LEVEL                            | TEXT                            |                   |                   |                   |                 |                     |                      |
| 16DI                             | BOOTS GLOVES VESTS AND UNIFORMS |                   |                   |                   |                 |                     |                      |
|                                  |                                 |                   |                   |                   |                 |                     | TEXT AMT             |
|                                  |                                 |                   |                   |                   |                 |                     | 2,000                |
|                                  |                                 |                   |                   |                   |                 |                     | 2,000                |
| 034-5050-522.20-04               | GAS AND OIL                     | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |

BUDGET PREPARATION WORKSHEET  
FOR FISCAL YEAR 2016

| ACCOUNT NUMBER                   | ACCOUNT DESCRIPTION       | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|----------------------------------|---------------------------|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034 EMERGENCY SERVICES DIST |                           |                   |                   |                   |                 |                     |                      |
| DEPT 50 EMERGENCY SERVICES       |                           |                   |                   |                   |                 |                     |                      |
| DIV 50 FIRE PREVENTION           |                           |                   |                   |                   |                 |                     |                      |
| 034-5050-522.20-05               | MINOR TOOLS               | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.20-06               | CLEANING                  | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.20-07               | CHEMICALS                 | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.20-08               | EDUCATIONAL               | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.20-14               | FREIGHT                   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.20-15               | OTHER SUPPLIES            | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.20-18               | COMPUTER SUPPLIES         | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.20-90               | MACHINERY/TOOLS/EQUIPMENT | 7,760             | 0                 | 4,200             | 0               | 4,200               | 0                    |
| 034-5050-522.20-91               | OFFICE FURNITURE/EQUIPMEN | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.20-93               | COMPUTER EQUIPMENT        | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.30-01               | MEMBERS & SUBSCRIPTIONS   | 255               | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.30-20               | TRAINING/SEMINARS         | 920               | 30-               | 4,500             | 643-            | 4,500               | 5,200                |
| LEVEL                            | TEXT                      |                   |                   |                   |                 |                     |                      |
| 16DI                             | NFPA                      |                   |                   |                   |                 | 2,800               |                      |
|                                  | TEXAS ARSON               |                   |                   |                   |                 | 1,500               |                      |
|                                  | STATE FMO                 |                   |                   |                   |                 | 900                 |                      |
|                                  |                           |                   |                   |                   |                 | 5,200               |                      |
| 034-5050-522.40-01               | OFFICE EQUIPMENT          | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.40-02               | MACHINERY/TOOLS/EQUIP     | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.40-03               | RADIOS/BASE STATIONS      | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.40-06               | HEATING & A/C EQUIPMENT   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.40-11               | BUILDING                  | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.40-19               | RENTAL OF EQUIPMENT       | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.40-20               | MOTOR POOL:LEASE FEES     | 3,852             | 3,852             | 5,271             | 3,075           | 5,271               | 9,876                |

BUDGET PREPARATION WORKSHEET  
FOR FISCAL YEAR 2016

| ACCOUNT NUMBER                   | ACCOUNT DESCRIPTION       | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|----------------------------------|---------------------------|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034 EMERGENCY SERVICES DIST |                           |                   |                   |                   |                 |                     |                      |
| DEPT 50 EMERGENCY SERVICES       |                           |                   |                   |                   |                 |                     |                      |
| DIV 50 FIRE PREVENTION           |                           |                   |                   |                   |                 |                     |                      |
| LEVEL                            | TEXT                      |                   | TEXT              | AMT               |                 |                     |                      |
| 16DI                             | LEESE FEES                |                   |                   | 9,876             |                 |                     |                      |
|                                  |                           |                   |                   | 9,876             |                 |                     |                      |
| 034-5050-522.40-22               | RENT: BUILDING/LAND       | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.40-30               | VEHICLE MAINT:FLEET MAINT | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.40-31               | OTHER VEHICLE MAINTENANCE | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.40-55               | COMPUTER SOFTWARE         | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.40-60               | TECHNOLOGY LEASE FEES     | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.40-65               | COMPUTER MAINTENANCE FEES | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.50-01               | ACCOUNTING                | 0                 | 0                 | 5,000             | 5,000           | 5,000               | 0                    |
| 034-5050-522.50-05               | PERSONNEL SERVICES        | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.50-07               | OTHER PROFESSIONAL SERVIC | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.60-02               | PRINTING & REPRODUCTION   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.60-05               | ADVERTISING               | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.60-06               | MISCELLANEOUS             | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.60-07               | INSURANCE                 | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.60-10               | JANITORIAL SERVICES       | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.70-01               | ELECTRICAL                | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.70-02               | NATURAL GAS               | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.70-03               | TELEPHONE                 | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.70-04               | WATER                     | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.80-02               | BUILDING IMPROVEMENTS     | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.80-11               | OFFICE EQUIP/FURNITURE    | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |

BUDGET PREPARATION WORKSHEET  
FOR FISCAL YEAR 2016

| ACCOUNT NUMBER                   | ACCOUNT DESCRIPTION       | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|----------------------------------|---------------------------|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034 EMERGENCY SERVICES DIST |                           |                   |                   |                   |                 |                     |                      |
| DEPT 50 EMERGENCY SERVICES       |                           |                   |                   |                   |                 |                     |                      |
| DIV 50 FIRE PREVENTION           |                           |                   |                   |                   |                 |                     |                      |
| 034-5050-522.80-21               | MACH/TOOLS & EQUIPMENT    | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.80-23               | COMPUTER HARDWRE/SOFTWARE | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.80-50               | MOTOR VEHICLES            | 26,256            | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.99-97               | REQ FOR SPECIAL PROGRAMS  | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.99-98               | REQUEST FOR UPGRADE(S)    | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5050-522.99-99               | REQUEST FOR NEW POSITION  | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| * FIRE PREVENTION                |                           | 39,778            | 4,965             | 20,471            | 8,009           | 20,471              | 17,076               |

BUDGET PREPARATION WORKSHEET  
FOR FISCAL YEAR 2016

| ACCOUNT NUMBER                   | ACCOUNT DESCRIPTION       | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|----------------------------------|---------------------------|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034 EMERGENCY SERVICES DIST |                           |                   |                   |                   |                 |                     |                      |
| DEPT 50 EMERGENCY SERVICES       |                           |                   |                   |                   |                 |                     |                      |
| DIV 51 FIRE SUPPRESSION          |                           |                   |                   |                   |                 |                     |                      |
| 034-5051-522.10-10               | REGULAR EARNINGS          | 63,380            | 67,008            | 68,607            | 37,026          | 69,718              | 72,068               |
| 034-5051-522.10-20               | OVERTIME                  | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.10-30               | CERTIFICATION             | 1,205             | 1,034             | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.10-35               | LONGEVITY                 | 484               | 532               | 580               | 580             | 580                 | 628                  |
| 034-5051-522.10-44               | CLEANING ALLOWANCE        | 241               | 241               | 241               | 128             | 239                 | 241                  |
| 034-5051-522.10-46               | PHYSICAL FITNESS ALLOWANC | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.10-50               | WC LOSS TIME              | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.10-60               | FICA                      | 4,856             | 4,928             | 5,325             | 2,810           | 5,377               | 5,434                |
| 034-5051-522.10-65               | RETIREMENT                | 11,308            | 11,369            | 11,393            | 6,284           | 11,738              | 11,772               |
| 034-5051-522.10-66               | VOL FIREMEN RETIREMENT    | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.10-67               | PARS - RETIREMENT         | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.10-70               | WORKERS COMPENSATION      | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.10-80               | INSURANCE - MEDICAL       | 10,422            | 10,422            | 10,422            | 6,080           | 10,422              | 10,422               |
| 034-5051-522.10-81               | INSURANCE - LIFE          | 36                | 36                | 36                | 18              | 33                  | 36                   |
| 034-5051-522.10-90               | OTHER BENEFITS            | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.20-01               | OFFICE                    | 177               | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.20-02               | POSTAGE                   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.20-03               | PROTECTIVE CLOTHING       | 46,445            | 43,333            | 47,350            | 27,940          | 47,000              | 47,350               |

| LEVEL | TEXT                           | TEXT | AMT    |
|-------|--------------------------------|------|--------|
| 16DI  | BUNKER GEAR AND ADDITIONAL PPE |      | 32,000 |
|       | UNIFORMS PAID AND VOLUNTEER    |      | 5,850  |
|       | GLOVES HOODS                   |      | 4,400  |
|       | REPLACEMENT HELMETS            |      | 3,000  |
|       | HONOR GUARD UNIFORMS           |      | 2,100  |
|       |                                |      | 47,350 |



| ACCOUNT NUMBER                   | ACCOUNT DESCRIPTION                  | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|----------------------------------|--------------------------------------|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034 EMERGENCY SERVICES DIST |                                      |                   |                   |                   |                 |                     |                      |
| DEPT 50 EMERGENCY SERVICES       |                                      |                   |                   |                   |                 |                     |                      |
| DIV 51 FIRE SUPPRESSION          |                                      |                   |                   |                   |                 |                     |                      |
| LEVEL                            | TEXT                                 |                   |                   |                   |                 |                     |                      |
| 16DI                             | NOZZLES LOW AND HIGH PRESSURE        |                   |                   |                   |                 | 4,500               |                      |
|                                  | DECK GUN MOUNTS AND RESCUE EQUIPMENT |                   |                   |                   |                 | 2,000               |                      |
|                                  | LIGHT PACKAGE AND RADIO FOR NEW 205  |                   |                   |                   |                 | 5,000               |                      |
|                                  | MISC PARTS AND EQUIPMENT             |                   |                   |                   |                 | 800                 |                      |
|                                  |                                      |                   |                   |                   |                 | 12,300              |                      |
| 034-5051-522.20-91               | OFFICE FURNITURE/EQUIPMEN            | 1,047             | 2,182             | 2,500             | 0               | 2,200               | 0                    |
| 034-5051-522.20-93               | COMPUTER EQUIPMENT                   | 0                 | 31,018            | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.30-01               | MEMBERS & SUBSCRIPTIONS              | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.30-20               | TRAINING/SEMINARS                    | 24,855            | 19,294            | 27,500            | 13,388          | 27,000              | 27,500               |
| LEVEL                            | TEXT                                 |                   |                   |                   |                 |                     |                      |
| 16DI                             | FDIC FRI IAFC                        |                   |                   |                   |                 | 3,500               |                      |
|                                  | FIREHOUSE                            |                   |                   |                   |                 | 7,200               |                      |
|                                  | RESCUE SCHOOL                        |                   |                   |                   |                 | 3,800               |                      |
|                                  | TAMU MUNICIPAL WEEK                  |                   |                   |                   |                 | 4,500               |                      |
|                                  | HARRIS COUNTY FIELD DAY              |                   |                   |                   |                 | 6,000               |                      |
|                                  | PAID EDUCATION AND CE                |                   |                   |                   |                 | 2,500               |                      |
|                                  |                                      |                   |                   |                   |                 | 27,500              |                      |
| 034-5051-522.40-01               | OFFICE EQUIPMENT                     | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.40-02               | MACHINERY/TOOLS/EQUIP                | 30,236            | 32,488            | 45,630            | 17,445          | 45,000              | 48,800               |
| LEVEL                            | TEXT                                 |                   |                   |                   |                 |                     |                      |
| 16DI                             | REPLACEMENT PAGERS                   |                   |                   |                   |                 | 8,000               |                      |
|                                  | FIRE HOSE                            |                   |                   |                   |                 | 8,500               |                      |
|                                  | SCBA TEST AND REPAIR                 |                   |                   |                   |                 | 4,300               |                      |
|                                  | LADDER TEST                          |                   |                   |                   |                 | 6,500               |                      |
|                                  | FIRE ALARM INSPECTION                |                   |                   |                   |                 | 2,000               |                      |
|                                  | HOSE TEST                            |                   |                   |                   |                 | 9,000               |                      |
|                                  | FIRE TRUCK SERVICE TEST AND REPAIR   |                   |                   |                   |                 | 8,000               |                      |
|                                  | HYDROLIC RESCUE TOOL TEST            |                   |                   |                   |                 | 2,500               |                      |
|                                  |                                      |                   |                   |                   |                 | 48,800              |                      |
| 034-5051-522.40-03               | RADIOS/BASE STATIONS                 | 0                 | 0                 | 0                 | 34              | 0                   | 0                    |

34 0 0

This has been corrected and will be reflected once the current accounting period closes.

BUDGET PREPARATION WORKSHEET  
FOR FISCAL YEAR 2016

| ACCOUNT NUMBER                   | ACCOUNT DESCRIPTION       | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|----------------------------------|---------------------------|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034 EMERGENCY SERVICES DIST |                           |                   |                   |                   |                 |                     |                      |
| DEPT 50 EMERGENCY SERVICES       |                           |                   |                   |                   |                 |                     |                      |
| DIV 51 FIRE SUPPRESSION          |                           |                   |                   |                   |                 |                     |                      |
| 034-5051-522.40-06               | HEATING & A/C EQUIPMENT   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.40-08               | PUMPS/MOTORS              | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.40-11               | BUILDING                  | 0                 | 16,485            | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.40-19               | RENTAL OF EQUIPMENT       | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.40-20               | MOTOR POOL:LEASE FEES     | 257,460           | 280,045           | 299,283           | 174,582         | 299,283             | 396,428              |
| 034-5051-522.40-30               | VEHICLE MAINT:FLEET MAINT | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.40-31               | OTHER VEHICLE MAINTENANCE | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.40-50               | COMPUTER HARDWARE         | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.40-55               | COMPUTER SOFTWARE         | 0                 | 0                 | 0                 | 0               | 0                   | 7,500                |
| LEVEL                            | TEXT                      |                   |                   |                   |                 |                     |                      |
| 16DI                             | FIRE TRACKER              |                   |                   |                   |                 |                     |                      |
|                                  |                           |                   |                   |                   | TEXT            | AMT                 |                      |
|                                  |                           |                   |                   |                   |                 | 7,500               |                      |
|                                  |                           |                   |                   |                   |                 | 7,500               |                      |
| 034-5051-522.40-60               | TECHNOLOGY LEASE FEES     | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.40-65               | COMPUTER MAINTENANCE FEES | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.50-01               | ACCOUNTING                | 0                 | 0                 | 0                 | 0               | 0                   | 5,000                |
| LEVEL                            | TEXT                      |                   |                   |                   |                 |                     |                      |
| 16DI                             | AUDIT FOR 034             |                   |                   |                   |                 |                     |                      |
|                                  |                           |                   |                   |                   |                 |                     |                      |
|                                  |                           |                   |                   |                   | TEXT            | AMT                 |                      |
|                                  |                           |                   |                   |                   |                 | 5,000               |                      |
|                                  |                           |                   |                   |                   |                 | 5,000               |                      |
| 034-5051-522.50-05               | PERSONNEL SERVICES        | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.50-06               | FISCAL SERVICES           | 0                 | 362               | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.50-07               | OTHER PROFESSIONAL SERVIC | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.60-01               | UNIFORM/TOWEL CLEANING    | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.60-02               | PRINTING & REPRODUCTION   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5051-522.60-05               | ADVERTISING               | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |



BUDGET PREPARATION WORKSHEET  
FOR FISCAL YEAR 2016

| ACCOUNT NUMBER | ACCOUNT DESCRIPTION     | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|----------------|-------------------------|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034       | EMERGENCY SERVICES DIST |                   |                   |                   |                 |                     |                      |
| DEPT 50        | EMERGENCY SERVICES      |                   |                   |                   |                 |                     |                      |
| DIV 51         | FIRE SUPPRESSION        |                   |                   |                   |                 |                     |                      |
| *              | FIRE SUPPRESSION        | 498,293           | 604,115           | 1,029,396         | 427,787         | 951,724             | 1,071,517            |

| ACCOUNT NUMBER                   | ACCOUNT DESCRIPTION       | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|----------------------------------|---------------------------|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034 EMERGENCY SERVICES DIST |                           |                   |                   |                   |                 |                     |                      |
| DEPT 50 EMERGENCY SERVICES       |                           |                   |                   |                   |                 |                     |                      |
| DIV 59 EMS                       |                           |                   |                   |                   |                 |                     |                      |
| 034-5059-522.10-10               | REGULAR EARNINGS          | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-13               | AUTOMATIC OVERTIME        | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-15               | RELIEF                    | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-20               | OVERTIME                  | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-30               | CERTIFICATION             | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-35               | LONGEVITY                 | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-44               | CLEANING ALLOWANCE        | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-46               | PHYSICAL FITNESS ALLOWANC | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-50               | WC LOSS TIME              | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-60               | FICA                      | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-65               | RETIREMENT                | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-67               | PARS - RETIREMENT         | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-70               | WORKERS COMPENSATION      | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-80               | INSURANCE - MEDICAL       | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-81               | INSURANCE - LIFE          | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-90               | OTHER BENEFITS            | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.10-99               | ATTRITION                 | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.20-01               | OFFICE                    | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.20-02               | POSTAGE                   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.20-03               | PROTECTIVE CLOTHING       | 16,383            | 18,362            | 20,000            | 11,061          | 20,000              | 20,000               |

|       |  |      |        |
|-------|--|------|--------|
| LEVEL | TEXT   | TEXT | AMT    |
| 15ES  | CURRENTLY 55% EXPENDED WITH 58% YEAR LAPSED.<br>ACCOUNT APPEARS TO BE TRACKING CONSISTENTLY WITH<br>CURRENT EMS SPENDING NEEDS FOR UNIFORMS. |      | 20,000 |

| ACCOUNT NUMBER     | ACCOUNT DESCRIPTION   | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|--------------------|---|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034           | EMERGENCY SERVICES DIST   |                   |                   |                   |                 |                     |                      |
| DEPT 50            | EMERGENCY SERVICES  |                   |                   |                   |                 |                     |                      |
| DIV 59             | EMS   |                   |                   |                   |                 |                     |                      |
|                    |   |                   |                   | 20,000            |                 |                     |                      |
| LEVEL              | TEXT  |                   |                   |                   |                 |                     |                      |
| 16DI               | NO CHANGE REQUESTED FROM FY 2014-15 BUDGET PERIOD.<br>GENERAL EXPENDITURES INCLUDE REGULAR DUTY UNIFORMS<br>AND SPECIALTY UNIFORMS (SUMMER, BIKE TEAM,<br>TACTICAL MEDIC, ETC) TO INCLUDE BADGES, NAME TAGS,<br>DUTY BELTS, RAIN COATS, HELMETS, ETC. |                   |                   |                   | 20,000          |                     |                      |
|                    |   |                   |                   |                   | 20,000          |                     |                      |
| 034-5059-522.20-04 | GAS AND OIL   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.20-05 | MINOR TOOLS   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.20-06 | CLEANING  | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.20-07 | CHEMICALS   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.20-08 | EDUCATIONAL   | 0                 | 0                 | 0                 | 76              | 0                   | 0                    |
| 034-5059-522.20-15 | OTHER SUPPLIES  | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.20-18 | COMPUTER SUPPLIES   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.20-50 | SAFETY  | 0                 | 0                 | 37,102            | 37,102          | 37,102              | 0                    |
| 034-5059-522.20-55 | EMS DRUGS AND SUPPLIES  | 0                 | 0                 | 0                 | 1,213           | 0                   | 0                    |
| 034-5059-522.20-90 | MACHINERY/TOOLS/EQUIPMENT   | 9,363             | 38,360            | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.20-91 | OFFICE FURNITURE/EQUIPMEN   | 0                 | 0                 | 1,000             | 986             | 986                 | 0                    |
| LEVEL              | TEXT  |                   |                   |                   |                 |                     |                      |
| 15ES               | CURRENTLY 99% EXPENDED WITH 58% YEAR LAPSED.<br>ONE TIME PURCHASES FOR DESK CHAIRS FOR EMS HQ.  |                   |                   |                   | 986             |                     |                      |
|                    |   |                   |                   |                   | 986             |                     |                      |
| 034-5059-522.20-93 | COMPUTER EQUIPMENT  | 0                 | 0                 | 3,000             | 4,213           | 3,000               | 0                    |
| LEVEL              | TEXT  |                   |                   |                   |                 |                     |                      |
| 15ES               | CURRENTLY 100% EXPENDED WITH 58% YEAR LAPSED.<br>ONE TIME PURCHASE FOR 3 SURFACE PRO TABLETS FOR  |                   |                   |                   | 3,000           |                     |                      |

This has been corrected and will be reflected when the accounting period closes.

This has been moved to the Grant Fund and will be reflected when the accounting period closes.

| ACCOUNT NUMBER     | ACCOUNT DESCRIPTION  | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|--------------------|--|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034           | EMERGENCY SERVICES DIST  |                   |                   |                   |                 |                     |                      |
| DEPT 50            | EMERGENCY SERVICES   |                   |                   |                   |                 |                     |                      |
| DIV 59             | EMS  |                   |                   |                   |                 |                     |                      |
|                    | EMS UNITS. SHORT FALL IN FUNDING FOR TABLETS<br>RCVD FROM GRANT FUNDS.   |                   |                   |                   |                 |                     | 3,000                |
| 034-5059-522.30-01 | MEMBERS & SUBSCRIPTIONS  | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.30-20 | TRAINING/SEMINARS  | 10,168            | 10,154            | 15,380            | 11,249          | 15,380              | 15,380               |
| LEVEL              | TEXT   |                   |                   |                   | TEXT            | AMT                 |                      |
| 15ES               | CURRENTLY 73% EXPENDED WITH 58 % YEAR LAPSED.<br>ACCOUNT APPEARS TO BE TRACKING CONSISSTENTLY WITH<br>CURRENT BUDGETED NEEDS FOR EMS TRAINING. |                   |                   |                   |                 | 15,380              |                      |
|                    |  |                   |                   |                   |                 | 15,380              |                      |
| LEVEL              | TEXT   |                   |                   |                   | TEXT            | AMT                 |                      |
| 16DI               | TEXAS STATE EMS CONFERENCE - ANNUAL<br>5 - EMS PERSONNEL<br>REGISTRATION \$1000, TRAVEL \$1000, FOOD \$975,<br>LODGING \$2250<br>*             |                   |                   |                   |                 | 5,225               |                      |
|                    | NATIONAL EMS CHIEF'S CONFERENCE<br>CHIEF OR ASST CHIEF<br>REGISTRATION \$475, TRAVEL \$600, FOOD \$300, LODGING<br>\$450<br>*                  |                   |                   |                   |                 | 1,825               |                      |
|                    | EMS MANAGEMENT TRAINING<br>MANAGEMENT PERSONNEL SELECTED<br>REGISTRATION \$1330, TRAVEL \$600, FOOD \$300,<br>LODGING \$750.<br>*              |                   |                   |                   |                 | 2,980               |                      |
|                    | ACLS/ITLS/PHTLS/PALS CERTIFICATION RENEWAL<br>REQUIRED TRAINING FOR ALL EMS PERSONNEL.<br>*  |                   |                   |                   |                 | 2,000               |                      |
|                    | ONLINE CONTINUING EDUCATION - INTERNET<br>PARAMEDICAL STAFF<br>REQUIRED TRAINING BY TDSHS FOR ALL EMS PERSONNEL.<br>*                          |                   |                   |                   |                 | 1,500               |                      |
|                    | EMS CODING AND BILLING TRAINING<br>EMS BILLING SPECIALIST<br>REGISTRATION \$500, TRAVEL \$600, FOOD \$300,<br>LODGING \$450.                   |                   |                   |                   |                 | 1,850               |                      |
|                    |  |                   |                   |                   |                 | 15,380              |                      |

| ACCOUNT NUMBER                   | ACCOUNT DESCRIPTION   | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|----------------------------------|---|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034 EMERGENCY SERVICES DIST |   |                   |                   |                   |                 |                     |                      |
| DEPT 50 EMERGENCY SERVICES       |   |                   |                   |                   |                 |                     |                      |
| DIV 59 EMS                       |   |                   |                   |                   |                 |                     |                      |
| 034-5059-522.40-01               | OFFICE EQUIPMENT  | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.40-02               | MACHINERY/TOOLS/EQUIP   | 12,153            | 14,280            | 25,150            | 19,957          | 25,150              | 18,150               |
| LEVEL                            | TEXT  |                   |                   |                   |                 |                     |                      |
| 15ES                             | CURRENTLY 79% EXPENDED WITH 58% YEAR LAPSED.<br>ACCOUNT APPEARS TO BE TRACKING CONSISTENTLY WITH<br>CURRENT BUDGETED EMS NEEDS FOR MAINTENANCE<br>AND SERVICE CONTRACTS.  |                   |                   |                   |                 |                     |                      |
|                                  |   |                   |                   |                   |                 | 25,150              |                      |
| LEVEL                            | TEXT  |                   |                   |                   |                 |                     |                      |
| 16DI                             | BIO-HAZARD DISPOSAL CONTRACT - MEDICAL WASTE<br>ANNUAL<br>*<br>EMS POWER STRETCHER/COT - MAINTENANCE CONTRACT<br>ANNUAL<br>*<br>FIRE ALARM INSPECTION - EMS HEADQUARTERS<br>ANNUAL<br>*<br>LUCAS CHEST COMPRESSION DEVICE - MAINTENANCE<br>CONTRACT<br>ANNUAL |                   |                   |                   |                 |                     |                      |
|                                  |   |                   |                   |                   |                 | 4,000               |                      |
|                                  |   |                   |                   |                   |                 | 11,200              |                      |
|                                  |   |                   |                   |                   |                 | 350                 |                      |
|                                  |   |                   |                   |                   |                 | 2,600               |                      |
|                                  |   |                   |                   |                   |                 | 18,150              |                      |
| 034-5059-522.40-03               | RADIOS/BASE STATIONS  | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.40-06               | HEATING & A/C EQUIPMENT   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.40-11               | BUILDING  | 0                 | 0                 | 6,300             | 6,300           | 6,300               | 0                    |
| 034-5059-522.40-19               | RENTAL OF EQUIPMENT   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.40-20               | MOTOR POOL:LEASE FEES   | 77,280            | 104,220           | 95,241            | 55,557          | 95,241              | 147,430              |
| LEVEL                            | TEXT  |                   |                   |                   |                 |                     |                      |
| 15ES                             | CURRENTLY 50% EXPENDED WITH 58% YEAR LAPSED.<br>ACCOUNT TRACKING CONSISTENTLY WITH BUDGETED<br>REQUESTS.  |                   |                   |                   |                 |                     |                      |
|                                  |   |                   |                   |                   |                 | 95,241              |                      |
|                                  |   |                   |                   |                   |                 | 95,241              |                      |

BUDGET PREPARATION WORKSHEET  
FOR FISCAL YEAR 2016

| ACCOUNT NUMBER                   | ACCOUNT DESCRIPTION       | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|----------------------------------|---------------------------|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034 EMERGENCY SERVICES DIST |                           |                   |                   |                   |                 |                     |                      |
| DEPT 50 EMERGENCY SERVICES       |                           |                   |                   |                   |                 |                     |                      |
| DIV 59 EMS                       |                           |                   |                   |                   |                 |                     |                      |
| 034-5059-522.40-21               | VEHICLE MAINT:O/S CONTRAC | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.40-30               | VEHICLE MAINT:FLEET MAINT | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.40-31               | OTHER VEHICLE MAINTENANCE | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.40-50               | COMPUTER HARDWARE         | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.40-55               | COMPUTER SOFTWARE         | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.40-60               | TECHNOLOGY LEASE FEES     | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.40-65               | COMPUTER MAINTENANCE FEES | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.50-01               | ACCOUNTING                | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.50-05               | PERSONNEL SERVICES        | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.50-07               | OTHER PROFESSIONAL SERVIC | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.60-01               | UNIFORM/TOWEL CLEANING    | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.60-02               | PRINTING & REPRODUCTION   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.60-05               | ADVERTISING               | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.60-07               | INSURANCE                 | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.70-01               | ELECTRICAL                | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.70-02               | NATURAL GAS               | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.70-03               | TELEPHONE                 | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.70-04               | WATER                     | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.80-02               | BUILDING IMPROVEMENTS     | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.80-11               | OFFICE EQUIP/FURNITURE    | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.80-21               | MACH/TOOLS & EQUIPMENT    | 43,000            | 108,424           | 119,527           | 0               | 119,527             | 82,500               |

LEVEL TEXT  
15ES CURRENTLY 99% EXPENDED WITH 58% YEAR LAPSED.

TEXT AMT  
119,527

| ACCOUNT NUMBER     | ACCOUNT DESCRIPTION  | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|--------------------|--|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034           | EMERGENCY SERVICES DIST  |                   |                   |                   |                 |                     |                      |
| DEPT 50            | EMERGENCY SERVICES   |                   |                   |                   |                 |                     |                      |
| DIV 59             | EMS  |                   |                   |                   |                 |                     |                      |
|                    | ONE TIME PURCHASES OF APPROVED CAPITAL EQUIPMENT<br>FOR EMS OPERATIONS.  |                   |                   |                   |                 |                     |                      |
|                    |  |                   |                   | 119,527           |                 |                     |                      |
| LEVEL              | TEXT   |                   |                   | TEXT              | AMT             |                     |                      |
| 16DI               | 1 - STRYKER STAIR CHAIR - REPLACEMENT<br>CURRENT STAIR CHAIRS OWNED BY EMS ARE APPROACHING<br>7-8 YEARS OLD AND THE STRYKER MANUFACTUER WILL NOT<br>SERVICE CHAIRS OLDER THAN 8 YEARS OLD THEREFORE WE<br>ARE IMPLEMENTING A PLAN TO REPLACE ONE A YEAR<br>UNTIL THEY ARE ALL REPLACED. THERE ARE CURRENTLY<br>6 CHAIRS IN TOTAL TO REPLACE.<br>*                                    |                   |                   |                   | 3,500           |                     |                      |
|                    | 1 - STRYKER POWER COT/STRETCHER - REPLACEMENT<br>CURRENT STRETCHERS OWNED BY EMS ARE APPROACHING<br>7-8 YEARS OLD AND THE STRYKER MANUFACTUER WILL NOT<br>SERVICE STRETCHERS OLDER THAN 8 YEARS OLD<br>THEREFORE WE ARE IMPLEMENTING A PLAN TO REPLACE<br>ONE A YEAR UNTIL THEY ARE ALL REPLACED. 6<br>STRETCHERS IN TOTAL TO REPLACE.<br>*  |                   |                   |                   | 14,000          |                     |                      |
|                    | 1 - STRYKER POWER LOAD SYSTEM - ADDITIONAL<br>AUTOMATED STRETCHER POWER LOAD SYSTEM FOR A<br>RESERVE AMBULANCE TO HELP REDUCE THE NUMBER OF<br>BACK INJURIES OCCURRED BY EMS PERSONNEL.<br>*   |                   |                   |                   | 26,000          |                     |                      |
|                    | 1 - 12 LEAD/EKG DEFIBRILLATOR MONITOR - LIFEPAK 15<br>PHYSIO CONTROL HAS NOTIFIED ALL EMS AGENCIES THAT<br>THEY SHOULD BEGIN TO PHASE OUT THEIR LIFEPAK 12<br>DEVICES BECAUSE A CESSATION OF SERVICE AND<br>MAINTENANCE WILL BEGIN IN THE NEXT COUPLE OF YEARS<br>WITH SERVICE ONLY BEING AVAILABLE FOR THE LIFEPAK<br>15. LPEMS CURRENTLY HAS 3 LIFEPAK 15'S AND 3<br>LIFEPAK 12'S. |                   |                   |                   | 39,000          |                     |                      |
|                    |  |                   |                   |                   | 82,500          |                     |                      |
| 034-5059-522.80-23 | COMPUTER HARDWRE/SOFTWARE  | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.80-50 | MOTOR VEHICLES   | 0                 | 0                 | 18,350            | 0               | 18,350              | 0                    |
| 034-5059-522.99-97 | REQ FOR SPECIAL PROGRAMS   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
| 034-5059-522.99-98 | REQUEST FOR UPGRADE(S)   | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |

BUDGET PREPARATION WORKSHEET  
FOR FISCAL YEAR 2016

| ACCOUNT NUMBER     | ACCOUNT DESCRIPTION      | ACTUAL<br>2012-13 | ACTUAL<br>2013-14 | BUDGET<br>2014-15 | Y-T-D<br>ACTUAL | ESTIMATE<br>2014-15 | REQUESTED<br>2015-16 |
|--------------------|--------------------------|-------------------|-------------------|-------------------|-----------------|---------------------|----------------------|
| FUND 034           | EMERGENCY SERVICES DIST  |                   |                   |                   |                 |                     |                      |
| DEPT 50            | EMERGENCY SERVICES       |                   |                   |                   |                 |                     |                      |
| DIV 59             | EMS                      |                   |                   |                   |                 |                     |                      |
| 034-5059-522.99-99 | REQUEST FOR NEW POSITION | 0                 | 0                 | 0                 | 0               | 0                   | 0                    |
|                    |                          | -----             | -----             | -----             | -----           | -----               | -----                |
| *                  | EMS                      | 168,347           | 293,800           | 341,050           | 147,714         | 341,036             | 283,460              |
|                    |                          | -----             | -----             | -----             | -----           | -----               | -----                |
| **                 | EMERGENCY SERVICES       | 706,418           | 902,880           | 1,390,917         | 583,510         | 1,313,231           | 1,372,053            |
|                    |                          | -----             | -----             | -----             | -----           | -----               | -----                |
| ***                | EMERGENCY SERVICES DIST  | 706,418           | 902,880           | 1,390,917         | 583,510         | 1,313,231           | 1,372,053            |
|                    |                          | -----             | -----             | -----             | -----           | -----               | -----                |
|                    |                          | 706,418           | 902,880           | 1,390,917         | 583,510         | 1,313,231           | 1,372,053            |

# Fire Control District Budget 2015-2016





# Fire Control District Board

- Johnny Jones-President
- Robert Eldridge-Vice President
- Danny Campise
- Dottie Kaminski
- Tom Dye
- Ronald Nowetner
- Rick Guzman
- Kaitlyn Hartis-Secretary



# Fire Control District Budget

|         | 2014-2015      | 2015-2016      |
|---------|----------------|----------------|
| • FMO   | \$15,471.00    | \$17,076.00    |
| • Fire  | \$1,034,396.00 | \$1,071,517.00 |
| • EMS   | \$272,771.00   | \$283,460.00   |
| • Total | \$1,322,638.00 | \$1,372,053.00 |



# FMO

|  |             |
|--|-------------|
| • 2003 PPE (Boots, Gloves, Glasses)    | 2,000       |
| • 3020 Training (Seminars, Conference) | 5,200       |
| • Motor Pool (lease fees)              | 9,876       |
| <br>                                   |             |
| • Total                                | \$17,076.00 |



# Fire

|  |             |
|--|-------------|
| • 1010 Personnel (Safety Officer)  | 101,739 *   |
| • 2003 PPE (Bunker Gear, Gloves)   | 47,350      |
| • 2007 Chemicals (Foam, liquid smoke)                                      | 5,000       |
| • 2009 Medical (Disposables )  | 7,400       |
| • 2019 Training Field (Wood, Paint Station,Supplies)                       | 16,500      |
| • 2090 Equipment (Nozzles, RIT Equipment)                                  | 12,300      |
| • 3020 Training (Schools, Seminars, Classes)                               | 27,500      |
| • 4002 Equipment (Pagers, Fire Hose, Contracts)                            | 48,800      |
| • 4020 Motor Pool (Lease Fees)   | 396,428     |
| • Computer programs  | 7,500       |
| • 8021 Capital Equipment (Eclipse, Hydrant Adaptors<br>and Command Vehicle | 396,000     |
| • Audit for all divisions  | 5,000       |
| • Total  | \$1,071,517 |

\* Number includes benefits.



# EMS

|   |           |
|---|-----------|
| • 2003 PPE (Uniforms, Specialty Gear)                   | 20,000    |
| • 3020 Training (seminars, training classes)            | 15,380    |
| • 4002(Stretchers, Monitors, and<br>Disposal Contracts) | 18,150    |
| • 8021 Capitol (EKG, Stryker Power Load )               | 82,500    |
| • Motor Pool (lease fees)                               | 147,430   |
| • Total   | \$283,460 |



# Q & A

Questions

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: June 8, 2015 Appropriation  
Requested By: Eric Ensey Source of Funds: N/A  
Department: Planning & Development Account Number:  
Report:  Resolution:  Ordinance:  Amount Budgeted:  
Other:  Amount Requested:  
Budgeted Item:  YES  NO

### Attachments :

1. Ordinance
2. P&Z Recommendation Letter
3. SCUP Application
4. Area Map
5. Land Use Map
6. Zoning Map
7. Public Response Letters

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### SUMMARY & RECOMMENDATIONS

This item was previously scheduled for public hearing and consideration by Council on May 8, 2015; however, at the request of the developer, it was postponed until the June 8, 2015, City Council meeting.

The applicant (Generational Commercial Properties) is seeking approval of a Special Conditional Use Permit (SCUP) to allow construction of a 103,500 square foot freight transportation arrangement and logistics facility for Barsan Global Logistics on a 7.1 acre portion of a 12.6 acre tract of land further described as Tracts 1B-3, Abstract 35, Johnson Hunter Survey.

The entire 12.6 acre site is zoned Planned Unit Development (PUD) and is currently an undeveloped tract of land. The property is located on S. 16<sup>th</sup> Street southeast of the W. M Street unimproved right-of-way. The site is located immediately adjacent to the Port Crossing Business Park. Although not within the boundaries of ownership of Port Crossing, the city's Future Land Use Plan specifies development of this tract of land as "Business Industrial" uses, similar to those uses established for the Port Crossing Business Park. The proposed facility would be located on approximately 7.1 acres of the overall parcel, with the remaining 5.5 acres to be developed at a later time and under a separate SCUP application.

The city's Future Land Use Map identifies the use of the property as "Business Industrial" and as a result the uses permitted on this parcel should be consistent with those permitted in the Business Industrial (BI) district. Barsan Global Logistics operates under the following NAICS classification: 541614 (Process, Physical Distribution, and Logistics Consulting Services) and 488510 (Freight Transportation Arrangement). Both of these classifications are permitted uses in the BI zone district.

The Planning and Zoning Commission conducted a public hearing at the April 22, 2015, meeting concerning this request. One public hearing notice response in favor of the application was received by the City for the P&Z public hearing. The Commission voted to recommend approval of the proposed SCUP subject to the following conditions:

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte's Development Ordinance and shall comply with all provisions of Chapter 106, "Zoning" of the City's Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.
2. All necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process.
3. A traffic impact analysis performed by a licensed engineer agreed to by both the City and the applicant shall be required. The study must ensure that the proposed development will not adversely impact S. 16<sup>th</sup> Street or any of the major intersections in the vicinity. If so, any mitigation required by the study will be the responsibility of the applicant and would be applied proportionately to the scope of development.
4. The subject property will need to be replatted and subdivided in accordance with the requirements outlined in the City of La Porte's Development Ordinance. As part of the plat, the applicant will be required to dedicate right-of-way along S. 16<sup>th</sup> Street to make a consistent 100-foot right-of-way width.
5. The applicant shall install all of the required street trees as part of the development of Parcel A as required by Section 106-800 of the city's Code of Ordinances along S. 16<sup>th</sup> Street and W. M Street.
6. Harris County driveway permits shall be presented prior to permit issuance for all driveways requested. Maximum driveway widths shall be provided in compliance with city code requirements.
7. The pavement shall remain in good, operable, dust free condition over time, and that repairs shall be made as necessary upon written notification by the city.
8. Any future change in use requires consideration of a Special Conditional Use Permit in accordance with Chapter 106, "Zoning" of the City's Code of Ordinances.

---

**Action Required of Council:**

1. Conduct public hearing.
2. Consider approval or other action on a recommendation by the Planning and Zoning Commission to approve Special Conditional Use Permit Request #15-91000002, to allow construction of warehouse facility on a 7.1 acre portion of a 12.6 acre tract of land further described as Tracts 1B-3, Abstract 35, Johnson Hunter Survey.

---

**Approved for City Council Agenda**

---

**Corby D. Alexander, City Manager**

---

**Date**

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, CHAPTER 106, MORE COMMONLY REFERRED TO AS THE ZONING ORDINANCE OF THE CITY OF LA PORTE, BY GRANTING SPECIAL CONDITIONAL USE PERMIT NO. 15-9100002 FOR THAT CERTAIN PARCEL OF LAND HEREIN DESCRIBED, FOR THE PURPOSE OF CONSTRUCTING A WAREHOUSE FACILITY AT SOUTHEAST CORNER OF SOUTH 16<sup>th</sup> STREET AND WEST M STREET INTERSECTION; MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS:

**Section 1.** Chapter 106 “Zoning” of the Code of Ordinances is hereby amended by granting Special Conditional Use Permit #15-9100002, attached hereto as Exhibit A and incorporated by reference for all purposes, to allow for the construction of a 103,500 square foot warehouse facility on property located at southeast corner of South 16<sup>th</sup> Street and West M Street intersection, said facility to be located on 7.1 acre portion of 12.6 acre tract legally described as Tracts 1B-3, Abstract 35, Johnson Hunter Survey, Town of La Porte, Harris County, Texas, within a Planned Unit Development (PUD) zoning district.

**Section 2.** All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

**Section 3.** Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

**Section 4.** The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, Tx. Gov’t Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Section 5.** The City Council of the City of La Porte hereby finds that public notice was properly mailed to all owners of all properties located within two hundred feet (200’) of the properties under consideration.

**Section 6.** The City Council of the City of La Porte hereby finds, determines, and declares that all prerequisites of law have been satisfied and hereby determines and declares that the amendments to the City of La Porte Zoning Classification contained in this Ordinance as amendments thereto are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

**Section 7.** This ordinance shall be effective after its passage and approval.

PASSED AND APPROVED this the \_\_\_\_\_ day of JUNE, 2015.

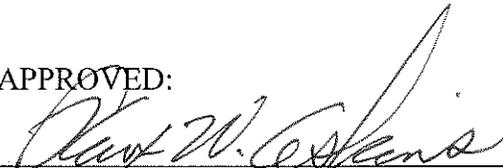
CITY OF LA PORTE

By: \_\_\_\_\_  
Louis R. Rigby, Mayor

ATTEST:

\_\_\_\_\_  
Patrice Fogarty, City Secretary

APPROVED:

  
\_\_\_\_\_  
Knox Askins, City Attorney

## EXHIBIT A

### City of La Porte Special Conditional Use Permit #15-9100002

This permit is issued to: Generational Commercial Properties (on behalf of Barsan Global Logistics)  
Owner or Agent

1503 Ridgcrest Drive, Austin, TX 78746  
Address

For Development of: Barsan Global Logistics Freight Transportation Arrangement and  
Logistic Consulting Facility  
Development Name

Vacant parcel; located at the southeast corner of S. 16<sup>th</sup> Street and the  
unimproved W. M Street right-of-way  
Address

Legal Description: 7.1 acre portion of a 12.6 acre tract of land legally described as Tracts  
1B-3, Abstract 35, Johnson Hunter Survey

Zoning: PUD, Planned Unit Development

Use: Business Industrial, Freight Transportation Arrangement and Logistic  
Consulting Facility

#### Permit Conditions:

This Special Conditional Use Permit is applicable for the subject property. A copy of which shall be maintained in the files of the City's Planning and Development Department upon approval. Project development shall be in accordance with the following conditions:

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte's Development Ordinance and shall comply with all provisions of Chapter 106, "Zoning" of the City's Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.
2. All necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process.
3. A traffic impact analysis performed by a licensed engineer agreed to by both the City and the applicant shall be required. The study must ensure that the proposed development will not adversely impact S. 16<sup>th</sup> Street or any of the major intersections in the vicinity. If so, any mitigation required by the study will be the responsibility of the applicant and would be applied proportionately to the scope of development.
4. The subject property will need to be replatted and subdivided in accordance with the requirements outlined in the City of La Porte's Development Ordinance. As part of the plat, the applicant will be required to dedicate right-of-way along S. 16<sup>th</sup> Street to make a consistent 100-foot right-of-way width.
5. The applicant shall install all of the required street trees as part of the development of Parcel A as required by Section 106-800 of the city's Code of Ordinances along S. 16<sup>th</sup> Street and W. M Street.

**EXHIBIT A**

6. Harris County driveway permits shall be presented prior to permit issuance for all driveways requested. Maximum driveway widths shall be provided in compliance with city code requirements.
7. The pavement shall remain in good, operable, dust free condition over time, and that repairs shall be made as necessary upon written notification by the city.
8. Any future change in use requires consideration of a Special Conditional Use Permit in accordance with Chapter 106, "Zoning" of the City's Code of Ordinances.

Failure to occupy the building within 12 months after issuance or as scheduled under the terms of a special conditional use permit shall void the permit as approved, except upon an extension of time granted after application to the Planning and Zoning Commission.

If contract or agreement is terminated after completion of any stage and there is ample evidence that further development is not contemplated, the ordinance establishing such special conditional use permit may be rescinded by the City Council, upon its own motion or upon the recommendation of the Planning and Zoning Commission of the City of La Porte, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

Validation Date: \_\_\_\_\_

\_\_\_\_\_  
Director of Planning

\_\_\_\_\_  
City Secretary



April 22, 2015

Honorable Mayor Rigby and City Council  
City of La Porte

RE: Special Conditional Use Permit Request #15-91000002

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a public hearing at the April 22, 2015 meeting on a Special Conditional Use Permit request by Barsan Global Logistics to allow construction of a 103,500 square foot warehouse facility on a 7.1 acre portion of a 12.6 acre tract described as Tracts 1B-3, Abstract 35, Hohnson Hunter Survey. The Commission voted to recommend approval of the proposed SCUP as outlined in the drafted ordinance presented in the Request for City Council Agenda Item.

Respectfully submitted,

Hal Lawler  
Chairman, Planning and Zoning Commission

cc: Tim Tietjens, Director of Planning and Development  
Department File

Planning & Development Department  
**SPECIAL CONDITIONAL USE**  
**PERMIT APPLICATION**

**1. PROPERTY OWNER CONTACT INFORMATION:**

OWNER NAME: Pierside Industries Inc. PHONE 1: (843) 971-1339  
PHONE 2: \_\_\_\_\_ FAX #: \_\_\_\_\_  
E-MAIL: vjmarino@mrs-cmc.com  
MAILING ADDRESS: 2265 Clements Ferry Road, Suite 301 Charleston, SC 29492

**2. BUSINESS INFORMATION:**

BUSINESS NAME: GCP on behalf of Barsan Global Logistics BUSINESS TYPE: Freight Forwarding  
CONTACT NAME: Joseph Llamas PHONE #: (512) 853-9650  
E-MAIL: JLLAMAS@GCPRE.COM FAX #: \_\_\_\_\_  
MAILING ADDRESS: 1503 Ridgcrest Drive Austin, TX 78746

**3. PROPERTY DESCRIPTION:**

PARCEL NO(s) (13-digit HCAD Tax ID #): 0402780010029  
PROPERTY ADDRESS (If existing): \_\_\_\_\_  
PROPERTY LEGAL DESCRIPTION Tract 1B-3 abstract 35J Hunter

**4. SUPPORTING DOCUMENTATION (Check Applicable):**

GENERAL PLAN  SITE PLAN  PLAT

REASON FOR REQUEST?: New Development  
OWNER or AUTHORIZED AGENT'S SIGNATURE:   
PRINTED NAME: Joseph Llamas DATE: 03/19/2015

**5. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION:**

- COMPLETE ITEMS 1 THRU 4 OF APPLICATION
- ATTACH APPLICABLE PLAN(S)
- SUBMIT \$300.00 NON-REFUNDABLE APPLICATION FEE

**(STAFF USE ONLY):**

DATE RECEIVED: \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_  
PROJECT NUMBER: \_\_\_\_\_ - \_\_\_\_\_  
SCHEDULED DATE FOR PLANNING & ZONING COMMISSION AGENDA: \_\_\_\_\_



**GENERATIONAL**  
COMMERCIAL PROPERTIES

March 18, 2015

Mr. Eric Ensey  
604 W. Fairmont Parkway  
La Porte, Texas 77571

**RE: Barsan Global Logistics Special Conditional Use Permit Application (“SCUP”)**

Dear Mr. Ensey:

I am pleased to provide details pertaining to my client’s, Barsan Global Logistics, Inc., intent to develop a 100,000 SF institutional quality industrial building in LaPorte Texas. Enclosed is the completed SCUP form, a proposed site plan, building image from a Barsan building in Miami, FL, a brochure from a Generational Commercial Properties project in Houston and some construction photo’s of that same building.

This project includes the acquisition of a twelve-acre parcel. Generational will platt and subdivide the property into a northern and southern property. Generational will develop a 100,000 SF tiltwall industrial building for Barsan Global Logistics, Inc. on the southern parcel. The attached site plan details this plan.

Barsan Global Logistics was founded in 1982 and provides freight forwarding services globally. Utilizing highway, marine and air travel Barsan coordinates the transportation, warehousing and delivery of their client’s products worldwide. They operate facilities on five continents and are currently expanding throughout the US. Their NAICS Code # is 541614 / 488510.

Generational Commercial Properties is a commercial development firm with offices in Texas. Generational acquires, develops, owns and operates multi-family, industrial and office real estate targeting functional, institutional quality, infill real estate located in Texas, the nation's fastest growing state and strongest economy.

Sincerely,

GENERATIONAL COMMERCIAL PROPERTIES

A handwritten signature in blue ink, appearing to read "Joseph Llamas".

Joseph Llamas  
President

March 20, 2015

Mr. Eric Ensey

604 W. Fairmont Parkway

LaPorte, Texas 77571

RE: Generational Commercial Properties SCUP application

Dear Mr. Eric Ensey:

I, Vince Marino, authorized signatory of Pierside Industries Inc., appoint Joseph Llamas of Generational Commercial Properties Co ("GCP") as agent to pursue a Special Conditional Use Permit on the property located at 16th Street in LaPorte, TX. The property's legal description is Tract 1B-3 abstract 35J hunter.

Regards,

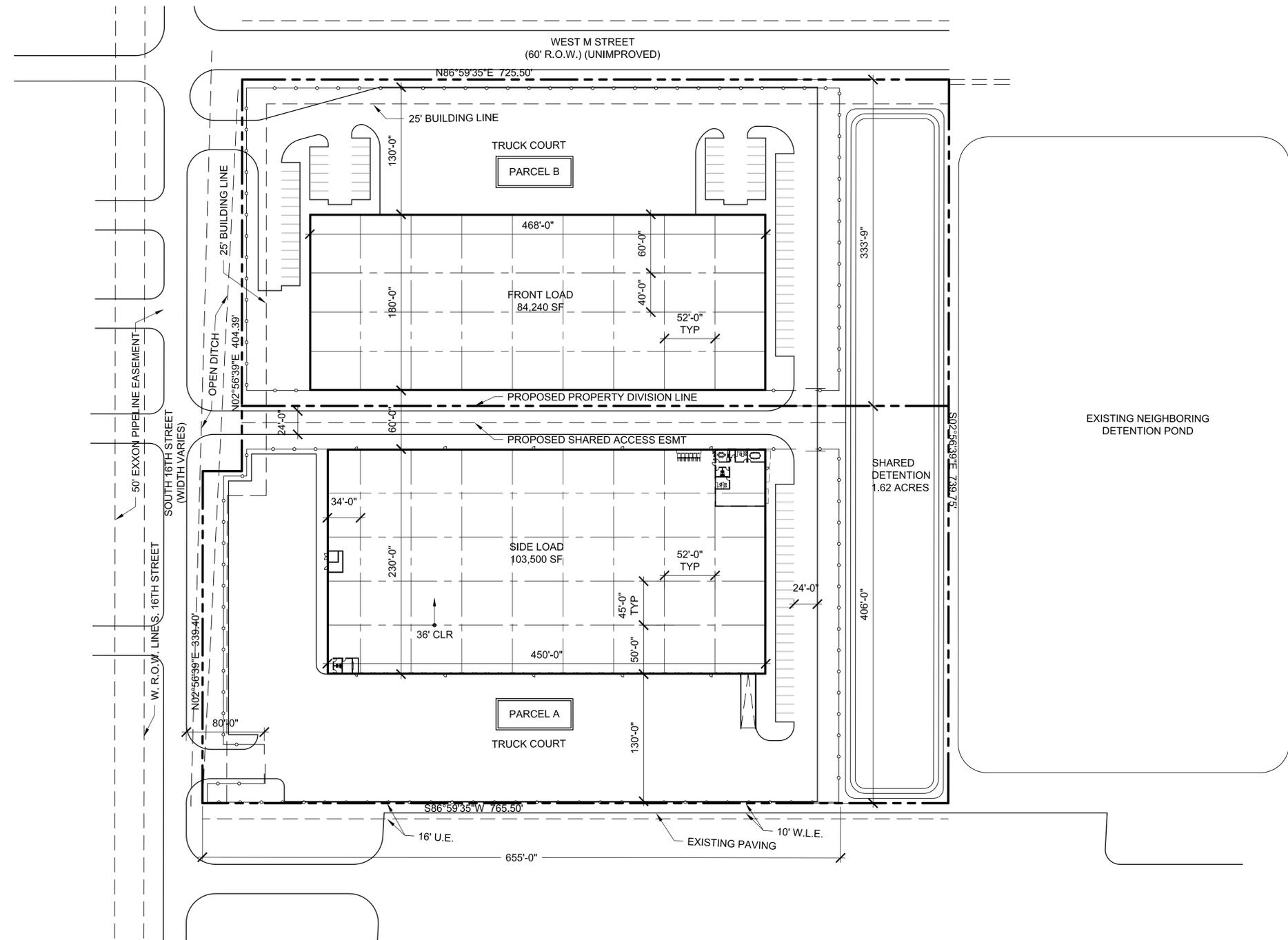


Vince Marino

President

# SITE PLAN - SCHEME B

|          | SITE AREA                 | BUILDING AREA | COVERAGE | PARKING (REQUIRED: OFFICE = 3 / 1,000 ; WAREHOUSE = 1 / 1.5 EMPLOY) |
|----------|---------------------------|---------------|----------|---|
| TOTAL    | 12.6 ACRES (550,263.5 SF) | 187,740 SF    | 34.1%    | 100 SPACES  |
| PARCEL A | 7.1 ACRES (308,126.5 SF)  | 103,500 SF    | 33.6%    | 31 SPACES   |
| PARCEL B | 5.5 ACRES (242,137 SF)    | 84,240 SF     | 34.8%    | 69 SPACES   |

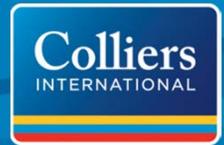


# BUILDING IMAGE



Rendering is representative of design intent only. It is not a photorealistic representation of actual materials proposed and as such should be considered preliminary at all stages.

FOR LEASE > INDUSTRIAL



# Airtex Commerce Center

431 EAST AIRTEX DRIVE, HOUSTON, TX 77073

Ready for Occupancy



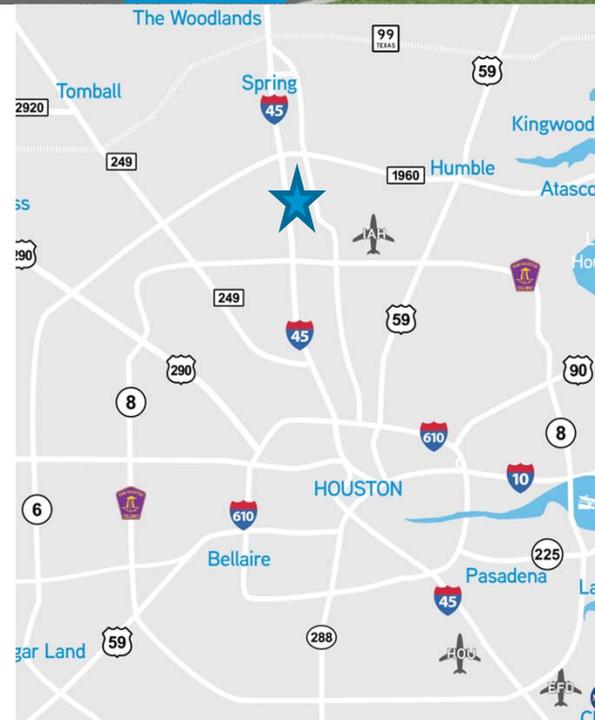
40,000 - 340,000 SF Available

## Airtex Commerce Center > Phase I

Airtex Commerce Center is a new Class A industrial facility located on Airtex Drive less than a quarter mile east of I-45, just 3 miles north of Beltway 8, and 3 miles south of 1960. This efficient rear-load building can be accessed from 5 curb cuts, has ample parking and trailer storage.

### Building Features

- > 166,250 SF - Phase I
- > Divisible to 40,000 SF
- > 32' Clear Height
- > 60' Staging Bay
- > 52' x 47' Column Spacing
- > 37 External Truck Doors
- > 2 Drive-in Dock Doors
- > 2,000 Amps 277/480 volt
- > Gas Unit Heaters Freeze Protection
- > ESFR Sprinklered
- > 130' Truck Court
- > Trailer Storage Available
- > 1:5 to 1,000 Parking Ratio
- > Triple Freeport Exemption
- > Favorable Tax Rate



MIKE TAETZ, SIOR  
713 830 2107  
mike.taetz@colliers.com

BILL BYRD, SIOR, CCIM  
713 830 2131  
bill.byrd@colliers.com

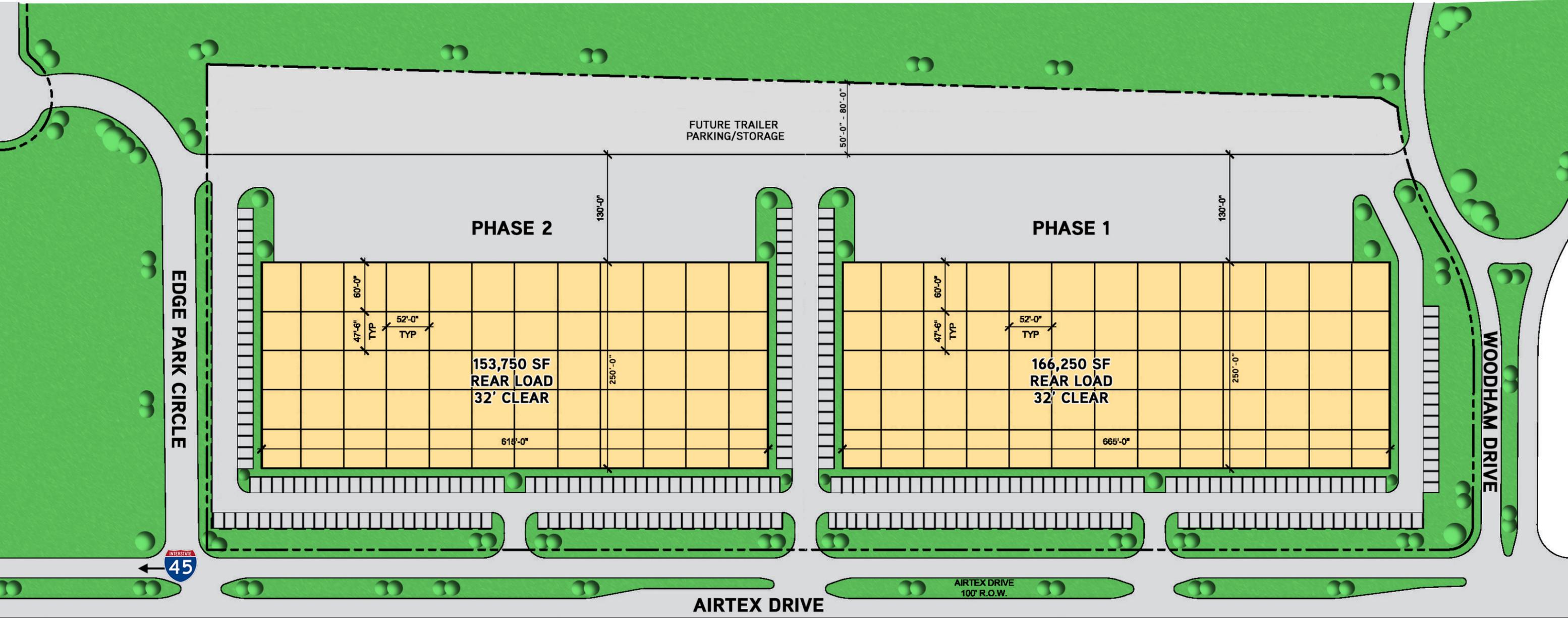
RYAN BYRD  
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COLLIERS INTERNATIONAL  
1233 W. Loop South | Suite 900  
Houston, TX 77027  
www.colliers.com

# Airtex Commerce Center



431 EAST AIRTEX DRIVE, HOUSTON, TX 77073



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FOR LEASE > INDUSTRIAL

# Airtex Commerce Center

431 EAST AIRTEX DRIVE, HOUSTON, TX 77073



- > Up to 340,000 SF
- > Phase I – 166,250 SF
- > 3 Miles from Beltway 8
- > Occupancy 1Q 2015

Airtex Commerce Center

China Bear  
PAPPASITOS  
Cantina

## Contact Us

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A Co-development of Molto Properties and  
Generational Commercial Properties.  
Exclusively Listed by Colliers International



GENERATIONAL  
COMMERCIAL PROPERTIES

Colliers International is a worldwide affiliation of independently owned and operated companies. The information contained herein has, we believe, been obtained from reliable sources and we have no reason to doubt the accuracy thereof. All such information is submitted, subject to errors, omissions or changes in condition prior to sale, lease or withdrawal without notice. All information contained herein should be verified by the person relying thereon. We have not made and will not make any warranty or representation as to the condition of the property nor the presence of any hazardous substances or any environmental or other conditions that may affect the value or suitability of the property.



*Texas law requires all real estate licensees to give the following information about brokerage services to prospective buyers, tenants, sellers and landlords.*

## Information About Brokerage Services

**B**efore working with a real estate broker, you should know that the duties of a broker depend on whom the broker represents. If you are a prospective seller or landlord (owner) or a prospective buyer or tenant (buyer), you should know that the broker who lists the property for sale or lease is the owner's agent. A broker who acts as a subagent represents the owner in cooperation with the listing broker. A broker who acts as a buyer's agent represents the buyer. A broker may act as an intermediary between the parties if the parties consent in writing. A broker can assist you in locating a property, preparing a contract or lease, or obtaining financing without representing you. A broker is obligated by law to treat you honestly.

### **IF THE BROKER REPRESENTS THE OWNER:**

The broker becomes the owner's agent by entering into an agreement with the owner, usually through a written - listing agreement, or by agreeing to act as a subagent by accepting an offer of subagency from the listing broker. A subagent may work in a different real estate office. A listing broker or subagent can assist the buyer but does not represent the buyer and must place the interests of the owner first. The buyer should not tell the owner's agent anything the buyer would not want the owner to know because an owner's agent must disclose to the owner any material information known to the agent.

### **IF THE BROKER REPRESENTS THE BUYER:**

The broker becomes the buyer's agent by entering into an agreement to represent the buyer, usually through a written buyer representation agreement. A buyer's agent can assist the owner but does not represent the owner and must place the interests of the buyer first. The owner should not tell a buyer's agent anything the owner would not want the buyer to know because a buyer's agent must disclose to the buyer any material information known to the agent.

### **IF THE BROKER ACTS AS AN INTERMEDIARY:**

A broker may act as an intermediary between the parties if the broker complies with The Texas Real Estate License

Act. The broker must obtain the written consent of each party to the transaction to act as an intermediary. The written consent must state who will pay the broker and, in conspicuous bold or underlined print, set forth the broker's obligations as an intermediary. The broker is required to treat each party honestly and fairly and to comply with The Texas Real Estate License Act. A broker who acts as an intermediary in a transaction:

- (1) shall treat all parties honestly;
- (2) may not disclose that the owner will accept a price less than the asking price unless authorized in writing to do so by the owner;
- (3) may not disclose that the buyer will pay a price greater than the price submitted in a written offer unless authorized in writing to do so by the buyer; and
- (4) may not disclose any confidential information or any information that a party specifically instructs the broker in writing not to disclose unless authorized in writing to disclose the information or required to do so by The Texas Real Estate License Act or a court order or if the information materially relates to the condition of the property.

With the parties' consent, a broker acting as an intermediary between the parties may appoint a person who is licensed under The Texas Real Estate License Act and associated with the broker to communicate with and carry out instructions of one party and another person who is licensed under that Act and associated with the broker to communicate with and carry out instructions of the other party.

### **If you choose to have a broker represent you,**

you should enter into a written agreement with the broker that clearly establishes the broker's obligations and your obligations. The agreement should state how and by whom the broker will be paid. You have the right to choose the type of representation, if any, you wish to receive. Your payment of a fee to a broker does not necessarily establish that the broker represents you. If you have any questions regarding the duties and responsibilities of the broker, you should resolve those questions before proceeding.

Real estate licensee asks that you acknowledge receipt of this information about brokerage services for the licensee's records.

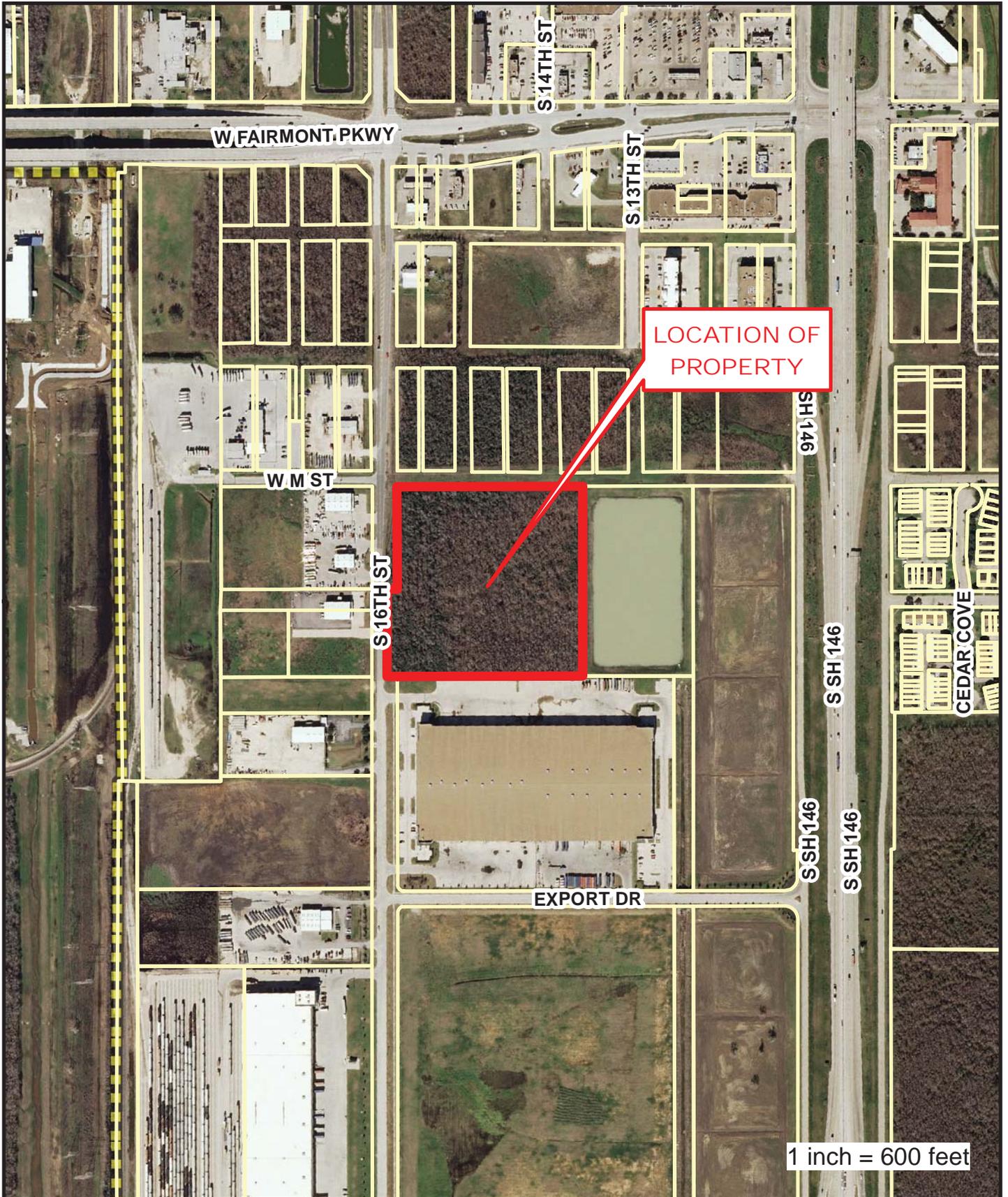
Buyer, Seller, Landlord or Tenant

Date



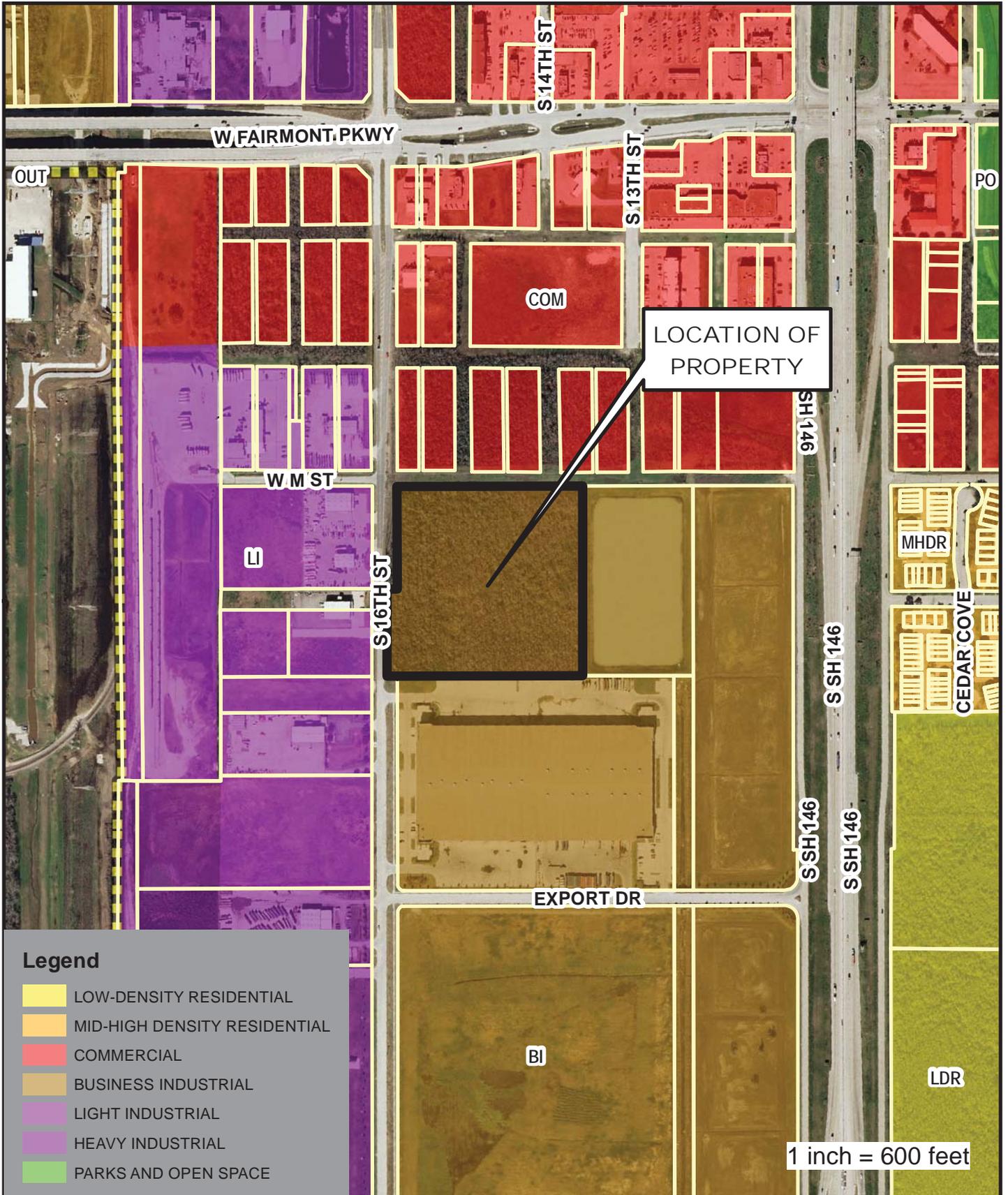
AREA MAP

15-91000002



LAND USE MAP

15-91000002

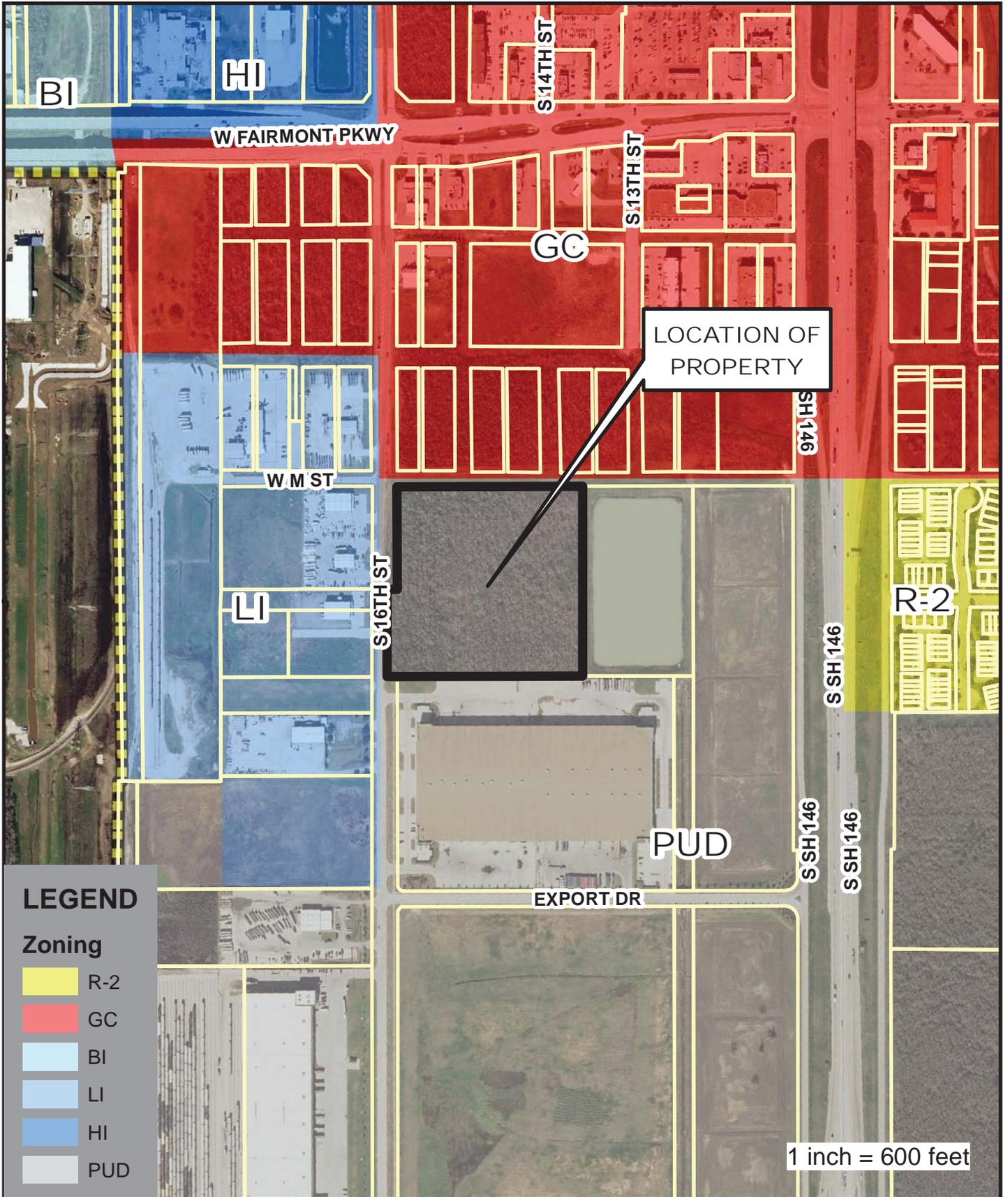


**Legend**

- LOW-DENSITY RESIDENTIAL
- MID-HIGH DENSITY RESIDENTIAL
- COMMERCIAL
- BUSINESS INDUSTRIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL
- PARKS AND OPEN SPACE

ZONING MAP

15-91000002



**LEGEND**

**Zoning**

-  R-2
-  GC
-  BI
-  LI
-  HI
-  PUD

1 inch = 600 feet

**RECEIVED**  
APR 21 2015  
BY: \_\_\_\_\_

A Meeting of the La Porte

Planning & Zoning Commission

(Type of Meeting)

Scheduled for

April 16, 2015

(Date of Meeting)

to Consider

Special Conditional Use Permit Request #15-9100002

(Type of Request)

I have received notice of the above referenced public hearing.

I am in FAVOR of granting this request for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I am OPPOSED to granting this request for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Beckland Land Development, LLC

ALTON OGDEN

Name (please print)

Alton OGDEN

Signature

POB 952

Address

NATCHEZ, MS 39121

City, State, Zip

## REQUEST FOR CITY COUNCIL AGENDA ITEM

|   |   |
|---|---|
| Agenda Date Requested: <u>June 8, 2015</u>  | <u>Appropriation</u>  |
| Requested By: <u>S. Livingston</u>  | Source of Funds: <u>N/A</u>                                       |
| Department: <u>Economic Development/Tourism</u>   | Account Number:   |
| Report: <input checked="" type="radio"/> Resolution: <input type="radio"/> Ordinance: <input type="radio"/> | Amount Budgeted:  |
| Other: <input type="radio"/>  | Amount Requested:   |
|   | Budgeted Item: <input type="radio"/> YES <input type="radio"/> NO |

**Attachments :**

- 1. Development Agreement**
- 2. Project Presentation**
- 3. Proposed Floor Plan**
- 4. Project Socre Card with Gantstein**
- 5. Public Hearing Posting**
- 6. Prospective Projects Financial Cash Flow Analysis**

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### SUMMARY & RECOMMENDATIONS

#### Introduction

The principals of Gantstein Esquire, LLC have purchased the former Texans Sports Bar and Grill at 10003 Spencer Hwy. Gantstein is considering two options to either: (1) invest only the necessary capital to redevelop the property and lease the space to an ice house operator, or (2) invest a significantly larger sum of capital to redevelop the property and open a new Pipeline Grill (see [www.pipelinegrill.com](http://www.pipelinegrill.com)).

Should the principals choose to redevelop the property as a Pipeline Grill, approximately \$1.2 million will need to be invested to repair the dilapidated property and upgrade it to a condition that is suitable for a nice, family-oriented restaurant. Once the restaurant is open for business, the project principals will hire approximately 40 full time employees and 60 part time employees to staff the restaurant and provide its famous quality service to its customers. The principals of Gantstein Esquire, LLC are planning to serve all of the Pipeline Grill's catering customers for the entire area surrounding the Houston Ship Channel from this restaurant location in La Porte. Therefore, Gantstein estimates that the restaurant's annual taxable retail sales will be approximately \$4 million.

In order to facilitate the re-development of the vacant building and develop a new Pipeline Grill at this location, the principals request financial assistance in the amount of \$300,000. The estimated payback period for the \$300,000 incentive for this proposed project is 3.54 years. Please note the enclosed project materials for additional information.

#### Development Agreement

This development agreement contains the original terms which staff and the Directors of the LPDC Board discussed with the principals of Gantstein Esquire, LLC since the earliest discussions of this proposed project. The conditions of three (3) payments, each for a maximum amount up to \$100,000, are predicated upon the company's performance as follows:

1. The LPDC will pay "Gantstein Esquire, LLC" an amount not to exceed \$100,000 upon receipt of a Certificate of Occupancy for a Pipeline Grill at 10003 Spencer Hwy and

proof of expenditure of at least \$1.2 million in infrastructure and site related improvements,

2. The LPDC will pay “Gantstein Esquire, LLC” an amount not to exceed \$100,000 upon proof of employment of at least 35 full time employees and 50 part time employees, plus at least \$3.75 million in annual taxable retail sales. No payment will be made for annual taxable retail sales in calendar year 2017 which are less than \$3.75 million. A pro-rata payment will be made only for annual taxable retail sales of at least \$3.75 million.
3. The LPDC will pay “Gantstein Esquire, LLC” an amount not to exceed \$100,000 upon proof of employment of at least 35 full time employees and 50 part time employees, plus at least \$3.75 million in annual taxable retail sales. No payment will be made for annual taxable retail sales in calendar year 2018 which are less than \$3.75 million. A pro-rata payment will be made only for annual taxable retail sales of at least \$3.75 million.

At the June 1, 2015 meeting of the La Porte Development Corporation Board, a Development Agreement was approved by a 5-1 vote. Staff is recommending approval of the development agreement with Gantstein Esquire, LLC for the construction of a Pipeline Grill in La Porte, as approved by the LPDC Board of Directors.

---

**Action Required of Council:**

Consider approval or other action of a development agreement with “Gantstein Esquire, LLC” for an amount not to exceed \$300,000, as previously approved by the La Porte Development Corporation.

---

**Approved for City Council Agenda**

---

**Corby D. Alexander, City Manager**

---

**Date**

**ECONOMIC DEVELOPMENT INCENTIVE AGREEMENT BETWEEN THE LA PORTE DEVELOPMENT CORPORATION, AND GANTSTEIN ESQUIRE, LLC, A TEXAS DOMESTIC LIMITED LIABILITY COMPANY, FOR USE OF TYPE B DEVELOPMENT CORPORATION SALES TAX FUNDS**

THIS AGREEMENT made by and entered into this 1<sup>st</sup> day of June, 2015 between the La Porte Development Corporation, a Type B non-profit corporation operating under authority of Texas Local Government Code Chapters 501 and 505, hereinafter "LPDC", and Gantstein Esquire, LLC, a Texas Domestic Limited Liability Company, hereinafter referred to as "Recipient".

**WITNESSETH:**

WHEREAS, the voters of the City of La Porte authorized the levying of additional sales tax within the City for promotion of economic development and the LPDC is authorized to use such tax revenues for certain qualifying projects and other economic development related purposes; and

WHEREAS, Recipient is a Texas based commercial development company that specializes in rehabilitating underutilized commercial buildings; and

WHEREAS, Recipient wishes to renovate the exterior and interior of a presently vacant 9000 square foot restaurant building formerly known as the "Texans Sports Bar and Grill", located at 10003 Spencer Hwy., and make associated site improvements, for the purpose of operating a "Pipeline Grill" restaurant, and which would 1) result in the expenditure by Recipient of an estimated \$1,200,000.00 in capital improvements; 2) result in the generation of approximately \$4,000,000.00 in annual gross retail sales; and 3) employ an estimated forty (40) full time and sixty (60) part-time personnel; and

WHEREAS, Recipient has requested that LPDC provide financial incentives to Recipient to contribute towards the cost of renovation of the property at 10003 Spencer Hwy., under a qualifying project of the LPDC for infrastructure, site and related improvements, as authorized by Texas Local Government Code Chapters 501 and 505, and it is the desire of LPDC to assist in the funding of same, finding that such expenditures will promote or develop new or expanded business enterprises.

WHEREAS, Texas law and the by-laws of the LPDC require that certain expenditures and projects by the LPDC be approved by the governing body of the City; and whereas the LPDC Board has duly approved such project and the expenditures for same have been authorized by the La Porte City Council; and

NOW THEREFORE, in consideration of the covenants and conditions stated herein, and in consideration of the mutual benefits that will accrue to each of the parties hereof, as well as to the citizens of the City of La Porte, Texas, the parties have agreed and do hereby agree as follows:

**ARTICLE I**

In consideration of Recipient renovating the existing structure at 10003 Spencer Hwy. and operating a "Pipeline Grill" restaurant at the subject site ("Restaurant" herein), which proposal was considered in that certain public hearing authorizing a proposed project for the expenditure of LPDC funds for the promotion or development of new or expanded business enterprises, held before the LPDC on April 13, 2015, LPDC agrees to provide Recipient an incentive package consisting of a cash payment in a total sum not to exceed \$300,000.00, to be distributed in three increments of up to \$100,000.00 each, with each distribution conditioned on the attainment of certain performance thresholds, more specifically outlined as follows:

- 1) A cash incentive payment in an amount equal to \$100,000.00 will be distributed to Recipient by LPDC, upon receipt by LPDC of a) proof of Certificate of Occupancy issued by the City of La Porte, Texas to Recipient for completion of the renovated Restaurant and b) proof of a minimum capital investment in the amount of \$1,200,000.00 applied towards renovation of the Restaurant and related infrastructure and site work, exclusive of the cost to Recipient to purchase the existing real estate tract and vacant building. However, in no case will the \$100,000.00 payment be made by LPDC if a copy of a Certificate of Occupancy issued for the Restaurant and documentation substantiating the expenditure of no less than \$1,200,000.00 applied towards capital improvements to the Restaurant, is not delivered to and received by LPDC by June 30, 2016. In the case that proof of Certificate of Occupancy and minimum capital investment of \$1,200,000.00 for the Restaurant is presented to LPDC on or before said June 30, 2016 deadline, the LPDC shall convene a meeting of the LPDC Board of Directors for a date no later than forty-five (45) days after receipt of proof of the Certificate of Occupancy and minimum capital investment of \$1,200,000.00 by LPDC from Recipient. Upon verification of the completion of the Restaurant, as reflected by formal vote of the LPDC Board of Directors that Recipient has satisfied the requirements of this paragraph, LPDC will then remit the \$100,000.00 to Recipient within a period not to exceed thirty (30) days.

In the case where Recipient fails to submit proof of a Certificate of Occupancy and proof of a minimum capital investment in the amount of \$1,200,000.00 by the June 30, 2016 deadline, despite being disqualified for the incentive payment Recipient will remain eligible to qualify for receipt of the incentive payments under paragraphs 2 and 3 below, in so far as the conditions precedent established in such paragraphs are met. However, Recipient will be required to submit proof of Certificate of Occupancy in order to qualify for the incentive payments outlined in paragraphs 2 and 3 below.

- 2) A cash incentive payment in an amount equal to \$100,000.00 will be distributed to Recipient by LPDC, upon delivery to the LPDC of a) an employment roster evidencing that Recipient employs a minimum of thirty-five (35) full time and fifty (50) part-time individuals as employees at the Restaurant site as of December 31, 2017 and b) documentation evidencing that Recipient's total taxable retail sales for the period January 1, 2017 -December 31, 2017 is equal to or greater than \$4,000,000.00. However, in no case will the \$100,000.00 payment be made by LPDC if proof of the employment of a minimum of thirty-five (35) full time and fifty (50) part-time personnel as of December 31, 2017 and Recipient's total taxable retail sales for the period January 1, 2017 – December 31, 2017 in an amount equal to or greater than \$4,000,000.00 is not delivered to and received by LPDC by December 31, 2017. Proof of employment, for purposes of this agreement, may be required by submission to LPDC by the said December 31, 2017 deadline, of a) copies of Recipient's 941 Report to the Internal Revenue Service and C3 Report to the Texas Workforce Commission for each employee (but with social security numbers of each employee redacted) and b) a notarized statement executed by Recipient's Board of Directors affirming that thirty-five (35) full time and fifty (50) part-time personnel employees are employed by Recipient for positions permanently located at the Restaurant site.

Notwithstanding the foregoing requirements, Recipient will be entitled to receive a pro-rata portion of the \$100,000.00 incentive payment in the event that it should fail to provide documentation evidencing that Recipient's total taxable retail sales for the period January 1, 2017 – December 31, 2017 is equal to or greater than \$4,000,000.00 by the December 31, 2017 deadline. However, Recipient shall be entitled to payment of a pro rata share of the \$100,000.00 incentive grant only in the instance that Recipient's total taxable retail sales for the period January 1, 2017 – December 31, 2017 is equal to or greater than \$3,750,000.00. Where Recipient fails to generate total taxable retail sales for the period January 1, 2017 – December 31, 2017 in an amount equal to or greater than \$3,750,000.00, it shall be disqualified from receiving any portion of the \$100,000.00 incentive payment.

In the case that proof of total taxable retail sales for the period January 1, 2017 – December 31, 2017 in an amount equal to or greater than \$3,750,000.00 is presented to LPDC on or before said December 31, 2017 deadline, the LPDC shall convene a meeting of the LPDC Board of Directors for a date no later than forty-five (45) days after receipt of proof of the total taxable retail sales from Recipient. Upon verification of Recipient's total taxable retail sales of at least \$4,000,000.00, or minimum of \$3,750,000.00 for qualification of pro rata payment, as reflected

by formal vote of the LPDC Board of Directors that Recipient has satisfied the requirements of this paragraph, LPDC will then remit the \$100,000.00, or pro rata share as applicable, to Recipient within a period not to exceed thirty (30) days. For purposes of clarification only, the following two examples shall serve to illustrate the application of this paragraph:

*Example 1: If Recipient provides evidence of total taxable sales for the Restaurant site of \$3,700,000.00 by the December 31, 2017 deadline, the incentive payment under this section would be \$0.*

*Example 2: If Recipient provides evidence of total taxable sales for the Restaurant site of \$3,800,000.00 by the December 31, 2017 deadline, the incentive payment under this section would be calculated at \$3.8M/\$4.0M, or 95% of the \$100,000.00 incentive payment, for a total payment of \$95,000.00.*

- 3) A cash incentive payment in an amount equal to \$100,000.00 will be distributed to Recipient by LPDC, upon delivery to the LPDC of a) an employment roster evidencing that Recipient employs a minimum of thirty-five (35) full time and fifty (50) part-time individuals as employees at the Restaurant site as of December 31, 2018 and b) documentation evidencing that Recipient's total taxable retail sales for the period January 1, 2018 – December 31, 2018 is equal to or greater than \$4,000,000.00. However, in no case will the \$100,000.00 payment be made by LPDC if proof of the employment of a minimum of thirty-five (35) full time and fifty (50) part-time personnel as of December 31, 2018 and Recipient's total taxable retail sales for the period January 1, 2018 – December 31, 2018 in an amount equal to or greater than \$4,000,000.00 is not delivered to and received by LPDC by December 31, 2018. Proof of employment, for purposes of this agreement, may be required by submission to LPDC by the said December 31, 2018 deadline, of a) copies of Recipient's 941 Report to the Internal Revenue Service and C3 Report to the Texas Workforce Commission for each employee (but with social security numbers of each employee redacted) and b) a notarized statement executed by Recipient's Board of Directors affirming that thirty-five (35) full time and fifty (50) part-time personnel employees are employed by Recipient for positions permanently located at the Restaurant site.

Notwithstanding the foregoing requirements, Recipient will be entitled to receive a pro-rata portion of the \$100,000.00 incentive payment in the event that it should fail to provide documentation evidencing that Recipient's total taxable retail sales for the period January 1, 2018 – December 31, 2018 is equal to or greater than \$4,000,000.00 by the December 31, 2018 deadline. However, Recipient shall be entitled to payment of a pro rata

share of the \$100,000.00 incentive grant only in the instance that Recipient's total taxable retail sales for the period January 1, 2018 – December 31, 2018 is equal to or greater than \$3,750,000.00. Where Recipient fails to generate total taxable retail sales for the period January 1, 2018 – December 31, 2018 in an amount equal to or greater than \$3,750,000.00, it shall be disqualified from receiving any portion of the \$100,000.00 incentive payment.

In the case that proof of total taxable retail sales for the period January 1, 2018 – December 31, 2018 in an amount equal to or greater than \$3,750,000.00 is presented to LPDC on or before said December 31, 2018, deadline, the LPDC shall convene a meeting of the LPDC Board of Directors for a date no later than forty-five (45) days after receipt of proof of the total taxable retail sales from Recipient. Upon verification of Recipient's total taxable retail sales of at least \$4,000,000.00, or minimum of \$3,750,000.00 for qualification of pro rata payment, as reflected by formal vote of the LPDC Board of Directors that Recipient has satisfied the requirements of this paragraph, LPDC will then remit the \$100,000.00, or pro rata share as applicable, to Recipient within a period not to exceed thirty (30) days. For purposes of clarification only, the following two examples shall serve to illustrate the application of this paragraph:

*Example 1: If Recipient provides evidence of total taxable sales for the Restaurant site of \$3,700,000.00 by the December 31, 2018 deadline, the incentive payment under this section would be \$0.*

*Example 2: If Recipient provides evidence of total taxable sales for the Restaurant site of \$3,800,000.00 by the December 31, 2018 deadline, the incentive payment under this section would be calculated at \$3.8M/\$4.0M, or 95% of the \$100,000.00 incentive payment, for a total payment of \$95,000.00.*

## **ARTICLE II**

All funds received as herein provided shall be solely for the purpose of contributing towards Recipient's costs in the renovation of the exterior and interior of the presently vacant 9000 square foot restaurant building formerly known as the "Texans Sports Bar and Grill", located at 10003 Spencer Hwy., and for the making of associated site and infrastructure improvements, to operate a "Pipeline Grill" restaurant. Recipient further acknowledges that the incentive grant provided for herein is tied to a project of the LPDC for the promotion or development of new or expanded business enterprises, as authorized by Texas Local Government Code chapters 501 and 505.

## **ARTICLE III**

Disbursement and/or retention of the cash incentive identified in Article I of this Agreement shall be made as follows:

- A. Disbursement shall be made to Recipient, subject to the satisfaction of the conditions precedent or conditions subsequent contained within Article I of this Agreement.
- B. LPDC's obligation to Recipient shall not exceed \$300,000.00, nor shall LPDC be obligated to reimburse Recipient for requests delivered to LPDC after the termination of this Agreement.

#### **ARTICLE IV**

Recipient understands that the funds paid to Recipient by the LPDC are derived from tax revenues collected under Texas Local Government Code 505.252, and that LPDC has estimated the tax revenues to be collected during the term of this Agreement. Recipient further understands, acknowledges, and agrees that if the tax revenue actually collected is less than 90% of the estimated tax revenues to be collected in any fiscal year during the term of this Agreement, LPDC will be under no obligation to provide funding to Recipient for any payment or payments during or after the fiscal year for which there is a revenue shortfall. Upon execution of the Agreement, funds will be placed in a City of La Porte designated commitment account for purposes of this Agreement.

#### **ARTICLE V**

In the event of any default by Recipient hereunder, including, but not limited to, use of the funds provided herein for purposes other than those stated in Article I of this Agreement, LPDC may cease all future payments hereunder and terminate this Agreement. In addition, LPDC shall have the right to reclaim and recapture, and Recipient shall refund, any funds that are not spent in accordance with the terms of this Agreement, including 1) LPDC funds spent by Recipient in contravention of this Agreement and 2) any LPDC funds previously paid to Recipient but not yet spent by Recipient. In each such case, the previously paid cash payment or payments shall be remitted to the LPDC within sixty (60) of receipt of written demand for same.

Any breach of this covenant shall be grounds for immediate termination of the distribution of funds.

#### **ARTICLE VI**

The term of this Agreement is for a period beginning on the date of approval by LPDC and ending March 31, 2019.

#### **ARTICLE VII**

All funds provided by the LPDC pursuant to this Agreement may be used only for the purposes authorized by this Agreement. Notwithstanding Article I,

above, City shall be under no obligation to make any fund disbursements if the reports required under this Article have not been delivered to the LPDC.

#### **ARTICLE VIII**

This Agreement does not create any joint venture, partnership, or agency relationship between the LPDC and Recipient. Recipient shall have exclusive control of, and the exclusive right to control the details of the work to be performed by Recipient hereunder and all personnel performing same, and shall be solely responsible for the acts and omissions of its officers, members, agents, servants, employees, subcontractors, program participants, volunteers, licensees, and invitees. In no event shall any person participating in or performing any of Recipient's duties or responsibilities hereunder be considered an officer, agent, servant, or employee of the LPDC.

#### **ARTICLE IX**

Recipient agrees to assume and does hereby assume all responsibility and liability for damages sustained by persons or property, whether real or asserted, by or from the carrying on of work by Recipient or in the performance of services performed and to be performed by Recipient hereunder. Recipient covenants and agrees to, and does hereby indemnify, defend, and hold harmless LPDC and all their respective officers, agents, and employees from all suits, actions, claims, and expenses of any character, including attorney's fees, brought for or incurred on account of any injuries or damages, whether real or asserted, sustained by any person or property by or in consequence of any intentional or negligent act, omission, or conduct of Recipient, its agents, servants or employees.

#### **ARTICLE X**

This Agreement may be amended by the mutual agreement of the Parties hereto in writing to be attached to and incorporated into this Agreement.

#### **ARTICLE XI**

Recipient shall adhere to all local, state, and federal laws and regulations that may affect its actions made pursuant to this Agreement, and shall maintain in effect during the term of this Agreement any and all federal, state, and local licenses and permits which may be required of Recipients generally.

#### **ARTICLE XII**

Recipient may not assign this Agreement, or any of the benefits provided herein including but not limited to incentive payments identified in Article I, without the written consent of LPDC.

#### **ARTICLE XIII**

The waiver by LPDC of any breach of any term, condition, or covenant herein contained shall not be deemed a waiver of any subsequent breach of the same, or any other term, condition, or covenant.

#### **ARTICLE XIV**

The obligations of the Parties to this Agreement are performable in Harris County, Texas and if legal action is necessary to enforce same, venue shall lie in Harris County, Texas.

#### **ARTICLE XV**

This Agreement shall be governed by and construed in accordance with the laws of the State of Texas.

#### **ARTICLE XVI**

This Agreement may be executed in triplicate, each of which shall be deemed an original and constitute one and the same instrument.

#### **ARTICLE XVII**

Neither LPDC nor Participant shall be required to perform any term, condition, or covenant in this Agreement so long as such performance is delayed or prevented by force majeure, which shall mean Acts of God, civil riots, floods, and any other cause not reasonably within the control of LPDC or Recipient except as herein provided, and which by the exercise of due diligence LPDC or Recipient is unable, wholly or in part, to prevent or overcome.

#### **ARTICLE XVIII**

In submitting this application, the applicant whose signature appears below affirms its intent and commitment to comply in full with Section 2264.052 of the Government Code and certifies that it does not and will not knowingly employ an undocumented worker during any time period associated with the public subsidy for which the application is being submitted. The applicant further certifies its understanding and agreement that if it is convicted of a violation of 8 U.S.C. Section 1324a(f), providing for civil and/or criminal penalties for engaging in a pattern or practice of knowingly hiring or continuing to employ unauthorized aliens, it shall repay the amount of the public subsidy with interest, at the rate and according to the terms of the agreement signed under Section 2264.053 of the Government Code, not later than the 120th day after the date the city notifies the business of the violation.

#### **ARTICLE XIX**

The Agreement embodies the complete agreement of the parties hereto, superceding all oral or written pervious and contemporary agreements between the Parties, which relate to matters in this Agreement.

SIGNED AND AGREED to by LPDC and Recipient on the dates indicated below.

LA PORTE DEVELOPMENT CORPORATION

  
\_\_\_\_\_  
Richard Warren, President

June 1, 2015  
Date

ATTEST

  
\_\_\_\_\_  
Secretary of the Corporation

Gantstein Esquire, LLC, a Texas Domestic Limited Liability Company

By:

*[Signature]*

12 MAY 2015  
Date

ATTEST

*Donna D Lemmon*

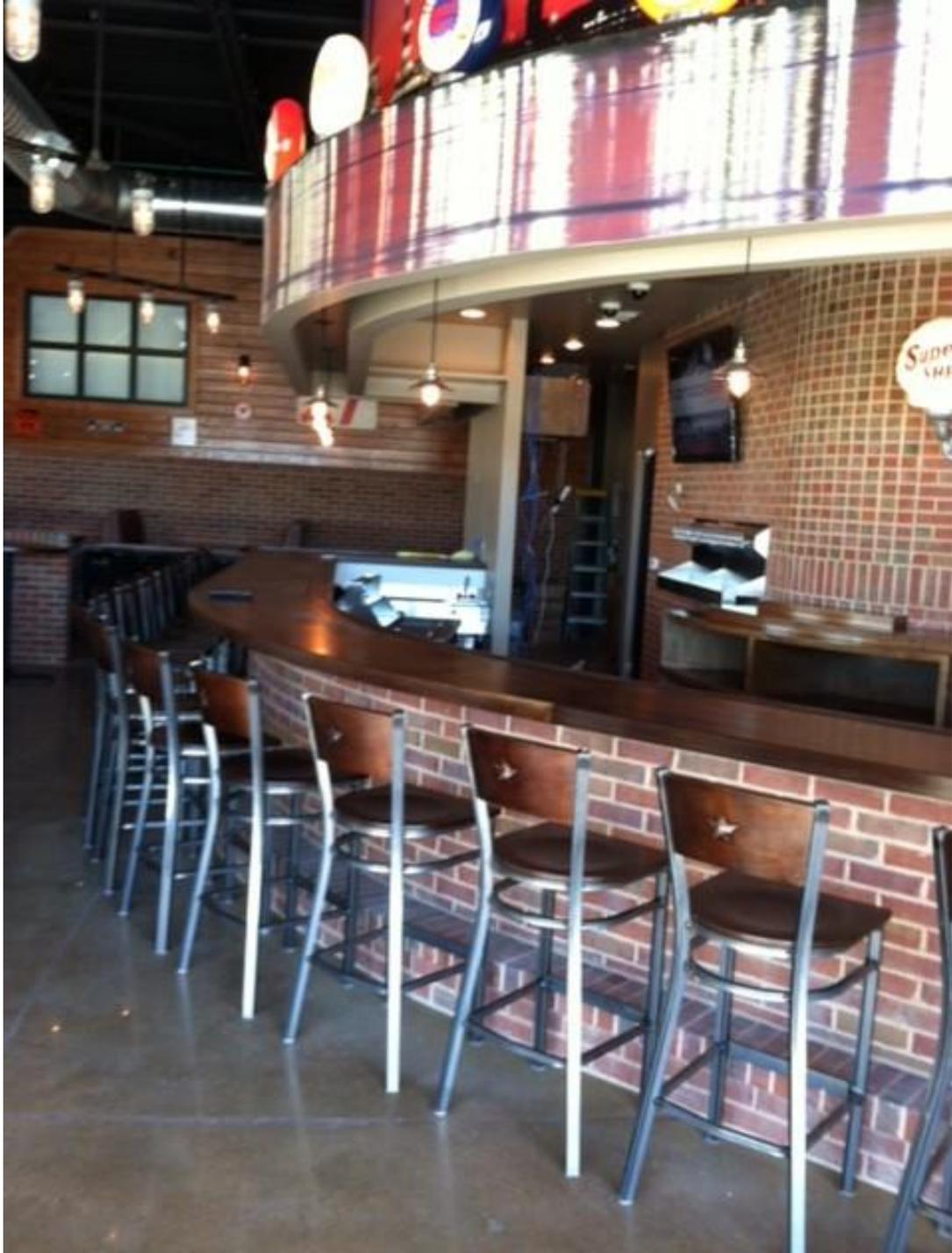


# Pipeline Grill

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EXON





**Kris Gant**

**Gantstein Esquire, LLC**

**333 Freeport Street**

**Houston, Texas 77015**

**713-455-2100 (Office)**

**713-450-2434 (Fax)**

**[kgant11@yahoo.com](mailto:kgant11@yahoo.com)**

REVISIONS

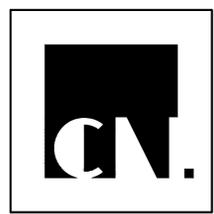
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**PROPOSED RESTAURANT**  
 10003 SPENCER HIGHWAY  
 LA PORTE, TEXAS 77571

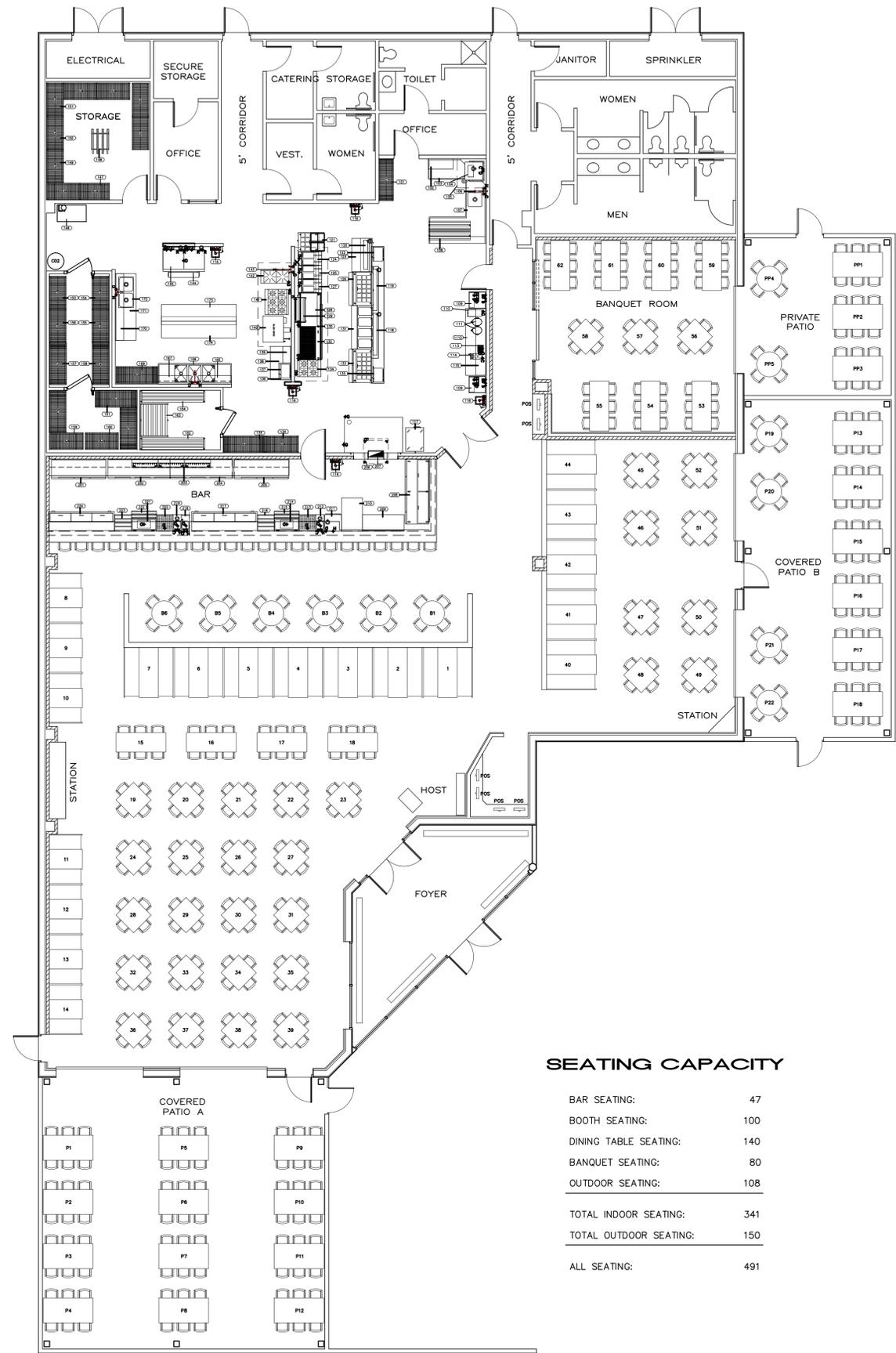
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| ITEM NO | QTY | EQUIPMENT CATEGORY                            | EQUIPMENT REMARKS |
|---------|-----|---|-------------------|
| 101     | 1   | SHELVING, WIRE                                |                   |
| 102     | 1   | SHELF, WALL MOUNT                             |                   |
| 103     | 1   | DISHWASHER, STRAIGHT, 16 GAUGE                |                   |
| 104     | 1   | WAREWASHER, DOOR TYPE, LOW TEMP               |                   |
| 105     | 1   | CONDENSATE HOOD                               |                   |
| 106     | 1   | PRE-RINSE FAUCET, WALL MOUNT                  |                   |
| 107     | 1   | DISHWASHER, U SHAPE, 16 GAUGE                 |                   |
| 108     | 1   | DISHWASHER, SORTING SHELF                     |                   |
| 109     | 2   | DISPENSER, ICE/BEVERAGE                       |                   |
| 110     | 1   | ICED TEA BREWER                               |                   |
| 111     | 1   | DISPENSER, ICE TEA/ICE COFFEE                 |                   |
| 113     | 1   | DROP-IN, WATER STATION                        |                   |
| 114     | 1   | COFFEE MAKER, AUTOMATIC                       |                   |
| 115     | 1   | SHELF, WALL MOUNT                             |                   |
| 116     | 8   | HAND SINK, WALL MOUNT                         |                   |
| 117     | 1   | REFRIGERATOR/FREEZER, DUAL-TEMP               |                   |
| 118     | 1   | WARMER, FOOD OVERHEAD                         |                   |
| 119     | 1   | WARMER, FOOD OVERHEAD                         |                   |
| 120     | 1   | WARMER, FOOD OVERHEAD                         |                   |
| 121     | 1   | REFRIGERATOR, SANDWICH/SALAD PREP             |                   |
| 122     | 1   | OVEN, MICROWAVE                               |                   |
| 123     | 1   | FREEZER, UNDERCOUNTER, COMPACT WITH OVERSHELF |                   |
| 124     | 1   | FRYER, DEEP FAT, GAS                          |                   |
| 125     | 1   | FRYER, DEEP FAT, GAS                          |                   |
| 126     | 1   | REFRIGERATOR, SANDWICH/SALAD PREP             |                   |
| 127     | 1   | FRYER, DEEP FAT, GAS                          |                   |
| 128     | 1   | GRIDDLE, GAS                                  |                   |
| 129     | 1   | CHEESEMELTER, GAS                             |                   |
| 130     | 1   | GRIDDLE STAND, REFRIGERATOR                   |                   |
| 131     | 1   | HOT FOOD TABLE                                |                   |
| 132     | 1   | BROILER, UNDER-FIRED, GAS, COUNTER            |                   |
| 133     | 1   | REFRIGERATOR, SANDWICH/SALAD PREP             |                   |
| 134     | 1   | SHELVING, WIRE                                |                   |
| 134     | 1   | RANGE, RESTAURANT, GAS                        |                   |
| 135     | 1   | SHELVING, WIRE                                |                   |
| 135     | 1   | OVEN, MICROWAVE                               |                   |
| 136     | 1   | SHELF, MICROWAVE                              |                   |
| 137     | 1   | OVEN, MICROWAVE                               |                   |

| ITEM NO | QTY | EQUIPMENT CATEGORY                               | EQUIPMENT REMARKS |
|---------|-----|--|-------------------|
| 138     | 1   | TABLE, WORK, 16 GAUGE, BACK SPLASH W/ UNDERSHELF |                   |
| 139     | 1   | SHELF, WALL MOUNT                                |                   |
| 140     | 1   | OVEN, CONVECTION, GAS                            |                   |
| 141     | 1   | RANGE, RESTAURANT, GAS                           |                   |
| 142     | 1   | STOVE, BAKERS/CONFECTIONERS/STOCK POT            |                   |
| 143     | 1   | FILLER, POT                                      |                   |
| 144     | 1   | BIN, ICE   |                   |
| 145     | 1   | ICE MAKER W/O BIN                                |                   |
| 146     | 1   | BAG-IN-BOX                                       |                   |
| 147     | 1   | SHELVING, WIRE                                   |                   |
| 148     | 1   | RACK, CAN  |                   |
| 149     | 1   | SHELVING, WIRE                                   |                   |
| 150     | 1   | SHELVING, WIRE                                   |                   |
| 151     | 1   | SHELVING, WIRE                                   |                   |
| 152     | 1   | COOLER, FREEZER                                  |                   |
| 153     | 1   | SHELVING, WIRE                                   |                   |
| 154     | 1   | SHELVING, WIRE                                   |                   |
| 155     | 1   | SHELVING, WIRE                                   |                   |
| 156     | 1   | SHELVING, WIRE                                   |                   |
| 157     | 1   | SHELVING, WIRE                                   |                   |
| 158     | 1   | SHELVING, WIRE                                   |                   |
| 159     | 1   | SHELVING, WIRE                                   |                   |
| 160     | 1   | SHELVING, WIRE                                   |                   |
| 161     | 1   | SHELVING, WIRE                                   |                   |
| 162     | 1   | RACK, KEG  |                   |
| 163     | 1   | RACK, KEG  |                   |
| 164     | 1   | RACK, KEG  |                   |
| 165     | 1   | SHELF, WALL MOUNT                                |                   |
| 166     | 1   | SINK, SCULLERY, 3 COMPARTMENTS                   |                   |
| 167     | 1   | SHELF, WALL MOUNT                                |                   |
| 169     | 1   | SHELVING, WIRE                                   |                   |
| 170     | 1   | SHELF, WALL MOUNT                                |                   |
| 171     | 1   | TABLE, WORK, 16 GAUGE, BACK SPLASH W/ UNDERSHELF |                   |
| 172     | 1   | SINK, WELDED INTO TABLE                          |                   |
| 173     | 1   | TABLE, WORK, 16 GAUGE, FLAT TOP W/ UNDERSHELF    |                   |
| 174     | 1   | TABLE, WORK, 16 GAUGE, FLAT TOP W/ UNDERSHELF    |                   |
| 201     | 1   | BACK BAR COOLER                                  |                   |
| 202     | 1   | BACK BAR COOLER                                  |                   |

| ITEM NO | QTY | EQUIPMENT CATEGORY                               | EQUIPMENT REMARKS |
|---------|-----|--|-------------------|
| 203     | 2   | UNDERBAR BEVERAGE TOWER                          |                   |
| 204     | 1   | BACK BAR COOLER                                  |                   |
| 205     | 1   | BACK BAR COOLER                                  |                   |
| 206     | 1   | CLASS ONE HOOD                                   |                   |
| 207     | 1   | OVEN, PIZZA                                      |                   |
| 208     | 1   | REFRIGERATOR, PIZZA PREP                         |                   |
| 209     | 1   | TABLE, WORK, 16 GAUGE, BACK SPLASH W/ UNDERSHELF |                   |
| 210     | 1   | TABLE, WORK, 16 GAUGE, FLAT TOP W/ UNDERSHELF    |                   |
| 211     | 1   | WAREWASHER, UNDERCOUNTER, HIGH TEMP              |                   |
| 212     | 1   | UNDERBAR BLENDER STATION                         |                   |
| 213     | 1   | UNDERBAR GLASS RACK                              |                   |
| 214     | 1   | UNDERBAR ICE CHEST                               |                   |
| 215     | 1   | UNDERBAR SPEED RAIL                              |                   |
| 216     | 1   | UNDERBAR LIQUOR DISPLAY                          |                   |
| 217     | 1   | COOLER, BOTTLE                                   |                   |
| 218     | 1   | UNDERBAR HANGSINK                                |                   |
| 219     | 1   | UNDERBAR BLENDER STATION                         |                   |
| 220     | 1   | UNDERBAR GLASS RACK                              |                   |
| 221     | 1   | UNDERBAR ICE CHEST                               |                   |
| 222     | 1   | UNDERBAR SPEED RAIL                              |                   |
| 223     | 1   | UNDERBAR LIQUOR DISPLAY                          |                   |
| 224     | 1   | COOLER, BOTTLE                                   |                   |
| 1112    | 1   | TABLE, WORK, 16 GAUGE, BACK SPLASH W/ UNDERSHELF |                   |



**SEATING CAPACITY**

|                        |     |
|------------------------|-----|
| BAR SEATING:           | 47  |
| BOOTH SEATING:         | 100 |
| DINING TABLE SEATING:  | 140 |
| BANQUET SEATING:       | 80  |
| OUTDOOR SEATING:       | 108 |
| <hr/>                  |     |
| TOTAL INDOOR SEATING:  | 341 |
| TOTAL OUTDOOR SEATING: | 150 |
| <hr/>                  |     |
| ALL SEATING:           | 491 |

### La Porte Development Corporation Project Score Card

| <u>Project Name</u>      | <u>Added Taxable Value</u> | <u>10 Year PILOT or Tax Revenue</u> | <u># of Full Time Jobs</u> | <u># of Coop Positions</u> | <u>Grant Award</u> | <u>Raw Payback Period (Years)</u> <sup>6</sup> | <u>Adj. Payback Period for # of Jobs (Years)</u> | <u>Raw 10 Year ROI</u> <sup>10</sup> | <u>Adj. 10 Year ROI for # of Jobs</u> |
|--------------------------|----------------------------|-------------------------------------|----------------------------|----------------------------|--------------------|--|--|--------------------------------------|---------------------------------------|
| Project Nebula, Unit #1  | \$250 million              | \$6,603,000                         | 24                         | 0                          | \$300,000          | 0.85   | -2.75  | 2101%                                | 2461%                                 |
| Project Nebula, Unit #2  | \$500 million              | \$13,206,000                        | 60                         | 0                          | \$700,000          | 0.99   | -8.01  | 1787%                                | 2687%                                 |
| InterGulf Corporation    | \$2.1 million              | \$149,100                           | 30                         | 0                          | \$500,000          | 33.53  | 29.03  | -70%                                 | 380%                                  |
| Rob Johnson              | \$6 million                | \$843,750                           | 10                         | 0                          | \$106,000          | 1.26   | 1.26   | 696%                                 | 696%                                  |
| Project Gantstein, LLC   | \$656,728                  | \$846,628                           | 100                        | 0                          | \$300,000          | 3.54   | 3.54   | 182%                                 | 182%                                  |
| Richard Industrial Group | \$500,000                  | \$10,650                            | 75                         | 0                          | \$15,000           | 4.23   | -7.02  | -29%                                 | 1096%                                 |
| Sector 23                | \$8 million                | \$497,000                           | 35                         | 0                          | \$175,000          | 3.52   | 0.02   | 184%                                 | 534%                                  |
| ACT Independent Turbo    | \$6 million                | \$426,000                           | 60                         | 5                          | \$426,000          | 10.00  | 0.25   | 0%                                   | 975%                                  |

**Notes:**

1. Based upon estimated from information provided, so far, by Alton Ogden.
2. Estimated sales of \$2 million results in estimated sales tax of \$2 million x 2%, or \$40,000. Annual sales tax of \$40,000 is included in the figure.
3. The term for this project is three (3) years as opposed to ten (10) years.
4. This assumption is based upon 15 buildings (from info provided by Alton Ogden), and 3 employees per building, minus 10 employees for a development agreement estimate.
5. Staff's estimate of the number of "Career Preparation" (i.e. Coop) positions to be offered by ACT to LPISD students. ACT will provide additional information in late September 2014.
6. Grant Award/Annual PILOT or Tax Revenue.
7. Grant Award/Annual PILOT or Tax Revenue - (# of Full Time Positions x 0.15) - (# of Coop Positions x 0.15), because the arbitrary assigned value for each full time job is "0.15".
8. Grant Award/Annual PILOT or Tax Revenue - (# of Full Time Positions x 0) - (# of Coop Positions x 0), because the arbitrary assigned value for each full time job is "0".
9. Grant Award/Annual PILOT or Tax Revenue - (# of Full Time Positions x 0.1) - (# of Coop Positions x 0.1), because the arbitrary assigned value for each full time job is "0.1".
10. ((Annual Property Tax Revenues - Grant Award)/Grant Award) x 100
11. The term and ROI for this project is three (3) years as opposed to ten (10) years, because it was an industrial "attraction" project rather than an "expansion" or "relocation".
12. ((Annual PILOT or Tax Revenue - Grant Award)/Grant Award + (# of Full Time Positions x 0.15) + (# of Coop Positions x 0.15)) x 100
13. ((Annual PILOT or Tax Revenue - Grant Award)/Grant Award + (# of Full Time Positions x 0) + (# of Coop Positions x 0)) x 100
14. ((Annual PILOT or Tax Revenue - Grant Award)/Grant Award + (# of Full Time Positions x 0.10) + (# of Coop Positions x 0.10)) x 100

# Classifieds

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281-471-1255

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or Email:  
[hhammer@curranintl.com](mailto:hhammer@curranintl.com)  
or apply in person at  
**4610 Vicksburg Lane  
Dickinson, TX 77539**  
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To Place Legal and Public Notices:  
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**City of La Porte Solicitations:**

The City of La Porte Sealed Bid #15006 – D Street Ditch Outfall Improvements will be accepted until 2:00 p.m. on Tuesday February 17, 2015, at the City Hall Information Desk, located at 604 W. Fairmont Pkwy., La Porte, TX 77571. Solicitations will be opened and read immediately following the closing hour. For information to register and bid, visit: [www.publicpurchase.com](http://www.publicpurchase.com). For questions, contact [purchasing@laportetx.gov](mailto:purchasing@laportetx.gov).

**NOTICE OF PUBLIC HEARING  
ON SPECIAL CONDITIONAL USE  
PERMIT # 14-9100003**

Notice is hereby given that the La Porte City Council will conduct a public hearing at **6:00 P.M. on the 23rd day of February, 2015**, in the Council Chambers of the City Hall, 604 West Fairmont Parkway, La Porte, Texas, in accordance with the provisions in Section 106-171 of the City of La Porte's Code of Ordinances, and the provisions of the Texas Local Government Code.

The purpose of the public hearing is to receive public input on Special Conditional Use Permit #14-9100003, requested for a 6,250 square foot tract described as Lots 1 and 2, Block 789, Town of La Porte. Medders Construction Inc. is seeking approval of a Special Conditional Use Permit to allow for the development of the site as an off-site parking lot with awning cover for their main facility located across W. C Street at 311 S. 16th Street. The subject site is located at the southeast corner of S. 16th Street and W. C Street and is zoned GC, General Commercial. Per Section 106-441 of the Code of Ordinances, a Special Conditional Use Permit is required for the development of "off-site parking."

Following the public hearing, the City Council will act upon the public hearing item and conduct other matters pertaining to the Council.

Citizens wishing to address the Council pro or con during the public hearing are required to sign in before the meeting is convened.

CITY OF LA PORTE  
Patrice Fogarty, City Secretary

In compliance with the Americans with Disabilities Act, the City of La Porte will provide for reasonable accommodation for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meetings. Please contact Patrice Fogarty, City Secretary, at 281.470.5019.

**NOTICE OF PUBLIC HEARING**

**LA PORTE DEVELOPMENT CORPORATION BOARD (TYPE B BOARD)**

Notice is hereby given that the La Porte Development Corporation Board (Type B Board) of the City of La Porte, Texas will conduct a public hearing at **5:00 p.m. on the 13th day of April, 2015**, in the Council Chambers at City Hall, 604 West Fairmont Parkway, La Porte, Texas. The purpose of the public hearing is to receive public input on a proposed project by the La Porte Development Corporation in an amount not to exceed \$300,000.00, to promote and develop a new and expanded business enterprise, specifically for site improvements and other related improvements for infrastructure at property at 10003 Spencer Hwy, on behalf of Gantstein Esquire, LLC.

Persons wishing to address the Board pro or con shall be required to sign in before the meeting is convened.

CITY OF LA PORTE  
Patrice Fogarty, TRMC  
City Secretary

A quorum of City Council members may be present and participate in discussions during this meeting, however, no action will be taken by Council.

This facility has disability accommodations available. Requests for accommodations or interpretive services at meetings should be made 48 hours prior to the meeting. Please contact the City Secretary's office at (281) 471-5020 or TDD Line (281) 471-5030 for further information.

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Jason - 713-299-2607

*This is an Unaudited Statement.*

**City of La Porte  
La Porte Development Corporation Fund Projections  
(Section 4B Sales Tax)**

|   | <u>FY 2014-15</u>   | <u>FY 2015-2016</u> | <u>FY 2016-2017</u> | <u>FY 2017-2018</u> |
|---|---------------------|---------------------|---------------------|---------------------|
| <b>Estimated Beginning Funds</b>  | \$ 3,313,389        | \$ 1,657,240        | \$ 2,298,280        | 2,092,855           |
| <b>Plus Year to Date Revenues:</b>  |                     |                     |                     |                     |
| 1/2 Cent Sales Tax  | 2,208,630           | 2,252,803           | 2,297,859           | 2,343,816           |
| Interest Income   | 4,500               | 4,590               | 4,682               | 4,775               |
| Release of District 23  | 175,000             |                     |                     |                     |
| Release of Project Nebula/Ineos   |                     | 700,000             |                     |                     |
| Total Revenues  | <u>2,388,130</u>    | <u>2,957,393</u>    | <u>2,302,540</u>    | <u>2,348,591</u>    |
| <b>Equals Total Resources</b>   | 5,701,519           | 4,614,633           | 4,600,820           | 4,441,446           |
| <b>Less Year to Date Expenditures:</b>                                    |                     |                     |                     |                     |
| Payroll   | 100,367             | 103,378             | 106,479             | 109,674             |
| Supplies  | 3,000               | 3,075               | 3,152               | 3,231               |
| Services & Charges (Memberships, Training, Advertising, Legal, Utilities) | 331,427             | 339,713             | 348,205             | 356,911             |
| Capital Outlay  | -                   | -                   | -                   | -                   |
| Debt Service Transfer *   | 1,083,817           | 680,668             | 698,519             | 1,026,610           |
| Total Expenditures  | <u>1,518,611</u>    | <u>1,126,834</u>    | <u>1,156,356</u>    | <u>1,496,425</u>    |
| <b>Estimated Year to Funds Before Commitments</b>                         | \$ 4,182,908        | \$ 3,487,799        | \$ 3,444,465        | \$ 2,945,021        |
| <b>Commitments</b>  |                     |                     |                     |                     |
| Project Nebula/Ineos**  | \$ 700,000          |                     |                     |                     |
| Richard Industrial Group  | 10,000              |                     |                     |                     |
| ACT Independent Turbo Service, Inc.                                       | 260,000             | 166,000             | \$ -                |                     |
| Current Prospective Projects  | 875,000             | 325,000             | \$ 325,000          | -                   |
| Debt Service Reserve  | 680,668             | 698,519             | \$ 1,026,610        | 1,037,783           |
|   | <u>\$ 2,525,668</u> | <u>\$ 1,189,519</u> | <u>\$ 1,351,610</u> | <u>\$ 1,037,783</u> |
| <b>Adjusted Year to Date Funds</b>  | \$ 1,657,240        | \$ 2,298,280        | \$ 2,092,855        | \$ 1,907,238        |

**Previously Funded Projects (Funding in Fund 015 - General CIP Fund)**

|                    | <u>Budget</u>  | <u>Expenditures</u> | <u>Balance</u> |
|--------------------|----------------|---------------------|----------------|
| Enhancement Grants | 300,000        | 81,570              | 218,430        |
| Total              | <u>300,000</u> | <u>81,570</u>       | <u>218,430</u> |

\*Debt Service Payments for Library, Bay Area Boulevard & Canada Road and Ballfields.

\*\*EDC Coordinator awaiting termination letter.

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: June 8, 2015 Appropriation  
Requested By: Patrice Fogarty Source of Funds: N/A  
Department: City Secretary's Office Account Number:  
Report:  Resolution:  Ordinance:  Amount Budgeted:  
Other:  Amount Requested:  
Budgeted Item:  YES  NO

**Attachments :**

### 1. Ordinance

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#### SUMMARY & RECOMMENDATIONS

Section 2.08 of the City Charter provides that at the first meeting of council after canvassing the general election and any run-off election, City Council shall select one of its members to serve as mayor pro tem for a one-year term or until a successor is appointed and has qualified. If a vacancy occurs in the office of mayor, or in the case of his absence or disability, the mayor pro tem shall act as mayor until a successor is elected and has qualified or until the mayor is again able to assume his duties of office.

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#### Action Required of Council:

Consider approval or other action to adopt an ordinance appointing a Mayor Pro-Tem.

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Approved for City Council Agenda

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**Corby D. Alexander, City Manager**

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**Date**

ORDINANCE NO. 2015-\_\_\_\_\_

AN ORDINANCE APPOINTING A MEMBER OF THE CITY COUNCIL TO SERVE AS MAYOR PRO-TEM OF THE CITY OF LA PORTE, TEXAS, FOR THE PERIOD JUNE 1, 2015, THROUGH MAY 31, 2016, OR UNTIL A SUCCESSOR HAS BEEN APPOINTED AND HAS QUALIFIED; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:

**Section 1.** The City Council of the City of La Porte hereby appoints \_\_\_\_\_ to serve as Mayor Pro-Tem of the City of La Porte, for the period June 1, 2015, through May 31, 2016, or until a successor has been appointed and has qualified.

**Section 2.** The Mayor Pro-Tem shall serve in such office during said term, and pursuant to the Charter of the City of La Porte shall during the vacancy, absence or incapacity of the Mayor have all powers and duties of the Mayor of the City of La Porte during such vacancy, absence or incapacity of the Mayor. The Mayor Pro-Tem shall act as Mayor until a successor is elected and has qualified or until the Mayor is again able to assume his duties of office, as the case may be.

**Section 3.** The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Section 4.** This Ordinance shall be effective from and after its passage and approval, and it is so ordered.

**PASSED AND APPROVED** this the 8<sup>th</sup> day of June, 2015.

CITY OF LA PORTE

By: \_\_\_\_\_  
Louis R. Rigby  
Mayor

ATTEST:

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Patrice Fogarty  
City Secretary

APPROVED:

  
Clark T. Askins  
Assistant City Attorney

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: June 8, 2015 Appropriation  
Requested By: Corby Alexander Source of Funds: N/A  
Department: Administration Account Number:  
Report:  Resolution:  Ordinance:  Amount Budgeted:  
Other:  Amount Requested:  
Budgeted Item:  YES  NO

**Attachments :**

### 1. Truck Route Map

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#### **SUMMARY & RECOMMENDATIONS**

At the May 11, 2015 meeting, the City Council received a report from the Chair of the ad-hoc truck committee. As a follow up item to this discussion, Councilman Zemanek requested that staff include an agenda item to discuss the truck route designation for Spencer Highway at a future Council meeting.

To facilitate this discussion, there are two exhibits included. The first is the truck route map, as adopted by the Council at the May 11, 2015 meeting. The purpose of the truck route map is to identify where truck traffic may drive through La Porte. Violations of the truck route are governed by Chapter 70 of the City's Code of Ordinances and enforced by the City's Police Department. The second exhibit is the high frequency truck map, as approved by the Council as part of the Zoning ordinance amendments January 8, 2015. This map is a zoning tool used to designate where heavy truck uses (as defined by specific NAICS codes) may locate. The City Planner determines compliance with the high frequency truck route during the site plan and permitting process.

Should the Council desire to amend the truck route map, staff will bring an amended map and accompanying ordinance to amend Chapter 70 of the Code. Should the Council desire to amend the high frequency truck map, staff will prepare an agenda item for the Planning and Zoning Commission's consideration and recommendation.

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#### **Action Required of Council:**

Receive direction from the City Council regarding potential amendments to the City's truck route map.

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**Approved for City Council Agenda**

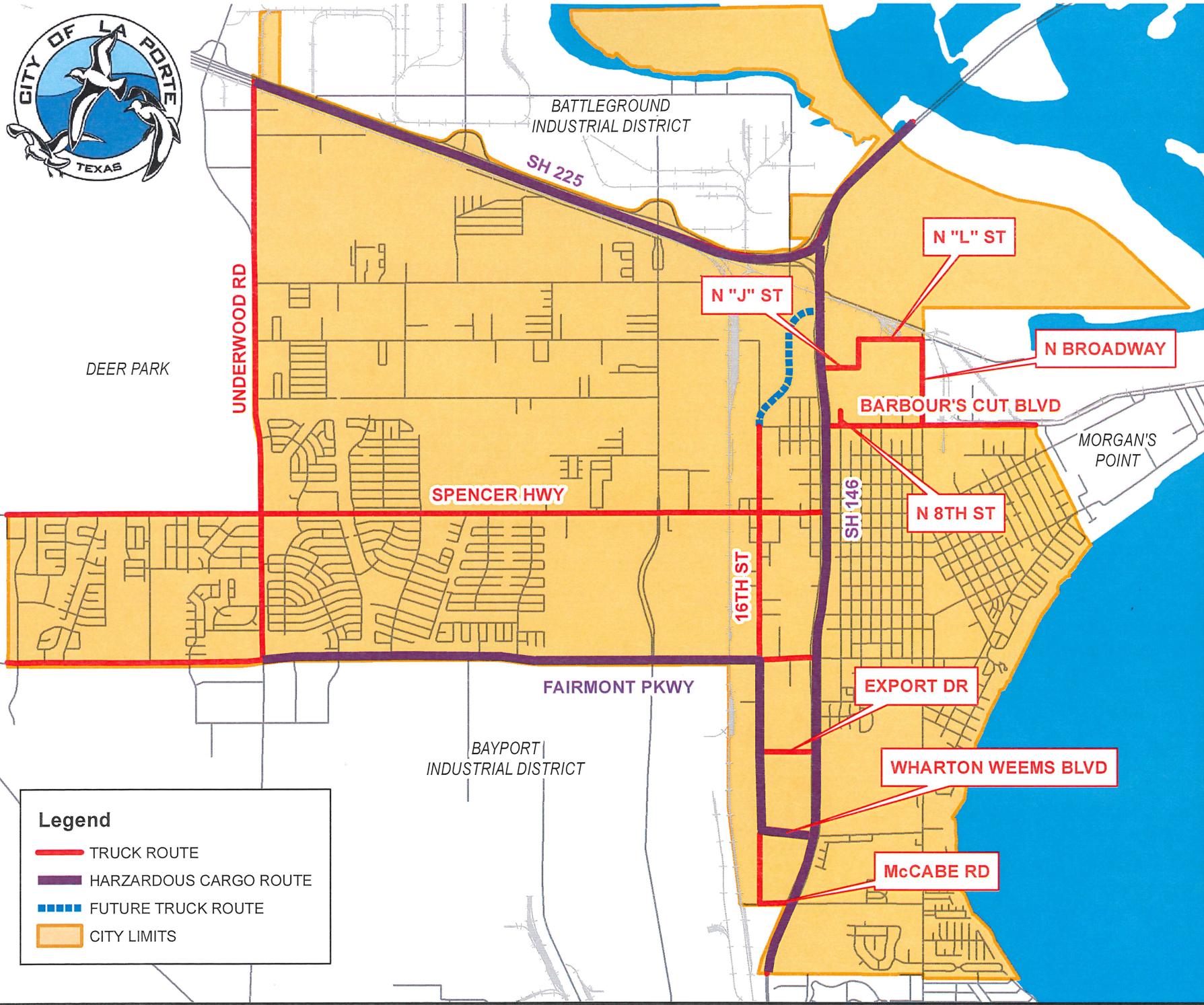
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**Corby D. Alexander, City Manager**

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**Date**





CITY OF LA PORTE

# OFFICIAL TRUCK ROUTE MAP

APPROVED  
MAY 11, 2015



## Council Agenda Item June 8, 2015

**10. ADMINISTRATIVE REPORTS**

- La Porte Redevelopment Authority/La Porte Tax Reinvestment Zone Number One Meeting, Wednesday, June 10, 2015
- City Council Meeting, Monday, June 22, 2015
- Drainage and Flooding Committee Meeting, Monday, June 29, 2015

**11. COUNCIL COMMENTS** regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies – Councilmembers Kaminski, Zemanek, Leonard, Engelken, Earp, Clausen, Martin, Moser and Mayor Rigby

**12. EXECUTIVE SESSION**

The City Council reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code, in accordance with the authority contained in:

**Texas Government Code, Section 551.071(2)** – Consultation with City Attorney: Meet with City Attorney to discuss Port Crossing Business Park - SCUP 06-006.

**Texas Government Code, Section 551.087(2)** – Deliberation regarding economic development negotiations: Sector 23.

**Texas Government Code, Section 551.074** – Personnel Matter: Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, unless the officer or employee requests a public hearing: City Manager Corby Alexander.

**13. RECONVENE** into regular session and consider action, if any, on item(s) discussed in executive session.

**14. ADJOURN**

**In compliance with the Americans with Disabilities Act, the City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meeting. Please contact Patrice Fogarty, City Secretary, at 281.470.5019.**

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