

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



DARYL LEONARD
Councilmember District 3
KRISTIN MARTIN
Councilmember District 4
JAY MARTIN
Mayor Pro-Tem
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 May 9, 2016, 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 Thomas Park, Fairmont Park Church.
- 3. PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Councilmember Daryl Leonard.
- 4. PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
 - (a) Proclamation - Public Works Week - Mayor Rigby
 - (b) Proclamation - Emergency Medical Services Week - Mayor Rigby
 - (c) Proclamation - National Police Week - 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 special called city council meeting held on April 16, 2016, and the minutes of the regular meeting held on April 25, 2016 - P. Fogarty
 - (b) Consider approval or other action regarding project updating the City's technology infrastructure - R. Valdez
 - (c) Consider approval or other action regarding acceptance of a deed conveying the east 141 feet of the 80-foot wide former Madison right-of-way back to the City of La Porte - C. Alexander
- 7. PUBLIC HEARINGS AND ASSOCIATED ORDINANCES**
 - (a) Public hearing to receive comments regarding the recommendation by the Planning and Zoning Commission to amend Chapter 86, "Development Regulations" of the Code of Ordinances of the City of La Porte, Texas by adopting comprehensive guidelines, rules and regulation for subdivision and development of land in the City of La Porte; consider approval or other action regarding an Ordinance amending Chapter 86 "Development Regulations" of the Code of Ordinances of the City of La Porte, Texas by adopting comprehensive guidelines, rules and regulations for subdivision and development of land in the City of La Porte - E. Ensey

8. REPORTS

- (a) Presentation of report of 2015 Hazardous Materials Commodity Flow Study - K. Gauthier
- (b) Receive report of the Fiscal Affairs Committee - Councilmember Engelken

9. ADMINISTRATIVE REPORTS

- Planning and Zoning Commission Meeting, Thursday, May 19, 2016
- La Porte Development Corporation Board Meeting, Monday, May 23, 2016
- City Council Meeting, Monday, May 23, 2016
- Zoning Board of Adjustment Meeting, Thursday, May 26, 2016
- Memorial Day Observed, Monday, May 30, 2016

10. 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 Leonard, Engelken, Earp, Clausen, J. Martin, K. Martin, Kaminski, Zemanek and Mayor Rigby

11. ADJOURN

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 (the Texas open meetings laws).

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 May 9, 2016, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on May 3, 2016.

Patrice Fogarty



**Council Agenda Item
May 9, 2016**

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4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
 - (a) Proclamation - Public Works Week - Mayor Rigby
 - (b) Proclamation - Emergency Medical Services Week - Mayor Rigby
 - (c) Proclamation - National Police Week - Mayor Rigby
5. **PUBLIC COMMENTS** (Limited to five minutes per person.)

Office of the Mayor



Proclamation

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, and solid waste collection; and

WHEREAS, the health, safety, and comfort of this community greatly depends on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of the public works officials; now

THEREFORE, I, Louis R. Rigby, Mayor, along with members of the La Porte City Council, do hereby proclaim the week of May 15-21, 2016, as

“Public Works Week”

IN WITNESS THEREOF, I have hereto set my hand and caused the Seal of the City to be affixed hereto, this the 9th day of May, 2016.

CITY OF LA PORTE

Louis R. Rigby, Mayor

Office of the Mayor



Proclamation

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care 24 hours a day, seven days a week, to those in need; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, nurses, medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week;

WHEREAS, with the theme, "Called to Care," the community is encouraged to observe this week with appropriate programs, ceremonies and activities; now

THEREFORE, I, Louis R. Rigby, Mayor, along with members of the La Porte City Council, do hereby proclaim the week of May 15-21, 2016 as

"Emergency Medical Services Week"

IN WITNESS THEREOF, I have hereto set my hand and caused the Seal of the City to be affixed hereto, this the 9th day of May, 2016.

CITY OF LA PORTE

Louis R. Rigby, Mayor

Office of the Mayor



Proclamation

WHEREAS, The Congress and President of the United States have designated May 15th as Peace Officers' Memorial Day, and the week in which May 15th falls as National Police Week; and

WHEREAS, the members of the law enforcement community of the City of La Porte play an essential role in safeguarding the rights and freedoms of La Porte; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the La Porte Police Department unceasingly provide a vital public service.

Now, Therefore, I, Louis R. Rigby, Mayor, along with members of the La Porte City Council, proudly proclaim May 15 to May 21, 2016, as

“NATIONAL POLICE WEEK”

I further call upon all citizens of the City of La Porte to observe Sunday, May 15th as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

IN WITNESS THEREOF, I have hereto set my hand and caused the Seal of the City to be affixed hereto, this the 9th day of May, 2016.

CITY OF LA PORTE

Louis R. Rigby, Mayor



**Council Agenda Item
May 9, 2016**

- 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 16, 2016, and the minutes of the regular meeting held on April 25, 2016 - P. Fogarty
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**MINUTES OF THE SPECIAL MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
APRIL 16, 2016**

The City Council of the City of La Porte met in a special meeting on Saturday, April 16, 2016, at 8:30 a.m., in the Council Chambers of City hall, 604 West Fairmont Parkway, La Porte, Texas to consider the following items of business:

1. Call to Order

Mayor Rigby called the meeting to order at 8:30 a.m. Members of Council present: Councilmembers Engelken, Earp, K. Martin, Leonard, Zemanek, Clausen, Kaminski and J. Martin.

Members of City Executive Staff and City Employees Present:

City Manager's Office: Corby Alexander and Traci Leach
City Secretary's Office: Patrice Fogarty
Finance: Michael Dolby, Gay Collins and Shelley Wolny
Parks: Rosalyn Epting
Planning: Tim Tietjens and Eric Ensey
Police Department: Ken Adcox, Steve Deardorff and Brett Salter
Fire Department: Mike Boaze
Public Works Department: Sharon Valiante
Human Resources: Matt Hartleib
Municipal Court: Denise Mitrano and Cathy Haney

2. Discussion and possible action – The purpose of this meeting is to discuss and formulate City Council and staff plans, operations, policies, and future projects, including the following:

A. Financial Overview – Michael Dolby

Finance Director Michael Dolby presented a PowerPoint with a financial overview.

Regarding the Utility Fund, Councilmember Earp commented Staff should consider allocating 2 percent of the General Fund in order to supplement the Utility Fund.

Councilmember Zemanek asked what is all included in the Utility Fund pertaining to expenditures. City Manager Corby Alexander responded salaries for Water and Sewer employees; equipment; supplies; energy cost for running the plant and vehicle cost. Councilmember Zemanek asked if the City needs to cut expenditures or if number of employees needs to be reduced. Finance Director Michael Dolby responded, if so, the City cannot provide services at the same level.

Councilmember Earp commented he would like to see documentation of utility increases.

Councilmember Clausen commented he does not want to pay for water and a business owner of a car wash to pay the same amount for water services.

City Manager Corby Alexander advised Council that Staff will bring back potential scenarios for rate comparison with other cities.

B. Capital Improvement Plan Outlook – S. Valiante

Public Works Director Sharon Valiante provided an overview of the Capital Improvement Plan for 2016-2017.

Councilmember Zemanek asked how drainage fees assist in paying for the Fairmont Parkway Intersection/Signal Improvements in 2018. Public Works Director Sharon Valiante responded improvements will be required to the drainage facilities in the area with outfalls and reconstruction of pipe structures.

Councilmember Leonard asked who is responsible for the traffic signals at the intersection of Fairmont Parkway and Underwood during construction. Ms. Valiante responded Harris County Precinct 2.

C. Park Maintenance Division within the Parks and Recreation Department (Councilmember Engelken) – R. Epting

Councilmember Engelken led the discussion and commented additional attention need to be on pressuring washing grounds; trimming trees; removal of mold on buildings; and cleaning of carpets and flooring.

Parks and Recreation Director Rosalyn Epting discussed Parks Maintenance Division within the Parks and Recreation Department.

Councilmember Zemanek asked if the field duties are still being performed by the La Porte Boys Baseball Association. Ms. Epting advised she will confirm if dirt work is being performed by the teams.

Councilmember K. Martin commented when the La Porte Boys Baseball Association was moved to Pecan Park, field duties were cut off.

Councilmember Engelken commented a person on a three wheeler has been hired that does more harm than good by pushing the in-field dirt to the out-field; and as a community, the issues need to be resolved.

Mayor Rigby asked if there is a schedule of complaints logged that need to be addressed. Ms. Epting responded yes, and contractors also have a list of jobs performed. Mayor Rigby agreed with Councilmember Engelken and commented the sidewalks/entryways at the library and façade at City Hall should be maintained.

Councilmember Earp asked if janitorial services are included in the budget City-wide. Ms. Epting responded, yes, City-wide, each facility has janitorial services budgeted. Ms. Epting advised she will get that information and forward it.

Councilmember Engelken commented the span of control is weak, and supervisors should be supervising instead of performing maintenance duties. Ms. Epting commented the supervisors are out in the field performing more technical duties in the field.

Councilmember Clausen agreed with Councilmember Engelken and commented supervisors need to be addressing other issues in the field and pointing them out to the employees for better maintenance.

Councilmember Engelken commented investments have been made in the City facilities to be maintained and perhaps there needs to be training for employees to take initiative in performance.

Mayor Rigby recessed for a break at 9:51 a.m. Mayor Rigby reconvened the special meeting at 10:01 a.m.

D. City Wheelchair Ramp/Sidewalk Update – (Councilmember Engelken) – S. Valiante

Councilmember Engelken led the discussion and commented contractors have placed concrete for City Wheelchair Ramps in the Brookglen Subdivision where the homes had been bought out by FEMA and questioned when the project will be complete.

Public Works Director Sharon Valiante provided an update for the City Wheelchair/Sidewalk program.

Mayor Rigby asked Ms. Valiante if she feels the budget need to be increased for the program. Ms. Valiante responded based on the desire of the level of the infrastructure, it does need to be increased. Mayor Rigby requested City Manager Corby Alexander to review the increase for the upcoming budget.

E. Glen Meadows Park Shade Cover – (Councilmember Earp) – R. Epting

Parks Director Rosalyn Epting discussed a Park Shade Cover at Glen Meadows Park.

There were no questions from Council.

F. Conversion of the Original City Hall Building to a Visitors Center– (Councilmember Zemanek) – T. Leach

Councilmember Zemanek began the discussion and commented his original thoughts for the Original City Hall was to make it a Visitors Center and have Marketing/Public Relations Specialist Jaree Hefner manage the building; but since she has transferred to the Parks and Recreation Department, he still would like to see the building revitalized. Councilmember Zemanek commented the building needs to be presentable, and it should be inspected to see if the electrical needs to be upgraded, whether a new roof is needed, and whether an upgrade the restroom and painting are needed.

Assistant City Manager Traci Leach informed Staff did obtain pricing from a local vendor; and for all of the upgrades mentioned, the cost will be around \$25,000.00.

Mayor Rigby commented he agrees on revitalizing and suggested Staff look into grant funding for the Original City Hall.

G. City of La Porte Electronic Records Management – (Councilmember Zemanek – P. Fogarty)

Councilmember Zemanek led the discussion and commented he would like to see the City continue the electronic records system and possibly add a new position to scan existing records.

City Secretary Patrice Fogarty spoke on Electronic Records Management and vision for the future.

Mayor Rigby advised Staff to look into Electronic Records Management and bring back options.

H. City-Wide Camera System – R. Valdez

This item was removed from discussion.

I. City-Wide Pavement Maintenance and Management Program Update – S. Valiante

Public Works Director Sharon Valiante provided an update on the City-Wide Pavement Maintenance and Management Program.

City Council had no objections with moving forward with the program.

Mayor Rigby recessed for a break at 11:05 a.m. Mayor Rigby reconvened the special meeting at 11:37 a.m.

J. Proposed Concrete Street Program Transition – S. Valiante

Public Works Director Sharon Valiante discussed a proposed Concrete Street Program transition. There was no objection to moving forward with the program. Mayor Rigby commented good initiative.

K. Proposed adjustment to fees related to Zoning/Development Applications and Golf Course Greens/Cart Fees – T. Tietjens/T. Leach

Planning and Development Director Tim Tietjens and Assistant City Manager Traci Leach discussed proposed adjustment to fees related to Zoning/Development Applications; Street and Alley Closures and Golf Course Greens/Cart Fees.

Councilmember Zemanek asked if each \$200.00 up to 1 acre; each additional acre \$5.00 for the Minor Site Plan vs. \$300.00 up to 10 acres; each additional acre \$5.00 on the Zoning and Development Fee Comparison Table is a typo. Mr. Tietjens responded yes, it is a typo.

Councilmember J. Martin asked Staff to take a look at park fees for each lot in residential areas in comparison to other communities. Mr. Tietjens advised park fees were recently changed to exempt individual lots.

Councilmember Earp commented he would like to see the Development front foot fee reviewed.

City Council did not have objections with fee increases for Planning or Golf.

L. Operations of La Porte Boys Baseball Association – R. Epting

Parks and Recreation Director Rosalyn Epting discussed the operations of the La Porte Boys Baseball Association and reported the auditors have not finalized the auditor's report.

Councilmember K. Martin commented the City of La Porte was holding the Nations and Super Series Tournaments Leagues, but it was taken by the directors because they did not want to deal with the Tournament Director of the La Pore Boys Association.

Councilmember Zemanek asked what have the auditors been requested to audit. City Manager Corby Alexander responded tournament revenue; registrations fee; revenues that were booked and deposited and concessions.

Councilmember Engelken commented he supports the City managing the La Porte Boys Baseball Association and appointing a Parks Board to ensure integrity.

Councilmember Kaminski why there are no Police Officers with the large crowds of people at these tournaments, and was told it is because the Association did not want to pay the funds.

City Manager Corby Alexander advised Staff will look for a transition plan for the City to manage the La Porte Boys Baseball Association.

M. Comprehensive Compensation Market Study for non-Civil Service Positions – M. Hartleib

Human Resources Manager Matt Hartleib discussed a Comprehensive Compensation Market Study for non-Civil Service Positions and advised it has been several years since the City has performed a comprehensive compensation study for non-Civil Service positions.

Councilmember Leonard asked if a study is done will lower wage positons be raised slightly above the possible proposed minimum wage salary amount. Mr. Hartleib responded if and when mandates raise the minimum wages, salary compressions will occur and a study will assist with the possibilities.

Councilmember Engelken asked if there is an estimated cost for a survey. Mr. Hartleib responded \$40,000.00.

Councilmember Earp asked how many employees left the City for larger paying salaries. Mr. Hartleib responded he does not have that information.

City Manager Corby Alexander commented since EMS has a higher turn-over of employees, the City has implemented an exit interview process in the department.

Mayor Rigby commented he supports the study; and when employees leave for higher wages, Staff needs to see if they are changing career paths for higher wages or whether there is an issue with the City's wages.

Councilmember Kaminski commented she noticed several job positions have been advertised for an extended period of time.

Mayor Rigby commented there is more to comparing salaries, and benefits should be included as a factor.

Councilmember Zemanek asked how long applications are typically reviewed. Mr. Hartleib responded it varies with positions, and the target is 45 days.

Councilmember Engelken commented it is important to know the information that comes from an exit interview to address issues.

Councilmember J. Martin moved to authorize funds to conduct a 3rd party market survey. Councilmember Earp seconded. **MOTION PASSED.**

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

N. Discuss future of the former Texas Parks and Wildlife Building/Property – T. Leach

Mayor Rigby left the table at 12:50 p.m. and returned at 12:51 p.m.

Assistant City Manager Traci Leach discussed the future of the former Texas Parks and Wildlife Building/Property and possible repairs.

Councilmember Leonard commented he would just as soon see the building go away instead of spending money for repairs.

Councilmember J. Martin commented +he agreed with Councilmember Leonard and suggested tearing it down and the City have a pavilion.

Councilmember Zemanek commented the building is not worth fixing.

Councilmember Clausen commented he would like to see some type of structure and to provide restrooms for the public during events.

City Council agreed to tear the building down and directed Staff to bring back options after the building is gone.

O. Review of Tahoes for General Police Patrol Use – K. Adcox

Police Chief Ken Adcox and Assistant Police Chief Stephen Deardorff reviewed the use of Tahoe vehicles for General Police Patrol.

Councilmember Earp asked how the current budget cost will be affected. Police Chief Ken Adcox responded under \$20,000.00 will have to be budgeted.

Councilmember Zemanek commented he is in favor of purchasing Tahoes.

City Council has no objections continuing with the Tahoe program.

3. Council Comments

Councilmembers Zemanek, Leonard, Clausen, J. Martin, K. Martin, Kaminski and Engelken thanked everyone for attending the Budget Retreat and Staff for their hard work; Councilmember Earp thanked everyone for attending the Budget Retreat; Staff for their hard work; and advised to be cautious when appropriating funds; and Mayor Rigby thanked Staff for the great job they do with putting everything together.

4. Adjourn

There being no further business, Councilmember Engelken moved to adjourn the meeting at 1:24 a.m. Councilmember Leonard seconded. **MOTION PASSED**

Respectfully submitted,

Patrice Fogarty, City Secretary

Passed and approved on May 9, 2016.

Mayor Louis R. Rigby

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**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
APRIL 25, 2016**

The City Council of the City of La Porte met in a regular meeting on **Monday April 25, 2016**, 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:

Mayor Rigby called the meeting to order at 6:00 p.m. Members of Council present: Councilmembers Engelken, Earp, Zemanek, Clausen, K. Martin, Leonard, Kaminski and J. Martin. Also present were City Secretary Patrice Fogarty, City Manager Corby Alexander, and Assistant City Attorney Clark Askins.

2. **INVOCATION** – The invocation was given by Windell Gill, First Baptist Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember John Zemanek.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)

Barbara Norwine, 222 S. Lobit, addressed Council regarding her neighbor receiving a certified letter for high weeds from the City and questioned the legal term for receipt of a certified letter and the referenced 10 days in the certified letter.

5. **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 minutes of the City Council Meeting held on April 11, 2016 – P. Fogarty
 - (b) Consider approval or other action regarding a Resolution opposing any legislation increasing the maximum transport truck haul weights on roadways within the City of La Porte, including heavy haul corridors – Mayor Rigby
 - (c) Consider approval or other action awarding Bid # 16013 for Black Base and Type D Asphalt – S. Valiante
 - (d) Consider approval or other action awarding Bid # 16009 for Rehabilitation of Sanitary Sewer using Slip lining and Pipe Bursting – S. Valiante
 - (e) Consider approval or other action regarding a Resolution authorizing the public resale of property acquired through tax foreclosure by the Constable of Harris County – K. Powell
 - (f) Consider approval or other action regarding a Resolution authorizing the sale of Lot 2, Block 1149; Lots 11-16, Block 1149; Lot 30 Block 1149; Lots 26 & 27, Block 106 and Lots 31-32, Block 106, Town of La Porte – K. Powell

- (g) Consider approval or other action regarding an Ordinance authorizing the execution by the City of La Porte of five Industrial District Agreements with Carson Bayport 3 LLC., for 4111 Malone Dr.; 4121 Malone Dr., 10344 New Decade; 4033 Malone Dr., and 10322 New Decade – K. Powell

Regarding Item G, Councilmember Earp questioned if the agreements are new. Tax Manager Kathy Powell responded they are new people who have acquired the properties.

Councilmember Engelken moved to approve the Consent Agenda items pursuant to staff recommendations. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2007-IDA-142: AN ORDINANCE AUTHORIZING THE EXECUTION BY THE CITY OF LA PORTE OF AN INDUSTRIAL DISTRICT AGREEMENT WITH CARSON BAYPORT 3, LLC., A DELAWARE LIMITED LIABILITY COMPANY FOR THE TERM COMMENCING JANUARY 1, 2008, AND ENDING DECEMBER 31, 2019, MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW, AND PROVIDING AN EFFECTIVE DATE HEREOF.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2007-IDA-143: AN ORDINANCE AUTHORIZING THE EXECUTION BY THE CITY OF LA PORTE OF AN INDUSTRIAL DISTRICT AGREEMENT WITH CARSON BAYPORT 3, LLC., A DELAWARE LIMITED LIABILITY COMPANY FOR THE TERM COMMENCING JANUARY 1, 2008, AND ENDING DECEMBER 31, 2019, MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW, AND PROVIDING AN EFFECTIVE DATE HEREOF.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2007-IDA-144: AN ORDINANCE AUTHORIZING THE EXECUTION BY THE CITY OF LA PORTE OF AN INDUSTRIAL DISTRICT AGREEMENT WITH CARSON BAYPORT 3, LLC., A DELAWARE LIMITED LIABILITY COMPANY FOR THE TERM COMMENCING JANUARY 1, 2008, AND ENDING DECEMBER 31, 2019, MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW, AND PROVIDING AN EFFECTIVE DATE HEREOF.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2007-IDA-145: AN ORDINANCE AUTHORIZING THE EXECUTION BY THE CITY OF LA PORTE OF AN INDUSTRIAL DISTRICT AGREEMENT WITH CARSON BAYPORT 3, LLC., A DELAWARE LIMITED LIABILITY COMPANY FOR THE TERM COMMENCING JANUARY 1, 2008, AND ENDING DECEMBER 31, 2019, MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW, AND PROVIDING AN EFFECTIVE DATE HEREOF.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2007-IDA-146: AN ORDINANCE AUTHORIZING THE EXECUTION BY THE CITY OF LA PORTE OF AN INDUSTRIAL DISTRICT AGREEMENT WITH CARSON BAYPORT 3, LLC., A DELAWARE LIMITED LIABILITY COMPANY FOR THE TERM COMMENCING JANUARY 1, 2008, AND ENDING DECEMBER 31, 2019, MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW, AND PROVIDING AN EFFECTIVE DATE HEREOF.**

6. **DISCUSSION AND POSSIBLE ACTION**

- (a) Discussion and possible action regarding the future of the La Porte Municipal Airport – S. Valiante

Public Works Director Sharon Valiante presented a summary and introduced TxDot Aviation Representative and consultant Randall Weidemann to present a presentation.

Councilmember Engelken asked if any preliminary work has been done at the airport and if information can be shared. Mr. Weidemann responded there is not any information to share at this time because work has not started; but the company does know the process for the project. Councilmember Engelken asked what are some of the outcomes after analysis for airports similar in size of the City of La Porte. Mr. Weidemann responded every airport is different and in most cases they come up with plans that increase the net revenue and financial production of the airports. Councilmember Engelken asked if the proposed business plan will include a financial information of

the economic impact on the community. Mr. Weidemann responded yes. Councilmember Engelken requested copies of reports for the seven airports to confirm how studies were conducted.

No action was taken.

8. ADMINISTRATIVE REPORTS

There were no additional reports.

9. COUNCIL COMMENTS regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information.

Councilmember Zemanek commented economic development funds qualify for building a new Recreation and Fitness Center, and it would be a benefit in the community; Councilmember Earp commented a new Recreation and Fitness Center is a good idea to consider; and Councilmember K. Martin reminded everyone about the Sylvan Beach Festival this weekend.

10. EXECUTIVE SESSION – The City 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, including, but not limited to, the following:

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: Denise Mitrano, Municipal Court Judge.

Texas Government Code, Section 551.071 (2) – Consultations with Attorney: Meet with City Attorney to discuss legal issues presented by use of Harris County issued overweight/oversize permits by commercial motor vehicles operating in La Porte corporate limits.

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

City Council recessed the regular Council meeting to convene an executive session at 6:33 p.m. Regarding the evaluation of the Municipal Court Judge, Denise Mitrano, Councilmember Engelken moved to increase her salary by 4.5 percent. Councilmember Zemanek seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Regarding the legal issues presented by use of Harris County issued overweight/oversize permits by commercial motor vehicles operating in La Porte corporate limits, Councilmember Zemanek moved to direct the City Attorney to gather additional information on specifics of permits from Harris County. Councilmember Kaminski seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

12. ADJOURN - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 7:48 p.m. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Patrice Fogarty, City Secretary

Passed and approved on May 9, 2016.

Mayor Louis R. Rigby

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: May 9, 2016 Appropriation
Requested By: Rene Valdez Source of Funds: Technology Fund
Department: Administration Account Number: Refer Project Funds
Report: Resolution: Ordinance: Amount Budgeted: \$684,357.26
Other: Amount Requested: \$680,002.05
Attachments : Budgeted Item: YES NO

1. DataVox Scope of Work
2. Project Funds
3. Cost summaries

SUMMARY & RECOMMENDATIONS

The current fiscal year budget includes several items to update the City's technology infrastructure. These improvements include improvements to the PD datacenter electrical and cooling systems, refresh the server farm, upgrades to existing switching and routing hardware, an upgrade to the existing Voice over IP (VoIP) telephone system, an offsite disaster recovery (DR) system, and an upgrade to the wide area network communication links. Due to the fact that each of the budgeted projects is related to the others, staff has requested DataVox to develop a comprehensive project to address all of these needs. This project uses Texas Department of Information Resources contracts.

Staff recommends approval of the contract with Datavox in the amount of \$647,621 and a 5% project contingency amount (\$32,381) for a total project budget of \$680,002.

Action Required of Council:

Consider approval or other action of technology infrastructure project as proposed.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

Network Installation

Scope of Work

Prepared for: City of La Porte

Presented on: 3/24/2016

Version 1.0

Quote Number 1



City of La Porte Network Installation SOW

Revision History

Revision	Date	Name	Description of Change
1.0	3-22-16	Steve Weber	Initial draft

City of La Porte Network Installation SOW

Acceptance of Scope of Work

The use of signatures on this Scope of Work is to ensure agreement by City of La Porte on project objectives and the work to be performed by DataVox.

Parties to Agreement

This Scope of Work (SOW) is made and entered into between DataVox, Inc., 6650 West Sam Houston Parkway South, Houston, Texas 77072 ("DataVox") and City of La Porte, 604 W Fairmont Parkway La Porte, TX 77571 ("Customer"), as of the date listed on the title page of this document.

Terms

When (but only when) signed by Customer and an authorized representative of DataVox this shall be a binding, legal contract.

The prices, specifications, and conditions in this SOW are satisfactory, and are hereby accepted in their entirety. Customer hereby agrees to purchase the Equipment and authorizes DataVox to do the work, and provide the materials specified, and payment will be made as outlined in the Payment section of this document. The price quoted in this SOW is based upon the Equipment included in the attached Bill of Material. Any changes in the Equipment or installation may result in a change in the price. Any such change must be in writing, and signed by all parties.

DataVox reserves the right to modify payment terms at any time based on a review of the Customer's credit.

THIS AGREEMENT, WHEN SIGNED BY BOTH PARTIES (BELOW), SHALL BE GOVERNED BY THE TERMS AND CONDITIONS SPECIFIED IN SECTION 10.0 . THERE ARE NO OTHER AGREEMENTS, OR WARRANTIES, ORAL OR WRITTEN, EXCEPT AS EXPRESSLY STATED IN THIS DOCUMENT. THIS SOW CANNOT BE MODIFIED EXCEPT IN WRITING AND SIGNED BY BOTH PARTIES.

Customer acknowledges having read and understood all of the terms and conditions specified in this SOW and acknowledges receipt of a complete executed copy of this SOW. Customer understands and agrees that this SOW and all of the terms and conditions hereof shall be a binding, enforceable contract when signed by Customer and by an authorized representative of DataVox.

City of La Porte Network Installation SOW

Approval Signatures

IN WITNESS WHEREOF, the duly authorized representatives of the parties hereto have caused this SOW to be duly executed.

DataVox, Inc.

City of La Porte

By: _____
(Signature)

By: _____
(Signature)

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

City of La Porte Network Installation SOW

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 - 1.2 Primary Project Contacts 6
- 2.0 Project Management Services 6**
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City of La Porte Network Installation SOW

1.0 Executive Summary

This Scope of Work (SOW) describes the network services that DataVox will provide City of La Porte. The document also describes the project management, project deliverables, and the pricing for these services.

Services will be provided at the following locations:

Location	Address
City Hall	604 W Fairmont Parkway La Porte, TX 77571
Police Department	3001 North 23rd Street La Porte, TX 77571

1.1 DataVox Assumption

- Staging of all project equipment will be done at the DataVox facility
- DataVox will be given remote VPN access to the Customer’s network during the course of completing this SOW
- DataVox will be given access to the Customer’s network while onsite from a DataVox provided laptop
- Cutovers at each site will be a flash cutover and not a phased cutover
- The Customer has the appropriate level of Cisco maintenance and software entitlement to provide DataVox with access to the necessary software upgrade licenses

1.2 Primary Project Contacts

The table lists the primary DataVox and City of La Porte contacts for this project.

DataVox		City of La Porte	
Name/Role	Contact Information	Name/Role	Contact Information
Steve Weber/Sales Manager	Phone: 713.881.7140 Email: steve@datavox.net		Phone: Email:

2.0 Project Management Services

This section describes the DataVox project methodology. DataVox follows the Project Management Institute (PMI) project management life cycle which includes the following phases:

City of La Porte Network Installation SOW

- Initiating
- Planning
- Executing
- Monitoring and Controlling
- Closing

DataVox offers three (3) project management packages: Basic, Enhanced, and Premium. The following table lists the project management package that DataVox will provide.

Project Management Package		Description
<input type="checkbox"/>	Basic	<ul style="list-style-type: none"> • Facilitate kickoff meeting • Facilitate technical meeting • Project tracking and progress reporting • Facilitate wrap-up meeting
<input checked="" type="checkbox"/>	Enhanced	<ul style="list-style-type: none"> • Basic Project Management Services • Facilitate database meeting • MS Project scheduling • Lessons learned
<input type="checkbox"/>	Premium	<ul style="list-style-type: none"> • Enhanced Project Management Services • Project management planning <ul style="list-style-type: none"> • Communication plan document • Risk and issue planning • Implementation plan document • Test plan document • Implementation management workshop

As part of the project management, DataVox will assign a business team to the project soon after official project award. The project team will include an account manager, lead systems engineer, project manager, and solution architect. Additional resources will be incorporated into the core team as required by the project.

The lead project engineer will incorporate additional engineering resources in the project as needed. All personnel will have the requisite skills necessary to fulfill the project scope. DataVox strives to keep the same project team intact throughout the project but reserves the right to make changes to the team as necessary. DataVox will notify the Customer of any changes made to the team resources.

City of La Porte Network Installation SOW

3.0 Project Deliverables

As part of this SOW, DataVox will deliver the following items:

- Project Plan
- Provide results of the system testing
- Project wrap-up documentation, such as
 - System As Built
 - Configuration files
 - Visio diagram of the system DataVox installed as part of this SOW

NOTES:

- The DataVox standard documentation package does not include custom documents or runbooks.
- All documents will be delivered electronically. It is the Customer's responsibility to make the necessary print copies.

4.0 In Scope Services

This section describes the services that DataVox will provide the Customer.

4.1 Phase 1 – Pre-Installation

- Review and finalized BoM
- Review network final design
- Gather information for all network devices related to this project
- Work with Customer's team to discuss the final network design and technical details necessary to perform this project
- Create a high level and low level design. (to include logical and physical topologies, documented IP addressing, documented VLAN schemes, spanning tree parameters, Layer 2 configurations, routing topology for Layer 3 connectivity for the core and distribution network, software recommendation for Nexus platform)
- Identity tasks and estimated efforts for project plan finalization
- Inventory and verify hardware and equipment delivery
- Stage and build out infrastructure hardware (for example, Fabric modules, line card, power supplies, supervisors, and fans)
- Power on all equipment, check diagnostics, update software (for example, Kickstart, and NX/OS) and enable licensing as required
- Interconnect the equipment and validate equipment basic interconnection and operation

4.2 Phase 2 - Installation

Infrastructure network design and implementation

City of La Porte Network Installation SOW

- Assess customer's core network requirements and installation requirements including power, space and connectivity
- Design new core and distribution network infrastructure and finalize the design with the customer
- Create a high level and low level design for the infrastructure network including logical and physical topologies, IP addressing, VLAN schemes, spanning tree parameters, Layer 2 and Layer 3 connectivity, and software recommendations
- Identify site dependencies to the rollout schedule including Telco circuits, third party support and access to facilities
- Inventory hardware, stage and build them, power on all equipment, check diagnostics and update software if necessary
- Configure core switch supervisors, power supplies and cooling services
- Configure Layer 2 LAN switching services including VLANS, PVLANS, Trunks, Spanning-tree Protocols, Port Channels, and IGMP snooping
- Configure Layer 3 services including First Hop Redundancy Protocol (FHRP), routing, route summarization and route distribution
- Migrate Layer 3 core routing from current 4500 to Nexus 9372PX switches
- Position the 4500 switch as user switch southbound of the Nexus 9372PX core switches
- Configure advanced layer 3 services including route filtering and policy-based routing
- Assess the specific configurations of the existing switches and prepare a plan to move the network to new switch infrastructure

Install and commission 2 Nexus 9372PX Switches at customer network

- Configure Virtual Port Channels and trunks on Nexus 9000 switches to connect other switches
- Interconnect all new infrastructure hardware to the customer network
- Plan, schedule and move core LAN routing to new switches
- Migrate the network services to the new infrastructure at weekday afterhours in 1 stage(s)
- Make additional configuration changes as required
- Test functionally and performance using test plans and checklists for all services
- Validate network operation as a highly available network as per design parameters
- In-service support after the network change and document any issues encountered
- Documentation and knowledge transfer of technical configuration

Project Management

Initiation & Planning

- Facilitate project kickoff meetings and set the expectations with the customer
- Facilitate technical meetings and finalize the project details
- Request necessary database documentation about customer environment to facilitate configuration

City of La Porte Network Installation SOW

Project Execution

- Schedule DataVox engineering resources and maintain effective communication process with the customer

Monitoring & Control

- Track project milestones and report the progress of the project to the customer

Project Closure

- Facilitate project wrap-up meeting

4.3 Phase 3 – Installation Cutover

- Schedule delivery of equipment to the Customer's location if needed
- Review staging and installation requirement for site, interconnection, interoperability and decommissioning of legacy environment (as appropriate)
- Rack and stack the equipment
- Interconnect all new infrastructure hardware to the Customer's existing network
- Schedule approved cut-over time with the Customer
- Go Live/Migrate services to new production environment
- Make additional configuration changes as required

4.4 Phase 4 – Post Cutover

- Test with Customer approved test plan
- Go live support
- Test functionally and performance using test plans and checklist for all services
- Validate network is operating as a highly available network as per design parameters
- Document any issues encountered during this phase and resolve these issues
- Monitor critical network elements, resources, event notifications, performance and utilization of the Core network
- Knowledge transfer of the technical configuration

5.0 Out of Scope Services

The following services are outside the scope of work:

- ⊗ Procurement and installation of racks, cabinets and battery backups
- ⊗ Any network consulting services to configure existing network devices outside the network devices provided within this SOW and the Bill of Materials (**Appendix**)
- ⊗ Any network consulting services to implement QoS outside the network devices provided within this SOW and the Bill of Materials (**Appendix**)
- ⊗ Manage the process of coordination with the Customer's telecom service provider to order services or make changes to existing services

City of La Porte Network Installation SOW

- ⊗ Training not listed in this SOW
- ⊗ Documentation not listed in this SOW

IMPORTANT: Miscellaneous items may be required for completion during project execution which DataVox or the Customer did not foresee (for example, copper or fiber patch cables, power cords, and optics.) If miscellaneous items are required beyond what is included in the Bill of Materials, these items will be provided by the Customer or the items can be purchased from DataVox following the standard change management process.

6.0 Baseline Responsibilities

This section provides a general list of DataVox and Customer responsibilities that are common to many services described in **Section 4.0**.

Responsibility	DataVox	City of La Porte
Participate in the project meetings including, but not limited to kickoff, design, and close out	x	x
Review physical requirements with the Customer (for example, power, space, cooling, and network)	x	
Provide the Customer guidance in the completion of the necessary database information	x	
Complete all necessary database information		x
Receive, inventory, stage, and preconfigure equipment at DataVox prior to deployment	x	
Provide access to the network and available customer documentation to facilitate the project objectives		x
Provide access to the Customers technical team to collect information and answer questions about the current configuration and to define any business requirements that will impact the configuration of the new equipment within this SOW		x
Provide any existing IP addressing and configuration standards used in the network		x
Approve the project plan		x
Provides adequate space, power and cooling based on the recommendations of DataVox		x
Provide space for receipt of project equipment at installation sites		x
Security of project equipment after it is delivered to the customer's site		x
Provide any necessary asset tagging		x
Providing adequate workspace for the DataVox project team while they are onsite at the Customer's facility		x

City of La Porte Network Installation SOW

6.1 Problems with the Customer's Legacy Equipment

VPN networks are inherently unreliable due to the inability to control the network nodes and lack of congestion management. If there are issues with a system connected over a VPN and DataVox determines this to be the root cause of an issue, any labor and/or materials required to fix the problem will be billable unless otherwise stated by DataVox. Dedicated links are suggested for any connections that need to support mission critical or real-time traffic.

Equipment that has the potential to interfere with the operation of equipment included in the Bill of Materials must be configured to allow all traffic as required to configure and/or troubleshoot. If the equipment sold by DataVox works properly when these systems are bypassed either by configuration or physical means, it is the customer's responsibility to configure and troubleshoot their equipment in order for the system to work properly. DataVox will make a reasonable effort to assist. However, this intent to assist does not imply ownership of the issue by DataVox.

Problems that are due to the customer's legacy equipment are the Customer's sole responsibility. If the issue must be resolved by DataVox, any labor and/or materials will be billable unless otherwise stated by DataVox.

6.2 Changes to the Customer's Existing Network Environment

DataVox assumes no responsibility for the configuration of the Customer's existing wired or wireless network environments. DataVox will provide network design recommendations consistent with those used to configure the network devices listed in the Bill of Materials for this SOW. It is the Customer's responsibilities to configure existing network devices using the provided design recommendations.

IMPORTANT: Network consulting services to implement the network design recommendations on existing network devices are available. These services are considered billable and outside the scope of work.

7.0 Completion Criteria

Per scope of work, the services will be considered complete when:

- In scope services detailed in Section 4.0 are completed
- The system testing is completed

8.0 Payment

This is a fixed price contract based on the criteria and assumptions in this scope of work. The cost for this contract is \$ 69,377.20 (*cost excludes shipping and sales tax*). The table summarizes cost. For detailed cost information, see the Bill of Materials in the appendix.

City of La Porte Network Installation SOW

Billing Milestones	Amount
Deposit 40%	\$ 27,750.88
Balance (progress billing)*	\$ 41,626.32
<i>*The Customer will be billed as work is completed.</i>	

9.0 Change Management Process

Either DataVox or the Customer may request a change to this SOW by issuing a Change Request in the agreed form. After a Change Request is agreed in writing by DataVox and the Customer, the change will become effective. For the purpose of the Change Request, written agreement can be communicated by email, fax, or electronic signature, provided that it is made clear that both DataVox and the Customer have agreed on the same Change Request document.

The DataVox Change Request form is available upon request.

City of La Porte Network Installation SOW

10.0 Terms and Conditions

The *DataVox Standard Terms and Conditions* shall govern the execution of this scope of work.

http://www.datavox.net/DataVox_Standard_Terms_and_Conditions.pdf

Appendix – Bill of Materials

Quotation

Prepared By:
Steve Weber
Phone: (713) 881-7140
steveuw@datavox.net

Date: 21-Apr-2016
Expires: 30 Days
Quote #: OP12345

Prepared For:

City of La Porte
James Janoch
Phone:

0



Contract Number : DIR-TSO-2542
DataVox Texas DIR Vendor Number: 176-025-1479-000

Pricing Summary		Total
Product		\$ 35,745.00
Maintenance (3 Years)		\$ 16,789.20
DataVox Professional Services		\$ 16,843.00
Total (Excludes Sales Tax & Shipping)		\$ 69,377.20

Nexus Data Center Project

General Description	SKU	Part Description	Qty	Unit Price	Ext Price
Cisco Nexus 9K	C1-N9KC9372PXEB18Q	Cisco ONE 2 Nexus 9372PX-E with 8 QSFP-40G-SR-BD	1	\$ 20,250.00	\$ 20,250.00
	CON-SNTP-C1N9PXEB	SNTC-24X7X4 Cisco ONE 2 Nexus 9372PX-E with 8 QSFP-4	1	\$ -	\$ -
	C1-N9KC9372PX-E-BUN	Cisco ONE Nexus 9372PX-E bundle PID	1	\$ -	\$ -
	CON-SNTP-C1N9KC9BU	SNTC-24X7X4 Cisco ONE Nexus 9372PX-E bundle PID	1	\$ 4,243.20	\$ 4,243.20
	N3K-C3064-ACC-KIT	Nexus 3K/9K Fixed Accessory Kit	1	\$ -	\$ -
	QSFP-40G-SR-BD	QSFP40G BiDi Short-reach Transceiver	4	\$ -	\$ -
	NXOS-703I2.2	Nexus 9500, 9300, 3000 Base NX-OS Software Rel 7.0(3)I2(2)	1	\$ -	\$ -
	CAB-N5K6A-NA	Power Cord, 200/240V 6A North America	2	\$ -	\$ -
	N9K-PAC-650W	Nexus 9300 650W AC PS, Port-side Intake	2	\$ -	\$ -
	NXA-FAN-30CFM-B	Nexus 2K/3K/9K Single Fan, port side intake airflow	4	\$ -	\$ -
	C1F2PNEX9300K9	Cisco ONE Foundation Perpetual Nexus 9300 48 Port	1	\$ 6,660.00	\$ 6,660.00
	CON-ECMU-C1F2PNEX	SWSS UPGRADES Cisco ONE Foundation Perpetual Nexus 930	1	\$ 4,151.40	\$ 4,151.40
	C1-DCL-N93-K9	Cisco ONE DCNM for LAN Advanced Edt. for Nexus 9300 switches	1	\$ -	\$ -
	N93-SERVICES1K9	Nexus 9300 Network Services (includes ITD)	1	\$ -	\$ -
	C1-PI-LFAS-N9K-K9	Cisco ONE PI Device License for LF & AS for Nexus 9K	1	\$ -	\$ -
	C1-ACI-N9K-48X	Cisco ONE ACI SW license for a 48p 1/10G Nexus 9K	1	\$ -	\$ -
	C1-NDB-SWT-K9	Cisco ONE Tap/SPAN Agg lic for 1 Cisco Nexus Switch	1	\$ -	\$ -
	N93-LAN1K9	LAN Enterprise License for Nexus 9300 Platform	1	\$ -	\$ -
	C1-EGW-DC-K9	Cisco ONE Energy Mgmt Perpetual Lic - 1 DC End Point	1	\$ -	\$ -
	C1-N9KC9372PX-E-BUN	Cisco ONE Nexus 9372PX-E bundle PID	1	\$ -	\$ -
	CON-SNTP-C1N9KC9BU	SNTC-24X7X4 Cisco ONE Nexus 9372PX-E bundle PID	1	\$ 4,243.20	\$ 4,243.20
	N3K-C3064-ACC-KIT	Nexus 3K/9K Fixed Accessory Kit	1	\$ -	\$ -
	QSFP-40G-SR-BD	QSFP40G BiDi Short-reach Transceiver	4	\$ -	\$ -
	NXOS-703I2.2	Nexus 9500, 9300, 3000 Base NX-OS Software Rel 7.0(3)I2(2)	1	\$ -	\$ -
	CAB-N5K6A-NA	Power Cord, 200/240V 6A North America	2	\$ -	\$ -
	N9K-PAC-650W	Nexus 9300 650W AC PS, Port-side Intake	2	\$ -	\$ -
	NXA-FAN-30CFM-B	Nexus 2K/3K/9K Single Fan, port side intake airflow	4	\$ -	\$ -
	C1F2PNEX9300K9	Cisco ONE Foundation Perpetual Nexus 9300 48 Port	1	\$ 6,660.00	\$ 6,660.00
	CON-ECMU-C1F2PNEX	SWSS UPGRADES Cisco ONE Foundation Perpetual Nexus 930	1	\$ 4,151.40	\$ 4,151.40
	C1-DCL-N93-K9	Cisco ONE DCNM for LAN Advanced Edt. for Nexus 9300 switches	1	\$ -	\$ -
	N93-SERVICES1K9	Nexus 9300 Network Services (includes ITD)	1	\$ -	\$ -
	C1-PI-LFAS-N9K-K9	Cisco ONE PI Device License for LF & AS for Nexus 9K	1	\$ -	\$ -
	C1-ACI-N9K-48X	Cisco ONE ACI SW license for a 48p 1/10G Nexus 9K	1	\$ -	\$ -
	C1-NDB-SWT-K9	Cisco ONE Tap/SPAN Agg lic for 1 Cisco Nexus Switch	1	\$ -	\$ -
	N93-LAN1K9	LAN Enterprise License for Nexus 9300 Platform	1	\$ -	\$ -
	C1-EGW-DC-K9	Cisco ONE Energy Mgmt Perpetual Lic - 1 DC End Point	1	\$ -	\$ -
	GLC-T=	1000BASE-T SFP	10	\$ 197.50	\$ 1,975.00
	SFP-H10GB-CU3M=	10GBASE-CU SFP+ Cable 3 Meter	4	\$ 50.00	\$ 200.00
Cisco Nexus 9K Total				\$ 50,606.70	\$ 52,534.20

Nimble Storage/UCS & vSphere Implementation

Scope of Work

Prepared for: City of La Porte

Presented on: 3/24/2016



City of La Porte Nimble Storage / UCS & vSphere Implementation SOW

Revision History

Revision	Date	Name	Description of Change
1.0	2/05/2016	Kyle Sandoval	Initial draft
2.0	3-22-16	Steve Weber	Removed Nexus



[quote no.]

City of La Porte Nimble Storage / UCS & vSphere Implementation SOW

Acceptance of Scope of Work

The use of signatures on this Scope of Work is to ensure agreement by City of La Porte on project objectives and the work to be performed by DataVox.

Parties to Agreement

This Scope of Work (SOW) is made and entered into between DataVox, Inc., 6650 West Sam Houston Parkway South, Houston, Texas 77072 ("DataVox") and City of La Porte, 604 W Fairmont Parkway, La Porte, Texas 77571 ("Customer"), as of the date listed on the title page of this document.

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When (but only when) signed by Customer and an authorized representative of DataVox this shall be a binding, legal contract.

The prices, specifications, and conditions in this SOW are satisfactory, and are hereby accepted in their entirety. Customer hereby agrees to purchase the Equipment and authorizes DataVox to do the work, and provide the materials specified, and payment will be made as outlined in the Payment section of this document. The price quoted in this SOW is based upon the Equipment included in the attached Bill of Material. Any changes in the Equipment or installation may result in a change in the price. Any such change must be in writing, and signed by all parties.

DataVox reserves the right to modify payment terms at any time based on a review of the Customer's credit.

THIS AGREEMENT, WHEN SIGNED BY BOTH PARTIES (BELOW), SHALL BE GOVERNED BY THE TERMS AND CONDITIONS SPECIFIED IN SECTION 10.0 . THERE ARE NO OTHER AGREEMENTS, OR WARRANTIES, ORAL OR WRITTEN, EXCEPT AS EXPRESSLY STATED IN THIS DOCUMENT. THIS SOW CANNOT BE MODIFIED EXCEPT IN WRITING AND SIGNED BY BOTH PARTIES.

Customer acknowledges having read and understood all of the terms and conditions specified in this SOW and acknowledges receipt of a complete executed copy of this SOW. Customer understands and agrees that this SOW and all of the terms and conditions hereof shall be a binding, enforceable contract when signed by Customer and by an authorized representative of DataVox.



[quote no.]

City of La Porte Nimble Storage / UCS & vSphere Implementation SOW

Approval Signatures

IN WITNESS WHEREOF, the duly authorized representatives of the parties hereto have caused this SOW to be duly executed.

DataVox, Inc.

City of La Porte

By: _____
(Signature)

By: _____
(Signature)

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

City of La Porte Nimble Storage / UCS & vSphere Implementation SOW

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City of La Porte Nimble Storage / UCS & vSphere Implementation SOW

1.0 Executive Summary

This Scope of Work (SOW) describes the Cisco, VMware, and Nimble storage implementation services that DataVox will provide City of La Porte. The document also describes the project management, project deliverables, and the pricing for these services.

DataVox will install Cisco UCS B-Series servers, VMware vSphere, and Nimble storage in the following location.

Location	Address
ITC/PD	604 W Fairmont Parkway, La Porte, TX 77571
GreenCloud	Cloud Hosted Data Center

1.1 DataVox Assumption

- Staging of all project equipment will be done at the DataVox facility
- DataVox will be given remote VPN access to the Customer’s network during the course of completing this SOW
- DataVox will be given access to the Customer’s network while onsite from a DataVox provided laptop
- The Customer has the appropriate level of Cisco and VMware maintenance and software entitlement to provide DataVox with access to the necessary software upgrade licenses
- The Customer has adequate rack space, power, and cooling
- The Customer has the appropriate network capacity and infrastructure
- The Customer will provide all necessary IP addresses
- The Customer will provide all necessary storage for the UCS and VMware environment

1.2 Primary Project Contacts

The table lists the primary DataVox and City of La Porte contacts for this project.

DataVox		City of La Porte	
Name/Role	Contact Information	Name/Role	Contact Information
Steve Weber / Account Manager	Phone: 713.881.7140 Email:	[name] / [title]	Phone: Email:

City of La Porte Nimble Storage / UCS & vSphere Implementation SOW

2.0 Project Management

This section describes the DataVox project methodology. DataVox follows the Project Management Institute (PMI) project management life cycle which includes the following phases:

- Initiating
- Planning
- Executing
- Monitoring and Controlling
- Closing

DataVox offers three (3) project management packages: Basic, Enhanced, and Premium. The following table lists the project management package that DataVox will provide.

Project Management Package		Description
<input type="checkbox"/>	Basic	<ul style="list-style-type: none"> • Facilitate kickoff meeting • Facilitate technical meeting • Project tracking and progress reporting • Facilitate wrap-up meeting
<input type="checkbox"/>	Enhanced	<ul style="list-style-type: none"> • Basic Project Management Services • Facilitate database meeting • MS Project scheduling • Lessons learned
<input checked="" type="checkbox"/>	Premium	<ul style="list-style-type: none"> • Enhanced Project Management Services • Project management planning <ul style="list-style-type: none"> • Communication plan document • Risk and issue planning • Implementation plan document • Test plan document • Implementation management workshop

As part of the project management, DataVox will assign a business team to the project soon after official project award. The project team will include an account manager, lead systems engineer, project manager, and solution architect. Additional resources will be incorporated into the core team as required by the project.

City of La Porte Nimble Storage / UCS & vSphere Implementation SOW

The lead project engineer will incorporate additional engineering resources in the project as needed. All personnel will have the requisite skills necessary to fulfill the project scope. DataVox strives to keep the same project team intact throughout the project but reserves the right to make changes to the team as necessary. DataVox will notify the Customer of any changes made to the team resources.

3.0 Project Deliverables

As part of this SOW, DataVox will deliver the following items:

- Project Plan
- Provide results of the system testing
- Project wrap-up documentation, such as
 - System As Built
 - Configuration files
 - Visio diagram of the system DataVox installed as part of this SOW

NOTES:

- The DataVox standard documentation package does not include custom documents or runbooks.
- All documents will be delivered electronically. It is the Customer's responsibility to make the necessary print copies.

4.0 In Scope Services

This section describes the services that DataVox will provide the Customer.

4.1 Cisco UCS Installation

- Perform the physical installation, cabling, and labeling (in customer provided racks) of two (2) fabric Interconnects, one (1) chassis, and five (5) B200 M4 blades
- Configure Fabric Interconnects as a cluster
- Assign Internet Protocols (IPs) to Fabric Interconnects and the cluster IP
- Configure UCS wide policies and settings (for example, Global policies, port configurations, enabling iSCSI, and equipment discovery)
- Determine whether an upgrade to a current version of UCS firmware code is needed and perform the upgrade as necessary
- Develop and configure server policies and pools to best accommodate intended customer use
- Develop and configure maintenance policies, host firmware policies, Universal Unique Identifier (UUID) pool, boot policies, Local Area Network (LAN) configuration

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- Develop and configure Media Access Control (MAC) address pools, VLANs, port channels, Local Area Network (LAN) pin groups, network control policies, Quality of Service (QoS) policies, virtual Network Interface Card (vNIC) templates, LAN connectivity policies, Kernel-based Virtual Machine (KVM) IPs
- Create two (2) service profile template
- Prepare zoning configuration for all deployed service profiles
- Set up five (5) Cisco blades to perform boot from SAN
- Set up UCS 5108 Blade chassis
- Set up UCS 6248 Primary fabric interconnect switch
- Set up UCS 6248 Secondary fabric interconnect switch
- Set up UCS B-Series blades with VMware

4.2 VMware vSphere Installation

- Install one (1) virtualized vCenter Server on virtual Windows 2012 server using Microsoft SQL express as the database
- Deploy three (3) ESXi hosts in the UCS environment included in this Scope of Work
- Configure standard virtual switching with up to three (3) internal VLANs based on DataVox recommendations
- Configure virtual machine port groups
- Configure VMKernel Network Interface Cards for management, vMotion and Storage
- Create and mount up to six (6) VMFS datastores
- Configure DNS and NTP
- Install VMWare Update Manager and fully patch all hosts
- Create one (1) 2012 Server Template
- Create one (1) 2008 Server Template

4.3 Nimble Storage Array Installation

- Hardware Installation
 - Physical installation of one Nimble Array
 - Unbox and inventory equipment
 - Install rail kit into rack
 - Install Nimble equipment and secure into rack
 - Physical connection of cables, networking and power components
 - Install array into rack
 - Connect four (4) twinax network cables to the array network interfaces.
 - Verify system components are operating as designed (no warning lights or failure indicators.)

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- Logical Configuration
 - Complete Nimble array setup using Nimble setup wizard
 - Configure the following:
 - Hostname
 - Admin password
 - Management IP(s)
 - Network topology
 - Data IP(s)
 - Subnet masks
 - Default gateways
 - Time zone
 - DNS
 - Autosupport heartbeats
 - SMTP for email alerts (if SMTP is available)
 - Update array to latest GA SW release.
- Create and configure a volume collection
 - Configure protection template for snapshots for up to eight (8) servers
- Create and configure initiator groups
- Create and configure a single volume
 - Configure size, various reserves, performance policy, and synchronization type.
 - Configure initiator access.
- Configure and connect three (3) ESXi hosts to storage and provision volumes as listed:
- Verification of read/write access
- Allow snapshot creation (via schedule or manually)
- Monitoring
 - Verify Throughput, IOPS, replication graphs
 - Verify capacity, compression
- Test various admin commands (SNMP, update software)
- Installation of optional software such as the VSS provider for three (3) server
- Verify failover from controller to controller.
 - Confirm HA by pulling all cables from active controller.
- Ensure pathing is configured correctly to support a seamless failover.
- Test outbound path by pinging gateway, DNS server, and www.nimblestorage.com
- Test ASUPs, heartbeats and email alerts
- Verify alerts are functioning
- Turn on tunneling
- Update to latest Nimble OS
- Run Auto-Support

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4.4 Veeam Backup Implementation

- Install latest Veeam Backup & Replication on customer provided server.
- Obtain and install permanent licensing for Veeam.
- Configure retention policies, clients, schedules and groups with the City's assistance based on the City's requirements.
- Install, configure and activate up to 24 Veeam client agents.
- Configure existing EMC VNX5200 appliance as the backup target for Veeam.
- Configure scheduled backups for up to 24 clients.
- Integrate Veeam with VMware vSphere.
- Configure scheduled backups for up to 10 VM Image backups.
- Demonstrate restore capabilities of the system. This is limited to 10GB of Filesystem data, 40GB of VMware Image and 10GB of database data. All restores should be done with test data to ensure no production data is inadvertently over-written as part of the testing phase.

4.5 Knowledge Transfer

DataVox will conduct two (2) high-level knowledge transfer sessions for up to four (4) technical persons identified by the Customer. The sessions will be conducted by a DataVox project engineer between three (3) to five (5) days after system installation and before project closeout.

IMPORTANT: The sessions that DataVox will provide do not replace proper vendor training and certification.

Session	Trainee	Description	Duration
High-level USC Administrator training	Technical persons responsible for administration of the system	<ul style="list-style-type: none"> • Basic host-level administration • Understanding UCS manager & KVM manager 	2 hour
High-level vSphere Administrator training	Technical persons responsible for administration of the system	<ul style="list-style-type: none"> • Basic vSphere access • Basic virtual machine administration • How to create a virtual machine • Understanding the interface 	3 hours
High-level Nimble Administrator training	Technical persons responsible for administration of the system	<ul style="list-style-type: none"> • Basic GUI tour of management and monitoring • Storage creation and connectivity to servers • Creation and management of snapshots • Data recovery with zero-copy clone 	3 to 4 hours

City of La Porte Nimble Storage / UCS & vSphere Implementation SOW

5.0 Out of Scope Services

The following services are outside the scope of work:

- ⊗ Integration to any existing backup services
- ⊗ Disaster recovery implementation
- ⊗ Procurement of any licenses not included in the Bill of Materials (available under separate cover)
- ⊗ Installation of any applications other than the base Microsoft Operating System and its components
- ⊗ Modification of any existing applications or services
- ⊗ Migration of any existing applications and servers
- ⊗ Any client-side or workstation changes
- ⊗ Validation or modification of existing LAN or WAN infrastructure (including but not limited to VLAN or QoS)
- ⊗ Procurement and installation of racks, cabinets and battery backups
- ⊗ Any network consulting services to configure existing network devices outside the network devices provided within this SOW and the Bill of Materials
- ⊗ Any network consulting services to implement QoS outside the network devices provided within this SOW and the Bill of Materials
- ⊗ Training not listed in this SOW
- ⊗ Documentation not listed in this SOW
- ⊗ Implementation of any storage array
- ⊗ Modification of any existing storage array, LUN, or storage settings on the Customer's SAN
- ⊗ Implementation of 3rd party or external certificates

6.0 Baseline Responsibilities

This section provides a general list of DataVox and Customer responsibilities that are common to many services described in this scope of work.

Responsibility	DataVox	City of La Porte
Participate in the project meetings including, but not limited to kickoff, design, and close out	x	x
Review physical requirements with the Customer (for example, power, space, cooling, and network)	x	
Receive, inventory, stage, and preconfigure equipment at DataVox prior to deployment	x	
Provide access to the network and available customer documentation to facilitate the project objectives		x

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Responsibility	DataVox	City of La Porte
Provide access to the Customers technical team to collect information and answer questions about the current configuration and to define any business requirements that will impact the configuration of the new equipment within this SOW		x
Provide any existing IP addressing and configuration standards used in the network		x
Approve the project plan		x
Provides adequate space, power and cooling based on the recommendations of DataVox		x
Provide space for receipt of project equipment at installation sites		x
Security of project equipment after it is delivered to the customer's site		x
Provide any necessary asset tagging		x
Providing adequate workspace for the DataVox project team while they are onsite at the Customer's facility		x

6.1 Problems with the Customer's Legacy Equipment

VPN networks are inherently unreliable due to the inability to control the network nodes and lack of congestion management. If there are issues with a system connected over a VPN and DataVox determines this to be the root cause of an issue, any labor and/or materials required to fix the problem will be billable unless otherwise stated by DataVox. Dedicated links are suggested for any connections that need to support mission critical or real-time traffic.

Equipment that has the potential to interfere with the operation of equipment included in the Bill of Materials must be configured to allow all traffic as required to configure and/or troubleshoot. If the equipment sold by DataVox works properly when these systems are bypassed either by configuration or physical means, it is the customer's responsibility to configure and troubleshoot their equipment in order for the system to work properly. DataVox will make a reasonable effort to assist. However, this intent to assist does not imply ownership of the issue by DataVox.

Problems that are due to the customer's legacy equipment are the Customer's sole responsibility. If the issue must be resolved by DataVox, any labor and/or materials will be billable unless otherwise stated by DataVox.

6.2 Changes to the Customer's Existing Network Environment

DataVox assumes no responsibility for the configuration of the Customer's existing wired or wireless network environments. DataVox will provide network design recommendations consistent with those used

City of La Porte Nimble Storage / UCS & vSphere Implementation SOW

to configure the network devices listed in the Bill of Materials for this SOW. It is the Customer's responsibilities to configure existing network devices using the provided design recommendations.

IMPORTANT: Network consulting services to implement the network design recommendations on existing network devices are available. These services are considered billable and outside the scope of work.

7.0 Completion Criteria

Per scope of work, the services will be considered complete when:

- In scope services detailed in Section 4.0 are completed
- The system testing is completed

8.0 Payment

This is a fixed price contract based on the criteria and assumptions in this scope of work. The cost for this contract is \$ 155,063.73 (*cost excludes shipping and sales tax*). The table summarizes cost. For detailed cost information, see the Bill of Materials in the appendix.

Billing Milestones	Amount
Deposit 40%	\$ 62,025.50
Balance (progress billing)*	\$ 93,038.23

**The Customer will be billed as work is completed.*

9.0 Change Management Process

Either DataVox or the Customer may request a change to this SOW by issuing a Change Request in the agreed form. After a Change Request is agreed in writing by DataVox and the Customer, the change will become effective. For the purpose of the Change Request, written agreement can be communicated by email, fax, or electronic signature, provided that it is made clear that both DataVox and the Customer have agreed on the same Change Request document.

The DataVox Change Request form is available upon request.



[quote no.]

City of La Porte Nimble Storage / UCS & vSphere Implementation SOW

10.0 Terms and Conditions

The *DataVox Standard Terms and Conditions* shall govern the execution of this scope of work.

http://www.datavox.net/DataVox_Standard_Terms_and_Conditions.pdf

Quotation

Prepared By:
Steve Weber
Phone: (713) 881-7140
stevew@datavox.net

Date: 21-Apr-2016
Expires: 30 Days
Quote #: OP12345

Prepared For:

City of La Porte
James Janoch
281-470-5031
janochj@laportetx.gov



DataVox Vendor Number: 176-025-1479-000
Cisco DIR-TSO-2542
Nimble DIR-SSD-2035
EMC DIR-TSO-2634

Pricing Summary	Total
Product	\$ 118,372.85
Maintenance (3 Years)	\$ 20,434.10
Datavox Professional Services	\$ 26,256.78
Competitive displacement from Nimble	\$ (10,000.00)
SubTotal	\$ 155,063.73
Trade-In for VNX5200 (3rd Party)	(\$13,750.00)
Total Including all Competitive Replacement, Trade-ins and discounts	\$ 141,313.73

UCS Servers and Nimble

General Description	SKU	Part Description	Qty	Unit Price	Ext Price
UCS Server Blades	UCS-SPM-B200M4-A1	UCS SPSelect B200M4 Adv1 w/2xE52690 v3,8x32GB,VIC1340 + C1	3	\$ -	\$ -
	UCS-SP-B200M4-A1	UCS SP Select B200M4 Advanced1 w/2xE52690 v3,8x32GB,VIC1340	3	\$ 9,938.00	\$ 29,814.00
	CON-SNTP-SMB200A1	SNTC-24X7X4 UCS SP Select B200M4 Advanced1 w/2xE52690 v3	3	\$ 943.50	\$ 2,830.50
	UCS-CPU-E52690D	2.60 GHz E5-2690 v3/135W 12C/30MB Cache/DDR4 2133MHz	6	\$ -	\$ -
	UCS-MR-1X322RU-A	32GB DDR4-2133-MHz RDIMM/PC4-17000/dual rank/x4/1.2v	24	\$ -	\$ -
	UCSB-MLOM-40G-03	Cisco UCS VIC 1340 modular LOM for blade servers	3	\$ -	\$ -
	UCSB-HS-EP-M4-F	CPU Heat Sink for UCS B200 M4/B420 M4 (Front)	3	\$ -	\$ -
	UCSB-HS-EP-M4-R	CPU Heat Sink for UCS B200 M4/B420 M4 (Rear)	3	\$ -	\$ -
	UCSB-LSTOR-BK	FlexStorage blanking panels w/o controller, w/o drive bays	6	\$ -	\$ -
	C1F2PUCSK9-UCS-SPM	UCS SP Cisco ONE Foundation Perpetual UCS 1-9	3	\$ 512.80	\$ 1,538.40
	C1-EGW-DC-K9	Cisco ONE Energy Mgmt Perpetual Lic - 1 DC End Point	3	\$ -	\$ -
	C1-N1K-ESSTL	Nexus 1000V Essential Edition, Qty=2	3	\$ -	\$ -
	C1-PSC-F-1-K9	Cisco ONE Prime Service Catalog Foundation Per Server	3	\$ -	\$ -
	C1-UCC-1	Cisco ONE Foundation UCS Central per Server	3	\$ -	\$ -
	C1-UCD-VM	Cisco ONE UCS Director Foundation Compute Per Server (50 VM)	3	\$ -	\$ -
	C1-UPM-EE	Cisco ONE UCS Performance Manager Express Edition	3	\$ -	\$ -
	C1F2SICFBK9	Cisco ONE Foundation Subsr Intercloud Fabric For Business	3	\$ -	\$ -
	C1-ICFB2-4-LIC-K9	Cisco ONE Intercloud Fabric For Business General cloud lic	3	\$ -	\$ -
	C1F21ICFB004K9	Cisco ONE Foundation ICFB General cloud 1YR 4 Hybrid Port	3	\$ -	\$ -
UCS Server Blades Total				\$ 11,394.30	\$ 34,182.90
Cisco Server Chassis	UCS-SPM-5108-AC2	UCS SP Select 5108 AC2 Chassis w/2208 IO, 4x SFP cable 3m	1	\$ 5,796.00	\$ 5,796.00
	CON-SNTP-SMB51AC2	SNTC-24X7X4 UCS SP Select 5108 AC2 Chassis w/2208 IO, 4x	1	\$ 622.20	\$ 622.20
	CAB-C19-CBN	Cabinet Jumper Power Cord, 250 VAC 16A, C20-C19 Connectors	4	\$ -	\$ -
	SFP-H10GB-CU3M	10GBASE-CU SFP+ Cable 3 Meter	4	\$ -	\$ -
	N01-UAC1	Single phase AC power module for UCS 5108	1	\$ -	\$ -
	N20-CAK	Accessory kit for UCS 5108 Blade Server Chassis	1	\$ -	\$ -
	N20-CBLKB1	Blade slot blanking panel for UCS 5108/single slot	8	\$ -	\$ -
	N20-FAN5	Fan module for UCS 5108	8	\$ -	\$ -
	N20-FW012	UCS Blade Server Chassis FW Package 2.2	1	\$ -	\$ -
	UCSB-5108-PKG-HW	UCS 5108 Packaging for chassis with half width blades.	1	\$ -	\$ -
	UCSB-PSU-2500ACDV	2500W Platinum AC Hot Plug Power Supply - DV	4	\$ -	\$ -
	UCS-IOM-2208XP	UCS 2208XP I/O Module (8 External, 32 Internal 10Gb Ports)	2	\$ -	\$ -
Cisco Server Chassis Total				\$ 6,418.20	\$ 6,418.20
Cisco Fabric Interconnect	UCS-SPM-FI48-2X	UCS SP Select 6248 FI w/ 12p LIC 2Pk	1	\$ -	\$ -
	UCS-SP-FI48P	(Not sold Standalone)UCS SP Select 6248 FI w/ 12p LIC	2	\$ 7,430.00	\$ 14,860.00
	CON-SNTP-SMBFI48P	SNTC-24X7X4 (Not sold Standalone)UCS SP Select 6248 FI w	2	\$ 2,458.20	\$ 4,916.40
	CAB-C13-CBN	Cabinet Jumper Power Cord, 250 VAC 10A, C14-C13 Connectors	4	\$ -	\$ -
	SFP-H10GB-CU3M	10GBASE-CU SFP+ Cable 3 Meter	8	\$ -	\$ -
	DS-SFP-FC8G-SW	8 Gbps Fibre Channel SW SFP+, LC	8	\$ -	\$ -
	SFP-10G-SR	10GBASE-SR SFP Module	8	\$ -	\$ -
	UCS-ACC-6248UP	UCS 6248UP Chassis Accessory Kit	2	\$ -	\$ -
	UCS-BLKE-6200	UCS 6200 Series Expansion Module Blank	2	\$ -	\$ -
	UCS-FAN-6248UP	UCS 6248UP Fan Module	4	\$ -	\$ -
	UCS-FI-DL2	UCS 6248 Layer 2 Daughter Card	2	\$ -	\$ -
	UCS-PSU-6248UP-AC	UCS 6248UP Power Supply/100-240VAC	4	\$ -	\$ -
	N10-MGT012	UCS Manager v2.2	2	\$ -	\$ -
Cisco Fabric Interconnect Total				\$ 9,888.20	\$ 19,776.40

Cisco Server Blades for Voice	UCS-SPM-B200M4-S1	UCS SPSelect B200M4 Std1 w/2xE52630 v3,8x16GB,VIC1340 + C1	2	\$ -	\$ -
	UCS-SP-B200M4-S1	UCS SP Select B200M4 Standard1 w/2xE52630 v3,8x16GB,VIC1340	2	\$ 4,650.80	\$ 9,301.60
	CON-SNTP-SMB200S1	SNTP-24X7X4 UCS SP Select B200M4 Standard1 w/2xE52630 v3	2	\$ 943.50	\$ 1,887.00
	UCS-CPU-E52630D	2.40 GHz E5-2630 v3/85W 8C/20MB Cache/DDR4 1866MHz	4	\$ -	\$ -
	UCS-MR-1X162RU-A	16GB DDR4-2133-MHz RDIMM/PC4-17000/dual rank/x4/1.2v	16	\$ -	\$ -
	UCSB-MLOM-40G-03	Cisco UCS VIC 1340 modular LOM for blade servers	2	\$ -	\$ -
	UCSB-HS-EP-M4-F	CPU Heat Sink for UCS B200 M4/B420 M4 (Front)	2	\$ -	\$ -
	UCSB-HS-EP-M4-R	CPU Heat Sink for UCS B200 M4/B420 M4 (Rear)	2	\$ -	\$ -
	UCSB-LSTOR-BK	FlexStorage blanking panels w/o controller, w/o drive bays	4	\$ -	\$ -
	C1F2PUCSK9-UCS-SPM	UCS SP Cisco ONE Foundation Perpetual UCS 1-9	2	\$ 512.80	\$ 1,025.60
	C1-EGW-DC-K9	Cisco ONE Energy Mgmt Perpetual Lic - 1 DC End Point	2	\$ -	\$ -
	C1-N1K-ESSTL	Nexus 1000V Essential Edition, Qty=2	2	\$ -	\$ -
	C1-PSC-F-1-K9	Cisco ONE Prime Service Catalog Foundation Per Server	2	\$ -	\$ -
	C1-UCC-1	Cisco ONE Foundation UCS Central per Server	2	\$ -	\$ -
	C1-UCD-VM	Cisco ONE UCS Director Foundation Compute Per Server (50 VM)	2	\$ -	\$ -
	C1-UPM-EE	Cisco ONE UCS Performance Manager Express Edition	2	\$ -	\$ -
	C1F2SICFBK9	Cisco ONE Foundation Subsr Intercloud Fabric For Business	2	\$ -	\$ -
	C1-ICFB2-4-LIC-K9	Cisco ONE Intercloud Fabric For Business General cloud lic	2	\$ -	\$ -
	C1F21ICFB004K9	Cisco ONE Foundation ICFB General cloud 1YR 4 Hybrid Port	2	\$ -	\$ -
	SFP-H10GB-CU3M=	10GBASE-CU SFP+ Cable 3 Meter	12	\$ 50.00	\$ 600.00
	Cables	Patch Cables	12	\$ 3.00	\$ 36.00
Cisco Server Blades for Voice Total				\$ 6,160.10	\$ 12,850.20
Nimble	CS235-2P-24T-640F	CS235, 2x1 GigE,Dual 10GbaseT (Qty. 1 pair) , 12 x 2TB HDD, 4 x 160GB SSDs	1	\$ 49,345.00	\$ 49,345.00
	SLA-4HR	4Hr Parts Del, SW Sup & InfoSight - NextGen Arrays	1	\$ 7,605.50	\$ 7,605.50
Nimble Total				\$ 56,950.50	\$ 56,950.50
Veeam Software	P-ESSENT-VS-P0000-00	VEEAM ESSEN ENT FOR VMWARE NEW LICs PUBLIC SECTOR	3	\$ 1,338.75	\$ 4,016.25
	V-ESSENT-VS-P02PP-00	VEEAM ESSEN ENT FOR VMWARE 2YR ADDL PREM PREPAID MNT	3	\$ 857.50	\$ 2,572.50
Veeam Software Total				\$ 2,196.25	\$ 6,588.75
VNX Cables	VBSFP-TWAX-3M	QTY 2 SFP+ TO SFP+ 3M ACTIVE 8G/10G CBL	4	\$ 510.00	\$ 2,040.00
VNX Cables Total				\$ 510.00	\$ 2,040.00

Collaboration Solution Upgrade

Scope of Work

Prepared for: City of La Porte

Presented on: 3/24/2016

Version 2.0

Quote Number 2



City of La Porte Collaboration Solution Upgrade SOW

Revision History

Revision	Date	Name	Description of Change
1.0	2-18-16	Steve Weber	Initial draft
2.0	3-22-16	Steve Weber	Revised

City of La Porte Collaboration Solution Upgrade SOW

Acceptance of Scope of Work

The use of signatures on this Scope of Work is to ensure agreement by City of La Porte on project objectives and the work to be performed by DataVox.

Parties to Agreement

This Scope of Work (SOW) is made and entered into between DataVox, Inc., 6650 West Sam Houston Parkway South, Houston, Texas 77072 ("DataVox") and City of La Porte, 604 W Fairmont Parkway, La Porte, Texas 77571 ("Customer"), as of the date listed on the title page of this document.

Terms

When (but only when) signed by Customer and an authorized representative of DataVox this shall be a binding, legal contract.

The prices, specifications, and conditions in this SOW are satisfactory, and are hereby accepted in their entirety. Customer hereby agrees to purchase the Equipment and authorizes DataVox to do the work, and provide the materials specified, and payment will be made as outlined in the Payment section of this document. The price quoted in this SOW is based upon the Equipment included in the attached Bill of Material. Any changes in the Equipment or installation may result in a change in the price. Any such change must be in writing, and signed by all parties.

DataVox reserves the right to modify payment terms at any time based on a review of the Customer's credit.

THIS AGREEMENT, WHEN SIGNED BY BOTH PARTIES (BELOW), SHALL BE GOVERNED BY THE TERMS AND CONDITIONS SPECIFIED IN SECTION 9.0 . THERE ARE NO OTHER AGREEMENTS, OR WARRANTIES, ORAL OR WRITTEN, EXCEPT AS EXPRESSLY STATED IN THIS DOCUMENT. THIS SOW CANNOT BE MODIFIED EXCEPT IN WRITING AND SIGNED BY BOTH PARTIES.

Customer acknowledges having read and understood all of the terms and conditions specified in this SOW and acknowledges receipt of a complete executed copy of this SOW. Customer understands and agrees that this SOW and all of the terms and conditions hereof shall be a binding, enforceable contract when signed by Customer and by an authorized representative of DataVox.

City of La Porte Collaboration Solution Upgrade SOW

Approval Signatures

IN WITNESS WHEREOF, the duly authorized representatives of the parties hereto have caused this SOW to be duly executed.

DataVox, Inc.		City of La Porte	
By: _____ (Signature)		By: _____ (Signature)	
Name: _____		Name: _____	
Title: _____		Title: _____	
Date: _____		Date: _____	

Date: _____ Technical validation provided by _____

Quote file name: _____

City of La Porte Collaboration Solution Upgrade SOW

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City of La Porte Collaboration Solution Upgrade SOW

1.0 Executive Summary

This Scope of Work (SOW) describes the Cisco Collaboration Solution upgrade that DataVox will provide City of La Porte. The document also describes the project management, project deliverables, and the pricing for these services.

Services will be provided at the following locations:

Location	Address
Police Department	3001 N 23rd St, La Porte, TX 77571
Green Cloud	Remote Work

IMPORTANT: Any locations not explicitly listed above and any services not explicitly defined in this document are considered out of scope of this project.

1.1 DataVox Assumption

- Staging of all project equipment will be done at the DataVox facility
- DataVox will be given remote VPN access to the Customer's network during the course of completing this SOW
- DataVox will be given access to the Customer's network while onsite from a DataVox provided laptop
- Cutovers at each site will be a flash cutover and not a phased cutover
- Gateway IOS has the memory and hardware version required for upgrade
- The hardware meets one of the three Cisco-defined requirements:
 - A compatible MCS
 - System that meets the Cisco specifications-based hardware configurations
 - Is one of Cisco's tested reference configurations
- When VMware licensing is required but not provided by DataVox, the appropriate licensing will be provided by the Customer before live operations of the hypervisors
- The Customer has the appropriate level of Cisco maintenance and software entitlement to provide DataVox with access to the necessary software upgrade licenses
- The existing 2900 gateways that are a part of the IOS Upgrade are properly equipped as voice gateways and SRST functionality will be the same as the current state (software upgrade only)

City of La Porte Collaboration Solution Upgrade SOW

1.2 Primary Project Contacts

The table lists the primary DataVox and City of La Porte contacts for this project.

DataVox		City of La Porte	
Name/Role	Contact Information	Name/Role	Contact Information
Steve Weber/Sales Manager	Phone: 713.881.7140 Email: steview@datavox.net	TBD	Phone: Email:

2.0 Project Management Services

This section describes the DataVox project methodology. DataVox follows the Project Management Institute (PMI) project management life cycle which includes the following phases:

- Initiating
- Planning
- Executing
- Monitoring and Controlling
- Closing

DataVox offers three (3) project management packages: Basic, Enhanced, and Premium. The following table lists the project management package that DataVox will provide.

Project Management Package		Description
<input type="checkbox"/>	Basic	<ul style="list-style-type: none"> • Facilitate kickoff meeting • Facilitate technical meeting • Project tracking and progress reporting • Facilitate wrap-up meeting
<input type="checkbox"/>	Enhanced	<ul style="list-style-type: none"> • Basic Project Management Services • Facilitate database meeting • MS Project scheduling • Lessons learned
<input checked="" type="checkbox"/>	Premium	<ul style="list-style-type: none"> • Enhanced Project Management Services • Project management planning <ul style="list-style-type: none"> • Communication plan document • Risk and issue planning

City of La Porte Collaboration Solution Upgrade SOW

Project Management Package	Description
	<ul style="list-style-type: none">• Implementation plan document• Test plan document• Implementation management workshop

As part of the project management, DataVox will assign a business team to the project soon after official project award. The project team will include an account manager, lead systems engineer, project manager, and solution architect. Additional resources will be incorporated into the core team as required by the project.

The lead project engineer will incorporate additional engineering resources in the project as needed. All personnel will have the requisite skills necessary to fulfill the project scope. DataVox strives to keep the same project team intact throughout the project but reserves the right to make changes to the team as necessary. DataVox will notify the Customer of any changes made to the team resources.

3.0 Project Deliverables

As part of this SOW, DataVox will deliver the following items:

- Project Plan
- Provide results of the system testing
- Project wrap-up documentation, such as
 - System As Built
 - Configuration files
 - Visio diagram of the system DataVox installed as part of this SOW
 - Administration and maintenance guides.

NOTES:

- The DataVox standard documentation package does not include custom documents or runbooks.
- All documents will be delivered electronically. It is the Customer's responsibility to make the necessary print copies.

4.0 In Scope Services

This section describes the services that DataVox will provide the Customer and the services that are not included in this scope of work.

4.1 General

- Work with the Customer to get upgrade licensing and install license on all servers
- Work with the Customer to install the new virtual servers

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- Set up and test the backups on the Customer's SFTP server for all the voice application servers

4.2 Upgrade Communication Manager and Voice Gateways

- Collect and prepare customer information for Cisco Unified Communication Manager upgrade
- Validate Cisco Unified Communication Manager upgrade path on upgradability matrix and prepare necessary interim processes
- Update and restart Cisco Unified Communication Manager cluster to a compatible version ready for upgrade
- Backup and restore the publisher database to an offline server to prepare for upgrade
- Perform publisher upgrade on the offline virtual server and upgrade to CUCM 10.5 version
- Work with Cisco to get the upgraded licenses for new systems
- Design Cisco Unified Communication Manager cluster as per best practices
- Setup 2 Cisco Unified Communication Manager (CUCM) Subscriber servers with CUCM grouping for different functionality Integrate CUCM with Active Directory or different Lightweight Directory Access Protocol (LDAP) directory
- Upgrade 11 existing voice gateway router(s) for local 911 dialing and Survivable Remote Site Telephony (SRST)
- Program 12 voice gateway router(s) for local 911 dialing and Survivable Remote Site Telephony (SRST)
- Upgrade phone load of 361 phones to match with the new Cisco Unified Communication Manager (CUCM) cluster
- Upgrade certificates of 361 phones to work with the upgraded version of Cisco Unified Communication Manager (CUCM)
- Setup 2 Cisco Unified Border Element (CUBE) SIP gateways and test with the carrier
- Install 12 new voice gateway router(s) at customer site(s)
- Program, test and deploy 3 PRI circuits at customer site(s)
- Setup 2 Session Initiation Protocol (SIP) gateway(s) and test with the carrier
- Program, test and deploy 14 Analog trunks at customer site(s)
- Port the numbers to new trunks at 2 locations and test
- Install and integrate Variphy with 90 days free license, and contact Variphy for WebEx customer training
- Cut-over to the new system at weekday afterhours in 1 stage(s)
- In-service support after the phone system change
- Enterprise Phone programming and deployment
- Collect and prepare customer information for phone programming
- Program 11 phones in Cisco Unified Communication Manager (CUCM) database per data provided by the customer
- Build and deploy 11 phones replacing existing phones in after-hours at the cut-over time
- Setup 2 side card module(s) for added key representations and functionality to phones

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- Provide video based phone training material to the customer for user training

Wide Area Network (WAN) design and implementation

- Assess customer's Wide Area Network (WAN) requirements and circuit connectivity from service providers
- Design new Wide Area Network (WAN) infrastructure with necessary speed, Quality of Service (QoS) settings, and routing
- Design an Dynamic Multipoint VPN network infrastructure to transport data on optimized, secure network for CJIS compliance
- Design QoS to be incorporated into the new AT&T ASE layer 2 meshed network topology
- Coordinate with carrier for customer's Wide Area Network (WAN) circuit change including routing between sites
- Install and connect 14 different Wide Area Network (WAN) devices at 14 customer sites
- Provide remote support for Green Cloud router setup
- Program the necessary changes for customer's local networks to route over the new WAN circuits
- Configure WAN connectivity to support WAN Quality of Service (QoS) for traffic prioritization
- Provide weekday afterhours onsite support for WAN circuits changeover to new WAN circuits

Project Management

Initiation & Planning

- Facilitate project kickoff meetings and set the expectations with the customer
- Facilitate technical meetings and finalize the project details
- Request necessary database documentation about customer environment to facilitate configuration
- Guide the customer to gather current database information and make changes as necessary

Project Execution

- Schedule Datavox engineering resources and maintain effective communication process with the customer
- Coordinate project schedules and manage the project with Microsoft Project scheduler

Monitoring & Control

- Track project milestones and report the progress of the project to the customer
- Facilitate weekly project status meetings to address customer concerns

Project Closure

- Facilitate project wrap-up meeting
- Provide customer specific lessons learned report

City of La Porte Collaboration Solution Upgrade SOW

4.3 Upgrade Unity Connection

- Collect and prepare customer information for voicemail upgrade
- Validate Unity Connection upgrade path on upgradability matrix and prepare necessary interim processes
- Update and restart Voicemail cluster to a patch compatible version in order to backup and prepare for upgrade
- Backup voicemail database using COBRAS tool and restore to an offline server to prepare for upgrade
- Perform Unity Connection upgrade on the offline virtual server and upgrade to UConn 10.5 version
- Work with Cisco to get the licenses upgraded and converted for new systems
- Setup Primary Cisco Unity Connection server for voicemail database and integrate with Unified Communications Manager
- Setup Secondary Cisco Unity Connection server with failover and redundancy
- Integrate Unity Connection with Active Directory or different Lightweight Directory Access Protocol (LDAP) directory
- Integrate Unity Connection with Microsoft Exchange for Unified Messaging
- Identify specific call flows and routing in voicemail and finalize the Call Handler design
- Program 3 Call Handler trees, Interactive voice response (IVR), and auto attendant features for specific requirements
- Setup and test Cisco Unity Connection cluster backup on customer's SFTP server
- Cutover to the new voicemail at weekday afterhours in 1 stage(s)
- In-service support after the voicemail change
- Basic administration training for daily system administration
- Provide video based voicemail training material to the customer for user training

4.4 Upgrade Cisco Presence Server

- Setup and deploy primary Presence server version 10.5 on Cisco Unified Communication Manager cluster
- Setup and deploy secondary Presence server version 10.5
- License Cisco Presence servers to version 10.5
- Setup certificates on Presence servers to support Jabber client connections
- Collect client information for Jabber client programming and coordinate deploying
- Configure 280 Jabber clients on CUCM cluster for call control
- Configure 20 Jabber softphone-clients on CUCM cluster
- Install and test up to 5 Jabber clients on desktops pointing to on-premises Presence server for collaboration
- Setup and test Presence cluster backup on customer's SFTP server
- Basic administration training for Presence and Jabber client setup

City of La Porte Collaboration Solution Upgrade SOW

- User training on 280 Jabber clients
- Provide video based Jabber training material to the customer for user training
- In-service support for collaboration and web conferencing

4.5 Training

DataVox will provide the Customer with a high level administrative training class. The training will be conducted by the lead project engineer. This training class is typically conducted three to five days after the system go live

IMPORTANT: The goal of this training class is to provide the Customer's technical staff tasked with administering the system to be able to perform the basic day to day system moves, adds, and changes. The training will focus on the administrative changes from the current software versions to the upgraded versions.

4.6 Out of Scope Services

The following services are outside the scope of work:

- ⊗ Validation or modification of existing LAN or WAN infrastructure (including but not limited to VLAN or QoS)
- ⊗ No IM&P/CUPS, no CER, no porting new PSTN SIP trunks
- ⊗ Purchase and installation of new phones
- ⊗ Procurement and installation of racks, cabinets and battery backups
- ⊗ Any network consulting services to configure existing network devices outside the network devices provided within this SOW and the Bill of Materials (**Appendix**).
- ⊗ Any network consulting services to implement QoS outside the network devices provided within this SOW and the Bill of Materials (see Appendix C)
- ⊗ Manage the process of coordination with the Customer's telecom service provider to order services or make changes to existing services
- ⊗ Training not listed in this SOW
- ⊗ Documentation not listed in this SOW

IMPORTANT: Miscellaneous items may be required for completion during project execution which DataVox or the Customer did not foresee (for example, copper or fiber patch cables, power cords, and optics.) If miscellaneous items are required beyond what is included in the Bill of Materials, these items will be provided by the Customer or the items can be purchased from DataVox following the standard change management process.

5.0 Baseline Responsibilities

This section provides a general list of DataVox and Customer responsibilities that are common to many services described in this scope of work.

City of La Porte Collaboration Solution Upgrade SOW

Responsibility	DataVox	City of La Porte
Participate in the project meetings including, but not limited to kickoff, design, and close out	x	x
Review physical requirements with the Customer (for example, power, space, cooling, and network)	x	
Provide the Customer guidance in the completion of the necessary database information	x	
Complete all necessary database information		x
Receive, inventory, stage, and preconfigure equipment at DataVox prior to deployment	x	
Provide access to the network and available telephony and network documentation to facilitate the project objectives		x
Provide access to the Customers technical team to collect information and answer questions about the current network and telephony configuration and to define any business requirements that will impact the configuration of the new equipment within this SOW		x
Provide any existing IP addressing and configuration standards used in the network		x
Approve the project plan		x
Provides adequate space, power and cooling based on the recommendations of DataVox		x
Provide space for receipt of project equipment at installation sites		x
Security of project equipment after it is delivered to the customer's site		x
Provide any necessary asset tagging		x
Providing adequate workspace for the DataVox project team while they are onsite at the Customer's facility		x
Sign off on the system design prior to staging of equipment		x
Allow unrestricted access to DataVox personnel to equipment included in the Bill of Materials as required to configure and troubleshoot until the Customer takes ownership of the systems		x
Allow appropriate remote access to equipment listed in the Bill of Materials until the Customer takes ownership of the systems. The remote access methods must allow connectivity for all necessary protocols and ports needed in order for DataVox to program and troubleshoot remotely		x

City of La Porte Collaboration Solution Upgrade SOW

5.1 Problems with the Customer's Legacy Equipment

VPN networks are inherently unreliable due to the inability to control the network nodes and lack of congestion management. If there are issues with a system connected over a VPN and DataVox determines this to be the root cause of an issue, any labor and/or materials required to fix the problem will be billable unless otherwise stated by DataVox. Dedicated links are suggested for any connections that need to support mission critical or real-time traffic.

Equipment that has the potential to interfere with the operation of equipment included in the Bill of Materials must be configured to allow all traffic as required to configure and/or troubleshoot. If the equipment sold by DataVox works properly when these systems are bypassed either by configuration or physical means, it is the customer's responsibility to configure and troubleshoot their equipment in order for the system to work properly. DataVox will make a reasonable effort to assist. However, this intent to assist does not imply ownership of the issue by DataVox.

Problems that are due to the customer's legacy equipment are the Customer's sole responsibility. If the issue must be resolved by DataVox, any labor and/or materials will be billable unless otherwise stated by DataVox.

5.2 Changes to the Customer's Existing Network Environment

DataVox assumes no responsibility for the configuration of the Customer's existing wired or wireless network environments. DataVox will provide network design recommendations consistent with those used to configure the network devices listed in the Bill of Materials for this SOW. It is the Customer's responsibilities to configure existing network devices using the provided design recommendations.

IMPORTANT: Network consulting services to implement the network design recommendations on existing network devices are available. These services are considered billable and outside the scope of work.

6.0 Completion Criteria

Per scope of work, the services will be considered complete when:

- In scope services detailed in Section 4.0 are completed
- The system testing is completed

7.0 Payment

This is a fixed price contract based on the criteria and assumptions in this scope of work. The cost for this contract is \$ 217,128.37 (*cost excludes shipping and sales tax*). The table summarizes cost. For detailed cost information, see the Bill of Materials in the appendix.

City of La Porte Collaboration Solution Upgrade SOW

Billing Milestones	Amount
Deposit 40%	\$ 86,851.35
Balance (progress billing)*	\$ 130,277.02
<i>*The Customer will be billed as work is completed.</i>	

8.0 Change Management Process

Either DataVox or the Customer may request a change to this SOW by issuing a Change Request in the agreed form. After a Change Request is agreed in writing by DataVox and the Customer, the change will become effective. For the purpose of the Change Request, written agreement can be communicated by email, fax, or electronic signature, provided that it is made clear that both DataVox and the Customer have agreed on the same Change Request document.

The DataVox Change Request form is available upon request.

9.0 Terms and Conditions

The *DataVox Standard Terms and Conditions* shall govern the execution of this scope of work.

http://www.datavox.net/DataVox_Standard_Terms_and_Conditions.pdf

Appendix – Bill of Materials

Quotation

Prepared By:
 Steve Weber
 Phone: (713) 881-7140
 stevew@datavox.net

Date: 21-Apr-2016
Expires: 30 Days
Quote #: OP12345

Prepared For:
 City of La Porte
 James Janoch



Contract Number : DIR-TSO-2542
 DataVox Texas DIR Vendor Number: 176-025-1479-000

Pricing Summary	Total
Product	\$ 85,748.00
Maintenance (3 Years)	\$ 50,025.60
DataVox Professional Services	\$ 81,354.77
Total (Excludes Sales Tax & Shipping)	\$ 217,128.37

Cisco Voice Upgrade

Location	General Description	SKU	Part Description	Qty	Unit Price	Ext Price	
City Hall	Cisco 4331 Voice Gateways	C1-CISCO4331/K9	Cisco ONE ISR 4331 (3GE,2NIM,1SM,4G FLASH,4G DRAM,IPB)	1	\$ 1,584.00	\$ 1,584.00	
		CON-SNTP-C14331K9	SNTP-24X7X4 C1 ISR 4331 (2GE,2NIM,1SM,4G FLASH)	1	\$ 1,864.80	\$ 1,864.80	
		SL-4330-IPB-K9	IP Base License for Cisco ISR 4330 Series	1	\$ -	\$ -	
		PWR-4330-AC	AC Power Supply for Cisco ISR 4330	1	\$ -	\$ -	
		CAB-C13-C14-2M	Power Cord Jumper, C13-C14 Connectors, 2 Meter Length	1	\$ -	\$ -	
		MEM-4300-4G	4G DRAM (2G+2G) for Cisco ISR 4330, 4350	1	\$ -	\$ -	
		MEM-FLSH-4G	4G Flash Memory for Cisco ISR 4300 (Soldered on motherboard)	1	\$ -	\$ -	
		NIM-BLANK	Blank faceplate for NIM slot on Cisco ISR 4400	1	\$ -	\$ -	
		SM-S-BLANK	Removable faceplate for SM slot on Cisco 2900,3900,4400 ISR	1	\$ -	\$ -	
		C1F1PISR4330SK9	Cisco ONE Foundation Perpetual License ISR 4331	1	\$ 960.00	\$ 960.00	
		CON-ECMU-C1F4330S	SWSS UPGRADES C1 Foundation Perpetual Lic ISR 4331	1	\$ 720.00	\$ 720.00	
		SL-4330-SEC-K9	Security License for Cisco ISR 4330 Series	1	\$ -	\$ -	
		SL-4330-APP-K9	AppX License for Cisco ISR 4330 Series	1	\$ -	\$ -	
		ISRWAAS-RTU-750	ISRWAAS 750 conns RTU for ISR4300 series	1	\$ -	\$ -	
		CON-ECMU-ISRW750	SWSS UPGRADES ISRWAAS 750 conns RT	1	\$ -	\$ -	
		VWAAS-RTU-1300	VWAAS 1300 conns RTU for UCS-E on single ISR only	1	\$ -	\$ -	
		CON-ECMU-VWS1300	SWSS UPGRADES VWAAS 1300 conns RTU	1	\$ -	\$ -	
		C1-PH-LFAS-ISR-K9	Cisco ONE PI Device License for LF & AS for ISR	1	\$ -	\$ -	
		C1-NAM-60-VX10-K9	Cisco ONE vNAM Software 6.0 and 150 Mbps License	1	\$ -	\$ -	
		C1-CEM-100-K9	Cisco ONE Energy Management - 100 DO End Points	1	\$ -	\$ -	
		C1AUIPISR4330SK9	Cisco ONE Advanced UC Perpetual License ISR 4331	1	\$ 816.00	\$ 816.00	
		CON-ECMU-C1A4330S	SWSS UPGRADES C1 Advanced UC Perpetual Lic ISR 4331	1	\$ 612.00	\$ 612.00	
		SL-4330-UC-K9	Unified Communication License for Cisco ISR 4330 Series	1	\$ -	\$ -	
		FL-CME-SRST-25	Communication Manager Express or SRST - 25 seat license	1	\$ -	\$ -	
		FL-CUBEE-5	Unified Border Element Enterprise License - 5 sessions	2	\$ -	\$ -	
		PVDM4-32	32-channel DSP module	1	\$ -	\$ -	
		SISR4300UK9-316S	Cisco ISR 4300 Series IOS XE Universal	1	\$ -	\$ -	
		NIM-4FXO	4-port Network Interface Module - FXO (Universal)	1	\$ 480.00	\$ 480.00	
		FL-SRST	Cisco Survivable Remote Site Telephony License	1	\$ -	\$ -	
		FL-CME-SRST-25	Communication Manager Express or SRST - 25 seat license	3	\$ 312.00	\$ 936.00	
Cisco 4331 Voice Gateways Total					\$ 7,348.80	\$ 7,972.80	
City Hall Total					\$ 7,348.80	\$ 7,972.80	
Various sites	Cisco 8861 IP Phone with 2 Expansion M	CP-8861-K9=	Cisco IP Phone 8861	1	\$ 333.60	\$ 333.60	
		CP-BEKM=	Cisco IP Phone 8800 Key Expansion Module	2	\$ 235.20	\$ 470.40	
		Cisco 8861 IP Phone with 2 Expansion Modules Total				\$ 568.80	\$ 804.00
		CP-8841-K9=	Cisco IP Phone 8841	10	\$ 237.60	\$ 2,376.00	
Cisco 8841 IP Phones Total					\$ 237.60	\$ 2,376.00	
Various sites Total					\$ 806.40	\$ 3,180.00	
Police Department	Cisco 4431 Voice Gateways	C1-CISCO4431/K9	Cisco ONE ISR 4431 (4GE,3NIM,8G FLASH,4G DRAM,IPB)	1	\$ 6,050.00	\$ 6,050.00	
		CON-SNTP-C14431K9	SNTP-24X7X4 C1 ISR 4431 (4GE,3NIM,8G FLASH)	1	\$ 4,828.80	\$ 4,828.80	
		SL-44-IPB-K9	IP Base License for Cisco ISR 4400 Series	1	\$ -	\$ -	
		PVDM4-64U128	PVDM4 64-channel to 128-channel factory upgrade	1	\$ 1,536.00	\$ 1,536.00	
		PWR-4430-AC	AC Power Supply for Cisco ISR 4430	1	\$ -	\$ -	
		PWR-4430-AC/2	AC Power Supply (Secondary PS) for Cisco ISR 4430	1	\$ 384.00	\$ 384.00	
		CAB-C13-C14-2M	Power Cord Jumper, C13-C14 Connectors, 2 Meter Length	2	\$ -	\$ -	
		MEM-4400-4G	4G DRAM (2G+2G) for Cisco ISR 4400	1	\$ -	\$ -	
		NIM-BLANK	Blank faceplate for NIM slot on Cisco ISR 4400	1	\$ -	\$ -	
		MEM-4400-DP-2G	2G DRAM (1 DIMM) for Cisco ISR 4400 Data Plane	1	\$ -	\$ -	
		MEM-FLSH-8G	8G eUSB Flash Memory for Cisco ISR 4430	1	\$ -	\$ -	
		C1F1PISR4400SK9	Cisco ONE Foundation Perpetual License ISR 4400	1	\$ 2,400.00	\$ 2,400.00	
		CON-ECMU-C1F1PISR	SWSS UPGRADES Cisco ONE Foundation Perpetual License I	1	\$ 1,800.00	\$ 1,800.00	
		SL-44-SEC-K9	Security License for Cisco ISR 4400 Series	1	\$ -	\$ -	
		SL-44-APP-K9	AppX License for Cisco ISR 4400 Series	1	\$ -	\$ -	
		ISRWAAS-RTU-1300	ISRWAAS RTU for 1300 connections	1	\$ -	\$ -	
		CON-ECMU-1W1300	SWSS UPGRADES ISRWAAS RTU for 1300 connections	1	\$ -	\$ -	
		C1-PH-LFAS-ISR-K9	Cisco ONE PI Device License for LF & AS for ISR	1	\$ -	\$ -	
		C1-NAM-60-VX10-K9	Cisco ONE vNAM Software 6.0 and 150 Mbps License	1	\$ -	\$ -	
		C1-CEM-100-K9	Cisco ONE Energy Management - 100 DO End Points	1	\$ -	\$ -	
		C1AUIPISR4400SK9	Cisco ONE Advanced UC Perpetual License ISR 4400	1	\$ 1,440.00	\$ 1,440.00	
		CON-ECMU-C1A4400S	SWSS UPGRADES C1 Advanced Perpetual Lic ISR 4400	1	\$ 1,080.00	\$ 1,080.00	
		SL-44-UC-K9	Unified Communication License for Cisco ISR 4400 Series	1	\$ -	\$ -	
		FL-CME-SRST-25	Communication Manager Express or SRST - 25 seat license	1	\$ -	\$ -	
		FL-CUBEE-25	Unified Border Element Enterprise License - 25 sessions	1	\$ -	\$ -	
		SISR4400UK9-316S	Cisco ISR 4400 Series IOS XE Universal	1	\$ -	\$ -	
		FL-CUBEE-25	Unified Border Element Enterprise License - 25 sessions	2	\$ 1,437.60	\$ 2,875.20	
		NIM-2MFT-T1/E1	2 port Multiflex Trunk Voice/Clear-channel Data T1/E1 Module	1	\$ 1,056.00	\$ 1,056.00	
		PVDM4-64	64-channel DSP module	1	\$ 1,870.00	\$ 1,870.00	
		NIM-4FXO	4-port Network Interface Module - FXO (Universal)	1	\$ 480.00	\$ 480.00	
Cisco 4431 Voice Gateways Total					\$ 24,362.40	\$ 25,800.00	
Police Department Total					\$ 24,362.40	\$ 25,800.00	
ITC	Cisco 4431 Voice Gateways	C1-CISCO4431/K9	Cisco ONE ISR 4431 (4GE,3NIM,8G FLASH,4G DRAM,IPB)	1	\$ 5,280.00	\$ 5,280.00	

		CON-SNTP-C14431K9	SNTP-24X7X4 C1 ISR 4431 (4GE,3NIM,8G FLASH)	1	\$	4,828.80	\$	4,828.80
		SL-44-IPB-K9	IP Base License for Cisco ISR 4400 Series	1	\$	-	\$	-
		PWR-4430-AC	AC Power Supply for Cisco ISR 4430	1	\$	-	\$	-
		PWR-4430-AC/2	AC Power Supply (Secondary PS) for Cisco ISR 4430	1	\$	384.00	\$	384.00
		CAB-C13-C14-2M	Power Cord Jumper, C13-C14 Connectors, 2 Meter Length	2	\$	-	\$	-
		MEM-4400-4G	4G DRAM (2G+2G) for Cisco ISR 4400	1	\$	-	\$	-
		NIM-BLANK	Blank faceplate for NIM slot on Cisco ISR 4400	2	\$	-	\$	-
		MEM-4400-DP-2G	2G DRAM (1 DIMM) for Cisco ISR 4400 Data Plane	1	\$	-	\$	-
		MEM-FLSH-8G	8G eUSB Flash Memory for Cisco ISR 4430	1	\$	-	\$	-
		C1F1PISR4400SK9	Cisco ONE Foundation Perpetual License ISR 4400	1	\$	2,400.00	\$	2,400.00
		CON-ECMU-C1F1PISR	SWSS UPGRADES Cisco ONE Foundation Perpetual License I	1	\$	1,800.00	\$	1,800.00
		SL-44-SEC-K9	Security License for Cisco ISR 4400 Series	1	\$	-	\$	-
		SL-44-APP-K9	AppX License for Cisco ISR 4400 Series	1	\$	-	\$	-
		ISRWAAS-RTU-1300	ISRWAAS RTU for 1300 connections	1	\$	-	\$	-
		CON-ECMU-IW1300	SWSS UPGRADES ISRWAAS RTU for 1300 connections	1	\$	-	\$	-
		C1-PH-LFAS-ISR-K9	Cisco ONE PI Device License for LF & AS for ISR	1	\$	-	\$	-
		C1-NAM-60-VX10-K9	Cisco ONE vNAM Software 6.0 and 150 Mbps License	1	\$	-	\$	-
		C1-CEM-100-K9	Cisco ONE Energy Management - 100 DO End Points	1	\$	-	\$	-
		C1AUPISR4400SK9	Cisco ONE Advanced UC Perpetual License ISR 4400	1	\$	1,440.00	\$	1,440.00
		CON-ECMU-C1A4400S	SWSS UPGRADES C1 Advanced Perpetual Lic ISR 4400	1	\$	1,080.00	\$	1,080.00
		SL-44-UC-K9	Unified Communication License for Cisco ISR 4400 Series	1	\$	-	\$	-
		FL-CME-SRST-25	Communication Manager Express or SRST - 25 seat license	1	\$	-	\$	-
		FL-CUBEE-25	Unified Border Element Enterprise License - 25 sessions	1	\$	-	\$	-
		SISR4400UK9-316S	Cisco ISR 4400 Series IOS XE Universal	1	\$	-	\$	-
		FL-CUBEE-25	Unified Border Element Enterprise License - 25 sessions	2	\$	1,437.60	\$	2,875.20
		NIM-1MFT-T1/E1	1 port Multiflex Trunk Voice/Clear-channel Data T1/E1 Module	1	\$	686.40	\$	686.40
		PVDM4-32	32-channel DSP module	1	\$	816.00	\$	816.00
		PVDM4-64	64-channel DSP module	1	\$	-	\$	-
		Cisco 4431 Voice Gateways Total				\$ 20,152.80		\$ 21,590.40
		ITC Total				\$ 20,152.80		\$ 21,590.40
Green Cloud Headend	Cisco 4431 Voice Gateways	C1-CISCO4431K9	Cisco ONE ISR 4431 (4GE,3NIM,8G FLASH,4G DRAM,IPB)	1	\$	5,280.00	\$	5,280.00
		CON-SNTP-C14431K9	SNTP-24X7X4 C1 ISR 4431 (4GE,3NIM,8G FLASH)	1	\$	4,828.80	\$	4,828.80
		SL-44-IPB-K9	IP Base License for Cisco ISR 4400 Series	1	\$	-	\$	-
		PVDM4-64U128	PVDM4 64-channel to 128-channel factory upgrade	1	\$	1,536.00	\$	1,536.00
		PWR-4430-AC	AC Power Supply for Cisco ISR 4430	1	\$	-	\$	-
		PWR-4430-AC/2	AC Power Supply (Secondary PS) for Cisco ISR 4430	1	\$	384.00	\$	384.00
		CAB-C13-C14-2M	Power Cord Jumper, C13-C14 Connectors, 2 Meter Length	2	\$	-	\$	-
		MEM-4400-4G	4G DRAM (2G+2G) for Cisco ISR 4400	1	\$	-	\$	-
		NIM-BLANK	Blank faceplate for NIM slot on Cisco ISR 4400	3	\$	-	\$	-
		MEM-4400-DP-2G	2G DRAM (1 DIMM) for Cisco ISR 4400 Data Plane	1	\$	-	\$	-
		MEM-FLSH-8G	8G eUSB Flash Memory for Cisco ISR 4430	1	\$	-	\$	-
		C1F1PISR4400SK9	Cisco ONE Foundation Perpetual License ISR 4400	1	\$	2,400.00	\$	2,400.00
		CON-ECMU-C1F1PISR	SWSS UPGRADES Cisco ONE Foundation Perpetual License I	1	\$	1,800.00	\$	1,800.00
		SL-44-SEC-K9	Security License for Cisco ISR 4400 Series	1	\$	-	\$	-
		SL-44-APP-K9	AppX License for Cisco ISR 4400 Series	1	\$	-	\$	-
		ISRWAAS-RTU-1300	ISRWAAS RTU for 1300 connections	1	\$	-	\$	-
		CON-ECMU-IW1300	SWSS UPGRADES ISRWAAS RTU for 1300 connections	1	\$	-	\$	-
		C1-PH-LFAS-ISR-K9	Cisco ONE PI Device License for LF & AS for ISR	1	\$	-	\$	-
		C1-NAM-60-VX10-K9	Cisco ONE vNAM Software 6.0 and 150 Mbps License	1	\$	-	\$	-
		C1-CEM-100-K9	Cisco ONE Energy Management - 100 DO End Points	1	\$	-	\$	-
		C1AUPISR4400SK9	Cisco ONE Advanced UC Perpetual License ISR 4400	1	\$	1,440.00	\$	1,440.00
		CON-ECMU-C1A4400S	SWSS UPGRADES C1 Advanced Perpetual Lic ISR 4400	1	\$	1,080.00	\$	1,080.00
		SL-44-UC-K9	Unified Communication License for Cisco ISR 4400 Series	1	\$	-	\$	-
		FL-CME-SRST-25	Communication Manager Express or SRST - 25 seat license	1	\$	-	\$	-
		FL-CUBEE-25	Unified Border Element Enterprise License - 25 sessions	1	\$	-	\$	-
		SISR4400UK9-316S	Cisco ISR 4400 Series IOS XE Universal	1	\$	-	\$	-
		FL-CUBEE-25	Unified Border Element Enterprise License - 25 sessions	2	\$	1,437.60	\$	2,875.20
		Cisco 4431 Voice Gateways Total				\$ 20,186.40		\$ 21,624.00
Green Cloud Headend Total						\$ 20,156.40		\$ 21,624.00
SRST for EMS, Treatment	Cisco 4331 Voice Gateways	C1-CISCO4331K9	Cisco ONE ISR 4331 (3GE,2NIM,1SM,4G FLASH,4G DRAM,IPB)	5	\$	1,584.00	\$	7,920.00
		CON-SNTP-C14331K9	SNTP-24X7X4 C1 ISR 4331 (2GE,2NIM,1SM,4G FLASH)	5	\$	1,864.80	\$	9,324.00
		SL-4330-IPB-K9	IP Base License for Cisco ISR 4330 Series	5	\$	-	\$	-
		PWR-4330-AC	AC Power Supply for Cisco ISR 4330	5	\$	-	\$	-
		CAB-C13-C14-2M	Power Cord Jumper, C13-C14 Connectors, 2 Meter Length	5	\$	-	\$	-
		MEM-4300-4G	4G DRAM (2G+2G) for Cisco ISR 4330, 4350	5	\$	-	\$	-
		MEM-FLSH-4G	4G Flash Memory for Cisco ISR 4300 (Soldered on motherboard)	5	\$	-	\$	-
		NIM-BLANK	Blank faceplate for NIM slot on Cisco ISR 4400	5	\$	-	\$	-
		SM-S-BLANK	Removable faceplate for SM slot on Cisco 2900,3900,4400 ISR	5	\$	-	\$	-
		C1F1PISR4330SK9	Cisco ONE Foundation Perpetual License ISR 4331	5	\$	960.00	\$	4,800.00
		CON-ECMU-C1F4330S	SWSS UPGRADES C1 Foundation Perpetual Lic ISR 4331	5	\$	720.00	\$	3,600.00
		SL-4330-SEC-K9	Security License for Cisco ISR 4330 Series	5	\$	-	\$	-
		SL-4330-APP-K9	AppX License for Cisco ISR 4330 Series	5	\$	-	\$	-
		ISRWAAS-RTU-750	ISRWAAS 750 conns RTU for ISR4300 series	5	\$	-	\$	-
		CON-ECMU-ISR750	SWSS UPGRADES ISRWAAS 750 conns RT	5	\$	-	\$	-
		VVAAS-RTU-1300	VVAAS 1300 conns RTU for UCS-E on single ISR only	5	\$	-	\$	-
		CON-ECMU-VWS1300	SWSS UPGRADES VVAAS 1300 conns RTU	5	\$	-	\$	-
		C1-PH-LFAS-ISR-K9	Cisco ONE PI Device License for LF & AS for ISR	5	\$	-	\$	-
		C1-NAM-60-VX10-K9	Cisco ONE vNAM Software 6.0 and 150 Mbps License	5	\$	-	\$	-
		C1-CEM-100-K9	Cisco ONE Energy Management - 100 DO End Points	5	\$	-	\$	-
		C1AUPISR4330SK9	Cisco ONE Advanced UC Perpetual License ISR 4331	5	\$	816.00	\$	4,080.00
		CON-ECMU-C1A4330S	SWSS UPGRADES C1 Advanced UC Perpetual Lic ISR 4331	5	\$	612.00	\$	3,060.00
		SL-4330-UC-K9	Unified Communication License for Cisco ISR 4330 Series	5	\$	-	\$	-
		FL-CME-SRST-25	Communication Manager Express or SRST - 25 seat license	5	\$	-	\$	-
		FL-CUBEE-5	Unified Border Element Enterprise License - 5 sessions	10	\$	-	\$	-
		PVDM4-32	32-channel DSP module	5	\$	-	\$	-
		SISR4300UK9-316S	Cisco ISR 4300 Series IOS XE Universal	5	\$	-	\$	-
		NIM-4FXO	4-port Network Interface Module - FXO (Universal)	5	\$	480.00	\$	2,400.00
		FL-CME-SRST-5	Communication Manager Express or SRST - 5 seat license	10	\$	81.60	\$	816.00
		Cisco 4331 Voice Gateways Total				\$ 7,118.40		\$ 36,000.00
SRST for EMS, Treatment, Public Works, Parks and Fire Station 1 Total						\$ 7,118.40		\$ 36,000.00
Animal Control	Cisco 4321 Voice Gateways	C1-CISCO4321K9	Cisco ONE ISR 4321 (2GE,2NIM,4G FLASH,4G DRAM,IPB)	1	\$	957.60	\$	957.60
		CON-SNTP-C14321K9	SNTP-24X7X4 C1 ISR 4321 (2GE,2NIM,4G FLASH)	1	\$	1,185.60	\$	1,185.60
		SL-4320-IPB-K9	IP Base License for Cisco ISR 4320 Series	1	\$	-	\$	-
		PWR-4320-AC	AC Power Supply for Cisco ISR 4320	1	\$	-	\$	-
		CAB-AC-C5	AC Power Cord, Type C5, US, Canada	1	\$	-	\$	-
		MEM-FLSH-4G	4G Flash Memory for Cisco ISR 4300 (Soldered on motherboard)	1	\$	-	\$	-
		MEM-4320-4G	4G DRAM for Cisco ISR 4320 (Soldered on motherboard)	1	\$	-	\$	-
		NIM-BLANK	Blank faceplate for NIM slot on Cisco ISR 4400	1	\$	-	\$	-
		C1F1PISR4320SK9	Cisco ONE Foundation Perpetual License ISR 4321	1	\$	720.00	\$	720.00
		CON-ECMU-C1F4320S	SWSS UPGRADES C1 Foundation Perpetual Lic ISR 4321	1	\$	540.00	\$	540.00
		SL-4320-SEC-K9	Security License for Cisco ISR 4320 Series	1	\$	-	\$	-
		SL-4320-APP-K9	AppX License for Cisco ISR 4320 Series	1	\$	-	\$	-
		ISRWAAS-200-RTU	ISRWAAS software 200 conns for ISR4300 series	1	\$	-	\$	-

		CON-ECMU-ISRW200	SWSS UPGRADES ISRWAAS software 200 conns for ISR4300 s	1	\$	-	\$	-
		C1-PH-FAS-ISR-K9	Cisco ONE PI Device License for LF & AS for ISR	1	\$	-	\$	-
		C1-NAM-60-VX10-K9	Cisco ONE vNAM Software 6.0 and 150 Mbps License	1	\$	-	\$	-
		C1-CEM-100-K9	Cisco ONE Energy Management - 100 DO End Points	1	\$	-	\$	-
		C1AUPISR4320SK9	Cisco ONE Advanced UC Perpetual License ISR 4321	1	\$	528.00	\$	528.00
		CON-ECMU-C1A4320S	SWSS UPGRADES C1 Advanced UC Perpetual Lic ISR 4321	1	\$	396.00	\$	396.00
		SL-4320-UC-K9	Unified Communication License for Cisco ISR 4320 Series	1	\$	-	\$	-
		FL-CME-SRST-25	Communication Manager Express or SRST - 25 seat license	1	\$	-	\$	-
		FL-CUBEE-5	Unified Border Element Enterprise License - 5 sessions	2	\$	-	\$	-
		SISR4300UK9-316S	Cisco ISR 4300 Series IOS XE Universal	1	\$	-	\$	-
		NIM-4FXO	4-port Network Interface Module - FXO (Universal)	1	\$	480.00	\$	480.00
		CAB-C13-C14-2M=	Power Cord Jumper, C13-C14 Connectors, 2 Meter Length	1	\$	24.00	\$	24.00
		Cisco 4321 Voice Gateways Total				\$ 4,831.20		\$ 4,831.20
Animal Control Total						\$ 4,831.20		\$ 4,831.20
Police Department and Courthouse	Cisco Communications Manager Licensing	CUWL-11X-K9	Unified Workspace Licensing v. 11.x	1	\$	-	\$	-
		CON-ECMU-CUW1LXK9	SWSS UPGRADES Unified Workspace Licensing v. 11.x	1	\$	-	\$	-
		NEW-UWL	New or Migration users for a new CUWL Deployment	1	\$	-	\$	-
		UCAPPS-SW-11.X-K9	Version 11.x Software Kit	1	\$	-	\$	-
		UWL-11X-STD	CUWL Standard 11.x Users - Service Use Only	20	\$	-	\$	-
		CON-ECMU-UWL11XS1	SWSS UPGRADES CUWL Standard 11.x Users - Service Use O	20	\$	120.00	\$	2,400.00
		VXME-LINUX-K9-RTU	VXME for SUSE Linux Right to Use	1	\$	-	\$	-
		VXME-LINUX-UWL	Cisco VXME for SUSE Linux for CUWL	1	\$	-	\$	-
		VXME-WIN-K9-RTU	VXME for Windows Right to Use	1	\$	-	\$	-
		VXME-WINDOWS-UWL	Cisco VXME for Windows for CUWL	1	\$	-	\$	-
		JAB-SDK-K9-RTU	Jabber Software Development Kit RTU	1	\$	-	\$	-
		CIPC-UWL-RTU	CIPC UWL Right to Use Certificate	1	\$	-	\$	-
		CUCILYNC-CLNT-UWL	Cisco Unified Comm Integration for Lync for CUWL only	2	\$	-	\$	-
		CUCILYNC-UWL-RTU	CUCILYNC UWL Right to Use Certificate	1	\$	-	\$	-
		EXPWY-VE-C-K9	Cisco Expressway-C Server, Virtual Edition	6	\$	-	\$	-
		EXPWY-VE-E-K9	Cisco Expressway-E Server, Virtual Edition	6	\$	-	\$	-
		IPC8-CLIENT-UWL	IP Communicator 8.x for CUWL only	2	\$	-	\$	-
		JAB-ADR-CLNT-UWL	Jabber for Android CUWL Only	6	\$	-	\$	-
		JAB-ADR-RTU	Jabber for Android Right to Use	1	\$	-	\$	-
		JABBER-DESKTOP	Jabber for Desktop for PC and Mac	15	\$	-	\$	-
		JABBER-DSK-K9-RTU	Jabber for Desktop Right to Use	1	\$	-	\$	-
		JABBER-SDK	Jabber Software Development Kit	1	\$	-	\$	-
		JABBER-TABLET	Jabber for iPad and Android Tablet	6	\$	-	\$	-
		JABBER-TABLET-RTU	Jabber for Tablet Right to Use	1	\$	-	\$	-
		JAB-IPH-CLNT-UWL	Jabber for iPhone CUWL Only	8	\$	-	\$	-
		JAB-IPH-RTU	Jabber for iPhone Right to Use	1	\$	-	\$	-
		LIC-EXP-AN	Enable Advanced Networking Option	6	\$	-	\$	-
		LIC-EXP-E	Enable Expressway-E Feature Set	6	\$	-	\$	-
		LIC-EXP-E-PAK	Expressway Series, Expressway-E PAK	1	\$	-	\$	-
		LIC-EXP-GW	Enable GW Feature (H323-SIP)	12	\$	-	\$	-
		LIC-EXP-SERIES	Enable Expressway Series Feature Set	12	\$	-	\$	-
		LIC-EXP-TURN	Enable TURN Relay Option	6	\$	-	\$	-
		LIC-SW-EXP-K9	License Key Software Encrypted	12	\$	-	\$	-
		SW-EXP-8.X-K9	Software Image for Expressway with Encryption, Version X8	1	\$	-	\$	-
		UPG-UCM10TO11-ETOS	UC Manager Upgrade ENH to STD, v10.x to 11.x, 1 user	20	\$	-	\$	-
		MIGE-A-UWL-11X-STD	Migrate Enh UCM + App to UWL Standard Edition 11.x User	20	\$	25.00	\$	500.00
		UC-8.X-OR-EARLIER	Version 8.x or Earlier	1	\$	-	\$	-
		UCXN	Migrating from Unity Connection Standalone to CUWL	1	\$	-	\$	-
		Cisco Communications Manager Licensing Total				\$ 145.00		\$ 2,900.00
Police Department and Courthouse	Green Cloud Total					\$ 145.00		\$ 2,900.00
Courthouse	Cisco 4331 Voice Gateways	C1-CISCO4331/K9	Cisco ONE ISR 4331 (3GE, 2NIM, 1SM, 4G FLASH, 4G DRAM, IPB)	1	\$	1,584.00	\$	1,584.00
		CON-SNTP-C14331K9	SNTP-24X7X4 C1 ISR 4331 (2GE, 2NIM, 1SM, 4G FLASH)	1	\$	1,864.80	\$	1,864.80
		SL-4330-IPB-K9	IP Base License for Cisco ISR 4330 Series	1	\$	-	\$	-
		PWR-4330-AC	AC Power Supply for Cisco ISR 4330	1	\$	-	\$	-
		CAB-C13-C14-2M	Power Cord Jumper, C13-C14 Connectors, 2 Meter Length	1	\$	-	\$	-
		MEM-4300-4G	4G DRAM (2G+2G) for Cisco ISR 4330, 4350	1	\$	-	\$	-
		MEM-FLSH-4G	4G Flash Memory for Cisco ISR 4300 (Soldered on motherboard)	1	\$	-	\$	-
		SM-S-BLANK	Removable faceplate for SM slot on Cisco 2900, 3900, 4400 ISR	1	\$	-	\$	-
		C1F1PISR4330SK9	Cisco ONE Foundation Perpetual License ISR 4331	1	\$	960.00	\$	960.00
		CON-ECMU-C1F4330S	SWSS UPGRADES C1 Foundation Perpetual Lic ISR 4331	1	\$	720.00	\$	720.00
		SL-4330-SEC-K9	Security License for Cisco ISR 4330 Series	1	\$	-	\$	-
		SL-4330-APP-K9	AppX License for Cisco ISR 4330 Series	1	\$	-	\$	-
		ISRWAAS-RTU-750	ISRWAAS 750 conns RTU for ISR4300 series	1	\$	-	\$	-
		CON-ECMU-ISRW750	SWSS UPGRADES ISRWAAS 750 conns RT	1	\$	-	\$	-
		VWAAS-RTU-1300	VWAAS 1300 conns RTU for UCS-E on single ISR only	1	\$	-	\$	-
		CON-ECMU-VWS1300	SWSS UPGRADES VWAAS 1300 conns RTU	1	\$	-	\$	-
		C1-PH-FAS-ISR-K9	Cisco ONE PI Device License for LF & AS for ISR	1	\$	-	\$	-
		C1-NAM-60-VX10-K9	Cisco ONE vNAM Software 6.0 and 150 Mbps License	1	\$	-	\$	-
		C1-CEM-100-K9	Cisco ONE Energy Management - 100 DO End Points	1	\$	-	\$	-
		C1AUPISR4330SK9	Cisco ONE Advanced UC Perpetual License ISR 4331	1	\$	816.00	\$	816.00
		CON-ECMU-C1A4330S	SWSS UPGRADES C1 Advanced UC Perpetual Lic ISR 4331	1	\$	612.00	\$	612.00
		SL-4330-UC-K9	Unified Communication License for Cisco ISR 4330 Series	1	\$	-	\$	-
		FL-CME-SRST-25	Communication Manager Express or SRST - 25 seat license	1	\$	-	\$	-
		FL-CUBEE-5	Unified Border Element Enterprise License - 5 sessions	2	\$	-	\$	-
		PVDM4-32	32-channel DSP module	1	\$	-	\$	-
		SISR4300UK9-316S	Cisco ISR 4300 Series IOS XE Universal	1	\$	-	\$	-
		NIM-4FXO	4-port Network Interface Module - FXO (Universal)	1	\$	480.00	\$	480.00
		FL-SRST	Cisco Survivable Remote Site Telephony License	1	\$	-	\$	-
		FL-CME-SRST-25	Communication Manager Express or SRST - 25 seat license	3	\$	312.00	\$	936.00
		NIM-1MFT-T1/E1	1 port Multiflex Trunk Voice/Clear-channel Data T1/E1 Module	1	\$	686.40	\$	686.40
		PVDM4-32	32-channel DSP module	1	\$	816.00	\$	816.00
		Cisco 4331 Voice Gateways Total				\$ 8,851.20		\$ 9,475.20
Courthouse Total						\$ 8,851.20		\$ 9,475.20
Fire Station 2,3,4 and Golf Course Total	Security License for Routers	SL-4320-SEC-K9=	Security License for Cisco ISR 4320 Series	4	\$	600.00	\$	2,400.00
	Security License for Routers Total					\$ 600.00		\$ 2,400.00
						\$ 600.00		\$ 2,400.00



Quotation

Prepared By:
 Steve Weber
 Phone: (713) 881-7140
 stevew@datavox.net

Date: 21-Apr-2016
Expires: 30 Days
Quote #: OP12345

Prepared For:
 City of La Porte
 James Janoch
 (281) 470-5031
 janochj@laportetx.gov

Pricing Summary		Total
Product		\$ 92,425.00
Maintenance (1 Year)		\$ -
Datavox Professional Services		\$ -
Total (Excludes Sales Tax & Shipping)		\$ 92,425.00

Power and Cooling

General Description	SKU	Part Description	Qty	Unit Price	Ext Price
		We propose to furnish and/or install the following : Scope of work: Set in place Floor Mounted CRAC unit & condenser unit. Provide & Install refrigerant pipe, water pipe and drain line for new unit. Charge unit with R-410A refrigerant. Cut hole in wall for pipe penetration. Start-up & test operation			
Mechanical Installation	Mechanical Installation		1	\$ 61,475.00	\$ 61,475.00
	Mechanical Installation	Provide concrete pad (6' x 5' x 3") for condensing unit	1	\$ 6,725.00	\$ 6,725.00
	Mechanical Installation	Provide chain link fencing around condensing unit	1	\$ 4,280.00	\$ 4,280.00
	Mechanical Installation	Provide foliage (Oleanders) around fence	1	\$ 2,995.00	\$ 2,995.00
Mechanical Installation Total				\$ 75,475.00	\$ 75,475.00
		Supply power for a UPS and an AC condensing unit at LPPD: Supply and Install necessary conduit and wiring to power up new UPS and exterior condensing unit (approximately 200+ft from electrical room). Demo existing single phase disconnect and install			
Electrical Installation	Electrical Installation		1	\$ 16,950.00	\$ 16,950.00
Electrical Installation Total				\$ 16,950.00	\$ 16,950.00

Server		CPU	RAM	Storage	Storage Type
	10M Cisco ASA v	Network & Security Bundle			
	IaaS - Live VM's				
TermServer		1	2	100	SAS
LPDC10		1	4	75	SAS
	Express Restore (Zerto) - 1 Hour RTO				
ACCESSCTRL		1	2	40	SATA
DMS01		1	4	50	SAS
DMS02		1	4	48	SAS
EMS02		1	2	48	SATA
EPO		1	2	37	SATA
FLEETPROD		1	2	34	SATA
FSECURE		1	2	31	SATA
GIS10		1	2	36	SATA
IISINTERNAL		1	4	28	SAS
LASERFICHE		1	4	63	SAS
NETSERVICES01		1	4	51	SAS
PRINTSERVER10		1	4	41	SAS
SOLARWINDS		1	2	47	SATA
SQL02		2	8	674	SAS
SQL03		2	8	129	SAS
TRACKIT		1	2	53	SATA
WSUS		1	2	304	SATA
ITNAS		1	4	3966	SATA
Cisco UC Seeding					
TOTALS					
Servers	CPUs		RAM	Storage	
20	22		68	5855	

Total	
Monthly	Install Waved
\$ 4,325.24	\$ -

3 year contract term

Green Cloud



AT&T
BUDGETARY QUOTE
PRESENTED TO
City of LaPorte



AT&T DIR Contract number: DIR-SDD-2258

ASE

Location	Access	Port	MRC
1301 S 4th Street 77571 (281471) - Waste Water	1G	50	\$ 929.66
1322 S Broadway 77571 (281471) - RFC	1G	50	\$ 929.66
10428 Spencer - EMS	1G	100	\$ 1,008.00
2963 N 23rd St - Public Works	1G	100	\$ 1,008.00
10901 Spencer - Animal Control	1G	20	\$ 780.00
604 W Fairmont Pkwy - City Hall	1G	100	\$ 1,008.00
201 Bay Forest - Golf Course	1G	50	\$ 929.66
3005 N 23Rd - Courts	1G	50	\$ 929.66
2900 S Broadway - Fire Station 4	1G	50	\$ 929.66
2400 Sens Rd - Fire Station 3	1G	50	\$ 929.66
9710 Spencer - Fire Station 2	1G	50	\$ 929.66
125 S 3rd St - Fire Station 1	1G	50	\$ 929.66
3001 N 23rd - Police Station	1G	500	\$ 1,411.20
9832 Spencer - ITC	1G	500	\$ 1,411.20
425 Duke Dr, Franklin, TN 37067 - Colo	1G	400	\$ 1,352.96
Total			\$ 15,416.64

EAMIS

	Access	Port	MRC
3001 N 23rd - Police Station	100	100	\$ 1,665.25
9832 Spencer - ITC	100	100	\$ 1,665.25
425 Duke Dr, Franklin, TN 37067 - Colo	20	20	\$ 749.26
Total			\$ 4,079.76

SIP Trunking

	Trunks	MRC	EFS MRC
3001 N 23rd - Police Station	75	\$ 1,155.00	\$ 150.00
425 Duke Dr, Franklin, TN 37067 - Colo	75	\$ 1,155.00	\$ 150.00
Total			\$ 2,610.00

Total Monthly Charges \$ 22,106.40

Mike Jones
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713-881-7493

Greg Snyder
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281-814-7579



Pricing Proposal
 Quotation #: 11323090
 Created On: 4/4/2016
 Valid Until: 5/27/2016

CITY OF LA PORTE

Account Executive, East Texas, Public Sector

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 Email: Tara_Hayes@shi.com

All Prices are in US Dollar (USD)

Product	Qty	Your Price	Total
1 Windows Enterprise - Upgrade & software assurance - 1 license - Enterprise - All Languages Microsoft - Part#: KV3-00381 Coverage Term: 5/23/2016 – 5/31/2019 Note: NEW EA TO START IN MAY 2016 - 3 YEAR AGREEMENT, ANNUAL PAYMENTS	350	\$52.70	\$18,445.00
2 Microsoft Core CAL - License & software assurance - 1 user CAL - Enterprise, Select, Select Plus - All Languages Microsoft - Part#: W06-00445	350	\$85.60	\$29,960.00
3 Microsoft SQL Server Standard Core Edition - License & software assurance - 2 cores - Enterprise, Select, SPLA, Select Plus - Win - All Languages Microsoft - Part#: 7NQ-00302 Note: NOT for HA Environment	4	\$1,350.60	\$5,402.40
4 Microsoft Windows Server Datacenter Edition - License & software assurance - 2 processors - academic - Campus, School, Enterprise, Select, Select Plus - All Languages Microsoft - Part#: P71-07280	3	\$2,318.70	\$6,956.10
		Total	\$60,763.50

Additional Comments

NEW EA TO START IN MAY 2016 - 3 YEAR AGREEMENT, ANNUAL PAYMENTS

Thank You for choosing SHI-GS! To ensure the best level of service, please provide End User Name, Phone Number, and E-Mail Address when submitting a Purchase Order. For any additional information including Hardware and Software Contract Numbers, please contact an SHI-GS Sales Representative at 800-870-6079.

The Products offered under this proposal are subject to the SHI Return Policy posted at www.shi.com/returnpolicy, unless there is an existing agreement between SHI and the Customer.

001-6066-519.40-50 Computer Hardware		
Dell DL4300 Backup & Recovery Appliance	\$	30,000.00
Two Server for EMC Phone Home	\$	15,000.00
001-6066-519.40-55 Computer Software		
Microsoft Server Standard for 2 EMC Server Phone Home	\$	3,000.00
	\$	3,000.00
001-6066-519.50-07 Other Professional Services		
DataCenter Cooling System/New Electrical Layout	\$	40,000.00
NOC Colling System Improvements		
Electrical Work in the NOC		
	\$	40,000.00
023-9902-580.80-23 Capital Outlay / Computer Equipment		
INCODE Server Hardware for ESX 1 Host	\$	182,000.00
SQL Server Enterprise per VM 1 Core		
Server 2012 DataCenter per 2 CPU		
Vsphere Enterprise Licensing		
The Remaining in MC Budget - \$18,000	\$	18,000.00
	\$	200,000.00
023-9903-580.80-23 Capital Outlay / Computer Equipment		
UPS & PDU Hardware for PD DataCenter	\$	75,000.00
	\$	75,000.00
023-9904-580.80-23 Capital Outlay / Computer Equipment		
Router/Switch Upgrade		
PD IDF Switch Replacement	\$	74,357.26
CMA - 2GIG Switch	\$	20,000.00
Microsoft Windows OS Server DataCenter Edition	\$	40,000.00
License & Software Assurance for VM Environment		
12 CPU (Cores)		
Microsoft Windows 2012 License Cal	\$	12,000.00
500 Installation Seats		
UPS & PDU Hardware for PD DataCenter	\$	75,000.00
	\$	221,357.26
023-9905-580.80-23 Capital Outlay / Computer Equipment		
CISCO Telephone System Upgrade	\$	100,000.00
	\$	100,000.00
Total funds available for project: \$ 684,357.26		
Total of funds in 001	\$	88,000.00
Total of funds in 023	\$	596,357.26
	\$	684,357.26

Expense Summary	
Capital Expense	
Cisco voice system upgrade	\$217,128.37
UCS Servers and Nimble storage	\$155,063.73
Nexus 9K	\$69,377.20
Power and cooling	\$92,425.00
Total capital expense	\$533,994.30
Microsoft Licensing Costs	\$60,763.50
Est. monthly cost for Aug & Sep*	\$52,863.28
Total capital expense	\$533,994.30
Amount due in current FY	\$647,621.08
*Monthly Recurring Cost	
Green Cloud	\$4,325.24
AT&T circuits	\$22,106.40
Total monthly recurring cost	\$26,431.64
Annual recurring cost	\$317,179.68

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: May 9, 2016

Appropriation

Requested By: Corby Alexander

Source of Funds:

Department: Administration

Account Number:

Report: Resolution: Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item: YES NO

Attachments :

1. Map
2. Letter and Deed from City Attorney

SUMMARY & RECOMMENDATIONS

Recently, the City Council took action to vacate, abandon, and close a portion of Madison Street, between N 7th and N 8th. The buyer, Mr. Walter Johnson, intention was to add the newly closed ROW to his current development. However, due to utilities that must remain in the closed ROW, Mr. Johnson is not able to construct a residential home on the portion of Madison fronting N. 7th. Consequently, Mr. Johnson has opted to deed the property back to the City (only the portion fronting Madison).

Action Required of Council:

Consider approve or other action regarding acceptance of a deed conveying the east 141 feet of the 80-foot wide former Madison ROW back to the City of La Porte.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

AREA MAP



100

101

102

INITIAL CLOSING OF
W MADISON ST. R-O-W
(ORD. #2016-3617)

141'

80'

W MADISON ST

266'

PROPOSED RECONVEYANCE
OF MADISON ST R-O-W
FROM WALTER JOHNSON

93

N 8TH ST

92

N 7TH ST

91

1 inch = 100 feet

askins & askins P.C.

ATTORNEYS and COUNSELORS

Knox W. Askins

Clark T. Askins

April 5, 2016

Mr. Brian Sterling
GIS Manager
SterlingB@laportetx.gov

Dear Brian:

Walter Johnson wants to re-convey to the City of La Porte, as a gift, the east 141 feet of the 80' wide former Madison Street right-of-way, to be used by the City of La Porte as a Green Belt Area.

Please review the enclosed draft of re-conveyance deed which I have prepared, and give me your comments for any revisions.

Thank you for your kind assistance in this matter.

Yours very truly,



Knox W. Askins

KWA/am
Enclosures

cc: Mr. Corby Alexander
alexanderc@laportetx.gov

Mr. Clark T. Askins
ctaskins@swbell.net

Mr. Walter E. Johnson
walterj1936@gmail.com

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: April 5, 2016

Grantors: La Porte Commercial Properties, L.P.
1000 Uptown Park Blvd., #81, Houston, Texas 77056

Bayport Enterprises, L.L.C.
1000 Uptown Park Blvd., #81, Houston, Texas 77056

Grantee: City of La Porte

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

Consideration: This is a gift by Grantors to the City of La Porte, to be used by the City of La Porte for right-of-way purposes and as a Green Belt Area

Property (including any improvements):

THE EAST 141 FEET OF THE FORMER MADISON STREET RIGHT-OF-WAY AND ALLEY, WHICH WAS VACATED, ABANDONED AND CLOSED BY CITY OF LA PORTE ORDINANCE NO. 2016-3617, AND SUBSEQUENTLY DEEDED BY THE CITY OF LA PORTE TO THE GRANTORS HEREIN, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING at the northwest corner of Lot 1, Block 92, Town of La Porte; said point being located on the south line of the West Madison Street Right-of-Way and the east line of the North 8th St. Right-of-Way;

THENCE in a northerly direction, along the east line of the North 8th Street Right-of-Way to its intersection with the north line of the West Madison Street Right-of-Way; said point being the southwest corner of Lot 16, Block 101, Town of La Porte;

THENCE in an easterly direction along the north line of the West Madison Street Right-of-Way to its intersection with the west line of the North 7th Street Right-of-Way; said point being the southeast corner of Lot 17, Block 101, Town of La Porte;

THENCE in a southerly direction, along the west line of the North 7th Street Right-of-Way to its intersection with the south line of the West Madison Street Right-of-Way; said point being the northeast corner of Lot 32, Block 92, Town of La Porte;

THENCE in a westerly direction along the south line of the West Madison Street Right-of-Way to the POINT OF BEGINNING of the herein described tract.

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.

LA PORTE COMMERCIAL
PROPERTIES, LP

BAYPORT ENTERPRISES, L.L.C.

BY: _____
WALTER E. JOHNSON
Managing Member

BY: _____
WALTER E. JOHNSON
Managing Member

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the _____ day of _____, 2016, by WALTER E. JOHNSON, Managing Member of La Porte Commercial Properties, LP.

Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the _____ day of _____, 2016, by
WALTER E. JOHNSON, Managing Member of Bayport Enterprises, L.L.C.

Notary Public, State of Texas

AFTER RECORDING RETURN TO:

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

PREPARED IN THE LAW OFFICE OF:

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

EXHIBIT "A" - ORDINANCE



W BARBOURS CUT I

NOT TO SCALE

N SH 146

N 6TH ST

**PROP. W. MADISON ST. CLOSING
(TOTAL R-O-W = 21,280 SQ. FT.)**

W MADISON ST

N SH 146

N 6TH ST

W TYLER ST

N 6TH ST

Legend

-  ABANDONED R-O-W
-  PARCEL

RP-2016-24724

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: May 9, 2016

Appropriation

Requested By: Tim Tietjens

Source of Funds:

Department: Planning & Development

Account Number:

Report: Resolution: Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item: YES NO

Attachments :

1. Ordinance - Clean Version
2. Ordinance - Marked - Up Version
3. Signature Blocks and Certification
4. P&Z Recommendation Letter

SUMMARY & RECOMMENDATIONS

Ordinance No. 1444 is the City's Development Ordinance (uncodified) and includes the procedures and regulations regarding development of property in the City of La Porte. These regulations range from subdivision platting to site development plans to general engineering standards and requirements. The Development Ordinance was adopted by City Council in 1985 with minor modifications through the years.

An audit of the Planning and Development Department was commissioned and conducted by the City Council in 2012. In 2013, Planning and Development Department staff began implementing the various recommendations of the audit. One of the recommendations of the audit was for the City to update and codify the Development Ordinance.

As a result, the Planning and Zoning Commission established a subcommittee to review Ordinance No. 1444 (Development Ordinance) and recommend modifications to the ordinance. The subcommittee included Commissioners Mark Follis (Chair), Richard Warren, Nick Barrera, and Lou Ann Martin. Planning and Development Department staff support was provided to the group.

Attached is the draft ordinance that includes the proposed modifications to Ordinance 1444 as unanimously recommended by the Commission. The proposed modifications also include codifying the regulations as part of Chapter 86 of the City of La Porte's Code of Ordinances. This document is being presented as a public hearing item for consideration. There are two versions of the ordinance being presented, one that shows modifications in yellow highlight and deletions from the original version of the Development Ordinance and a clean version that will be the version for consideration.

The following is a list of some of the more substantive modifications proposed as part of the ordinance:

1. The Development Ordinance is being proposed to be codified as Chapter 86 of the City of La Porte Code of Ordinances.
2. Allows for/encourages electronic submittals and reduces the number of paper copies for non-electronic submittals
3. Numerous outdated state law and ordinance references have been replaced with current

references.

4. Changes some fees to be more in line with other area cities (these were presented during the Council Pre-Budget Retreat on April 16, 2016).
5. The certificates and signature blocks previously included as part of the ordinance have been removed. It is not recommended or necessary that these be adopted in the codified version of the code. Instead, the Commission is recommending that certificates and signature blocks be a departmental policy of the Planning and Development Department.
6. Modifications to definitions as a means of clarification of terms along with the inclusion of a number of terms that were previously not defined.
7. Clarification of the City's current development review process, including the addition of the Pre-development Applicant Consultation (or PAC) process.
8. Clarification of certain submittal requirements for site development plans. Also the Commission included a requirement for a letter from an engineer verifying what was constructed is consistent with the original plan. And finally, an amendment procedure was developed for site plans to be reviewed administratively when minor in nature. However, the Director could forward any amendment to the Commission if desired.
9. There is a procedure for a "waiver" to the provisions of this Chapter. In the original Development Ordinance, it was called a "variance." However, that was modified so as not to confuse with variances heard by the Board of Adjustment.
10. Section 86-15(k) references fees for this Chapter as listed in Appendix A of the City Code of Ordinances. As a result of the City Council discussion on Planning Division fees at the Budget Retreat, staff will be bringing forward an ordinance at a future meeting adopting the fees as discussed. In the meantime, to avoid a gap in fees, the Planning and Development Department will enact a departmental policy to adopt the fees presented to City Council.

Notice of this public hearing was published in the Bay Area Observer and posted at City Hall and on the City's website.

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 an ordinance amending Chapter 86 "Development Regulations" of the Code of Ordinances of the City of La Porte by adopting comprehensive guidelines, rules and regulation for subdivision and development of land in the City of La Porte.
-

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 86 “DEVELOPMENT REGULATIONS” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, TEXAS BY ADOPTING COMPREHENSIVE GUIDELINES, RULES AND REGULATIONS FOR SUBDIVISION AND DEVELOPMENT OF LAND IN THE CITY OF LA PORTE; 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 TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; CONTAINING A REPEALING CLAUSE; 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: That Chapter 86, “Development Regulations”, of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

“Article I. In General.

Sec. 86-1. Purpose.

- (a) It is the intent of this chapter for the City to outline the requirements for subdividers, developers, applicants, engineers, surveyors, realtors and other persons interested and involved in the subdivision and development of land.
- (b) It is also the intent, purpose and scope of this chapter to promote the vision, goals and policies of the City’s Comprehensive Plan and all of its components and to protect the health, safety and general welfare of the public.

Sec. 86-2. Statutory authority and jurisdiction.

- (a) Pursuant to the authority granted to cities and counties under the constitution and laws of the state, including the provisions of Texas Local Government Code Chapter 212, and as amended, the City Council does hereby adopt the rules and regulations established in this chapter governing the subdivision and development of land within the city limits provided, however, that the City of La Porte excludes from the terms, conditions and effects of this chapter and all amendments hereto, unsubdivided development in the extraterritorial jurisdiction of the City, and land included within the boundaries of any Industrial District or Districts that may be hereafter created by the City of La Porte and amendments thereto of the Texas Local Government Code.
- (b) The Approving Authority shall review all plans, plats, and all accompanying documentation required in this chapter, and require developer and subdivider compliance with the applicable state law, this chapter, the Zoning Ordinance of the City of La Porte, other applicable ordinances of the City of

La Porte, the City of La Porte Comprehensive Plan, and approved written policies and procedures of the City of La Porte.

(c) If any section of this chapter is in conflict with other provisions of this chapter or any other ordinance, the more restrictive rule or regulation shall apply.

Sec. 86-3. Conformance requirements.

(a) In so implementing this chapter, the City may, as needed, utilize policies in the City's Comprehensive Plan, including but not limited to the future land use plan and corresponding provisions, as well as complementary general design and construction standards approved by ordinance by City Council.

(b) All development must also be in compliance with the City's Public Improvement Criteria Manual (PICM), where applicable.

(c) It shall be unlawful for any owner or agent of any owner of land to layout, subdivide, resubdivide, plat, or replat any land within the City of La Porte or its extraterritorial jurisdiction without an approved City Development Authorization. In addition, it shall be unlawful for any owner or agent of any owner of land to cause the development of any land within the corporate limits of the City of La Porte, without an approved City Development Authorization. It shall be unlawful for any such owner or agent to offer for sale or sell property therein or thereby, which has not been laid out, subdivided, re-subdivided, platted, replatted or developed without the approvals required in this Chapter, subsequent to the passage of this Chapter.

(d) The City shall withhold all City improvements of whatsoever nature, including the maintenance of streets and the furnishing of utilities from all subdivisions or developments not in conformance with the provisions of this Chapter.

(e) No Building Permit shall be issued for the erection or improvements of any building in the City's jurisdiction not located within an approved and recorded subdivision plat or within an approved Development Site Plan as defined herein.

Sec. 86-4. Definitions.

For the purpose of this ordinance the following various terms, phrases and words, will have the meaning ascribed to them herein. When not inconsistent with the context, words used in present tense include the future; words used in singular include the plural; words used in plural include the singular; "shall" is mandatory; and "may" is permissive. Any office referred to herein by title will include the person employed or appointed for that position or its duly authorized deputy or representative. Terms, phrases or words not expressly defined herein are to be considered in accordance with customary usage.

AGRICULTURAL USE: Any activity related to the cultivation of the soil, the producing of crops to human food, animal feed or planting seed or for the production of fibers; floriculture, viticulture or horticulture raising or keeping of livestock; and planting cover crops or leaving land idle for the purpose of participating in any governmental program or recognized, normal crop or livestock rotation procedure. A residential unit and related accessory buildings located solely for one or more of the purposes described in the preceding sentence shall be deemed an agricultural use.

ALLEY: A public right-of-way that is used for utility installation or for secondary access to individual properties that have their primary access from an adjacent public street or an approved common or compensating open space or court yard that has direct access to a public street.

APPROVING AUTHORITY: The Planning and Zoning Commission or the City official having authority to sign plats or plans signifying City approval of said plats or plans. For Minor Developments and Administrative Plats, the Approving Authority is the Director of Planning and Development. For all other developments or subdivisions, the Approving Authority is the Planning and Zoning Commission.

BUILDING SETBACK LINE: A line that is the required minimum distance from the street right-of-way line or easement line or any other lot line that establishes the area where any structure must be erected or placed.

BLOCK: An identified tract or parcel of land established within a subdivision surrounded by a street or a combination of streets and other physical features that may be further subdivided into individual lots or reserves.

BUILDING PERMIT: A permit for improvements granted by the Chief Building Official under the provisions of the City Building Regulations currently in force and effect. As used herein, the term “improvement” shall include the construction, enlargement, alteration, repair, removal, or conversion of a building or structure.

CHIEF BUILDING OFFICIAL: The City officer or other designated authority charged with the administration and enforcement of the City Building Regulations, or his/her authorized representative.

CITY: The City of La Porte, Texas.

CITY BUILDNG REGULATIONS: All building regulations referred to in and incorporated by Chapter 82 of the City’s Code of Ordinances.

CITY COUNCIL: The City Council of the City of La Porte, Texas.

CITY SECRETARY: The person holding the office of City Secretary under the terms of the La Porte Charter, or her/his designated representative.

COMMISSION: The Planning and Zoning Commission of the City.

COMPENSATION OPEN SPACE: Those areas designated on a plat or plan that are restricted from development, except for landscaping and recreational uses and which all owners of residential properties within the plat have a common legal interest or which are retained in private ownership and restricted from development, except for landscaping and recreational uses, for the exclusive use of all owners of residential property within the plat, and such designation shall remain in effect until the plat is vacated or the tract is replatted. The terms “compensating open space”, “common open space”, “common property” and “common area” may be used interchangeably and may be considered as similar.

COMPREHENSIVE PLAN: A long- range plan adopted by the City Council in accordance with Texas Local Government Code Chapter 213 and as such plan is periodically amended or updated, which is

intended to guide the development of the City and that includes analysis, recommendations and proposals for the community's population, economy, housing, transportation, community facilities and infrastructure.

COUNTY: Harris County, Texas.

DEPARTMENT: The Planning and Development Department of the City of La Porte.

DEVELOPER: The legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option or contract to purchase, or other persons having property interests in such land.

DEVELOPMENT: The process of converting land within the City's jurisdiction from its natural state, or altering the elevation of property or converting its existing usage to residential, commercial or industrial uses. This definition encompasses any and all physical changes to the land not regulated through the City Building Code inherent in such conversions. The term development includes subdivisions as defined herein.

DEVELOPMENT AUTHORIZION: A document issued by the Department for the development of land within the City's jurisdiction. A Development Authorization is issued after final approval of a Subdivision Plat or Development Site Plan by the City Approving Authority, and authorizes the construction of improvements not regulated by the City Building Code.

DEVELOPMENT, MAJOR: Any development not qualifying as a Minor Development, as the term "Minor Development" is defined herein.

DEVELOPMENT, MINOR: Any project or development that involves no more than ten (10) acres of land and where the total square footage of all buildings on the site does not exceed 150,000 square feet and presents no conflict with the City's Comprehensive Plan.

DIRECTOR: The Director of the Planning and Development Department or designated representative.

DWELLING UNIT: A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

EASEMENT: A right given by the owner or a parcel of land to another person, public agent or private corporation for specific and limited use of that parcel.

EXTRATERRITORIAL JURISDICTION: The unincorporated territory outside of and contiguous to the City limits of the City established by the authority of Texas Local Government Code Chapter 42.

FILING DATE: The date when a Development Site Plan, General Plan, or a Subdivision Plat is formally presented to the Approving Authority for its approval and is registered as a part of the Approving Authority's official records.

FLOOD HAZARD AREA: Those areas of the City designated as having a greater chance of flooding from natural disasters such as rainstorms or hurricanes. Such areas are shown on the official flood insurance rate maps (FIRM) established by FEMA and adopted by City Council.

FLOOD HAZARD PREVENTION ORDINANCE: The ordinance adopted by the City Council and codified in Chapter 94 “Floods” of the La Porte, Texas Code of Ordinances that defines the special flood hazard areas of the City and regulates land development more restrictively within such areas.

GENERAL PLAN: A map or plan illustrating the general design features and street layout of a proposed development which is proposed to be platted and developed in phases. This plan, when approved by the Commission, constitutes a guide which the Commission should refer to in the subsequent review of Subdivision Plats or Development Site Plans that cover portions of the land contained within the General Plan, as well as adjacent property.

HARRIS COUNTY ROAD LAW: A special law of the State of Texas found in Acts 1913, Special Laws, Chapter 17, as may be from time to time amended.

INDUSTRIAL DISTRICTS: That land within the extraterritorial jurisdiction of the City of La Porte, and either:

- (a) Being designated as the “Battleground Industrial District of La Porte, Texas” in Ordinance 729, passed by the City Council of the City of La Porte; or
- (b) Being designated as the “Bay Port Industrial District of La Porte, Texas” in Ordinance 842, passed by the City Council of the City of La Porte; or
- (c) Being designated as the “South La Porte Industrial District or La Porte, Texas” in Ordinance 98-2258, passed by the City Council of the City of La Porte.

LOT: An undivided tract or parcel of land contained within a block or designated on a Subdivision Plat by numerical identification.

MOBILE HOME PARK: An unsubdivided development divided into mobile home sites for rent and for the installation of mobile home thereon.

MOBILE HOME SUBDIVISION: A subdivision divided into mobile home lots for sale.

MONUMENT: A fixed reference point or object located convenient to proposed developments in La Porte that the City or another governmental agency has determined the elevation above mean sea level and the geographic location within the Texas Plane Coordinate System.

MONUMENT SYSTEM: A monument system established by the City to provide horizontal and vertical survey control for land development in La Porte within a common frame of reference. A document describing the City Monument System is published separately.

ONE-FOOT RESERVE: A strip of land one foot wide and within public street right of ways and adjacent to subdivision reserves or adjacent acreage to prevent access to said public street until the reserve or adjacent acreage has been platted in accordance with this Ordinance [these regulations].

PLAN, DEVELOPMENT SITE: A site plan for unsubdivided developments certified by the land owner and by a Professional Engineer or Registered Public Surveyor, executed by the City Approving Authority and prepared as specified in Section 86-7 of this Chapter.

PLANNED UNIT DEVELOPMENT: A land area characterized by a unified site design which: (1) has individual building sites and provides common open spaces; and (2) is designed to be capable of satisfactory use and operation as a separate entity without necessarily having the participation of other building sites or other common property. The ownership of the common property may be either public or private. A Planned Unit Development may include subdivisions. It may be a single Planned Unit Development as initially designed; or as expanded by annexation of additional land area; or a group of contiguous Planned Unit Developments, as separate entities or merged into a single consolidated entity.

PLANNING CONSULTANT: A certified land planner, Texas registered professional engineer, Texas registered land surveyor, Texas registered architect, or other qualified consultant, who performs land planning services to subdividers or developers for a fee.

PLAT, ADMINISTRATIVE: A replat or subdivision of land totaling ten (10) acres or less, and involving four (4) or fewer lots fronting on an existing streets and not requiring the creation of any new street or the extension of municipal facilities or the aggregation of multiple lots into one lot.

PLAT, AMENDING: A plat, previously approved by the Commission and duly recorded, which is resubmitted to the Commission for re-approval and recording which contains dimensional or notational corrections or erroneous information contained on the originally approved and recorded plat. An amending plat is not to be considered as a replat or resubdivision and may not contain any changes or additions to the physical characteristics of the original subdivision, but is intended only to correct errors or mis-calculations as allowed under the provisions of Chapter 212 of the Texas Local Government Code.

PLAT, FINAL: A map or drawing of a proposed subdivision prepared in a manner suitable for recording in the appropriate County records and prepared in conformance with Sec. 86-8(c), et seq. of this Ordinance.

PLAT, PRELIMINARY: A map or drawing of a proposed subdivision illustrating its development features for review, prepared as specified in Sec. 86-8(b), et seq. of this ordinance.

PLAT, STREET DEDICATION: A map or drawing suitable for recording in the appropriate county records illustrating the location of a right-of-way intended for dedication within a specific tract of land.

PUBLIC IMPROVEMENTS CRITERIA MANUAL (PICM): The set of standards set forth by the Director of Planning and Development Department and approved by the City Council to determine the specific technical requirements for construction of public improvements. The manual may be acquired from the Planning and Development Department, and is on file in the City Secretary's Office.

RESERVE: A parcel of land within a Subdivision Plat or Development Site Plan reserved from current development. A reserve may be restricted to a special use such as drainage, recreation or common area. Reserves within the subdivisions not restricted in use may be shown as "unrestricted".

RESUBDIVISION OR REPLAT: The relocation or removal of existing streets or lots by re-platting as allowed under the provisions of Chapter 212, Texas Local Government Code, and as amended.

RIGHT-OF-WAY: A strip of land acquired by reservation, dedication, prescription or condemnation and used or intended to be used as a road, utility installation, crosswalk, railroad, electric transmission lines, or other similar use.

SPECIAL USE SITES: A location shown on the Comprehensive Plan where a proposed school, park, public building or other public facility is to be located.

STREETS, COLLECTOR: A street designed to serve equally the functions of access and movement. Collector streets serve as links between local streets and arterials.

STREET, CUL- DE- SAC: A local street having one end open to vehicular traffic and having one closed end terminated by a turnaround.

STREET, LOCAL: A neighborhood or minor street whose primary purpose is to provide access to abutting properties.

STREET, PRIMARY ARTERIAL: An expressway, freeway, or primary thoroughfare whose primary function is the movement of traffic.

STREET, PRIVATE: A vehicular access way, under private ownership and maintenance, providing access to buildings containing residential dwelling units without direct access to an approved public street right-of-way. Parking lots and private driveways within shopping centers, commercial areas and industrial developments shall not be considered as private streets.

STREET, PUBLIC: A publically owned or maintained right-of-way, however designated, dedicated or acquired, which provides vehicular access to adjacent properties.

STREET, SECONDARY ARTERIAL: A primary thoroughfare whose predominant function is the movement of traffic but which provides more access than normally associated with a primary arterial.

STREET, STUB: A public street not terminated by a permanent circular turnaround, ending adjacent to undeveloped property or acreage and intended to be extended at such time as the adjacent undeveloped property or acreage is subdivided or developed.

STREET, THOROUGHFARE: A public street designed for heavy traffic and intended to serve as a traffic artery of considerable length and continuity throughout the community and so designated on the latest edition of the Thoroughfare Plan as contained in the City's Comprehensive Plan.

SUBDIVIDER: Any owner or authorized agent thereof, proposing to divide, or dividing, land so as to constitute a subdivision according to the terms and provisions of this Chapter. A subdivider is further defined to be a developer.

SUBDIVISION: A division of any tract of land into two (2) or more parts for the purpose of laying out any subdivision or any tract of land or any addition to the City, or for laying out suburban lots or building lots, or any lots, and streets, alleys or parts or other portions intended for public use or the use of the purchasers or owners of lots fronting thereon or adjacent thereto. A subdivision includes re-subdivision (replat) but it does not include the division of land for agricultural purposes in parcels or tracts of five (5) acres or more and not involving any new streets, alleys or easements of access. A subdivision is further defined to be a development.

SUBDIVISION, MAJOR: Any subdivision not qualifying as a minor subdivision, as the term "minor subdivision" is defined herein.

SUBDIVISION, MINOR: A subdivision involving less than ten (10) acres of land, which has no common area or reserves, has no adjacent stub street right of ways, and requires no change to the City's Comprehensive Plan.

SUBMITTAL DATE: The date and time specified in this chapter when plans, plats, related materials and fees must be received by the City prior to the next regular meeting of the commission in order to be considered at such meeting. The "submittal date" is not to be considered as the "filing date" as herein defined.

TITLE CERTIFICATE (ABTRACTOR'S CERTIFICATE, PLANNING LETTER): A certificate prepared and executed by a title company authorized to do business in the State of Texas or an attorney licensed in the State of Texas describing all encumbrances of record which affect the property together with all deeds recorded from and after the effective date of this Chapter which shall include any part of the property included in a subdivision plat or development site plan.

WAIVER: Permission granted in writing by the Commission to depart from the literal requirements of this Chapter.

ZONING ORDINANCE: The Zoning Ordinance of the City of La Porte, Texas, codified as Chapter 106 in the La Porte Texas Code of Ordinances, together with any amendments thereto.

Sec. 86-5. Pre-development Applicant Consultation.

(a) The developer or owner of land may choose to schedule a Pre-development Applicant Consultation (PAC) meeting with the Director. The PAC meeting is intended to provide information on the City's review process, procedures and requirements and allow for dialogue between the City and developer or owner of land prior to submittal of any development application outlined in this chapter.

Sec. 86-6. General Plans.

(a) General Plans are required for all phased projects involving Major Subdivisions or Major Developments. The General Plan is to be designed to illustrate the general design features of a subdivision or development which is proposed to be developed or platted in phases or sections. This plan, when approved by the Commission, constitutes a guide which the Commission will refer to in the subsequent review of plans or plats that cover portions of the land contained within the general overall plan and adjacent properties. Should the developer's future plans change, such changes are to be disclosed to the Department by filing a new General Plan.

(b) Application shall be submitted to the Department at least three (3) weeks before the date which Commission review is requested, unless otherwise approved by the Director.

(c) Application shall consist of all required documentation submitted either electronically or one (1) paper copy in a 24"x36" format.

(d) The following information must be submitted as part of a General Plan submission:

(1) Application and applicable fee.

- (2) Development checklist.
- (3) Project description letter.
- (4) Any additional information required by the Director.
- (5) The General Plan shall graphically contain the following:
 - a. Name of the development.
 - b. Legal description of the site.
 - c. Existing and proposed zoning.
 - d. Name and contact information of the developer.
 - e. Name and contact information of the project design team.
 - f. Developer/Owner signature block.
 - g. City approval signature block.
 - h. Scale of plan in engineering format.
 - i. North arrow.
 - j. Vicinity map showing relation of development to surrounding streets, railroads and watercourses.
 - k. Perimeter boundary of the property.
 - l. Identification of each phase of development and proposed land use/s for each phase.
 - m. Label adjacent subdivisions, streets, easements, water courses, acreage tracts, and other natural and manmade features.
 - n. Show land contours at one foot intervals
 - o. Identify required building lines adjacent to all existing or proposed public and private streets and alleys.
 - p. If building locations are known, include the footprint of each building, indicating the building type, building height, number of stories, floor area, and density of residential development.
 - q. Show rights-of-way for all streets and alleys either existing or proposed within or adjacent to the general plan boundaries. Indicate right-of-way width of all streets as identified in the PICM. Identify whether streets are intended to be public or private.
 - r. Indicate approximate location, widths, and types for all easements whether existing or proposed within or adjacent to the general plan boundaries.

- s. Identify the location of all existing public utilities within or adjacent to the general plan boundaries and how each phase of development will connect with those utilities.
 - t. Show approximate boundary of flood hazard area as taken from the official FEMA Flood Insurance Rate Maps adopted by the city or other sources approved by the Director.
 - u. Stormwater drainage plan showing general drainage basins and possible location for on-site detention if required.
 - v. Traffic study or written documentation from the Director that the development does not necessitate a traffic study.
 - w. Other information required by the Director.
- (e) Unless stipulation for additional time is agreed to by the applicant, the failure of the Commission to act within thirty (30) days from the date of the filing of the application by the developer, will cause the General Plan to be deemed approved.
- (f) General applications shall comply with all applicable city ordinances and statutes prior to approval by the Commission. The Commission shall review the General Plan and take one of the following actions:
- (1) Approve the General Plan as filed. Commission approval of the General Plan authorizes the developer to file a Preliminary Plat or a Development Site Plan.
 - (2) Conditionally Approve the General Plan as filed, provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Chairman of Commission. Commission conditional approval requires submission of an amended General Plan and additional documentation as specified by the Planning Commission for final Commission approval, which may be filed concurrently with the next Preliminary Plat or Development Site Plan, as the case may be.
 - (3) Disapprove the General Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the Commission. Commission disapproval of a General Plan requires submission of a new General Plan.
- (g) The original approved mylar of the General Plan shall be retained by the Department in the official files of the Commission. No subsequent plan or plat will be approved until the original mylar has been delivered to the department.
- (h) In the event the developer or subdivider fails to file a Preliminary Plat or Development Site Plan within one year of Commission approval of the General Plan, approval of said General Plan shall terminate upon written notice to the subdivider, developer, or owner.
- (i) The developer, subdivider, or owner may request in writing a one year extension specifying the reason why the document has not been filed.

Sec. 86-7. Development Site Plans.

(a) General

(1) The following sections of this Chapter outline procedures for preparing and obtaining approval for developments not defined herein as subdivisions. Except as noted in subparagraph (2) below, it shall be a violation of this Chapter for any person to develop property within the City of La Porte without first:

- a. Filing a Development Site Plan and required documentation for approval;
- b. Having said Development Site Plan approved according to the procedures set forth herein;
and
- c. Obtaining a Development Authorization.

(2) No Development Site Plan shall be required as provided for herein in the case of development that is solely and strictly a Subdivision (as that term is defined herein) and the requirements of Section 86-8(c) of this Chapter have been satisfied for each subdivision.

(3) For both Major and Minor Developments, the Development Site Plan ~~is~~ shall be drawn accurately to scale with exact dimensions and certified by a licensed engineer or surveyor. When accompanied by all other required documentation, Development Site Plans shall contain sufficient detail for evaluation of the proposed development.

(4) The following information must be provided as part of a Development Site Plan submission:

- a. Application and applicable fee.
- b. Development checklist.
- c. Project description letter.
- d. Drainage Plan and/or calculations as required by the Director.
- e. Exterior building elevations for sites subject to the city's Design Guidelines (Chapter 106, Article IX).
- f. Traffic Impact Assessment, if required by the Director.
- g. Any additional information required by the Director.
- h. Development Site Plan showing the location of all improvements on the site, whether existing or proposed. Proposed improvements shall be in compliance with all applicable local, state and federal requirements. The Development Site Plan shall contain the following graphical information:
 1. Name of development.
 2. Type of development.

3. Description of land within proposed development: “____ . ____ acres out of the _____ Survey, Abstract Number _____, Harris County, Texas.”
4. Legal description of development, including blocks and lots or reserves or a metes and bounds description of the property boundary.
5. Name of owner or authorized representative.
6. Name of developer.
7. Name of planning consultant.
8. Filing date of application.
9. Engineering Scale.
10. North arrow
11. Vicinity map that shows relation of development to surrounding streets, railroads, and water courses.
12. Perimeter boundaries of development including dimensions.
13. Indicate all building lines on the site. Show shortest distances from each building to nearest property line.
14. Indicate name, location and recording information for adjacent properties developments, streets, easements, water courses, acreage tracts, and other natural or manmade features.
15. Parking table that labels existing and proposed parking in comparison to the required parking for the development.
16. Landscape table that labels existing and proposed trees and shrubs, including name of plant species, quantity and size.
17. Identify topography and label contours in one-foot intervals. Include cut and fill changes to the site.
18. Define high banks and flow lines of water courses. Define post-development limits of other natural or manmade physical development obstacles.
19. For mobile home parks, show proposed layout of mobile home sites and reserves. Number sites and blocks consecutively. Draw boundaries of sites the same way as for subdivision lots. Indicate size of each site in square feet. Designate usage of each reserve, such as recreation, laundry drying, and dead storage.
20. Draw perimeter of, dimension, and identify type and usage of each existing or proposed structure or site improvement, including parking lots, security lighting, driveways, curb

cuts, culverts, water lines, fire hydrants, sanitary sewers, storm drains, natural gas lines, electrical lines, telephone lines, walkways, landscaping and other site improvements.

21. Show rights-of-way of all streets and alleys, either existing or proposed, within the plat boundaries and immediately adjacent thereto. Show right of way width at points of curvature or tangency, at one point within tangent segments, and at changes in width.

22. Provide names of all existing and proposed streets located within the plat boundaries and immediately adjacent thereto. Any proposed street name cannot be duplicates of any street name in current use, unless continuations of existing streets.

23. Indicate location, widths and types of for all existing and proposed utilities and easements on the site, including, but not limited to, water line, sanitary sewer, drainage, power. Label recording information for existing easements.

24. Show boundary of flood hazard area and shade areas within plat boundaries inside flood hazard area. Show finished floor elevation of buildings inside flood hazard area.

25. All required dedication statements and certificates must be included.

(b) Minor Development Site Plan

(1) Application shall be submitted to the Department at least two (2) weeks before the date which Director review is requested. Application shall consist of all required documentation submitted either electronically or one (1) paper copy.

(2) The Director is the Approving Authority for all Minor Developments Site Plans. Following review of the Minor Development Site Plans, the Director shall, within two (2) weeks of the filing date, take one of the following actions:

a. Approve the Minor Development Site Plan as filed. Approval of a Minor Development Site Plan and all accompanying documentation by the Director, together with approval of Public Improvement Construction Documents by the Director, results in issuance of a Development Authorization by the Department.

b. Conditionally approve the Minor Development Site Plan as filed, provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Director. Conditional approval of a minor development Site Plan requires that the developer satisfy the conditions established by the Department. Once the stated conditions have been satisfied, the Minor Development Site Plan and accompanying documentation may be resubmitted for Department approval.

c. Disapprove the Minor Development Site Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Director. Disapproval of a Minor Development Site Plan requires filing of a new Minor Development Site Plan.

(3) Department action shall be noted on three (3) copies of the Minor Development Site Plan, which shall be distributed to the developer, Department and the City Code Enforcement Division.

(4) Unless stipulation for additional time is agreed to by the Developer, the failure of the Director to act within four (4) weeks from the date of submittal of the Minor Development Site Plan by the Developer will cause the Plan to be deemed approved.

(5) Director disapproval of a Minor Development Site Plan may be appealed to the Commission within twenty (20) days of the mailing of a written notice of disapproval. Once the appeal has been filed, the Minor Development Site Plan will be presented to the Commission for its ruling as specified for Major Development Site Plans in subparagraph (c) below. The following materials must be filed with the City Secretary for an appeal:

- a. A copy of the Director's disapproval letter.
- b. A letter stating the basis of appeal.
- c. A copy of the Minor Development Site Plan.

(6) Prior to issuance of a Certificate of Occupancy or final inspection of any improvements included in an approved Minor Development Site Plan, a letter signed and stamped by a licensed engineer must be submitted to the Planning and Development Department certifying that all improvements have been installed in accordance with the approved Minor Development Site Plan.

(c) Major Development Site Plan

(1) Application shall be submitted to the Department at least three (3) weeks before the date which Commission review is requested. Application shall consist of all required documentation submitted either electronically or one (1) paper copy.

(2) The Commission is the Approving Authority for all Major Development Plans. Following review of the Major Development Site Plan, the Commission shall take one of the following actions:

- a. Approve the Major Development Site Plan as filed. Approval of a Major Development Site Plan and all accompanying documentation by the Commission, together with approval of construction documents for any proposed public improvements by the Director results in issuance of a Development Authorization by the Department.
- b. Conditionally approve the Major Development Site Plan as filed, provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Chairman of the Commission. Conditional approval of a Major Development Site Plan requires that the Developer satisfy the conditions established by the Commission. Once the stated conditions have been satisfied, the Major Development Site Plan and accompanying documentation may be refiled for Commission approval.
- c. Disapprove the Major Development Site Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the

Commission. Disapproval of a Major Development Site Plan requires filing of a new Major Development Site Plan.

(3) Commission action shall be noted on four (4) copies of the Major Development Site Plan, which shall be distributed to the developer, Department, City Code Enforcement Division, and official Commission files.

(4) Unless stipulation for additional time is agreed to by the developer, the failure of the Commission to act within thirty (30) days from the date of the filing of the plan by the developer will cause the plan to be deemed approved.

(5) Prior to issuance of a Certificate of Occupancy or final inspection of any improvements included in an approved Major Development Site Plan, a letter signed and stamped by a licensed engineer must be submitted to the Planning and Development Department certifying that all improvements have been installed in accordance with the approved Major Development Site Plan.

(d) Amendments to Minor and Major Development Site Plans

(1) Amendments to minor and major development site plans are those that provide for rearrangement or reconfiguration of floor plans or building elevations, modifications to parking areas, landscape areas, drainage facilities, utilities or other site improvements. An amendment may only occur to a site plan that has an active building permit on file.

(2) Said modifications shall:

a. Comply with all requirements of Chapter 106 of the City's Code of Ordinances and other applicable city regulations.

b. Not conflict with the Comprehensive Plan.

c. Not change the character of the development or the intent of the original plat approval.

(3) The Director is the Approving Authority for all Amendments to Site Plans. Following review of the amendment, the Director shall, within two (2) weeks of the filing date, take one of the following actions:

a. Approve the amendment as filed. Approval of an Amendment shall be clearly noted on the originally approved site plan, along with any conditions required by the Director.

b. Disapprove the amendment as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Director.

(4) Director disapproval of an amendment may be appealed to the Commission within twenty (20) days of the written notice of disapproval. Once the appeal has been filed, the amendment will be presented to the Commission for its ruling as specified for Major Development Site Plans in subparagraph (c) above.

Sec. 86-8. Subdivision plats.

(a) The following sections outline procedures for preparing and obtaining approval of Subdivision Plats for residential, commercial, or industrial properties. All Final Subdivision Plats must be recorded in the County map records.

(b) Preliminary Plat

(1) Preliminary Plats are required for all Major Subdivisions and shall be consistent with the approved General Plan, if applicable.

(2) Application shall be submitted to the Department at least two (2) weeks before the date which Commission review is requested. Application shall consist of all required documentation submitted either electronically or one (1) paper copy.

(3) The following information must be provided as part of a Preliminary Plat submission:

a. Application and applicable fee.

b. Development checklist.

c. Project description letter.

d. Any additional information required by the Director.

e. The Preliminary Plat shall graphically contain the following (ensure compliance with PICM standards, where applicable):

1. Name of subdivision, which cannot be similar to that of an existing subdivision.

2. Type of development.

3. Description of land on which subdivision lies: “ _____ acres out of the _____ Survey, Abstract Number ____, Harris County, State of Texas.”

4. Date.

5. Scale in engineering format.

6. North arrow.

7. Name of developer and property owner.

8. Name of surveyor and/or engineer preparing the plat.

9. Total number of lots, blocks and reserves.

10. Indicate size of each lot and reserve.

11. Vicinity map in relation to surrounding streets, railroads and water courses.

12. Label adjacent properties including ownership information and HCAD parcel identifications, where applicable.

13. Show all physical features of the site including high banks of water courses and any other natural or man-made physical development obstacles.
14. Draw perimeter boundaries of the subdivision.
15. Show proposed layout of blocks and lots or reserves within blocks.
16. For reserves: Draw boundaries for and designate area (in square feet and acres) for unrestricted reserves and those dedicated for restricted usages, such as those for drainage, recreation, parkland, or other uses (indicate intended usage and existing zoning).
17. Label contours at one-foot intervals.
18. Show and label all rights-of-way of all streets and alleys, either existing or proposed, within the plat boundaries and immediately adjacent thereto. Indicate right-of-way width between points, curvature, tangency and at changes in width.
19. Provide names of all existing and proposed streets located within the plat boundaries and immediately adjacent thereto. Street names cannot be duplicates of any street names in current use, unless continuations of existing streets or as part of a historical grid pattern.
20. Label location, widths and types of all easements, either existing or proposed, within the platted area or immediately adjacent thereto. Include any recording information on any existing easements.
21. Show nearest city approved survey monument and exact bearing (nearest second) and distance (nearest hundredth of a foot) to a defined point on the perimeter boundary of the property.
22. Show location of all proposed survey control monuments to be installed by the developer pursuant to Section 86-9 of this Chapter.
23. Show boundary of flood hazard area/s as adopted by the city.
24. Show location of all existing and proposed storm drainage, sanitary sewer system, and water lines.
25. For condominium developments: Draw the footprint of each building site and show overall dimensions and building type for each building. Show shortest distances from each building to nearest building and property line. For each building type, draw to larger scale the plan of each building type, showing all perimeter wall dimensions and the dimensions and location of walls between units. Designate each unit type and floor area in square feet.

(4) Preliminary Plat applications shall comply with all applicable city ordinances and statutes prior to approval by the Commission. The Commission shall review the plat and take one of the following actions:

- a. Approve the Preliminary Plat as filed.

b. Disapprove the Preliminary Plat as filed, provided, the reason for such disapproval is stated in writing and a copy of the statement is signed by the Chairman of the Commission. Disapproval may also include conditions for resubmittal of Preliminary Plat.

(5) Unless stipulation for additional time is agreed to by the subdivider, the failure of the Commission to act within thirty (30) days from the date of the filing of the plat by the developer, will cause the plat to be deemed approved.

(6) The original approved mylar of the Preliminary Plat shall be retained by the Department in the official files of the Commission.

(7) In the event the subdivider fails to file a Final Plat within one year of Approving Authority approval of the Preliminary Plat, approval of said Preliminary Plat shall terminate upon written notice to the subdivider or owner. The subdivider or owner may request in writing a one year extension specifying the reason why a Final Plat has not been filed.

(c) Final Plat

(1) Final plats are required for all subdivision, and shall be consistent with the Preliminary Plat if applicable. Final Plats of subdivisions are drawn accurately to scale with exact dimensions. Complete instructions for preparing Final Plats are contained in Appendix D.

(2) In conjunction with the filing of the Final Plat, the subdivider or developer shall file a proposed set of covenants, restrictions, conditions, and reservations, affecting the property enclosed within the Final Plat. The covenants and restrictions shall include provisions creating an association of lot owners charged with the responsibility of promoting the recreation, health, safety, and welfare of the members of the association, and for the improvement and maintenance of any common areas, compensating open space, private streets, alleys, or parking areas included within the Final Plat. The association shall be empowered to levy assessments to be used exclusively in the enforcement of the covenants, restrictions, conditions, and reservations affecting the property enclosed in the Final Plat, and for the furtherance of its responsibility of improving and maintaining any common areas, compensating open space, private streets, alleys, parking areas or other private improvements included within the Final Plat. The assessments levied shall be a charge on the land and shall be a continuing lien on the property against which each such assessment is made.

(3) The proposed set of covenants, restrictions, conditions and reservations filed shall be submitted to the City Attorney of the City of La Porte, who shall review the documents and insure that the form of the documents complies with this chapter.

(4) Application shall be submitted to the Department at least two (2) weeks before the date which Commission review is requested. Application shall consist of all required documentation either electronically or one (1) paper copy.

(5) The following information must be submitted as part of a Final Plat submission:

a. Application and applicable fee.

b. Development checklist.

- c. Title certificate, abstract, or planning letter.
- d. Complete public street construction drawings for approval by the Director.
- e. Complete public utility construction drawings for approval by the Director.
- f. List of coordinates for each point to be marked in the final field survey. Each point on the list is to be assigned a unique number code. A copy of the Final Plat, marked with the locations of each number code, is to be submitted as well.
- g. Letters from the servicing utility companies approving of the easements shown on the plat.
- h. Copy of deeds for any private easements within the subdivision.
- i. Commitment of park dedication as required in Section 86-11 of this Chapter.
- j. A letter, statement or instrument from the holder of any privately owned easement or fee strip within the subdivision boundaries approving any crossings of said existing easement or fee strip by proposed streets, utilities, or easements shown on the plat. If adjustment of existing utilities is required, said letter shall specify the nature of the adjustments and the approval of the owner for such adjustments.
- k. Set of covenants, restrictions, conditions, and reservations, affecting the property enclosed within the Final Plat.
- l. Title information as required in Section 86-9(n) of this Chapter.
- m. Any additional information required by the Director.
- n. Final Plat to graphically contain the following (ensure compliance with PICM standards, where applicable):
 1. The graphical requirements outlined for a Preliminary Plat in Section 86-8(b)(3)(e), Items 1-22.
 2. Metes and bounds description in map for with appropriate bearings and distances.
 3. Owners' Acknowledgement Statement
 4. Lienholders' Subordination Agreement, where applicable
 5. Plat Accuracy Certificate
 6. Final Survey Certificate
 7. Approving Authority Certificate
 8. Harris County Clerk Filing Statement
 9. Permanent Access Easement must be labeled for any proposed private roads.

10. Any other special statements required by the Director

(6) Unless stipulation for additional time is agreed to by the subdivider, the failure of the Commission to act within thirty (30) days from the date of the filing of the plat by the developer, will cause the plat to be deemed approved.

(7) Final Plat applications shall comply with all applicable city ordinances and statutes prior to approval by the Commission. The Commission shall review the plat and take one of the following actions:

a. Approve the Final Plat as filed. Such approval of a Final Plat as filed and all accompanying documentation by the Commission, together with approval of Public Improvement Construction Documents by the Director shall result in issuance of a Development Authorization by the Department which permits the developer to begin construction of subdivision improvements.

b. Disapprove the Final Plat as filed, provided the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the Planning Commission. Such disapproval requires filing of a new Final Plat.

(8) Notice of the Commission's action shall be forwarded to the applicant.

(9) A Final Plat shall not be recorded until executed by the Director and by the Commission. Before the Final Plat is executed, the developer shall follow the procedure provided for in Section, and construct the proposed improvements according to the approved plans and specifications. In the event the developer or owner fails to commence construction of such improvements within one year of Development Authorization, approval of the Final Plat shall terminate upon written notice from the Commission to the developer or owner. The developer or owner may request in writing one year extension specifying the reasons why construction has not commenced.

The Planning & Zoning Commission shall not sign and deliver a copy of the plat to be recorded, nor shall such Final Plat be recorded, if such proposed improvements are not completed within two years of commencement of construction, and approved by the Director of Community Development. In the event the developer or owner fails to complete construction of such improvements within two years of commencement of construction, approval of the Final Plat shall terminate upon written notice from the Commission to developer or owner. The developer or owner may request a one year extension in writing from the Director specifying the reasons why construction had not been completed.

The Final Plat shall not be recorded unless the deed restrictions called for herein are recorded simultaneously with the recordation of the Final Plat.

(10) After recordation with Harris County, the original recorded mylar film of the Final Plat shall be retained in the official files of the Commission.

(d) Administrative Plat

(1) The same submittal requirements for a Final Plat approval apply to an Administrative Plat.

(2) Administrative Plat applications shall comply with all applicable city ordinances and statutes prior to approval by the Director. The Director shall review the plat and take one of the following actions:

- a. Approve the Preliminary Plat as filed.
 - b. Disapprove the Preliminary Plat as filed, provided, the reason for such disapproval is stated in writing. Disapproval may also include conditions for resubmittal. If said plat is disapproved, the applicant may elect to refer the plat to the Commission for consideration.
- (3) The Director may, for any reason, elect to present the plat to the Commission for approval of the plat.
- (4) Unless stipulation for additional time is agreed to by the subdivider, the failure of the Director to act within thirty (30) days from the date of the filing of the plat by the developer, will cause the plat to be deemed approved.

(e) Replat of recorded subdivision plats

(1) A replat or re-subdivision of a recorded Subdivision Plat, or a portion thereof, but without vacation of the immediate previous plat, is hereby expressly authorized to be recorded and shall deemed valid and controlling when:

- a. It has been signed and acknowledged by only the owners of the particular property which is being replatted or re-subdivided on the acknowledgement shown in Enclosure 1 to Appendix D;
- b. It does not attempt to alter, amend or remove any covenants and restrictions;
- c. There is compliance, when applicable, 212.014 and 212.0145 of the Texas Local Government Code;
- d. It has been approved by the Commission after being prepared and filed as though it were an original plat as specified in subparagraph “c” of this section and
- e. All expenses incurred by the City or the subdivider in the Replat process shall be borne by the subdivider, including costs of notice at public hearing.

(f) Amending Plat (of recorded subdivision plats)

(1) An Amending Plat may be filed for record in the County map records to correct dimensional errors, notational errors or other erroneous information, to add to or delete monuments, or to relocate a lot line between adjacent lots, as allowed in Section 212.016 of the Texas Local Government Code, provided:

- a. The signed Amending Plat Certificate shown on Enclosure 4 to Appendix D is placed on the face of the Amending Plat;

b. The Planning and Zoning Commission Certificate shown on Enclosure 4 to Appendix D is placed on the face of the Amending Plat and;

c. Commission approval of said Amending Plat is reflected by Commission execution of said certificate.

(2) The Planning Director of the City of La Porte may approve Amending Plats and execute Certification of same as set forth above in lieu of the Planning Commission, as allowed in Section 212.0065 of the Texas Local Government Code. The Director of Planning may, for any reason, elect to present the Amending Plat to the Commission for approval. The Director of Planning shall not disapprove the Amending Plat and shall refer any plats which are refused to the Planning Commission within the time parameters as delineated in Section 212.009 of the Texas Local Government Code.

(g) Vacating Plat (of recorded subdivision plats)

(1) The vacation of Subdivision Plats, which is authorized and regulated by Section 212.013 of the Texas Local Government Code, shall be permitted, provided:

a. All owners of all property contained within the previous plat sign the Vacation of Subdivision Declaration shown on Enclosure 5 to Appendix D;

b. Approval of the Commission is obtained and reflected by Commission execution of the certificate shown on Enclosure 5 to Appendix D; and

c. Said owners declaration and Commission approval certificate is recorded as a single instrument in the county records as required by Section 212.013 of the Texas Local Government Code.

Sec. 86-15. General standards for subdivision and developments.

(a) Streets and alleys.

(1) Street classification system. The street pattern of the city should provide adequate circulation while discouraging through traffic within local neighborhoods. This may be accomplished by providing thoroughfares spaced at approximately one-mile intervals and collector streets within neighborhoods spaced at about half-mile intervals to link local streets to the thoroughfare network.

(2) Street width. Public or private streets shall have a minimum pavement width of 28 feet. Public or private alleys shall have a minimum pavement width of 20 feet.

(3) Thoroughfare extension. Right of way widths for thoroughfare extensions shall be as indicated in the PICM along the entire frontage of the tract being developed. Where the existing dedicated right of way width fronting the adjacent property is less than shown in the PICM, a transition zone of 300 feet of frontage of the new development shall be provided between the existing and new right of ways.

(4) Continuation of adjoining streets. The arrangement of streets in new developments shall make provisions for the appropriate continuation of existing streets from adjoining properties.

(5) Future projections of streets. Where adjoining areas are not developed, but may be developed, the arrangement of streets in a new development shall make provisions for the proper projection of streets into adjoining areas by carrying the new streets to the boundaries of the new development at appropriate locations. All such streets shall be designed in accordance with the PICM.

(6) Provisional one-foot reserve. Required along the side or end of streets that abut acreage tracts. The note shall be notated on the Final Plats and Street Dedication Plats, where appropriate

(7) Street names. Street names shall be the same as existing street names, if they are continuations of existing streets. Otherwise, no street name shall be permitted that is a duplicate of an existing or proposed street name within the City. Proposed new names must be submitted to the Department for checking prior to the submittal of first plat or plan. The developer shall provide street name signs in accordance with the PICM.

(8) Alleys. Alleys may be provided within any subdivision or development to provide secondary vehicular access to building sites which otherwise have their primary access from an adjacent public street. Alleys shall not be used or designed to provide principal access to any tract of land and shall not provide access to property outside the development boundaries in which the alleys are located. Dead end alleys are not permitted.

(9) Private streets and alleys. Streets and alleys in which the developer proposes to privately maintain in perpetuity through a community association or other approved means are to be designated as "private" on the plat. Design and construction of such streets and alleys will be identical to design and construction standards for public streets. Right of way lines may be coterminous with the edge of pavement.

(b) Engineering data. Please see the PICM.

(c) Lots. The following standards shall apply to all lots:

(1) The lot design of a Subdivision or Development should provide for lots of adequate width and depth to provide open area and to eliminate overcrowding.

(2) Lots should be rectangular so far as practicable and should have the side lot lines at right angles to streets on which the lot faces or radial to curved street lines.

(3) Lots with double frontage are prohibited except when backing on major thoroughfares and upon approval by the Planning Commission.

(4) All lots shown on the plat will be for residential purposes unless otherwise noted.

(5) Side lot lines should be perpendicular or radial to street frontage and the following note may be in lieu of bearings. "All side lot lines are either perpendicular or radial to street frontage unless otherwise noted."

- (6) Driveway access to thoroughfares shall be prohibited.
 - (7) Double front lots are prohibited except when backing on major thoroughfares or on corner lots.
 - (7) Lots shall be sized in accordance with the requirements of Chapter 106, Zoning.
- (d) Drainage easements. The following standards shall apply to all drainage easements:
- (1) The location and width of all easements shall be determined by the Director for all plats or plans within the cities jurisdiction, and by the Director in conjunction with Harris County Flood Control District (HCFCD) for all easements that HCFCD may have an interest in.
 - (2) Easements for drainage adjacent to lots, tracts, or reserves shall be recited on the Final Plat, in accordance with ~~the~~ language. language approved by the Director.
- (e) Utility easements. The developer shall coordinate all public and private utility easements with the applicable entity as required in this Chapter.
- (f) Platting of public streets or easements across private easements or fee strips. The following shall apply when platting of public streets or easements across private easements or fee strips:
- (1) A copy of the instrument establishing any private easement shall be submitted with the Development Site Plan or the Preliminary Plat as reflected by the Title Certificate submitted.
 - (2) Easement boundaries must be tied by dimensions to adjacent lot and tract corners. Where the private easement has no defined location or width, an effort shall be made to reach agreement on a defined easement. Where no agreement can be reached, then existing facilities shall be accurately located and tied to lot lines, and building setback lines shall be established as specified in Section 5.04.
 - (3) Prior to approval of the Final Plat or Development Site Plan, the developer or dedicator of any Subdivision Plat or Development Site Plan, wherein public streets or easements are shown crossing private easements or fee strips, shall by letter to the Commission assume responsibility for seeing that any adjustments and protection of existing pipelines, electrical transmission lines, or other facilities shall be planned and provided for to the satisfaction of the holder of the private easements or fee strips and the Director prior to the filing of the plat or plan for record.
 - (4) Prior to filing of the Final Plat or Development Site Plan for record, the following requirements must be met:
 - a. The developer or dedicator of any plat or plan shall obtain from the holder of any private easement or fee strip within the plat or plan crossed by proposed streets or other public easements an instrument granting to the public the use of said public streets or easements over and across said private easements or fee strips for construction, operation, and maintenance of those public facilities normally using the type of public streets and easements indicated. This instrument shall be delivered to the Commission to be filed for record along with plat or plan.

b. The developer shall furnish the Commission with a letter from the holder of the private easements or fee strips in questions stating that arrangements for any required adjustments in pipelines, electrical transmission lines, or other similar facilities have been made to the satisfaction of the holder of the easements.

(g) Monumentation requirements. The following are requirements for monumentation for subdivisions and developments:

(1) Subdivisions

a. Permanent control monuments, one for each five acres of property or fraction thereof, shall be placed along streets centerlines or at subdivision corners. The location of control monuments shall be approved by the Department at the Preliminary Plat stage and shown on the Final Plat. The construction of permanent control requirements shall be in accordance with the PICM.

b. At least one control monument shall be accurately tied, by angle and distance to an approved City of La Porte monument. Elevation shall be established for each control monument installed. Datum shall be supplied or approved by the Department.

c. Elevations and coordinate values for each control monument shall be submitted in accordance with language approved by the Director and approval by the Department prior to execution of the Final Plat.

d. All corners of the subdivision, all angle points and points of curvature in the subdivision boundary, all block corners, all angle points and points of curvature in each street right of way shall be marked with iron rod not less than three fourths (3/4) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation.

e. All lot corners shall be marked with iron rods not less than five-eighths (5/8) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation.

f. All required monumentation shall be completed prior to final acceptance of the subdivision and execution of the Plat.

(2) Major developments

a. Permanent control monuments, one for each five acres of property or fraction thereof, shall be placed along street centerlines or at corners of the development. The location of control monuments shall be approved by the Department and shown on the Development Site Plan. The construction of permanent control monuments shall be in accordance with the PICM.

b. At least one control monument shall be accurately tied, by angle and distance to an approved City of La Porte monument. Elevations shall be established for each control monument installed. Datum shall be supplied or approved by the Department.

c. Elevation and coordinate values for each control monument shall be submitted and approved by the Department prior to or concurrent with acceptance of all public improvements.

d. All lot corners within the Development shall be marked with iron rods not less than five-eighths (5/8) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation prior to commencement of any building construction.

(3) Minor developments

a. All lot corners of Minor Developments shall be marked with iron rods not less than five-eighths (5/8) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation. Lot corners shall be established and placed prior to commencement of any building construction.

(h) Public improvements

(1) The developer shall pay all costs for providing the development with streets, water mains, sanitary sewers, and storm sewers in accordance with plans and specifications for such improvement approved by the Director and in the manner set out in the adopted Utility Extension Policy. The subdivider shall pay all costs associated with street lighting as set out in the PICM.

(2) The subdivider or developer shall guarantee construction of all approved public improvements as provided in this section and in conformance with the adopted PICM.

(3) The installation of the approved improvements shall be under the inspection of the Director or his representative and the Director shall certify the installation as being in accordance with the approved plans and specifications before the Planning Commission will execute a Subdivision Plat for recordation, or before the City will accept said public improvements for maintenance.

(i) Reimbursement for oversizing

(1) All improvements required in a Subdivision or Development will be installed at the developer's cost, unless otherwise provided. The cost of utilities and streets which are required by the City to be larger than would be normally needed to serve the proposed addition will be partially reimbursed. The reimbursable amount will be the difference between the cost of the facilities that would be adequate to serve the addition and the cost of the facilities required by the City. A reimbursement contract will be negotiated between the City Council and the Developer.

(j) Record drawings

(1) The engineer representing the developer must present to the Director [project information electronically to the City], reproducible complete "record drawings" for all paving, drainage structures, water lines and sewer lines within thirty (30) days after completion of each contract. The Director will not certify approval of public improvements construction until record [all] drawings have been submitted.

(k) Fees. Filing/Application fees for plats, plans, waivers or other requirements as established in this Chapter shall be in an amount established by the City and listed in Appendix A of this Code.

(l) Plat/Plan Graphic Symbols. The following line symbols are established for all plans and plats:

(1) Boundaries: Show perimeter boundaries, right of ways and boundary lines between development phases in bold solid lines (**_____**). Use solid lines (_____) for block and lot boundaries.

(2) Building lines: Indicate by long dashes separated by short dashes (**__ _ __ _**).

(3) Easements: Indicate by short dashes (**_ _ _ _**).

(4) Stream and depression high banks: indicate by long dashes separated by three short dashes (**_____**).

(5) Edge of flood hazard area: Indicate by long dashes separated by circles (**_____ o _____ o _____ o _____**).

(6) Adjacent properties: Indicate lines outside boundaries of proposed development by long dashes (**_____**).

(m) Plat/Plan Geometric Standards. The following table outlines geometric standards for plans and plats:

Item Description	General Plan	Preliminary Subdivision Plat	Final Subdivision Plat	Development Site Plan
<i>Dimensional Accuracy Standards</i>				
Exact: Angles to the nearest second, distances to the nearest hundredth of a foot.			X	X
Approximate: Angles to the nearest degree, distances to the nearest foot.	X	X		
<i>Line Definition: For all lines required to be defined on a line between two points is considered as "defined" if the following information is provided:</i>				
Bearing (in degree) for tangent (straight) lines	X	X	X	X
Distance (in feet) for tangent (straight) lines	X	X	X	X
Radius of curve (R, in feet) for curvilinear lines	X	X	X	X
Central delta angle (Δ , in degrees) for curvilinear lines			X	X
Arc length (L, in feet) for curvilinear lines	X	X	X	X
Cord length (C, in feet) for curvilinear lines			X	X
Chord bearing (CB, in degrees) for curvilinear lines			X	X
<i>Lines to be defined for street rights-of-way (centerline and both edges), perimeter boundaries, lots, blocks, reserves and easements, all lines between any combination of the following points:</i>				
Points of beginning or ending	X	X	X	X
Lots, block, or reserve corners	X	X	X	X
Angle points	X	X	X	X
Points of tangency or curvature	X	X	X	X

Points of inflection (reserve curvature)	X	X	X	X
Points of intersection with crossing lines for lots, blocks, reserves, rights-of-way, easements, stream or depression high banks, and flood hazard area boundaries			X	X
<i>Lines to be defined for high banks of stream or depression (no right-of-way or easement), lines between:</i>				
Points defining the limits of the high bank		X	X	X
Points of intersection with crossing lines for lots, reserves, easements and rights-of-way			X	X
<i>Lines to be defines for flood hazard area, lines between:</i>				
Points of defining the limits of the flood hazard area (Consult City Flood Zone Administrator for required elevations)		X	X	X
Points of intersection with crossing lines for lots, reserves, easements and rights-of-way			X	X

(n) Title certificate information. A planning letter, certificate, abstract, or other instrument from a title guaranty company or attorney authorized to render title opinions in the State of Texas, which certifies than a search of the appropriate records was performed within thirty (30) days of the filing date and which letter provides the following information:

- (1) The date of the examination of the records.
- (2) A legal description of the property proposed to be developed including a metes and bounds description of the boundaries of said land.
- (3) The name of the recorded owner of fee simple title as of the date of the examination of the records, together with the recording information or the instruments whereby such owner acquired fee simple title.
- (4) The names of all lienholders together with the recording information and date of the instruments by which such lienholders acquires their interests.
- (5) A description of the type and boundaries of all easements and fee strips not owned by the developer of the property in question together with the recording information and date of the instruments whereby the owner of such easements or fee strips acquired their title.
- (6) A statement certifying that no delinquent city or county taxes are due on the property being platted.

Sec. 86-16. Engineering and construction standards for subdivisions.

- (a) Streets and alleys.

(1) All streets shall be reinforced concrete pavement on a compacted subgrade. Concrete pavement shall be provided with either an integral curb poured with the pavement or a separate curb constructed on top as required by the PICM and subject to the approval of the Director.

(2) Pavement design shall conform to the PICM.

(3) Curb and combination curb shall be constructed of reinforced concrete. Cross section and slopes shall conform to the PICM.

(4) All concrete shall be designed and controlled by a competent laboratory as required by the PICM.

(b) Drainage and storm sewer.

(1) Adequate drainage shall be provided within the limits of the subdivision as to reduce the community's exposure to flood hazards with respect to adjacent, upstream and downstream developments. (See also Chapter 94 "Floods" of the Code of Ordinances of the City of La Porte for additional requirements.) Adequate drainage shall be provided within the limits of the subdivision and/or development. The protection of adjoining property shall be accounted for in design of the system in conformance with the PICM, and shall be subject to the approval of the Director. The design and sizing of the system shall be in conformance with the PICM, and subject to the approval of the Harris County Flood Control District and the Director.

(2) Any person or persons that alters or changes the elevation of property shall be responsible for applying for and obtaining, prior to said change or alteration of the elevation of the property, a development authorization from the Department. Any change or alteration in the elevation of property requires submission of a site plan prior to the change or alteration of property, which said site plan shall delineate the proposed change or elevation of property. Said certified site plan shall be subject to approval by the City Engineer.

(3) Fill dirt permit shall be required by the City. Exhibits show fill dirt regulations, grading standards, and swale standards; requiring sketch plans and approval prior to the introduction of fill material; and providing silt prevention and revegetation standards. Said fee shall be \$25.00 for the first 49 loads of permitted fill dirt, and \$2.00 for each additional load. Any person who places fill dirt on their property without first applying for and obtaining a fill dirt permit shall be guilty of a misdemeanor.

(4) A stormwater quality permit may be required in accordance with city, state and federal law.

(c) Water and sewer system.

(1) The design and construction of all water and sewer systems shall be in conformance with the PICM, and subject to approval by the Director. The developer or owner shall provide the necessary certificates from all other governmental agencies certifying compliance with their regulations.

(d) Street lighting.

(1) All public streets and non- residential parking lots where intended for use by the general public in the City must be served adequately by lights. Lighting must be located and installed in accordance with the specifications of the PICM.

Sec. 86-25 Open space within subdivisions and developments.

(a) Purpose.

(1) It is the policy of the City to provide recreational areas and amenities in the form of neighborhood and community parks as a function of residential development in the City of La Porte. This Section is enacted in accordance with the home rule powers of the City of La Porte granted under the Texas Constitution and statutes of the State of Texas, including, without limitation, Texas Local Government Code, § 51.071 *et seq.* and § 212.001 *et seq.* It is hereby declared ~~that~~ by the City Council of the City of La Porte that recreational areas, in the form of neighborhood parks and related amenities and improvements, are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such requirement into the procedure for planning and development of property of a residential subdivision in the City of La Porte, whether such development consists of new construction on previously vacant land or rebuilding and redeveloping existing residential areas.

Neighborhood and community parks are those parks providing for a variety of outdoor recreational opportunities and within convenient distances from a majority of the residences to be served thereby, the standards for which are set forth in the La Porte Parks, Recreation and Open Space Master Plan, or neighborhood and community areas. The park zones established by the La Porte Parks and Recreation Department and shown on the official La Porte Parks, Recreation and Open Space Master Plan, or neighborhood area, shall be *prima facie* evidence that any park located therein is within such a convenient distance from the majority of residences to be served thereby. The cost of the neighborhood parks should be borne by the ultimate residential property owners who by reason of the proximity of their property to such parks shall be the primary beneficiaries of such facilities. Therefore, the following requirements are adopted to effect such purposes.

In order to provide an equitable method of determination of the requirements for future development of residential areas of the City of La Porte, the following formula is hereby adopted: The population of the City based on the latest United States Census data, adjusted on an annual basis based on the predicted growth of the City as found in the Parks and Open Space Master Plan for the year in which the adjustment is made, is identified. The resultant number is divided by the number of acres of available neighborhood and community parkland inventory in the City of La Porte, resulting in the number of persons per neighborhood or community park acre in the City of La Porte. This result is then divided by the number of La Porte persons per dwelling unit as identified in the latest United States Census data, giving the number of dwelling units per acre of neighborhood or community parkland. This number is then divided into the total acquisition cost for land at the average appraisal value, and development cost per acre for development of the land into a typical park as identified in the Parks and Open Space Master Plan of the City.

This formula provides a baseline for determining the number of dwelling units per acre rate for future development within the City, the parkland dedication or in lieu acquisition costs for parkland,

and the cost of future park development. This formula shall be applied and reviewed periodically to assure that the process for future development remains fair and equitable as established herein. In the event that the periodic review results in a determination of inequity, an amendment to the Ordinance to correct the inequity will be presented to Council for consideration.

(b) General requirement for dedication of land and payment of park development fee.

(1) Whenever a Final Plat is filed of record with the County Clerk of Harris County, Texas or a development site plan, or a property survey is submitted and filed with the approving authority of the City in accordance with the provisions of this ordinance and other planning and development ordinances that may be contained within the Code of Ordinances of the City of La Porte, for a development of a residential area within the City of La Porte that contains two or more contiguous residential dwelling units, such plat, or site plan, or property survey shall contain a clear fee simple dedication of one acre of land for each 93 proposed dwelling units. As used in this Section, a “dwelling unit” means each individual residence, including individual residences in a multi-family structure, designed and/or intended for inhabitation by a single family. Residential structures that are moved from one area of the City to another area of the City are specifically excluded from the park development fee requirements of this ordinance.

Any proposed plat or site plan, or property survey submitted to the City of La Porte for approval shall show the area proposed to be dedicated under this section. The required land dedication of this section may be met by a payment in lieu of land where permitted by the City of La Porte or required by other provisions in this ordinance.

In the event a plat is not required and a development site plan or property survey is filed, the dedication of land or payment in lieu of land required under this section shall be met prior to the issuance of a building permit by the approving authority of the City.

(2) The City Council of the City of La Porte declares that development of an area less than one acre for neighborhood park purposes is impractical. Therefore, if fewer than 93 dwelling units are proposed by a plat filed for approval, the approving authority may require the developer to pay the applicable cash in lieu of land amount, as provided in subsection “c” below.

(3) In addition to the required dedication of land, as set forth above, there shall also be a park development fee paid to the City of La Porte as a condition to subdivision plat approval or issuance of a building permit. Such park development fee shall be set from time to time by ordinance of the City Council of the City of La Porte sufficient to provide for the development of amenities and improvements on the dedicated land to meet the standards for a neighborhood park to serve the area in which the subdivision is located. Unless and until changed by ordinance of the City Council of the City of La Porte, the park development fee shall be calculated on the basis of \$318 per dwelling unit.

(4) In lieu of payment of the required park development fee, a developer shall have the option to construct the neighborhood park amenities and improvements. All plans and specifications for the construction of such amenities and improvements must be reviewed and approved by the approving authority. The developer shall financially guarantee the construction of the amenities and

improvements, and the City of La Porte must approve same, prior to the filing of a plat in the case of platted subdivisions. Once the amenities and improvements are constructed, and after the approving authority has accepted such amenities and improvements, the developer shall deed and convey such amenities and improvements to the City of La Porte or to the applicable Homeowner's Association.

(5) In instances where land is required to be dedicated, the approving authority shall have the right to accept or reject the dedication after consideration of the recommendation of the Parks and Recreation Director or the Planning and Zoning Commission, and to require a cash payment in lieu of land in the amount provided under subsection "c" below, if the approving authority determines that sufficient park area is already in the public domain for the area of the proposed development or if the recreation potential for that area would be better served by expanding or improving existing neighborhood parks.

(6) When two or more developments will be necessary to create a neighborhood park of sufficient size in the same area, the Parks and Recreation Department, at the time of preliminary plat approval, will work with the developer to define the optimum location of the required dedication within the respective plats. Once a park site has been determined, adjacent property owners who develop around the park site shall dedicate land and (or) cash to the existing site unless otherwise determined by the approving authority, as provided herein.

(c) Cash payment in lieu of land.

(1) A developer responsible for land dedication under this Section shall be required, at the approving authority's option, to meet the dedication requirements in whole or in part by a cash payment in lieu of land, in the amount set forth below. Such payment in lieu of land shall be made prior to filing the final plat for record, or prior to the issuance of a building permit where a plat is not required.

(2) The cash payment in lieu of land dedication shall be met by the payment of a fee set from time to time by ordinance of the City Council sufficient to acquire neighborhood parkland. Unless and until changed by the City Council, such fee shall be computed on the basis of \$490 per dwelling unit. A cash payment in lieu of land dedication, as set forth in this section, does not relieve the developer of its obligation to pay the park development fee of \$318 set forth in subsection (b)(3) above. The cash payment in lieu of land dedication is in addition to the required park development fee.

(3) The general requirements for dedication of land and payment of park development fees and the cash payment in lieu of land are set forth graphically in Table 1, attached hereto.

(4) The City of La Porte may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the City does purchase park land in a park zone, subsequent park land dedications for that zone shall be in cash only, the calculation of which is set forth as provided herein. Such cash payments are in addition to the payment of the required park development fee.

(d) Special fund.

(1) All funds collected by this dedication process will be deposited in the City of La Porte's Park Development Fund and used for the purchase or leasing of park land and the development and maintenance of same. All expenditures from the said fund will be reviewed and approved by the Office of the City Manager for the City of La Porte.

(2) The City of La Porte shall account for all sums paid into the Parks Development Fund with reference to the individual plats involved.

(e) Prior dedication, absence of prior dedication.

(1) If a dedication requirement arose prior to the passage of this Chapter, that dedication requirement shall be controlled by the ordinance in effect at the time such obligation arose, except that additional dedication shall be required if the actual number of dwelling units constructed upon property is greater than the former assumed or planned number of dwelling units. Additional dedication shall be required only for the increase in the number of dwelling units and shall be based upon the land dedication and park development fee requirements set forth herein above.

(2) At the discretion of the City, any former gift of land to the City may be credited on a per acre basis toward eventual land dedication requirements imposed on the donor of such lands. The approving authority shall consider the recommendations of the Parks and Recreation Department and the Planning and Zoning Commission in exercising its discretion under this subsection.

(f) Additional requirements, definitions.

(1) Any land dedicated to the City under this Chapter must be suitable for park and recreation uses. The following characteristics of a proposed area are generally unsuitable and may be ground for refusal of any plat:

a. Any area primarily located in the 100-year floodway as determined by the Harris County Flood Control District.

b. Any areas of unusual topography or slope which renders same unusable for organized recreational activities.

(2) Drainage areas may be accepted as part of a park if the channel is constructed in accordance with City engineering standards as found in Section 5.5.3 of the Public Improvement Criteria Manual of the City of La Porte, if no significant area of the park is cut off from access by such channel, if not less than five (5) acres of the site is above the 100-year flood plain, or if the dedication is in excess of ten (10) acres, not less than fifty percent (50%) of the site should be included in the 100-year flood plain.

(3) Each park must have ready access to a public street.

(4) Unless provided otherwise herein, an action by the City shall be by the approving authority, after consideration of the recommendations of the Commission and/or the Director of Parks and Recreation Department.

(5) Any preliminary plat approved prior to the effective date of this ordinance shall be exempt from these requirements set forth herein; however, however when such preliminary approval expires, any resubmission of such plat shall meet the requirements of this ordinance.

(g) Instruments of dedication.

(1) The park land dedication required Section shall be made in the case of Subdivision by a reservation on the Final Plat as filed in the map records of Harris County, Texas, unless additional dedication is required subsequent to the filing of the Final Plat. In the case of a Development Site Plan, the dedication required by the ordinance shall be made by filing of a deed to the deed records of Harris County.

In either event, if the actual number of completed dwelling units exceeds the figure upon which the original dedication was based, such additional dedication shall be required, and shall be made by payment by the cash in lieu of land amount provided herein.

Sec. 86-26. Waivers.

(a) In those instances where, in the opinion of the Commission, strict compliance with the terms, rules, conditions, policies, and standards provided in this Chapter would create an undue hardship by depriving the applicant or subdivider of the reasonable use of the land or, where, in the opinion of the Commission, there are unusual physical characteristics which affect the property in question and which would make strict compliance with the terms and conditions of this Chapter or any rule promulgated under this Chapter not feasible, the Commission may grant the applicant or subdivider a waiver as to one or more requirements as long as the general purpose of this Chapter is maintained. Economic hardship shall not constitute the sole basis for granting a waiver under this section.

(b) A waiver granted under the provisions of this Chapter shall only to the specific property upon which the Commission was requested to approve a plat and that such waiver shall not constitute a change of this Chapter, or any part thereof, or establish any policy, rule or regulation contrary to the provisions of this Chapter.

(c) Any waiver on a recorded plat granted before the date of adoption of this Chapter is hereby recognized as continuing to be valid and compliance with the provisions of this Section shall not be required.

(d) Any person desiring to secure a waiver as to the provisions of this Chapter must submit a written request with the other materials. Any request for a waiver must cite the specific rule, policy or standard contained in this Chapter from which a waiver is desired. Additionally, the request must state the extent of the waiver sought and the specific facts or reasons why such waiver is needed

(e) No waiver may be granted by the Commission unless approved by a majority vote of the members present at the meeting of the Commission at which the waiver request is presented and ~~that~~ where the Commission affirmatively finds:

(1) That the waiver would not be contrary to the general purpose and goals stated in this Chapter.

(2) That the waiver would not be detrimental to the public health, safety or welfare, to be injurious to adjacent property, or prevent the subdivisions or development of other land in the area in accordance with the provisions of this Chapter.

(f) Such finding of the Commission, together with the specific facts upon which such findings are based shall be incorporated into the official minutes of the Commission meeting at which such waiver was granted.”

Section 2. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be

Section 3. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 4. Ordinance No. 1444, together with all amendments to Ordinance No. 1444, is expressly repealed. Furthermore, all other ordinances or parts of ordinances in conflict herewith are hereby repealed, but to the extent of such conflict only.

Section 5. 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 6. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the _____ day of _____, 2016.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Clark Askins, Assistant City Attorney

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 86 “DEVELOPMENT REGULATIONS” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, TEXAS BY ADOPTING COMPREHENSIVE GUIDELINES, RULES AND REGULATIONS FOR SUBDIVISION AND DEVELOPMENT OF LAND IN THE CITY OF LA PORTE; 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 TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; CONTAINING A REPEALING CLAUSE; 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: That Chapter 86, “Development Regulations”, of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

“Article I. In General.

Sec. 86-1. Purpose.

(a) It is the intent of this chapter for the City to outline the requirements for subdividers, developers, applicants, engineers, surveyors, realtors and other persons interested and involved in the subdivision and development of land.

(b) It is also the intent, purpose and scope of this chapter to promote the vision, goals and policies of the City’s Comprehensive Plan and all of its components and to protect the health, safety and general welfare of the public.

Sec. 86-2. Statutory authority and jurisdiction.

(a) Pursuant to the authority granted to cities and counties under the constitution and laws of the state, including the provisions of Texas Local Government Code § 212.003, as amended Chapter 212, and as amended, the City Council does hereby adopt the rules and regulations established in this chapter governing the subdivision and development of land within the city limits and extraterritorial jurisdiction of the city. provided, however, that the City of La Porte excludes from the terms, conditions and effects of this chapter and all amendments hereto, unsubdivided development in the extraterritorial jurisdiction of the City, and land included within the boundaries of any Industrial District or Districts that may be hereafter created by the City of La Porte under the terms of Article

~~970a and amendments thereto of the Revised Civil Statutes the Texas Local Government Code of the State of Texas.~~

(b) The Approving Authority shall review all plans, plats, and all accompanying documentation required in this chapter, and require developer and subdivider compliance with the applicable state law, this chapter, the Zoning Ordinance of the City of La Porte, other applicable ordinances of the City of La Porte, **the City of La Porte Comprehensive Plan**, and approved written policies and procedures of the City of La Porte.

(c) If any section of this chapter is in conflict with other provisions of this chapter or any other ordinance, the more restrictive rule or regulation shall apply.

~~Under the authority of Article 974a of the Revised Civil Statutes [the Texas Local Government Code] of the State of Texas, which article is hereby made part of these regulations [this ordinance], the City Council of the City of La Porte does hereby adopt the following regulations to hereafter control the development of land within the corporate limits of the City of La Porte and in the unincorporated areas lying within the extraterritorial jurisdiction of the City of La Porte in order to provide for the orderly development of the areas and to secure adequate provision for the orderly development of the areas and to secure adequate provision for traffic, light, air, recreation, transportation, water, drainage, sewage, and other facilities; provided, however, that the City of La Porte excludes from the terms, conditions and effects of this Ordinance [chapter] and all amendments hereto, unsubdivided development in the extraterritorial jurisdiction of the City, and land included within the boundaries of any Industrial District or Districts that may be hereafter created by the City of La Porte under the terms of Article 970a and amendments thereto of the Revised Civil Statutes [the Texas Local Government Code] of the State of Texas.~~

Sec. 86-3. Conformance requirements.

(a) **In so implementing this chapter, the City may, as needed, utilize policies in the City's Comprehensive Plan, including but not limited to the future land use plan and corresponding provisions, as well as complementary general design and construction standards approved by ordinance by City Council.**

(b) **All development must also be in compliance with the City's Public Improvement Criteria Manual (PICM), where applicable.**

(c) It shall be unlawful for any owner or agent of any owner of land to layout, subdivide, resubdivide, plat, or replat any land within the City of La Porte or its extraterritorial jurisdiction without an approved City Development Authorization. In addition, it shall be unlawful for any owner or agent of any owner of land to cause the development of any land within the corporate limits of the City of La Porte, without an approved City Development Authorization. It shall be unlawful for any such owner or agent to offer for sale or sell property therein or thereby, which has not been laid out, subdivided, re-subdivided, platted, replatted or developed without the approvals required in this ~~Ordinance~~ **Chapter**, subsequent to the passage of this ~~Ordinance~~ **Chapter**.

(d) The City shall withhold all City improvements of whatsoever nature, including the maintenance of streets and the furnishing of utilities from all subdivisions or developments not in conformance with the provisions of this Chapter.

(e) No Building Permit shall be issued for the erection or improvements of any building in the City's jurisdiction not located within an approved and recorded subdivision plat or within an approved Development Site Plan as defined herein.

CONFORMANCE WITH THE COMPREHENSIVE PLAN (3.03)

~~The City shall, under the provisions of Article 11, XI, Section 5 of the Texas Constitution and the provisions of Article 970a and 974a, [the Texas Local Government Code of the State of Texas], require that all plans or plats conform to the:~~

~~a. Comprehensive Plan of the City, its streets, alleys and public utility facilities which have been laid out; and,~~

~~b. The Comprehensive Plan for the extension of the City, its roads, streets, public highways, water and sewer mains and other instrumentalities of public utilities within the City and its extraterritorial jurisdiction.~~

GENERAL (1.00)

~~This ordinance shall govern every person, firm, association or corporation owning any tract of land within the City limits of the City of La Porte and within its extraterritorial jurisdiction who may hereafter subdivide or engage in development as hereinafter defined any tract of land or any addition to said City provided, however, that the City of La Porte hereby excludes from the terms, conditions and effects of this ordinance and all amendments hereto, land included within the boundaries of any Industrial District or Districts within the Extraterritorial Jurisdiction of the City of La Porte that currently exists or may be hereafter created by the City of La Porte under the terms of Chapter 212, Municipal Regulation of Subdivisions and Property Development, of the Texas Local Government Code,~~

Sec. 86-4. Definitions.

For the purpose of this ordinance the following various terms, phrases and words, will have the meaning ascribed to them herein. When not inconsistent with the context, words used in present tense include the future; words used in singular include the plural; words used in plural include the singular; "shall" is mandatory; and "may" is permissive. Any office referred to herein by title will include the person employed or appointed for that position or its duly authorized deputy or representative. Terms, phrases or words not expressly defined herein are to be considered in accordance with customary usage.

AGRICULTURAL USE: Any activity related to the cultivation of the soil, the producing of crops to human food, animal feed or planting seed or for the production of fibers; floriculture, viticulture or horticulture raising or keeping of livestock; and planting cover crops or leaving land idle for the purpose of participating in any governmental program or recognized, normal crop or livestock rotation procedure.

A residential unit and related ~~out-buildings~~ **accessory buildings** located solely for one or more of the purposes described in the preceding sentence shall be deemed an agricultural use.

ALLEY: A public right-of-way ~~which~~ **that** is used for utility installation or for secondary access to individual properties ~~which~~ **that** have their primary access from an adjacent public street or an approved common or compensating open space or court yard ~~which~~ **that** has direct access to a public street.

APPROVING AUTHORITY: ~~commission~~ **The Planning and Zoning Commission** or the City official having authority to sign plats or plans signifying City approval of said plats or plans. For Minor Developments **and Administrative Plats**, the Approving Authority is the Director of Planning and Development. For all other developments or subdivisions, the Approving Authority is the Planning and Zoning Commission.

ARTICLE 974a: ~~A general law of the State of Texas found at Acts 1927 General Laws, Ch. 231, as it may be from time to time amended.~~

BUILDING SETBACK LINE: A line that is the required minimum distance from the street right-of-way line or easement line or any other lot line that establishes the area ~~within which~~ **where** any structure must be erected or placed.

BLOCK: An identified tract or parcel of land established within a subdivision surrounded by a street or a combination of streets and other physical features ~~which~~ **that** may be further subdivided into individual lots or reserves.

BUILDING PERMIT: A permit for improvements granted by the Chief Building Official under the provisions of the City Building ~~Codes~~ **Regulations** currently in force and effect; ~~save and except improvements of less than \$1,000.00 valuation.~~ As used herein, **the term "improvement"** shall include the construction, enlargement, alteration, repair, removal, or conversion of a building or structure.

CHIEF BUILDING OFFICIAL: The City officer or other designated authority charged with the administration and enforcement of the City Building ~~Codes~~ **Regulations**, or his/her authorized representative.

CITY: The City of La Porte, Texas.

CITY BUILDNG REGULATIONS: All building regulations referred to in and incorporated by Chapter 82 of the City's Code of Ordinances.

CITY COUNCIL: The City Council of the City of La Porte, Texas.

CITY SECRETARY: ~~That~~ **The** person holding the office of City Secretary under the terms of the La Porte Charter, or her/his designated representative.

COMMISSION: The Planning and Zoning Commission of the City.

COMPENSATION OPEN SPACE: Those areas designated on a plat or plan ~~which~~ **that** are restricted from development, except for landscaping and recreational uses and which all owners of residential properties within the plat have a common legal interest or which are retained in private ownership and

restricted from development, except for landscaping and recreational uses, for the exclusive use of all owners of residential property within the plat, and such designation shall remain in effect until the plat is vacated or the tract is replatted. The terms “compensating open space”, “common open space”, “common property” and “common area” may be used interchangeably and may be considered as similar.

COMPREHENSIVE PLAN: A long- range plan adopted by the City Council **in accordance with Texas Local Government Code Chapter 213 and as such plan is periodically amended or updated**, which is intended to guide the development of the City **and** that includes analysis, recommendations and proposals for the community’s population, economy, housing, transportation, community facilities and infrastructure.

COUNTY: Harris County, Texas

DEPARTMENT: The Planning **and Development** Department of the City of La Porte.

DEVELOPER: The legal or beneficial owner or owners of a lot or any land included in a proposed development including the holder of an option or contract to purchase, or other persons having property interests in such land.

DEVELOPMENT: The process of converting land within the City’s jurisdiction from its natural state, or altering the elevation of property or converting its existing usage to residential, commercial or industrial uses. This definition encompasses any and all physical changes to the land not regulated through the City Building Code inherent in such conversions. The term development includes subdivisions as defined herein.

DEVELOPMENT AUTHORIZION: A document issued by the Department for the development of land within the City’s jurisdiction. A Development Authorization is issued after final approval of a Subdivision Plat or Development Site Plan by the City Approving Authority, and authorizes the construction of improvements not regulated by the City Building Code.

DEVELOPMENT, MAJOR: Any development **not qualifying as a Minor Development, as the term “Minor Development” is defined herein.**

DEVELOPMENT, MINOR: Any project or development that involves no more than ten (10) acres of land and **where** the total square footage of all buildings on the site does not exceed 150,000 square feet and ~~requires no change to the City’s Infrastructure Plan~~ **presents no conflict with the City’s Comprehensive Plan.**

DIRECTOR: The ~~City~~ Director of **the** Planning **and Development** Department or designated representative.

DWELLING UNIT: A single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

EASEMENT: A right given by the owner or a parcel of land to another person, public agent or private corporation for specific and limited use of that parcel.

EXTRATERRITORIAL JURISDICTION: The unincorporated territory ~~beyond the~~ outside of and contiguous to the City limits of the City established by the authority of Texas Local Government Code Chapter 42 Article 970a and 974a ~~[or area outside the municipal limits but within five miles of those limits]~~.

FILING DATE: The date when a Development Site Plan, General Plan, or a Subdivision Plat is formally presented to the Approving Authority for its approval and is registered as a part of the Approving Authority's official records.

FLOOD HAZARD AREA: Those areas of the City designated as having a greater chance of flooding from natural disasters such as rainstorms or hurricanes. Such areas are shown on the official flood insurance rate maps (FIRM) established by FEMA and adopted by City Council.

FLOOD HAZARD PREVENTION ORDINANCE: The ~~City Ordinance~~ ordinance adopted by the City Council and codified in Chapter 94 "Floods" of the La Porte, Texas Code of Ordinances which that defines the special flood hazard areas of the City and regulates land development more restrictively within such areas, ~~by means of requirement for issuance of a special Flood Plain Development Permit.~~

GENERAL PLAN: A map or ~~plat~~ plan illustrating designated to illustrate the general design features and street layout of a proposed development which is proposed to be platted and developed in phases. This plan, when approved by the Commission, constitutes a guide which the Commission should refer to in the subsequent review of Subdivision Plats or Development Site Plans that cover portions of the land contained within the General Plan, and as well as adjacent property.

HARRIS COUNTY ROAD LAW: A special law of the State of Texas found in Acts 1913, Special Laws, Chapter 17, as may be from time to time amended.

INDUSTRIAL DISTRICTS: That land within the extraterritorial jurisdiction of the City of La Porte, and either:

- (a) Being designated as the "Battleground Industrial District of La Porte, Texas" in Ordinance 729, passed by the City Council of the City of La Porte; or
- (b) Being designated as the "Bay Port Industrial District of La Porte, Texas" in Ordinance 842, passed by the City Council of the City of La Porte; or
- (c) Being designated as the "South La Porte Industrial District or La Porte, Texas" in Ordinance 98-2258, passed by the City Council of the City of La Porte.

LOT: An undivided tract or parcel of land contained within a block or designated on a Subdivision Plat by numerical identification.

MOBILE HOME PARK: An unsubdivided development divided into mobile home sites for rent and for the installation of mobile home thereon.

MOBILE HOME SUBDIVISION: A subdivision divided into mobile home lots for sale.

MONUMENT: A fixed reference point or object located convenient to proposed developments in La Porte for which ~~that~~ the City or another governmental agency has determined the elevation above mean sea level and the geographic location within the Texas Plane Coordinate System.

MONUMENT SYSTEM: A monument system established by the City to provide horizontal and vertical survey control for land development in La Porte within a common frame of reference. A document describing the City Monument System is published separately.

ONE-FOOT RESERVE: A strip of land one foot wide and within public street right of ways and adjacent to subdivision reserves or adjacent acreage to prevent access to said public street until the reserve or adjacent acreage has been platted in accordance with this Ordinance [these regulations].

PLAN, DEVELOPMENT SITE: A site plan for unsubdivided developments certified by the land owner and by a Professional Engineer or Registered Public Surveyor, executed by the City Approving Authority and prepared as specified in ~~Section 4.08~~ Section 86-7 of these regulations this Chapter.

PLANNED UNIT DEVELOPMENT: A land area characterized by a unified site design which: (1) has individual building sites and provides common open spaces; and (2) is designed to be capable of satisfactory use and operation as a separate entity without necessarily having the participation of other building sites or other common property. The ownership of the common property may be either public or private. A Planned Unit Development may include subdivisions. It may be a single Planned Unit Development as initially designed; or as expanded by annexation of additional land area; or a group of contiguous Planned Unit Developments, as separate entities or merged into a single consolidated entity.

PLANNING CONSULTANT: A certified land planner, Texas registered professional engineer, Texas registered land surveyor, Texas registered architect, or other qualified consultant, who performs land planning services to subdividers or developers for a fee.

~~PLAN, SKETCH:~~ A rough sketch map of a proposed subdivision or other development of sufficient accuracy to be used for the purpose of discussion and preliminary decision making, prepared in conformance with Section 4.00 et. seq. of this Ordinance [of these regulations].

PLAT, ADMINISTRATIVE: A replat or subdivision of ~~10 (ten)~~ land totaling ten (10) acres or less, and involving four (4) or fewer lots fronting on an existing streets and not requiring the creation of any new street or the extension of municipal facilities or the aggregation of multiple lots into one lot.

PLAT, AMENDING: A plat, previously approved by the Commission and duly recorded, which is resubmitted to the Commission for re-approval and recording which contains dimensional or notational corrections or erroneous information contained on the originally approved and recorded plat. An amending plat is not to be considered as a replat or resubdivision and may not contain any changes or additions to the physical characteristics of the original subdivision, but is intended only to correct errors or mis-calculations as allowed under the provisions of ~~Art. 974a, Section 5(d)~~ Chapter 212 of the Texas Local Government Code.

PLAT, FINAL: A map or drawing of a proposed subdivision prepared in a manner suitable for recording in the appropriate County records and prepared in conformance with ~~Section 4.04 et seq.~~ Sec. 86-8(c) of this Ordinance.

PLAT, PRELIMINARY: A map or drawing of a proposed subdivision illustrating its development features for review, prepared as specified in ~~Section 4.04~~, et seq. of this ordinance.

PLAT, STREET DEDICATION: A map or drawing suitable for recording in the appropriate county records illustrating the location of ~~as a public street~~ within a specific tract of land.

PUBLIC IMPORVEMENTS CRITERIA MANUAL (PICM): The set of standards set forth by the Director of Planning ~~and Development~~ Department and approved by the City Council to determine the specific technical requirements for construction of public improvements. The manual may be acquired from the Planning ~~and Development~~ Department, and is on file in the City Secretary's Office.

RESERVE: A parcel of land within a Subdivision Plat or Development Site Plan reserved from current development. A reserve may be restricted to a special use such as drainage, recreation or common area. Reserves within the subdivisions not restricted in use may be shown as "unrestricted".

RESUBDIVISION OR REPLAT: The relocation or removal of existing streets or lots by re-platting as allowed under the provisions of ~~Art. 974a VTCS Section 5 as amended~~ ~~Chapter 212, Texas Local Government Code, and as amended.~~

RIGHT-OF-WAY: A strip of land acquired by reservation, dedication, prescription or condemnation and used or intended to be used as a road, utility installation, crosswalk, railroad, electric transmission lines, or other similar use.

SPECIAL USE SITES: A location shown on the Comprehensive Plan where a proposed school, park, public building or other public facility is to be located.

STREETS, COLLECTOR: A street designed to serve equally the functions of access and movement. Collector streets serve as links between local streets and arterials.

STREET, CUL- DE- SAC: A local street having one end open to vehicular traffic and having one closed end terminated by a turnaround.

STREET, LOCAL: A neighborhood or minor street whose primary purpose is to provide access to abutting properties.

STREET, PRIMARY ARTERIAL: An expressway, freeway, or primary thoroughfare whose primary function is the movement of traffic.

STREET, PRIVATE: A vehicular access way, under private ownership and maintenance, providing access to buildings containing residential dwelling units without direct access to an approved public street right- of- way. Parking lots and private driveways within shopping centers, commercial areas and industrial developments shall not be considered as private streets.

STREET, PUBLIC: A publically ~~owned or maintained~~ right- of- way, however designated, dedicated or acquired, which provides vehicular access to adjacent properties.

STREET, SECONDARY ARTERIAL: A primary thoroughfare whose predominant function is the movement of traffic but which provides more access than normally associated with a primary arterial.

STREET, STUB: A public street not terminated by a permanent circular turnaround, ending adjacent to undeveloped property or acreage and intended to be extended at such time as the adjacent undeveloped property or acreage is subdivided or developed.

STREET, THOROUGHFARE: A public street designed for heavy traffic and intended to serve as a traffic artery of considerable length and continuity throughout the community and so designated on the latest edition of the City Thoroughfare Plan as contained in the City's Comprehensive Plan.

SUBDIVIDER: Any owner or authorized agent thereof, proposing to divide, or dividing, land so as to constitute a subdivision according to the terms and provisions of this Ordinance Chapter. A subdivider is further defined to be a developer.

SUBDIVISION: A division of any tract of land into two (2) or more parts for the purpose of laying out any subdivision or any tract of land or any addition to the City, or for laying out suburban lots or building lots, or any lots, and streets, alleys or parts or other portions intended for public use or the use of the purchasers or owners of lots fronting thereon or adjacent thereto. A subdivision includes re-subdivision (replat) but it does not include the division of land for agricultural purposes in parcels or tracts of five (5) acres or more and not involving any new streets, alleys or easements of access. A subdivision is further defined to be a development.

SUBDIVISION, MAJOR: Any subdivision not qualifying as a minor subdivision, as the term "minor subdivision" is defined herein.

SUBDIVISION, MINOR: A subdivision involving less than ten (10) acres of land, which has no common area or reserves, has no adjacent stub street right of ways, and requires no change to the City's Comprehensive Plan.

SUBMITTAL DATE: The date and time specified in this chapter when plans, plats, related materials and fees must be received by the City prior to the next regular meeting of the commission in order to be considered at such meeting. The "submittal date" is not to be considered as the "filing date" as herein defined.

TITLE CERTIFICATE (ABTRACTOR'S CERTIFICATE, PLANNING LETTER): A certificate prepared and executed by a title company authorized to do business in the State of Texas or an attorney licensed in the State of Texas describing all encumbrances of record which affect the property together with all deeds recorded from and after the effective date of this Ordinance Chapter which shall include any part of the property included in a subdivision plat or development site plan.

VARIANCE: **WAIVER:** Permission granted in writing by the Commission to depart from the literal requirements of this ordinance Chapter.

ZONING ORDINANCE: The Zoning Ordinance of the City of La Porte, Texas, codified as Chapter 106 in the La Porte Texas Code of Ordinances, together with any amendments thereto.

Sec. 86-5. Pre-development Applicant Consultation.

(a) The developer or owner of land may choose to schedule a Pre-development Applicant Consultation (PAC) meeting with the Director. The PAC meeting is intended to provide information on the City's review process, procedures and requirements and allow for dialogue between the City and developer or owner of land prior to submittal of any development application outlined in this chapter.

SKETCH PLANS

The developer or owner of the land may choose to submit a Sketch Plan to the Director of Community Development for his formal review. The applicant should discuss with the Director the procedure for submittal and approval of Subdivision Plats or of Development Site Plans and the requirements as to the general layout of streets, reservation of land, street improvements, drainage, sewage, fire protection, and similar matters as well as the availability of existing services. The Director shall also advise the applicant, where appropriate, to discuss the proposed development or subdivision with those officials who must eventually approve these aspects of the Subdivision Plat or Development Site Plan coming within their jurisdiction.

A. SKETCH PLANS: REQUIREMENTS AND CONTENTS (SEE APPENDIX B)

For Major Subdivisions or Developments, the developer may prepare several different schematic land plans for the same property during the Sketch Plan stage. Complete instructions for preparing Sketch Plans for all Developments or subdivisions are contained in Appendix B.

B. SKETCH PLANS: SUBMISSIONS

The City encourages the subdivider or developer to submit one (1) copy of each Sketch Plan and one (1) copy of the completed development checklist (available at the Department) to the Director at least two (2) weeks prior to the date he intends to submit his first formal plan or plat.

C. SKETCH PLANS, EFFECT OF SKETCH PLAN REVIEW

Sketch Plan review is optional and informational in nature and no city approval or disapproval results from its review. The developer may file a formal plan or plat, regardless of the outcome of Sketch Plan review.

Sec. 86-6. General Plans.

(a) General Plans are required for all phased projects involving Major Subdivisions or Major Developments. The General Plan is to be designed to illustrate the general design features of a subdivision or development which is proposed to be developed or platted in phases or sections. This plan, when approved by the Commission, constitutes a guide which the Commission will refer to in the subsequent review of plans or plats that cover portions of the land contained within the general overall plan and adjacent properties. Should the developer's future plans change, such changes are to be disclosed to the Department by filing a new General Plan.

(b) Application shall be submitted to the Department at least three (3) weeks before the date which Commission review is requested, unless otherwise approved by the Director.

(c) Application shall consist of all required documentation **submitted** either electronically or one (1) paper copy in a 24"x36" format.

~~Five (5) copies of the General Plan, certified by the developer and planning consultants, and one (1) copy of all required documentation shall be submitted to the Department for review at least two (2) weeks before the date at which Commission review is requested. Complete instruction for preparing General Plans are contained in Appendix C.~~

(d) The following information must be submitted as part of a General Plan submission: ~~This appendix to the La Porte Development Ordinance prescribes criteria for the preparation of General Plans and the information which must be submitted therewith.~~

(1) Application and applicable fee.

(2) Development checklist.

(3) Project description letter.

(4) Any additional information required by the Director.

(5) The General Plan shall graphically contain the following:

a. Name of the development. ~~(Cannot be duplicates of any other names used within the City's jurisdiction)~~

b. Legal description of the site. ~~land within proposed developments: "____. ____ acres out of the _____ Survey, Abstract Number _____, Harris, County, Texas". Identify owners of each tract, if separate ownership.~~

c. Existing and proposed zoning.

d. Name **and contact information** of the developer.

e. Name **and contact information** of the project design team.

f. Developer/Owner signature block.

g. City approval signature block.

h. Scale of plan in engineering format. ~~Scale of 1" = 100' unless another scale is approved by the Department): Exact~~

i. North arrow. ~~(Pointing toward top of sheet if practicable)~~

j. **Vicinity** key-map ~~to showing~~ **ing** relation of development to surrounding streets, railroads and watercourses.

- k. Perimeter **boundary of the property**. ~~boundaries: Draw perimeter boundary of property.~~
- l. Identification of each phase of development and proposed land use/s for each phase.
~~Phases: Total number of Subdivisions and number of each type (unsubdivided) Development planned~~
- m. Label adjacent subdivisions, streets, easements, water courses, acreage tracts, and other natural and manmade features.
- n. Show land contours at one foot intervals ~~as taken from City topographic maps or from a ground survey.~~
- o. Identify required building lines adjacent to all existing or proposed public and private streets and alleys.
- p. If building locations are known, include the footprint of each building, indicating the building type, building height, number of stories, floor area, and density of residential development.
- q. Show rights-of-way for all streets and alleys either existing or proposed within or adjacent to the general plan boundaries. Indicate right-of-way width of all streets as identified in the PICM. **Identify whether streets are intended to be public or private.**
- r. Indicate **approximate** location, widths, and types for all easements whether existing or proposed within or adjacent to the general plan boundaries.
- s. Identify the location of all existing public utilities within or adjacent to the general plan boundaries and how each phase of development will connect with those utilities.
- t. Show approximate boundary of flood hazard area as taken from **the official FEMA Flood Insurance Rate Maps adopted by the city** ~~City topographic maps~~ or other sources approved by the Director.
- u. Stormwater drainage plan showing general drainage basins and possible location for on-site detention if required.**
- v. Traffic study or written documentation from the Director that the development does not necessitate a traffic study.**
- w. Other information required by the Director.**

~~Draw boundaries of and designate location, approximate area (in square feet and acres) and proposed usage of any sites intended for restricted or unrestricted reserved (within subdivisions) or for developments other than subdivisions. Indicate existing and proposed zoning of each site.~~

~~Unsubdivided developments (See Appendix E): If known, draw site plans for unsubdivided developments and identify each building planned and its size, number of stories and proposed usage.~~

~~Street Names: Provide names of all existing streets located within the plat boundaries and immediately adjacent thereto.~~

~~Existing public utilities: Indicate the location and size of adjacent City water and sanitary sewer mains and storm drainage outfalls. Indicate depth of adjacent sanitary sewer manholes and storm drainage outfalls, if known.~~

(e) Unless stipulation for additional time is agreed to by the applicant, the failure of the Commission to act within thirty (30) days from the date of the filing of the application by the developer, will cause the General Plan to be deemed approved.

(f) General applications shall comply with all applicable city ordinances and statutes prior to approval by the Commission. The Commission shall review the General Plan and take one of the following actions:

(1) Approve the General Plan as filed. Commission approval of the General Plan authorizes the developer to file a Preliminary Plat or a Development Site Plan.

(2) Conditionally Approve the General Plan as filed, provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Chairman of ~~the~~ Planning Commission. Commission conditional approval requires submission of an amended General Plan and additional documentation as specified by the Planning Commission for final Commission approval, which may be filed concurrently with the next Preliminary Plat or Development Site Plan, as the case may be.

(3) Disapprove the General Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the Commission. Commission disapproval of a General Plan requires submission of a new General Plan.

~~Commission action shall be noted on three (3) copies of the General Plan, which shall be distributed to the developer, Department, and official files of the Commission. Unless stipulated for additional time is agreed to by the developer, the failure of the Planning Commission to act within thirty (30) days from the date of the filing of the plan by the developer will cause the plan to be deemed approved.~~

(g) The original approved mylar of the General Plan shall be retained by the Department in the official files of the Commission. No subsequent plan or plat will be approved until the original mylar has been delivered to the department.

(h) In the event the developer or subdivider fails to file a Preliminary Plat or Development Site Plan within one year of Commission approval of the General Plan, approval of said General Plan shall terminate upon written notice to the subdivider, developer, or owner.

(i) The developer, subdivider, or owner may request in writing a one year extension specifying the reason why the document has not been filed.

Sec. 86-7. Development Site Plans.

(a) General

(1) The following sections of this ~~Chapter ordinance~~ outline procedures for preparing and obtaining approval for developments not defined herein as subdivisions. Except as noted ~~in this section in subparagraph (2) below in Section 4.08(A) below~~, it shall be a violation of this ~~Ordinance Chapter~~ for any person to develop property within the City of La Porte without first:

- a. Filing a Development Site Plan and required documentation for approval;
- b. Having said Development Site Plan approved according to the procedures set forth herein; and
- c. Obtaining a Development Authorization.

(2) No Development Site Plan shall be required as provided for herein in the case of development that is solely and strictly a Subdivision (as that term is defined herein) and the requirements of ~~Section 4.04~~ ~~Section 86-8(c)~~ of this ~~Ordinance Chapter~~ have been satisfied for each subdivision.

(3) For both Major and Minor Developments, the Development Site Plan ~~is~~ shall be drawn accurately to scale with exact dimensions and certified by a licensed engineer or surveyor. When accompanied by all other required documentation, Development Site Plans shall contain sufficient detail for evaluation of the proposed development. ~~Complete instructions for preparing Development Site Plans are contained in Appendix E.~~

(4) The following information must be submitted provided as part of a Development Site Plan submission:

- a. Application and applicable fee.
- b. Development checklist.
- c. Project description letter.
- d. Drainage Plan and/or calculations as required by the Director.
- e. Exterior building elevations for sites subject to the city's Design Guidelines (Chapter 106, Article IX).
- f. Traffic Impact Assessment, if required by the Director.
- g. Any additional information required by the Director.
- h. Development Site Plan showing the location of all improvements on the site, whether existing or proposed. Proposed improvements shall be in compliance with all applicable local, state and federal requirements. The Development Site Plan shall contain the following graphical information:

1. Name of development ~~(Cannot be a duplicate of any other name used within the City's jurisdiction)~~
2. Type of development ~~(See La Porte Development Checklist)~~
3. Description of land within proposed development: "____ . ____ acres out of the _____ Survey, Abstract Number _____, Harris County, Texas."
4. Legal description of development, **including blocks and lots or reserves or a metes and bounds description of the property boundary.** ~~Subdivision recording information and section, block and lot number or reserve designation or metes and bounds description of property boundary.~~
5. Name of owner **or authorized representative.** ~~(If a company or corporation, list name and title of authorized representative).~~
6. Name of developer. ~~(if a company or corporation, list name and title of authorized representative).~~
7. Name of planning consultant.
8. Filing date **of application.** ~~(date of City Planning and Zoning Commission Review)~~
9. **Engineering Scale of Plat**
10. North arrow ~~(Pointing to top of sheet~~
11. **Key Vicinity** map that shows ~~(to show~~ relation of development to surrounding streets, railroads, and water courses.
12. ~~Boundaries:~~ Draw Perimeter boundaries of development including dimensions.
13. ~~Building lines:~~ Indicate **all** building lines on the **site.** ~~adjacent to all street right of ways. Building Footprints:~~ Draw the footprint of each building site and show overall dimensions and building type for each building. Show shortest distances from each building to nearest building and property line.
14. ~~Adjacent property:~~ Indicate name, location and recording information for adjacent **properties** ~~developments~~, streets, easements, water courses, acreage tracts, and other natural or manmade features.
15. **Parking table that labels existing and proposed parking in comparison to the required parking for the development.**
16. **Landscape table that labels existing and proposed trees and shrubs, including name of plant species, quantity and size.**
17. **Identify topography and label contours in one-foot intervals.** Include cut and fill changes to the site.

18. Define high banks and flow lines of water courses. Define post-development limits of other natural or manmade physical development obstacles.

19. For mobile home parks, show proposed layout of mobile home sites and reserves. Number sites and blocks consecutively. Draw boundaries of sites the same way as for subdivision lots (~~See Appendix D~~). Indicate size of each site in square feet. Designate usage of each reserve, such as recreation, laundry drying, and dead storage. ~~Detail site plan as described below.~~

~~Reserves: Draw boundaries for and designate area (in square feet and acres) for reserves dedicated or restricted usages, such as those for drainage, recreation, parkland, or other uses (indicate usage). Unrestricted reserves are not permitted within the boundaries of Development Site Plans.~~

20. ~~Other site improvements:~~ Draw perimeter of, dimension, and identify type and usage of each **existing or proposed** ~~additional~~ structure or site improvement, including parking lots, security lighting, driveways, curb cuts, culverts, water lines, fire hydrants, sanitary sewers, storm drains, natural gas lines, electrical lines, telephone lines, walkways, landscaping and other site improvements.

21. ~~Streets:~~ Show rights-of-way of all streets and alleys, either existing or proposed, within the plat boundaries and immediately adjacent thereto. Show right of way width at points of curvature or tangency, at one point within tangent segments, and at changes in width.

22. ~~Street names:~~ Provide names of all existing and proposed streets located within the plat boundaries and immediately adjacent thereto. **Any proposed street name** ~~(Cannot be duplicates of any street name in current use, unless continuations of existing streets.)~~

23. ~~Utility Easements:~~ Indicate location, widths and types of for all existing and proposed utilities and easements on the site, including, but not limited to, water line, sanitary sewer, drainage, power. Label ~~Indicate~~ recording information for existing easements. ~~(See PICM for easement criteria.)~~

24. ~~Flood Hazard Area:~~ Show boundary of flood hazard area and shade areas within lat boundaries inside flood hazard area. ~~(See La Porte Flood Hazard Prevention Ordinance.)~~ Show finished floor elevation of buildings inside flood hazard area.

~~Survey monument tie in: For Major Developments, show nearest City approved survey monument (as the point of Commencement) bearing and distance to a defined corner on the perimeter boundary of the property.~~

~~Survey Control Monuments: For Major Developments, show location of all proposed survey control monuments to be installed by the developer pursuant to Sections 6.02 of the Ordinance.~~

25. All required dedication statements and certificates must be included.

(b) Minor Development Site Plan

(1) ~~Five (5) copies of the Minor Development Site Plan, certified by the owner and engineer or surveyor, and one (1) copy of all required documentation shall be submitted to the Department for review at least two (2) weeks before the date at which Director review is requested.~~ Application shall be submitted to the Department at least two (2) weeks before the date which Director review is requested. Application shall consist of all required documentation submitted either electronically or one (1) paper copy.

(2) The Director is the Approving Authority for all Minor Developments Site Plans. Following review of the Minor Development Site Plans, the Director shall, within two (2) weeks of the filing date, take one of the following actions:

a. Approve the Minor Development Site Plan as filed. Approval of a Minor Development Site Plan and all accompanying documentation by the Director, together with approval of Public Improvement Construction Documents by the Director, results in issuance of a Development Authorization by the Department.

b. Conditionally approve the Minor Development Site Plan as filed, provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Director. Conditional approval of a minor development Site Plan requires that the developer satisfy the conditions established by the Department. Once the stated conditions have been satisfied, the Minor Development Site Plan and accompanying documentation may be resubmitted for Department approval.

c. Disapprove the Minor Development Site Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Director. Disapproval of a Minor Development Site Plan requires filing of a new Minor Development Site Plan.

(3) Department action shall be noted on three (3) copies of the Minor Development Site Plan, which shall be distributed to the developer, Department and the City Code Enforcement Division.

(4) Unless stipulation for additional time is agreed to by the Developer, the failure of the Director to act within ~~two~~ **four** (24) weeks from **the date of submittal of the Minor Development Site Plan** by the Developer will cause the Plan to be deemed approved.

(5) Director disapproval of a Minor Development Site Plan may be appealed to the Commission within twenty (20) days of the mailing of a written notice of disapproval. Once the appeal has been filed, the Minor Development Site Plan will be presented to the Commission for its ruling as specified for Major Development Site Plans in ~~Section (B) above~~ **subparagraph (c) below**. The following materials must be filed with the City Secretary **for an appeal**:

- a. A copy of the Director's disapproval letter.
- b. A letter stating the basis of appeal.
- c. A copy of the **Minor** Development Site Plan.

(6) Prior to issuance of a Certificate of Occupancy or final inspection of any improvements included in an approved Minor Development Site Plan, a letter signed and stamped by a licensed engineer must be submitted to the Planning and Development Department certifying that all improvements have been installed in accordance with the approved Minor Development Site Plan.

(c) Major Development Site Plan

(1) ~~Five (5) copies of the Major Development Site Plan, certified by the developer and engineer or surveyor, and one (1) copy of all required documentation shall be submitted to the Department for review at least two (2) weeks before the date at which Commission review is requested.~~ Application shall be submitted to the Department at least three (3) weeks before the date which Commission review is requested. Application shall consist of all required documentation submitted either electronically or one (1) paper copy.

(2) The Commission is the Approving Authority for all Major Development Plans. Following review of the Major Development Site Plan, the Commission shall, ~~within thirty (30) days of the filing date,~~ take one of the following actions:

a. Approve the Major Development Site Plan as filed. Approval of a Major Development Site Plan and all accompanying documentation by the Commission, together with approval of ~~Public Improvements~~ construction documents for any proposed public improvements by the Director results in issuance of a Development Authorization by the Department.

b. Conditionally approve the Major Development Site Plan as filed, provided, the reasons for such conditional approval are stated in writing and a copy of the statement is signed by the Chairman of the ~~Planning~~ Commission. Conditional approval of a Major Development Site Plan requires that the Developer satisfy the conditions established by the Commission. Once the stated conditions have been satisfied, the Major Development Site Plan and accompanying documentation may be refiled for Commission approval.

c. Disapprove the Major Development Site Plan as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the ~~Planning~~ Commission. Disapproval of a Major Development Site Plan requires filing of a new Major Development Site Plan.

(3) Commission action shall be noted on four (4) copies of the Major Development Site Plan, which shall be distributed to the developer, Department, City Code Enforcement Division, and official Commission files.

(4) Unless stipulation for additional time is agreed to by the developer, the failure of the ~~Planning~~ Commission to act within thirty (30) days from the date of the filing of the plan by the developer will cause the plan to be deemed approved.

(5) Prior to issuance of a Certificate of Occupancy or final inspection of any improvements included in an approved Major Development Site Plan, a letter signed and stamped by a licensed engineer must be submitted to the Planning and Development Department certifying that all

improvements have been installed in accordance with the approved Major Development Site Plan.

(d) Amendments to Minor and Major Development Site Plans

(1) Amendments to minor and major development site plans are those that provide for rearrangement or reconfiguration of floor plans or building elevations, modifications to parking areas, landscape areas, drainage facilities, utilities or other site improvements. An amendment may only occur to a site plan that has an active building permit on file.

(2) Said modifications shall:

a. Comply with all requirements of Chapter 106 of the City's Code of Ordinances and other applicable city regulations.

b. Not conflict with the Comprehensive Plan.

c. Not change the character of the development or the intent of the original plat approval.

(3) The Director is the Approving Authority for all Amendments to Site Plans. Following review of the amendment, the Director shall, within two (2) weeks of the filing date, take one of the following actions:

a. Approve the amendment as filed. Approval of an Amendment shall be clearly noted on the originally approved site plan, along with any conditions required by the Director.

b. Disapprove the amendment as filed, provided, the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Director.

(4) Director disapproval of an amendment may be appealed to the Commission within twenty (20) days of the written notice of disapproval. Once the appeal has been filed, the amendment will be presented to the Commission for its ruling as specified for Major Development Site Plans in subparagraph (c) above.

Sec. 86-8. Subdivision plats.

(a) The following sections outline procedures for preparing and obtaining approval of Subdivision Plats for residential, commercial, or industrial properties. All Final Subdivision Plats must be recorded in the County map records.

(b) Preliminary Plat

(1) Preliminary Plats are required for all Major Subdivisions and shall be consistent with the approved General Plan, if applicable.

(2) Application shall be submitted to the Department at least two (2) weeks before the date which Commission review is requested. Application shall consist of all required documentation submitted either electronically or one (1) paper copy.

~~Five (5) copies of the Preliminary Plat, certified by the developer and planning consultant, and one (1) copy of all required documentation shall be submitted to the Department for review at least two (2) weeks before the date which Commission review is requested. Preliminary Plats shall be drawn accurately to scale with exact dimensions for street centerlines and approximate dimensions for other lines. Complete instructions for preparing Preliminary Plats and required accompanying documentation are contained in Appendix D.~~

(3) The following information must be ~~submitted~~ provided as part of a Preliminary Plat submission:

a. Application and applicable fee.

b. Development checklist.

c. Project description letter.

d. Any additional information required by the Director.

e. The Preliminary Plat shall graphically contain the following (ensure compliance with PICM standards, where applicable):

1. Name of subdivision, which cannot be similar to that of an existing subdivision.

2. Type of development.

3. Description of land on which subdivision lies: “_____ acres out of the _____ Survey, Abstract Number ____, Harris County, State of Texas.”

4. Date.

5. Scale in engineering format.

6. North arrow.

7. Name of developer and property owner.

8. Name of surveyor and/or engineer preparing the plat.

9. Total number of lots, blocks and reserves.

10. Indicate size of each lot and reserve.

11. Vicinity Key map in relation to surrounding streets, railroads and water courses.

12. Label adjacent properties including ownership information and HCAD parcel identifications, where applicable.

13. Show all physical features of the site including high banks of water courses and any other natural or man-made physical development obstacles.
 14. Draw perimeter boundaries of the subdivision.
 15. Show proposed layout of blocks and lots or reserves within blocks.
 16. For reserves: Draw boundaries for and designate area (in square feet and acres) for unrestricted reserves and those dedicated for restricted usages, such as those for drainage, recreation, parkland, or other uses (indicate intended usage and existing zoning).
 17. Label contours at one-foot intervals.
 18. Show and label all rights-of-way of all streets and alleys, either existing or proposed, within the plat boundaries and immediately adjacent thereto. Indicate right-of-way width between points, curvature, tangency and at changes in width.
 19. Provide names of all existing and proposed streets located within the plat boundaries and immediately adjacent thereto. Street names cannot be duplicates of any street names in current use, unless continuations of existing streets or as part of a historical grid pattern.
 20. Label location, widths and types of all easements, either existing or proposed, within the platted area or immediately adjacent thereto. Include any recording information on any existing easements.
 21. Show nearest city approved survey monument and exact bearing (nearest second) and distance (nearest hundredth of a foot) to a defined point on the perimeter boundary of the property.
 22. Show location of all proposed survey control monuments to be installed by the developer pursuant to **Section 86-9 of this Chapter.**
 23. Show boundary of flood hazard area/s as adopted by the city.
 24. **Show location of all existing and proposed storm drainage, sanitary sewer system, and water lines.**
 25. For condominium developments: Draw the footprint of each building site and show overall dimensions and building type for each building. Show shortest distances from each building to nearest building and property line. For each building type, draw to larger scale the plan of each building type, showing all perimeter wall dimensions and the dimensions and location of walls between units. Designate each unit type and floor area in square feet.
- ~~**Building lines:** Indicate building lines adjacent to all existing or proposed street right-of ways, easements, side or rear lot lines, or other locations required by City Ordinances.~~

(4) Preliminary Plat applications shall comply with all applicable city ordinances and statutes prior to approval by the Commission. The Commission shall review the plat and take one of the following actions:

a. Approve the Preliminary Plat as filed.

b. Disapprove the Preliminary Plat as filed, provided, the reason for such disapproval is stated in writing and a copy of the statement is signed by the Chairman of the Commission. Disapproval may also include conditions for resubmittal of Preliminary Plat.

~~Conditional Approval: Commission conditional approval requires submission of an amended Preliminary Plat and additional documentation as specified by the Planning Commission for final commission approval.~~

(5) Unless stipulation for additional time is agreed to by the subdivider, the failure of the Commission to act within thirty (30) days from the date of the filing of the plat by the developer, will cause the plat to be deemed approved.

(6) The original approved mylar of the Preliminary Plat shall be retained by the Department in the official files of the Commission. ~~Commission action shall be noted on three (3) copies of the Preliminary Plat, which shall be distributed to the developer, Department, and official files of the Commission.~~

(7) In the event the subdivider fails to file a Final Plat within one year of Approving Authority approval of the Preliminary Plat, approval of said Preliminary Plat shall terminate upon written notice to the subdivider or owner. The subdivider or owner may request in writing a one year extension specifying the reason why a Final Plat has not been filed.

(c) Final Plat

(1) Final plats are required for all subdivision, and shall be consistent with the Preliminary Plat if applicable. Final Plats of subdivisions are drawn accurately to scale with exact dimensions. Complete instructions for preparing Final Plats are contained in Appendix D.

(2) In conjunction with the filing of the Final Plat, the subdivider or developer shall file a proposed set of covenants, restrictions, conditions, and reservations, affecting the property enclosed within the Final Plat. The covenants and restrictions shall include provisions creating an association of lot owners charged with the responsibility of promoting the recreation, health, safety, and welfare of the members of the association, and for the improvement and maintenance of any common areas, compensating open space, private streets, alleys, or parking areas included within the Final Plat. The association shall be empowered to levy assessments to be used exclusively in the enforcement of the covenants, restrictions, conditions, and reservations affecting the property enclosed in the Final Plat, and for the furtherance of its responsibility of improving and maintaining any common areas, compensating open space, private streets, alleys, parking areas or other private improvements included within the Final Plat. The assessments levied shall be a charge on the land and shall be a continuing lien on the property against which each such assessment is made.

(3) The proposed set of covenants, restrictions, conditions and reservations filed shall be submitted to the City Attorney of the City of La Porte, who shall review the documents and insure that the form of the documents complies with this chapter.

(4) Application shall be submitted to the Department at least two (2) weeks before the date which Commission review is requested. Application shall consist of all required documentation either electronically or one (1) paper copy. ~~Five (5) copies of the Final Plat certified by the owners, lienholders, and engineers or surveyor, and one (1) copy of all required documentation and one (1) copy of the proposed deed restrictions outlined above, shall be submitted to the Department for review at least two (2) weeks before the date at which the Final Plat is filed with the Commission.~~

(5) The following information must be submitted as part of a Final Plat submission:

- a. Application and applicable fee.
- b. Development checklist.
- c. Title certificate, abstract, or planning letter.
- d. Complete public street construction drawings for approval by the Director.
- e. Complete public utility construction drawings for approval by the Director.
- f. List of coordinates for each point to be marked in the final field survey. Each point on the list is to be assigned a unique number code. A copy of the Final Plat, marked with the locations of each number code, is to be submitted as well.
- g. Letters from the servicing utility companies approving of the easements shown on the plat.
- h. Copy of deeds for any private easements within the subdivision.
- i. Commitment of park dedication as required in **Section 86-11 of this Chapter.**
- j. A letter, statement or instrument from the holder of any privately owned easement or fee strip within the subdivision boundaries approving any crossings of said existing easement or fee strip by proposed streets, utilities, or easements shown on the plat. If adjustment of existing utilities is required, said letter shall specify the nature of the adjustments and the approval of the owner for such adjustments.
- k. Set of covenants, restrictions, conditions, and reservations, affecting the property enclosed within the Final Plat.
- l. Title information as required in Section 86-9(n) of this Chapter.**
- m. Any additional information required by the Director.
- n. Final Plat to graphically contain the following (ensure compliance with PICM standards, where applicable):

1. The graphical requirements outlined for a Preliminary Plat in Section 86-8(b)(3)(e), Items 1-22.

2. Metes and bounds description in map for with appropriate bearings and distances.

3. Owners' Acknowledgement Statement

4. Lienholders' Subordination Agreement, where applicable

5. Plat Accuracy Certificate

6. Final Survey Certificate

7. Approving Authority Certificate

8. Harris County Clerk Filing Statement

9. Permanent Access Easement must be labeled for any proposed private roads.

10. Any other special statements required by the Director

(6) Unless stipulation for additional time is agreed to by the subdivider, the failure of the Commission to act within thirty (30) days from the date of the filing of the plat by the developer, will cause the plat to be deemed approved. ~~All Final Plats require final approval from the Commission. Following review of the Final Plat, the Commission shall, within thirty (30) calendar days of the filing date, take one of the following actions:~~

(7) Final Plat applications shall comply with all applicable city ordinances and statutes prior to approval by the Commission. The Commission shall review the plat and take one of the following actions:

a. Approve the Final Plat as filed. Such approval of a Final Plat as filed and all accompanying documentation by the Commission, together with approval of Public Improvement Construction Documents by the Director shall result in issuance of a Development Authorization by the Department which permits the developer to begin construction of subdivision improvements.

b. Disapprove the Final Plat as filed, provided the reasons for such disapproval are stated in writing and a copy of the statement is signed by the Chairman of the Planning Commission. Such disapproval requires filing of a new Final Plat.

~~(8) Notice of the Commission's action shall be forwarded to the applicant, noted on three (3) copies of the Final Plat, which shall be distributed to the developer, Department, and official files of the Commission.~~

(9) A Final Plat shall not be recorded until executed by the Director and by the Commission. Before the Final Plat is executed, the developer shall follow the procedure provided for in Section, and construct the proposed improvements according to the approved plans and specifications. In the event the developer or owner fails to commence construction of such

improvements within one year of Development Authorization, approval of the Final Plat shall terminate upon written notice from the Commission to the developer or owner. The developer or owner may request in writing one year extension specifying the reasons why construction has not commenced.

The Planning & Zoning Commission shall not sign and deliver a copy of the plat to be recorded, nor shall such Final Plat be recorded, if such proposed improvements are not completed within two years of commencement of construction, and approved by the Director of Community Development. In the event the developer or owner fails to complete construction of such improvements within two years of commencement of construction, approval of the Final Plat shall terminate upon written notice from the Commission to developer or owner. The developer or owner may request a one year extension in writing from the Director specifying the reasons why construction had not been completed.

The Final Plat shall not be recorded unless the deed restrictions called for herein are recorded simultaneously with the recordation of the Final Plat.

(10) After recordation with Harris County, the original recorded mylar film of the Final Plat shall be retained in the official files of the Commission.

(d) **Administrative** ~~Minor~~ Plat

(1) The same submittal requirements for a Final Plat approval apply to an Administrative Plat.

(2) Administrative Plat applications shall comply with all applicable city ordinances and statutes prior to approval by the Director. The Director shall review the plat and take one of the following actions:

a. Approve the Preliminary Plat as filed.

b. Disapprove the Preliminary Plat as filed, provided, the reason for such disapproval is stated in writing. Disapproval may also include conditions for resubmittal. If said plat is disapproved, the applicant may elect to refer the plat to the Commission for consideration.

(3) The Director may, for any reason, elect to present the plat to the ~~Planning and Zoning~~ Commission for approval of the plat.

(4) Unless stipulation for additional time is agreed to by the subdivider, the failure of the Director to act within thirty (30) days from the date of the filing of the plat by the developer, will cause the plat to be deemed approved.

(e) Replat of recorded subdivision plats

(1) A replat or re-subdivision of a recorded Subdivision Plat, or a portion thereof, but without vacation of the immediate previous plat, is hereby expressly authorized to be recorded and shall deemed valid and controlling when:

- a. It has been signed and acknowledged by only the owners of the particular property which is being replatted or re-subdivided on the acknowledgement shown in Enclosure 1 to Appendix D;
- b. It does not attempt to alter, amend or remove any covenants and restrictions;
- c. There is compliance, when applicable, with ~~Subsection (c) and (d) of Section 5, Article 974a, VTCS;~~ 212.014 and 212.0145 of the Texas Local Government Code;
- d. It has been approved by the Commission after being prepared and filed as though it were an original plat as specified in ~~Section 404~~ subparagraph “c” of this section Ordinance chapter; and
- e. All expenses incurred by the City or the subdivider in the Replat process shall be borne by the subdivider, including costs of notice at public hearing.

(f) Amending Plat (of recorded subdivision plats)

(1) An Amending Plat may be filed for record in the County map records to correct dimensional errors, notational errors or other erroneous information, to add to or delete monuments, or to relocate a lot line between adjacent lots, as allowed in Section 212.016 of the Texas Local Government Code, provided:

- a. The signed Amending Plat Certificate shown on Enclosure 4 to Appendix D is placed on the face of the Amending Plat;
- b. The Planning and Zoning Commission Certificate shown on Enclosure 4 to Appendix D is placed on the face of the Amending Plat and;
- c. Commission approval of said Amending Plat is reflected by Commission execution of said certificate.

(2) The Planning Director of the City of La Porte may approve Amending Plats and execute Certification of same as set forth above in lieu of the Planning Commission, as allowed in Section 212.0065 of the Texas Local Government Code. The Director of Planning may, for any reason, elect to present the Amending Plat to the Commission for approval. The Director of Planning shall not disapprove the Amending Plat and shall refer any plats which are refused to the Planning Commission within the time parameters as delineated in Section 212.009 of the Texas Local Government Code.

(g) Vacating Plat (of recorded subdivision plats)

(1) The vacation of Subdivision Plats, which is authorized and regulated by Section 212.013 of the Texas Local Government Code, shall be permitted, provided:

- a. All owners of all property contained within the previous plat sign the Vacation of Subdivision Declaration shown on Enclosure 5 to Appendix D;

b. Approval of the Commission is obtained and reflected by Commission execution of the certificate shown on Enclosure 5 to Appendix D; and

c. Said owners declaration and Commission approval certificate is recorded as a single instrument in the county records as required by Section 212.013 of the Texas Local Government Code Article 974a, VTCS Section 5(a).

Sec. 86-15. General standards for subdivision and developments.

(a) Streets and alleys.

(1) Street classification system. The street pattern of the city should provide adequate circulation ~~within the city~~ while discouraging through traffic within local neighborhoods. This may be accomplished by providing thoroughfares spaced at approximately one-mile intervals and collector streets within neighborhoods spaced at about half-mile intervals to link local streets to the thoroughfare network.

(2) Street width. Public or private streets shall have a minimum pavement width of 28 feet. Public or private alleys shall have a minimum pavement width of 20 feet.

(3) Thoroughfare extension. Right of way widths for thoroughfare extensions shall be as indicated in the PICM along the entire frontage of the tract being developed. Where the existing dedicated right of way width fronting the adjacent property is less than shown in the PICM, a transition zone of 300 feet of frontage of the new development shall be provided between the existing and new right of ways.

(4) Continuation of adjoining streets. The arrangement of streets in new developments shall make provisions for the appropriate continuation of existing streets from adjoining properties.

(5) Future projections of streets. Where adjoining areas are not developed, but may be developed, the arrangement of streets in a new development shall make provisions for the proper projection of streets into adjoining areas by carrying the new streets to the boundaries of the new development at appropriate locations. All such streets shall be designed in accordance with the PICM.

(6) Provisional one-foot reserve. Required along the side or end of streets that abut acreage tracts. The note shown in Enclosure 8 to Appendix D is to appear **shall be notated on** the Final Plats and Street Dedication Plats, where appropriate

~~(7) Harris County road law. All subdivisions within the City's extraterritorial jurisdiction shall comply with the current Harris County Road Law. The statement to be found in Enclosure 1 to Appendix D is to appear in Final Plats.~~

(7) Street names. Street names shall be the same as existing street names, if they are continuations of existing streets. Otherwise, no street name shall be permitted that is a duplicate of an existing or proposed street name within the City. Proposed new names must be submitted to the

Department for checking prior to the submittal of first plat or plan. The developer shall provide street name signs in accordance with the **PICM** ~~approved City Public Improvements Criteria Manual~~.

(8) Alleys. Alleys may be provided within any subdivision or development to provide secondary vehicular access to building sites which otherwise have their primary access from an adjacent public street. Alleys shall not be used or designed to provide principal access to any tract of land and shall not provide access to property outside the development boundaries in which the alleys are located. Dead end alleys are not permitted.

(9) Private streets and alleys. Streets and alleys in which the developer proposes to privately maintain in perpetuity through a community association or other approved means are to be designated as “private” on the plat. Design and construction of such streets and alleys will be identical to design and construction standards for public streets. Right of way lines may be coterminous with the edge of pavement.

(b) Engineering data. Please see the PICM.

(c) Lots. The following standards shall apply to all lots:

(1) The lot design of a Subdivision or Development should provide for lots of adequate width and depth to provide open area and to eliminate overcrowding.

(2) Lots should be rectangular so far as practicable and should have the side lot lines at right angles to streets on which the lot faces or radial to curved street lines.

(3) Lots with double frontage are prohibited except when backing on major thoroughfares and upon approval by the Planning Commission.

(4) All lots shown on the plat will be for residential purposes unless otherwise noted.

(5) Side lot lines should be perpendicular or radial to street frontage and the following note may be in lieu of bearings. “All side lot lines are either perpendicular or radial to street frontage unless otherwise noted.”

(6) Driveway access to thoroughfares shall be prohibited.

(7) Double front lots are prohibited except when backing on major thoroughfares **or on corner lots**.

(7) Lots shall be sized in accordance with the requirements of Chapter 106, Zoning.

(d) Drainage easements. The following standards shall apply to all drainage easements:

(1) The location and width of all easements shall be determined by the Director ~~of Planning and Development Department~~ for all plats or plans within the cities jurisdiction, and by the Director in conjunction with Harris County Flood Control District (HCFCD) for all easements that HCFCD may have an interest in.

(2) Easements for drainage adjacent to lots, tracts, or reserves shall be recited on the Final Plat, in accordance with the language in Enclosure 1 to Appendix D. language approved by the Director.

(e) Utility easements. The developer shall coordinate all public and private utility easements with the applicable entity as required in this Chapter. All utility easements shall be worked out with the public and private utility companies pursuant to the requirements established herein, including but not limited to the requirements of subsection 4.04 above.

(f) Platting of public streets or easements across private easements or fee strips. The following shall apply when platting of public streets or easements across private easements or fee strips:

(1) A copy of the instrument establishing any private easement shall be submitted with the Development Site Plan or the Preliminary Plat as reflected by the Title Certificate submitted.

(2) Easement boundaries must be tied by dimensions to adjacent lot and tract corners. Where the private easement has no defined location or width, an effort shall be made to reach agreement on a defined easement. Where no agreement can be reached, then existing facilities shall be accurately located and tied to lot lines, and building setback lines shall be established as specified in Section 5.04.

(3) Prior to approval of the Final Plat or Development Site Plan, the developer or dedicator of any Subdivision Plat or Development Site Plan, wherein public streets or easements are shown crossing private easements or fee strips, shall by letter to the City Planning Commission assume responsibility for seeing that any adjustments and protection of existing pipelines, electrical transmission lines, or other facilities shall be planned and provided for to the satisfaction of the holder of the private easements or fee strips and the Director prior to the filing of the plat or plan for record.

(4) Prior to filing of the Final Plat or Development Site Plan for record, the following requirements must be met:

a. The developer or dedicator of any plat or plan shall obtain from the holder of any private easement or fee strip within the plat or plan crossed by proposed streets or other public easements an instrument granting to the public the use of said public streets or easements over and across said private easements or fee strips for construction, operation, and maintenance of those public facilities normally using the type of public streets and easements indicated. This instrument shall be delivered to the City Planning Commission to be filed for record along with plat or plan.

b. The developer shall furnish the Planning Commission with a letter from the holder of the private easements or fee strips in questions stating that arrangements for any required adjustments in pipelines, electrical transmission lines, or other similar facilities have been made to the satisfaction of the holder of the easements.

(g) Monumentation requirements. The following are requirements for monumentation for subdivisions and developments:

(1) Subdivisions

- a. Permanent control monuments, one for each five acres of property or fraction thereof, shall be placed along streets centerlines or at subdivision corners. The location of control monuments shall be approved by the Department at the Preliminary Plat stage and shown on the Final Plat. The construction of permanent control requirements shall be in accordance with the PICM.
- b. At least one control monument shall be accurately tied, by angle and distance to an approved City of La Porte monument. Elevation shall be established for each control monument installed. Datum shall be supplied or approved by the Department.
- c. Elevations and coordinate values for each control monument shall be submitted in accordance with ~~Appendix D (Subdivision Plats)~~ language approved by the Director and approval by the Department prior to execution of the Final Plat.
- d. All corners of the subdivision, all angle points and points of curvature in the subdivision boundary, all block corners, all angle points and points of curvature in each street right of way shall be marked with iron rod not less than three fourths (3/4) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation.
- e. All lot corners shall be marked with iron rods not less than five-eighths (5/8) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation.
- f. All required monumentation shall be completed prior to final acceptance of the subdivision and execution of the Plat.

(2) Major developments

- a. Permanent control monuments, one for each five acres of property or fraction thereof, shall be placed along street centerlines or at corners of the development. The location of control monuments shall be approved by the Department and shown on the Development Site Plan. The construction of permanent control monuments shall be in accordance with the PICM.
- b. At least one control monument shall be accurately tied, by angle and distance to an approved City of La Porte monument. Elevations shall be established for each control monument installed. Datum shall be supplied or approved by the Department.
- c. Elevation and coordinate values for each control monument shall be submitted and approved by the Department prior to or concurrent with acceptance of all public improvements.
- d. All lot corners within the Development shall be marked with iron rods not less than five-eighths (5/8) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation prior to commencement of any building construction.

(3) Minor developments

a. All lot corners of Minor Developments shall be marked with iron rods not less than five-eighths (5/8) of an inch in diameter and thirty (30) inches in length, placed flush with the finished ground elevation. Lot corners shall be established and placed prior to commencement of any building construction.

(h) Public improvements

(1) The developer shall pay all costs for providing the development with streets, water mains, sanitary sewers, and storm sewers in accordance with plane and specifications for such improvement approved by the Director of Planning Development and in the manner set out in the adopted Utility Extension Policy. The subdivider shall pay all costs associated with street lighting as set out in the PICM.

(2) The subdivider or developer shall guarantee construction of all approved public improvements as provided in this section and in conformance with the adopted PICM.

(3) The installation of the approved improvements shall be under the inspection of the Director or his representative and the Director shall certify the installation as being in accordance with the approved plans and specifications before the Planning Commission will execute a Subdivision Plat for recordation, or before the City will accept said public improvements for maintenance.

(i) Reimbursement for oversizing

(1) All improvements required in a Subdivision or Development will be installed at the developer's cost, unless otherwise provided. The cost of utilities and streets which are required by the City to be larger than would be normally needed to serve the proposed addition will be partially reimbursed. The reimbursable amount will be the difference between the cost of the facilities that would be adequate to serve the addition and the cost of the facilities required by the City. A reimbursement contract will be negotiated between the City Council and the Developer.

(j) Record drawings

(1) The engineer representing the developer must present to the Director [project information electronically to the City], reproducible complete "record drawings" for all paving, drainage structures, water lines and sewer lines within thirty (30) days after completion of each contract. The Director will not certify approval of public improvements construction until record [all] drawings have been submitted.

(k) Fees. **Filing/Application fees for plats, plans, waivers or other requirements as established in this Chapter shall be in an amount established by the City and listed in Appendix A of this Code.** ~~The following schedule of fees and charges shall be paid into the general fund of the City of La Porte when any map or plat is tendered to the Director, and each of the fees and charges provided herein shall be paid in advance, and the department shall take no action until the fee shall have been paid.~~

Development Type	Major/Minor	Fees
Site Plan	Major (Greater than 10 acres)	\$150.00 up to 10 acres; each additional acre \$5.00

	Minor (Less than 10 acres)	\$100.00 up to 1 acre; each additional acre \$5.00
General Plan		\$100.00
Preliminary Plat		Residential: \$200.00 for 0-50 lots; each additional lot \$5.00 Other: \$200.00 for up to 10 acres; each additional acre \$10.00
Final Plat	Major (Greater than 10 acres)	Residential: \$150.00 for 0-50 lots; each additional lot \$5.00 Other: \$200.00 for up to 10 acres; each additional acre \$10.00
	Minor (Less than 10 acres)	\$150.00
Amending Plat		\$100.00
Replat		\$150.00 plus \$5.00 per lot
Vacating Plat		\$100.00
Variance (Development Regulation)		\$150.00

(l) Plat/Plan Graphic Symbols. The following line symbols are established for all plans and plats:

(1) Boundaries: Show perimeter boundaries, right of ways and boundary lines between development phases in bold solid lines (**_____**). Use solid lines (_____) for block and lot boundaries.

(2) Building lines: Indicate by long dashes separated by short dashes (**__ _ __ _**).

(3) Easements: Indicate by short dashes (**_ _ _ _**).

(4) Stream and depression high banks: indicate by long dashes separated by three short dashes (**_____**).

(5) Edge of flood hazard area: Indicate by long dashes separated by circles (**_____ o _____ o _____ o _____**).

(6) Adjacent properties: Indicate lines outside boundaries of proposed development by long dashes (**_____**).

(m) Plat/Plan Geometric Standards. The following table outlines geometric standards for plans and plats:

Item Description	General Plan	Preliminary Subdivision Plat	Final Subdivision Plat	Development Site Plan
<i>Dimensional Accuracy Standards</i>				
Exact: Angles to the nearest second, distances to the nearest hundredth of a foot.			X	X
Approximate: Angles to the nearest degree, distances to the nearest foot.	X	X		
<i>Line Definition: For all lines required to be defined on a line between two points is considered as "defined" if the following information is provided:</i>				
Bearing (in degree) for tangent (straight) lines	X	X	X	X
Distance (in feet) for tangent (straight) lines	X	X	X	X
Radius of curve (R, in feet) for curvilinear lines	X	X	X	X
Central delta angle (Δ , in degrees) for curvilinear lines			X	X
Arc length (L, in feet) for curvilinear lines	X	X	X	X
Cord length (C, in feet) for curvilinear lines			X	X
Chord bearing (CB, in degrees) for curvilinear lines			X	X
<i>Lines to be defined for street rights-of-way (centerline and both edges), perimeter boundaries, lots, blocks, reserves and easements, all lines between any combination of the following points:</i>				
Points of beginning or ending	X	X	X	X
Lots, block, or reserve corners	X	X	X	X
Angle points	X	X	X	X
Points of tangency or curvature	X	X	X	X
Points of inflection (reverse curvature)	X	X	X	X
Points of intersection with crossing lines for lots, blocks, reserves, rights-of-way, easements, stream or depression high banks, and flood hazard area boundaries			X	X
<i>Lines to be defined for high banks of stream or depression (no right-of-way or easement), lines between:</i>				
Points defining the limits of the high bank		X	X	X
Points of intersection with crossing lines for lots, reserves, easements and rights-of-way			X	X
<i>Lines to be defined for flood hazard area, lines between:</i>				
Points of defining the limits of the flood hazard area (Consult City Flood Zone Administrator for required elevations)		X	X	X
Points of intersection with crossing lines for lots, reserves, easements and rights-of-way			X	X

(n) Title certificate information. A planning letter, certificate, abstract, or other instrument from a title guaranty company or attorney authorized to render title opinions in the State of Texas, which certifies that a search of the appropriate records was performed within thirty (30) days of the filing date and which letter provides the following information:

(1) The date of the examination of the records.

(2) A legal description of the property proposed to be developed including a metes and bounds description of the boundaries of said land.

(3) The name of the recorded owner of fee simple title as of the date of the examination of the records, together with the recording information or the instruments whereby such owner acquired fee simple title.

(4) The names of all lienholders together with the recording information and date of the instruments by which such lienholders acquire their interests.

(5) A description of the type and boundaries of all easements and fee strips not owned by the developer of the property in question together with the recording information and date of the instruments whereby the owner of such easements or fee strips acquired their title.

(6) A statement certifying that no delinquent city or county taxes are due on the property being platted.

Sec. 86-16. Engineering and construction standards for subdivisions.

(a) Streets and alleys.

(1) All streets shall be reinforced concrete pavement on a compacted subgrade. Concrete pavement shall be provided with either an integral curb poured with the pavement or a separate curb constructed on top as required by the PICM and subject to the approval of the Director.

(2) Pavement design shall conform to the PICM.

(3) Curb and combination curb shall be constructed of reinforced concrete. Cross section and slopes shall conform to the PICM.

(4) All concrete shall be designed and controlled by a competent laboratory as required by the PICM.

(b) Drainage and storm sewer.

(1) Adequate drainage shall be provided within the limits of the subdivision as to reduce the community's exposure to flood hazards with respect to adjacent, upstream and downstream developments. (See also Chapter 94 "Floods" of the Code of Ordinances of the City of La Porte for additional requirements.) Adequate drainage shall be provided within the limits of the subdivision and/or development. The protection of adjoining property shall be accounted for in

design of the system **in conformance with the PICM, and shall be subject to the approval of the Director.** The design and sizing of the system shall be in conformance with the PICM, and subject to the approval of the Harris County Flood Control District and the Director of ~~Community Development~~.

(2) Any person or persons that alters or changes the elevation of property shall be responsible for applying for and obtaining, prior to said change or alteration of the elevation of the property, a development authorization from the ~~City Planning~~ Department. Any change or alteration in the elevation of property requires submission of a site plan prior to the change or alteration of property, which said site plan shall delineate the proposed change or elevation of property. Said certified site plan shall be subject to approval by the City Engineer.

(3) Fill dirt permit shall be required by the City. Exhibits show fill dirt regulations, grading standards, and swale standards; requiring sketch plans and approval prior to the introduction of fill material; and providing silt prevention and revegetation standards. Said fee shall be \$25.00 for the first 49 loads of permitted fill dirt, and \$2.00 for each additional load. Any person who places fill dirt on their property without first applying for and obtaining a fill dirt permit shall be guilty of a misdemeanor.

(4) A stormwater quality permit may be required in accordance with city, state and federal law.

(c) Water and sewer system.

(1) The design and construction of all water and sewer systems shall be in conformance with the PICM, and subject to approval by the Director of ~~Community Development~~. The developer or owner shall provide the necessary certificates from all other governmental agencies certifying compliance with their regulations.

(d) Street lighting.

(1) All ~~residential~~ **public** streets and non-residential parking lots **where intended for use by the general public** in the City must be served adequately by lights. Lighting must be located and installed in accordance with the specifications of the PICM.

Sec. 86-25 Open space within subdivisions and developments.

(a) Purpose.

(1) ~~This ordinance is amended with the express purpose to~~ **It is the policy of the City to provide** recreational areas and amenities in the form of neighborhood and community parks as a function of residential development in the City ~~of~~ **of** La Porte. This ~~ordinance amendment~~ **Section** is enacted in accordance with the **home rule** powers of the City of La Porte granted under the Texas Constitution and statutes of the State of Texas, including, without limitation, Texas Local Government Code, § 51.071 *et seq.* **and** § 212.001 *et seq.* It is hereby declared ~~that~~ by the City Council of the City of La Porte that recreational areas, in the form of neighborhood parks and related amenities and improvements, are necessary and in the public welfare, and that the only adequate procedure to provide for same is by integrating such requirement into the procedure for

planning and development of property of a residential subdivision in the City of La Porte, whether such development consists of new construction on previously vacant land or rebuilding and redeveloping existing residential areas.

Neighborhood and community parks are those parks providing for a variety of outdoor recreational opportunities and within convenient distances from a majority of the residences to be served thereby, the standards for which are set forth in the La Porte Parks, Recreation and Open Space Master Plan, or neighborhood and community areas. The park zones established by the La Porte Parks and Recreation Department and shown on the official La Porte Parks, Recreation and Open Space Master Plan, or neighborhood area, shall be *prima facie* evidence that any park located therein is within such a convenient distance from the majority of residences to be served thereby. The cost of the neighborhood parks should be borne by the ultimate residential property owners who by reason of the proximity of their property to such parks shall be the primary beneficiaries of such facilities. Therefore, the following requirements are adopted to effect such purposes.

In order to provide an equitable method of determination of the requirements for future development of residential areas of the City of La Porte, the following formula is hereby adopted: The population of the City based on the latest United States Census data, adjusted on an annual basis based on the predicted growth of the City as found in the Parks and Open Space Master Plan for the year in which the adjustment is made, is identified. The resultant number is divided by the number of acres of available neighborhood and community parkland inventory in the City of La Porte, resulting in the number of persons per neighborhood or community park acre in the City of La Porte. This result is then divided by the number of La Porte persons per dwelling unit as identified in the latest United States Census data, giving the number of dwelling units per acre of neighborhood or community parkland. This number is then divided into the total acquisition cost for land at the average appraisal value, and development cost per acre for development of the land into a typical park as identified in the Parks and Open Space Master Plan of the City.

This formula provides a baseline for determining the number of dwelling units per acre rate for future development within the City, the parkland dedication or in lieu acquisition costs for parkland, and the cost of future park development. This formula shall be applied and reviewed periodically to assure that the process for future development remains fair and equitable as established herein. In the event that the periodic review results in a determination of inequity, an amendment to the Ordinance to correct the inequity will be presented to Council for consideration.

(b) General requirement for dedication of land and payment of park development fee.

(1) Whenever a Final Plat is filed of record with the County Clerk of Harris County, Texas or a development site plan, or a property survey is submitted and filed with the approving authority of the City in accordance with the provisions of this ordinance and other planning and development ordinances that may be contained within the Code of Ordinances of the City of La Porte, for a development of a residential area within the City of La Porte that contains two or more contiguous residential dwelling units, such plat, or site plan, or property survey shall contain a clear fee simple dedication of one acre of land for each 93 proposed dwelling units. As used in

this Ordinance Section, a “dwelling unit” means each individual residence, including individual residences in a multi-family structure, designed and/or intended for inhabitation by a single family. Residential structures that are moved from one area of the City to another area of the City are specifically excluded from the park development fee requirements of this ordinance.

Any proposed plat or site plan, or property survey submitted to the City of La Porte for approval shall show the area proposed to be dedicated under this section. The required land dedication of this section may be met by a payment in lieu of land where permitted by the City of La Porte or required by other provisions in this ordinance.

In the event a plat is not required and a development site plan or property survey is filed, the dedication of land or payment in lieu of land required under this section shall be met prior to the issuance of a building permit by the approving authority of the City.

(2) The City Council of the City of La Porte declares that development of an area less than one acre for neighborhood park purposes is impractical. Therefore, if fewer than 93 dwelling units are proposed by a plat filed for approval, the approving authority may require the developer to pay the applicable cash in lieu of land amount, as provided in ~~Section 12.02~~ subsection “c” below hereto.

(3) In addition to the required dedication of land, as set forth above, there shall also be a park development fee paid to the City of La Porte as a condition to subdivision plat approval or issuance of a building permit. Such park development fee shall be set from time to time by ordinance of the City Council of the City of La Porte sufficient to provide for the development of amenities and improvements on the dedicated land to meet the standards for a neighborhood park to serve the area in which the subdivision is located. Unless and until changed by ordinance of the City Council of the City of La Porte, the park development fee shall be calculated on the basis of \$318 per dwelling unit.

(4) In lieu of payment of the required park development fee, a developer shall have the option to construct the neighborhood park amenities and improvements. All plans and specifications for the construction of such amenities and improvements must be reviewed and approved by the approving authority. The developer shall financially guarantee the construction of the amenities and improvements, and the City of La Porte must approve same, prior to the filing of a plat in the case of platted subdivisions. Once the amenities and improvements are constructed, and after the approving authority has accepted such amenities and improvements, the developer shall deed and convey such amenities and improvements to the City of La Porte or to the applicable Homeowner’s Association.

(5) In instances where land is required to be dedicated, the approving authority shall have the right to accept or reject the dedication after consideration of the recommendation of the Parks and Recreation Director or the Planning and Zoning Commission, and to require a cash payment in lieu of land in the amount provided under ~~Section 12.02 hereto~~ subsection “c” below, if the approving authority determines that sufficient park area is already in the public domain for the area of the proposed development or if the recreation potential for that area would be better served by expanding or improving existing neighborhood parks.

(6) When two or more developments will be necessary to create a neighborhood park of sufficient size in the same area, the Parks and Recreation Department, at the time of preliminary plat approval, will work with the developer to define the optimum location of the required dedication within the respective plats. Once a park site has been determined, adjacent property owners who develop around the park site shall dedicate land and (or) cash to the existing site unless otherwise determined by the approving authority, as provided ~~in section 12.02~~ herein.

(c) Cash payment in lieu of land.

(1) A developer responsible for land dedication under this ~~Ordinance~~ **Section** shall be required, at the approving authority's option, to meet the dedication requirements in whole or in part by a cash payment in lieu of land, in the amount set forth below. Such payment in lieu of land shall be made prior to filing the final plat for record, or prior to the issuance of a building permit where a plat is not required.

(2) The cash payment in lieu of land dedication shall be met by the payment of a fee set from time to time by ordinance of the City Council sufficient to acquire neighborhood parkland. Unless and until changed by the City Council, such fee shall be computed on the basis of \$490 per dwelling unit. A cash payment in lieu of land dedication, as set forth in this section, does not relieve the developer of its obligation to pay the park development fee of \$318 set forth in ~~section 12.01 above~~ **subsection (b)(3) above**. The cash payment in lieu of land dedication is in addition to the required park development fee.

(3) The general requirements for dedication of land and payment of park development fees and the cash payment in lieu of land are set forth graphically in Table 1, attached hereto.

(4) The City of La Porte may from time to time decide to purchase land for parks in or near the area of actual or potential development. If the City does purchase park land in a park zone, subsequent park land dedications for that zone shall be in cash only, the calculation of which is set forth **as provided herein** ~~in section 12.01 above~~. Such cash payments are in addition to the payment of the required park development fee.

(d) Special fund.

(1) All funds collected by this dedication process will be deposited in the City of La Porte's Park Development Fund and used for the purchase or leasing of park land and the development and maintenance of same. All expenditures from the said fund will be reviewed and approved by the ~~Assistant~~ **Office of the** City Manager for the City of La Porte.

(2) The City of La Porte shall account for all sums paid into the Parks Development Fund with reference to the individual plats involved.

(e) Prior dedication, absence of prior dedication.

(1) If a dedication requirement arose prior to the passage of this ~~Ordinance~~ **Chapter**, that dedication requirement shall be controlled by the ordinance in effect at the time such obligation arose, except that additional dedication shall be required if the actual number of dwelling units

constructed upon property is greater than the former assumed or planned number of dwelling units. Additional dedication shall be required only for the increase in the number of dwelling units and shall be based upon the land dedication and park development fee requirements set forth herein above.

(2) At the discretion of the City, any former gift of land to the City may be credited on a per acre basis toward eventual land dedication requirements imposed on the donor of such lands. The approving authority shall consider the recommendations of the Parks and Recreation Department and the Planning and Zoning Commission in exercising its discretion under this subsection.

(f) Additional requirements, definitions.

(1) Any land dedicated to the City under this ~~Ordinance~~ **Chapter** must be suitable for park and recreation uses. The following characteristics of a proposed area are generally unsuitable and may be ground for refusal of any plat:

- a. Any area primarily located in the 100-year floodway as determined by the Harris County Flood Control District.
- b. Any areas of unusual topography or slope which renders same unusable for organized recreational activities.

(2) Drainage areas may be accepted as part of a park if the channel is constructed in accordance with City engineering standards as found in Section 5.5.3 of the Public Improvement Criteria Manual of the City of La Porte, if no significant area of the park is cut off from access by such channel, if not less than five (5) acres of the site is above the 100-year flood plain, or if the dedication is in excess of ten (10) acres, not less than fifty percent (50%) of the site should be included in the 100-year flood plain.

(3) Each park must have ready access to a public street.

(4) Unless provided otherwise herein, an action by the City shall be by the approving authority, after consideration of the recommendations of the ~~Planning and Zoning~~ Commission and/or the Director of Parks and Recreation Department.

(5) Any preliminary plat approved prior to the effective date of this ordinance shall be exempt from these requirements set forth herein; however, however when such preliminary approval expires, any resubmission of such plat shall meet the requirements of this ordinance.

(g) Instruments of dedication.

(1) The park land dedication required by the ~~Ordinance~~ **Section** shall be made in the case of Subdivision by a reservation on the Final Plat as filed in the map records of Harris County, Texas, unless additional dedication is required subsequent to the filing of the Final Plat. In the case of a Development Site Plan, the dedication required by the ordinance shall be made by filing of a deed to the deed records of Harris County.

In either event, if the actual number of completed dwelling units exceeds the figure upon which the original dedication was based, such additional dedication shall be required, and shall be made by payment by the cash in lieu of land amount provided **herein** by ~~Section 12.02 of this Ordinance.~~

Sec. 86-26. Variances Waivers.

(a) In those instances where, in the opinion of the Commission, strict compliance with the terms, rules, conditions, policies, and standards ~~of the Commission~~ provided in this ~~Ordinance~~ Chapter would create an undue hardship by depriving the applicant or subdivider of the reasonable use of the land or, where, in the opinion of the Commission, there are unusual physical characteristics which affect the property in question and which would make strict compliance with the terms and conditions of this ~~Ordinance~~ Chapter or any rule promulgated under this ~~Ordinance~~ Chapter not feasible, the Commission may grant the applicant or subdivider a **variance waiver** as to one or more requirements as long as the general purpose of this ~~Ordinance~~ Chapter is maintained. Economic hardship shall not constitute the sole basis for granting a **variance waiver** under this section.

(b) A **variance waiver** granted under the provisions of this ~~Ordinance~~ Chapter shall only to the specific property upon which the Commission was requested to approve a plat and that such **variance waiver** shall not constitute a change of this ~~Ordinance~~ Chapter, or any part thereof, or establish any policy, rule or regulation contrary to the provisions of this ~~Ordinance~~ Chapter.

(c) Any **variance waiver** on a recorded plat granted before the date of adoption of this ~~Ordinance~~ Chapter is hereby recognized as continuing to be valid and compliance with the provisions of this Section shall not be required.

(d) Any person desiring to secure a **variance waiver** as to the provisions of this ~~Ordinance~~ Chapter must submit a written request with the other materials ~~pursuant to Section 4.00 et seq. herein~~ (4.00 is Sketch Plans). Any request for a **variance waiver** must cite the specific rule, policy or standard contained in this ~~Ordinance~~ Chapter from which a **variance waiver** is desired. Additionally, the request must state the extent of the **variance waiver** sought and the specific facts or reasons why such **variance waiver** is needed

(e) No **variances waiver** may be granted by the Commission unless approved by a majority vote of the members present at the meeting of the Commission at which the **variances waiver** request is presented and ~~that~~ where the Commission affirmatively finds:

(1) That the **variances waiver** would not be contrary to the general purpose and goals stated in this ~~Ordinance~~ Chapter.

(2) That the **variance waiver** would not be detrimental to the public health, safety or welfare, to be injurious to adjacent property, or prevent the subdivisions or development of other land in the area in accordance with the provisions of this ~~Ordinance~~ Chapter.

(f) Such finding of the Commission, together with the specific facts upon which such findings are based shall be incorporated into the official minutes of the Commission meeting at which such **variance waiver** was granted.”

Section 2. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be

Section 3. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 4. Ordinance No. 1444, together with all amendments to Ordinance No. 1444, is expressly repealed. Furthermore, all other ordinances or parts of ordinances in conflict herewith are hereby repealed, but to the extent of such conflict only.

Section 5. 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 6. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the _____ day of _____, 2016.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark Askins, Assistant City Attorney

facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

When private streets and utilities are established within the site plan:

FURTHER, Owners agree that those streets and utilities located within the boundaries of this site plan specifically noted as private, shall be maintained as private streets and utilities by the owners, heirs, successors and assigns and, further, that said private streets shall always be available for the general use of the public for firemen, firefighting equipment, police and other emergency vehicles of whatever nature at all times.

When owner is an individual or individuals

WITNESS my (or our) hand in the City of _____, _____, this _____ day of _____, 20____.

(Name of Owner/s)

When owner is a company of corporation

In TESTIMONY WHEREOF, the (Name of company) has caused these presents to be signed by (Name of President), its President thereunto authorized, attested by its Secretary (or authorized trust officer), (Name of Secretary of authorized trust officer), and its common seal hereunto affixed by this _____ day of _____, 20____.

By: _____
(Name – President of Authorized Agent)
(Name of Company)
(Title)

ATTEST:

By: _____
Name – Secretary or Authorized Trust Officer)
(Title)

(Affix Corporate Seal)

❖ ***Flood Statement:***

This tract is in Flood Zone _____ and [is/is not] within the 100-year Flood Plain according to FEMA Map # _____, Dated _____.

❖ **Amendment Table:**

All site plans shall include the following table:

AMENDMENT TABLE		
<i>Description of Proposed Modification/s:</i>	<i>Date of Approval:</i>	<i>Approval Authority Signature:</i>

❖ **Landscape Table:**

All site plans shall include the following table:

LANDSCAPE TABLE				
<i>Planting strip requirements per Section 106-800(c.1.b&c)</i>				
<i>Symbol:</i>	<i>Common Name:</i>	<i>Scientific Name:</i>	<i>Amount Required:</i>	<i>Quantity Proposed:</i>
<i>Parking lot requirements per Section 106-800(c.1.e)</i>				
Number of Parking Spaces Provided:				
Number of Trees Required (ratio 1 tree per 10 parking spaces):				
Species of Shade Trees Provided as Parking Lot Landscaping:				
Planters Required (ratio of 135 sq. ft. per 10 parking spaces):				

❖ **Parking Table:**

All site plans shall include the following table:

Parking Table	
Parking Spaces Required (Include parking ratio from Section 106-839):	
Parking Spaces Provided:	
Accessible Parking Spaces Required:	
Accessible Parking Spaces Provided:	

❖ ***City Approving Authority Certificate:***

Minor Development Site Plan:

This is to certify that on _____ day of _____, 20__ the City of La Porte, Texas, has approved this site plan and development of (Name of Development) in conformance with the ordinances of the City of La Porte.

By: _____
Director, Planning and Development

City Planner

City Engineer

Major Development Site Plan:

This is to certify that on _____ day of _____, 20__ the City Planning and Zoning Commission of the City of La Porte, Texas has approved this site plan and development of (Name of Development) in conformance with the laws of the State of Texas and the ordinances of the City of La Porte.

By: _____
Chair, Planning and Zoning Commission

ATTEST:

By: _____
Secretary, Planning and Zoning Commission

By: _____
Director, Planning and Development

City Planner

City Engineer

Subdivision Plats

❖ ***Owners Acknowledgement:***

STATE OF TEXAS

COUNTY OF HARRIS

I [or we], (name of owner or owners) acting by and through (name and title of officer) being officers of (name of company or corporation, owner (or owners) hereinafter referred to as Owners whether one or more of the (number of acres) tract described in the above and foregoing map of (Name of subdivision) do hereby make and establish said subdivision of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind myself (or ourselves), my (or our) heirs, successors and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever an unobstructed aerial easement five (5) feet in width from a plane twenty (20) feet above the ground level upward, located adjacent to all common use public utility easements shown hereon.

FURTHER, Owners do hereby declare that all parcels of land designated as lots on this plat are originally intended for the construction of _____ thereon and shall be restricted for same under the terms and conditions of such restrictions filed separately.

ADDITIONAL PARAGRAPHS TO BE ADDED AS APPROPRIATE

When plat contains natural drainage ways such as bayous, creeks, gullies, ravines, draw or drainage ditches:

FURTHER, Owners do hereby dedicate to the public a strip of land fifteen (15) feet wide on each side of the high bank of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located and depicted upon in said plat, as easements for drainage purposes, giving the City of La Porte, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, drainage ways and easements clear of fences, buildings, and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

When plat indicated building setback lines and public utility easements are to be established in adjacent acreage owner by the subdivider:

FURTHER, Owners do hereby certify that I am (or we) the owners of the property immediately adjacent to the boundaries of the above foregoing plat of (name and subdivision) where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing plat and do hereby make and establish all building setback lines and dedicate to the use of the public forever all public utility easements shown in said adjacent acreage.

When private streets are established within the plat:

FURTHER, Owners do hereby covenant and agree that those streets located within the boundaries of this plat specifically noted as private streets, shall be hereby established and maintained as private streets, by the owner, heirs, successors and assigns to property located within the boundaries of this plat and always available for the general use of said owners and to the public for firemen, firefighting equipment, police and the other emergency vehicles of whatever nature at all times and do hereby bind myself (or ourselves), my (or our), heirs (or successors and assigns to warrant and forever defend the title to the land so designated and established as private streets.

To be used when the subdivision is within the Extraterritorial Jurisdiction of the City of La Porte:

FURTHER, Owners certify and covenant that they have complied with or will comply with the existing Harris County Road Law, Section 31-C as amended by Chapter 614, Acts of 1973, 63rd Legislature and all other regulations heretofore on file with the Harris County Engineer and adopted by the Commissioner’s Court of Harris County.

When replatted under the provisions of Section 212.014 Texas Local Government Code:

FURTHER, the Owners hereby certify that this replat does not attempt to alter, amend, or remove any covenants or restrictions; I, (we) further certify that no portion of the proposed area to be replatted is limited by deed restriction to residential use for not more than two (2) residential units per lot.

When replatted under the provisions of Section 212.014, Texas Local Government Code:

FURTHER, the Owners certify that this replat does not attempt to alter, amend or remove any covenants or restrictions.

When owner is an individual or individuals

WITNESS my (or our) hand in the City of _____, _____, this _____ day of _____, 20_____.

(Name of Owner/s)

When owner is a company of corporation

In TESTIMONY WHEREOF, the (Name of company) has caused these presents to be signed by (Name of President), its President thereunto authorized, attested by its Secretary (or authorized trust officer), (Name of Secretary of authorized trust officer), and its common seal hereunto affixed by this _____ day of _____, 20____.

By: _____
(Name – President of Authorized Agent)
(Name of Company)
(Title)

ATTEST:

By: _____
Name – Secretary or Authorized Trust Officer)
(Title)

(Affix Corporate Seal)

(Include Notary Acknowledgement)

❖ **Harris County Clerk Filing Statement:**

I, (name of County Clerk), Clerk of County of Harris, do hereby certify that the within instrument with the certificate of authentication was filed for registration in my office on _____, 20__, at _____ o'clock __M., and duly recorded on _____, 20__, at _____ o'clock __M., and in Film Code No. _____ of the map records of Harris County for said county.

Witness my hand and seal of office, at Houston, the day and date last above written.

(Name of County Clerk)
County Clerk
Of Harris County, Texas

By: _____
Deputy

❖ **Plat Accuracy Certificate:**

I, (name of engineer or surveyor), am registered under the laws of the State of Texas to practice the profession of engineering (or surveying) and hereby certify that the above plat is true and correct; and that all bearings, distances, angles, curve radius, and central angles are accurately shown on the plat.

By: _____
(Name of Engineer or Surveyor)

Texas Registration No. _____

(Affix Seal)

❖ ***Plat Final Survey Certificate:***

I _____ (name of surveyor) _____, registered under the laws of the State of Texas to practice the profession of land surveying, do hereby certify that this plat accurately represents the results of a survey performed under my supervision and that all boundary corners, single points and points of curve have been, or will be, marked with five- eights inch iron rods not less than thirty (30) inches in length and that this plat (site plan) complies with the requirements as specified in the City of La Porte Development Ordinance.

By: _____
(Name of Engineer or Surveyor)

Texas Registration No. _____

(Affix Seal)

❖ ***Notary Acknowledgement:***

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared (Names of persons signing the plat, owners, and corporation officers), (corporation titles if appropriate, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledgement to me that they executed the same for the purposes and considerations therein expressed (add for corporations, “and in the capacity therein and herein stated, and as the act and deed of said corporation.”).

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 20____.

My Commission Expires _____

(Signature of Notary Public) _____

Notary Public in and for the State of _____

(Affix Notary Seal)

❖ ***Special plat statements to appear when appropriate on subdivision plats:***

When any portion of land within the plat boundary lies inside a Flood Hazard Zone Area:

“Some land within this subdivision lies in a Flood Hazard Area. Such lands are subject to an increased chance of flooding and the City of La Porte places stricter requirements on

development therein through the La Porte Flood Hazard Prevention Ordinance. Flood Hazard Area on this plat are shown as shaded.”

When the plat contains public street rights-of-way bordering on unrestricted reserves or unplatted acreage:

“A one foot reserve is hereby established within the street right of way adjacent to all unrestricted reserves or unplatted acreage. Said one foot reserve shall be dedicated to the public and shall be removed and thereafter be vested in the public for street right-of-way purposes only upon proper platting of the adjacent unrestricted reserve or acreage.”

❖ **City Approving Authority Certificate:**

Administrative Plat:

This is to certify that the City of La Porte, Texas, has approved this plat and subdivision of _____ (Name of Subdivision Plat) _____ in conformance with the laws of the State of Texas and the ordinances of the City of La Porte and authorized the recording of this plat on _____ day of _____, 20____.

By: _____
Director, Planning and Development

City Planner

City Engineer

Major Subdivision Plat:

This is to certify that the Planning and Zoning Commission of the City of La Porte, Texas, has approved this plat and subdivision of _____ (Name of Subdivision Plat) _____ in conformance with the laws of the State of Texas and the ordinances of the City of La Porte and authorized the recording of this plat on _____ day of _____, 20____.

By: _____
Chair, Planning and Zoning Commission

ATTEST:

By: _____
Secretary, Planning and Zoning Commission

By: _____
Director, Planning and Development

City Planner

City Engineer

❖ ***Amending Plat Certificates:***

I _____ (name of surveyor) _____, hereby certify that the following corrections were necessary to eliminate errors which appear on the plat of _____ (name of subdivision) _____, recorded on _____ (date and month) _____, _____ (year) _____, in Volume _____ (number) _____, page _____ (number) _____ (or where applicable film code numbers) of the map records of Harris County, Texas:

(Provide a brief explanation of corrections required.)

By: _____
(Name of Engineer or Surveyor)

Texas Registration No. _____

(Affix Seal)

I (we), _____ (names(s) or owner(s)) _____, owner(s) of the property directly affected by this amending plat, being lot(s) _____ (number) _____ out of the block(s) _____ (number) _____ as indicated hereon, do hereby consent to this amending plat for the purposes herein expressed.

(Name of Owner)

(Repeat as necessary.)

❖ ***Vacating Plat Certificates:***

STATE OF TEXAS

COUNTY OF HARRIS

KNOW ALL MEN BY THESE PRESENTS:

I (we), _____ (names(s) or owner(s)) _____ or _____ (name of president and secretary or authorized trust officer of a company or corporation) _____, being the sole owner (owners) and

proprietor of the following described property in the City of La Porte, Harris County, Texas, to-wit:

(Provide legal description of the property including, but not limited to, the acreage, the name of the recorded subdivision, the name of the Survey and Abstract Number, and recording references.)

Do hereby desire and declare that said plat, subdivision and dedication thereon be vacated and cancelled so as to convert all of said platted property to acreage tracts as same existed before such property was platted, subdivided and recorded.

(At this point any rights-of-way, easements or any other feature established in the subdivision being vacated which will not be cancelled as a result of this vacation action should be described.)



April 21, 2016

Honorable Mayor Rigby and City Council
City of La Porte

RE: Proposed Amendments to the city's Development Ordinance (Ordinance No. 1444)

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a public hearing at the March 17, 2016 meeting to consider a recommendation of approval on proposed modifications to Ordinance No. 1444, more commonly known as the City of La Porte Development Ordinance. The Development Ordinance was originally adopted on June 10, 1985, and has been the subject of numerous amendments and revisions. The Development Ordinance includes provisions both regulating and establishing a review process for subdivisions, site plans and other development-related requirements. The proposed modifications also include codifying the regulations as part of Chapter 86 of the City of La Porte's Code of Ordinances.

The Commission voted unanimously to recommend approval of the provisions as included 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

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>May 9, 2016</u>	<u>Budget</u>
Requested By: <u>Kristin Gauthier</u>	Source of Funds: _____
Department: <u>OEM</u>	Account Number: _____
Report: <input checked="" type="checkbox"/> Resolution: _____ Ordinance: _____	Amount Budgeted: _____
Exhibits: <u>Commodity Flow Study Truck Traffic Report</u>	Amount Requested: _____
Exhibits: <u>Commodity Flow Study Presentation</u>	Budgeted Item: YES NO
Exhibits: _____	

SUMMARY & RECOMMENDATION

In 2015, the La Porte, Morgan’s Point and Shoreacres Local Emergency Planning Committee (LEPC) partnered with the Greater Baytown Area LEPC to conduct a Hazardous Materials Commodity Flow Study (CFS) of the La Porte and Baytown Areas. The LEPC’s submitted a joint application to conduct the study utilizing the FY15 Hazardous Materials Emergency Preparedness (HMEP) Planning Grant. The LEPC’s were awarded the grant and worked with the Texas A&M Transportation Institute (TTI) to conduct a study of hazardous commodity flow on roadways, railways, waterways and pipelines in our area.

Commodity Flow Studies are beneficial because they can be used as a resource to support community planning, identify training and resource needs, assist in public education programs, advise the designation of hazardous materials routes, and consider implications for infrastructure. The study that was conducted provided estimated daytime (8am-5pm) truck traffic volumes at various locations in La Porte and the percentage of truck traffic along each route that were hazmat placarded.

Upon completion of the study, the LEPC and Cities received a report on the findings for each area of the study. Researchers compared the results of the study to a 2011 Commodity Flow Study that included data counts for SH-225. According to the findings, there was a 29% overall increase in truck traffic on SH-225 from 2011 to 2015 and a 13% increase in hazmat placarded truck traffic during that same period. The hazardous materials truck traffic levels in the La Porte area are well above the national averages for major roadways. The following table is an excerpt from the full report (see attachment).

Table ES.3.2 Estimated Daytime (8 am to 5 pm) Number of Trucks with Placards, La Porte

<u>Location</u>	<u>Estimated Daytime Number of Trucks with Placards</u>
SH 146, South of SH 225, La Porte	815
SH 225, West of SH 146, La Porte	1200
Fairmont Pkwy., East of Underwood Dr., La Porte	160
Fairmont Pkwy., East of Bay Area Blvd., La Porte	365
Underwood Dr., South of Fairmont Pkwy., La Porte	95
Underwood Dr., North of Fairmont Pkwy., La Porte	40
Bay Area Blvd., South of Fairmont Pkwy., La Porte	110
Bay Area Blvd., North of Fairmont Pkwy., La Porte	3

City staff recently requested that David Bierling from TTI provide a presentation to Council on the results of the truck traffic study, including recommendations that were provided in the final report. As a result of this study, the La Porte, Morgan's Point and Shoreacres LEPC applied for and received the FY16 HMEP Planning Grant to develop a Risk Management Plan based on the Commodity Flow Study findings and other community factors.

Action Required by Council:

Receive presentation from David Bierling with the Texas A&M Transportation Institute on the 2015 Hazardous Materials Commodity Flow Study.

Approved for City Council Agenda

Corby Alexander, City Manager

Date

Hazardous Materials/Truck Traffic Study: Baytown and La Porte, Texas



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Hazardous Materials/Truck Traffic Study: Baytown and La Porte, Texas

by

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Bradley Trefz, B.A.
Research Associate

Zachary Palisch
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Student Technician I

Michael Martin, M.U.P.
Associate Transportation Researcher

Project performed by
Texas A&M Transportation Institute

Project performed for:
Greater Baytown Area Local Emergency Planning Committee;
La Porte, Morgan's Point, and Shoreacres Local Emergency Planning Committee; and
Texas Division of Emergency Management

SEPTEMBER 2015

Prepared by
Texas A&M Transportation Institute
2929 Research Parkway
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Cover Photo: Texas A&M Transportation Institute

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LIST OF ACRONYMS

Acronym	Complete Name
AEGL	Acute Exposure Guideline Level
AIHA	American Industrial Hygiene Association
ALOHA	Area Locations of Hazardous Atmospheres software
BLEVE	Boiling liquid expanding vapor explosion
CAMEO	Computer-Aided Management and Emergency Operations software
CATS/JACE	Consequence Assessment Tool Set/Joint Assessment of Catastrophic Events
CCPS	Center for Chemical Process Safety
CERT	Community Emergency Response Team
CFS	Commodity Flow Study
DDC	Disaster District Committee
DSHS	Texas Department of State Health Services
DYNASMART-P	Dynamic Network Assignment-Simulation Model for Advanced Road Telematics (Planning version)
EMS	Emergency Medical Services
EOP	Emergency Operations Plan
EPA	U.S. Environmental Protection Agency
ERG	Emergency Response Guidebook
ERPG	Emergency Response Planning Guideline
ETIS	Evacuation Traffic Information System
FEMA	Federal Emergency Management Administration
FHWA	Federal Highway Administration
HPAC	Hazard Prediction and Assessment Capability
LEPC	Local Emergency Planning Committee
LPG	Liquefied Petroleum Gas
MASSVAC	Mass eVACuation
NETVAC	Network Emergency Evacuation
NIOSH	National Institute for Occupational Safety and Health
NOAA	National Oceanic and Atmospheric Administration
OEM	Office of Emergency Management
OREMS	Oak Ridge Evacuation Modeling System
OSHA	Occupational Safety and Health Administration
PAC	Protective Action Criteria
PHMSA	Pipeline and Hazardous Materials Administration
RLO	Regional Liaison Officer
TCEQ	Texas Commission on Environmental Quality
TDEM	Texas Division of Emergency Management
TEEL	Temporary Emergency Exposure Limit
TrEPS	Traffic Estimation and Prediction System
TTI	Texas A&M Transportation Institute
UN/NA	United Nations/North America
VCE	Vapor Cloud Explosion

ACKNOWLEDGEMENTS AND DISCLAIMER

This project and publication of this material was supported by U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration grant funds. The project was funded through the Hazardous Materials Emergency Preparedness (HMEP), Grant Program, administered by the Texas Division of Emergency Management (TDEM), Preparedness Section. The Greater Baytown Area Local Emergency Planning Committee (LEPC) and the La Porte, Morgan's Point, and Shoreacres LEPC were joint recipients of the grant. Mr. Ryan Holzaepfel was the Greater Baytown Area LEPC Chair and Mr. Bill Vola was the LEPC's Co-Chair and Project Manager. Mr. Clayton Hackett was the La Porte, Morgan's Point, and Shoreacres LEPC Chair, and Ms. Kristin Gauthier and Ms. Dena Mahan assisted with coordination for the LEPC. City of Baytown was the fiduciary agent. Dr. David Bierling of Texas A&M Transportation Institute (TTI) was TTI's Principal Investigator for the project. Non-federal matching funds for the grant were provided by Greater Baytown Area LEPC, La Porte, Morgan's Point, and Shoreacres LEPC, and TTI.

The findings presented in this report are the opinions of the authors, and do not reflect those of PHMSA, TDEM, Greater Baytown Area LEPC, or La Porte, Morgan's Point, and Shoreacres LEPC.

ABSTRACT

The Greater Baytown Area LEPC, the La Porte, Morgan's Point, and Shoreacres LEPC, and TTI conducted a hazardous material (hazmat) commodity flow study using data collected between December 2014 and August 2015. This report covers transport of hazmat by trucks in Baytown and La Porte, Texas. The report summarizes data by hazmat placard ID, material class, division, special hazards, and transport vehicle types. This report offers information on project outcomes and makes recommendations based on traffic observations.

EXECUTIVE SUMMARY

ES.1 PURPOSE

The purpose of this hazardous materials (hazmat) commodity flow study (CFS) is to identify hazardous materials transported in the Baytown and La Porte, Texas area by material class, division, special hazards (toxic inhalation, violent polymerization, and water reactive materials that produce toxic gases), and transport vehicle types. In addition, the study identifies the amount of truck traffic at specific locations in the area, and the types and percentages of hazardous materials traffic in those locations.

Commodity flow information is useful for emergency and community planning and is a vital resource for developing and updating Emergency Operations Plans (EOPs). Report data are a source for public risk communication and education programs and identify community “risk hotspots” to focus those efforts. Study results can provide a basis for scenario development and other training and exercise activities and are useful in evaluating equipment and supply requirements. In addition, commodity flow studies provide additional information that can be used to locate emergency facility and warning systems, stage hazmat personnel and equipment, and designate hazmat routes. Hazmat commodity flow studies can also support comprehensive community planning (transportation, emergency services, land use, etc.) and, very rarely, legal takings.

ES.2 SIGNIFICANT FINDINGS

Truck traffic in Baytown and La Porte is consistent with the high level of industry in the area, the presence of major petrochemical facilities, and international seaports. The study found significant concentrations of hazmat transport by truck on the majority of roadways that were surveyed. Hazardous materials truck traffic levels were well above national averages on major roadways.

The study identified estimated daytime truck traffic volumes (Tables ES.1.1 and ES.1.2), daytime percent of trucks with hazmat placards (Tables ES.2.1 and ES 2.2), and estimated number of trucks with placards (Tables ES.3.1 and ES 3.2) on weekdays at locations around Baytown and La Porte, respectively.

Table ES.1.1 Estimated Daytime (8 am to 5 pm) Truck Traffic Volumes, Baytown

Location	Estimated Daytime Truck Traffic
I-10, West of SH 146, Baytown	8100
I-10, East of SH 146, Baytown	7700
SH 99, East of SH 146, Baytown	2200
SH 146 Bypass, South of SH 330, Baytown	4850
SH 146, East of SH 146 Bypass, South Baytown	1750
SH 146, South of I-10, Baytown	2200
SH 146, North of I-10, Mont Belvieu	2000
SH 330, Baytown	4100

Table ES.1.2 Estimated Daytime (8 am to 5 pm) Truck Traffic Volumes, La Porte

Location	Estimated Daytime Truck Traffic
SH 146, South of SH 225, La Porte	8500
SH 225, West of SH 146, La Porte	12600
Fairmont Pkwy., East of Underwood Dr., La Porte	1300
Fairmont Pkwy., East of Bay Area Blvd., La Porte	2000
Underwood Dr., South of Fairmont Pkwy., La Porte	950
Underwood Dr., North of Fairmont Pkwy., La Porte	750
Bay Area Blvd., South of Fairmont Pkwy., La Porte	950
Bay Area Blvd., North of Fairmont Pkwy., La Porte	150

Table ES.2.1 Estimated Daytime (8 am to 5 pm) Percent of Trucks with Placards, Baytown

Location	Estimated Daytime Percent Trucks with Placards
I-10, West of SH 146, Baytown	8.2%
I-10, East of SH 146, Baytown	11.5%
SH 99, East of SH 146, Baytown	13.2%
SH 146 Bypass, South of SH 330, Baytown	15.5%
SH 146, East of SH 146 Bypass, South Baytown	11.7%
SH 146, South of I-10, Baytown	12.9%
SH 146, North of I-10, Mont Belvieu	10.2%
SH 330, Baytown	12.8%

Table ES.2.2 Estimated Daytime (8 am to 5 pm) Percent of Trucks with Placards, La Porte

Location	Estimated Daytime Percent Trucks with Placards
SH 146, South of SH 225, La Porte	9.6%
SH 225, West of SH 146, La Porte	9.5%
Fairmont Pkwy., East of Underwood Dr., La Porte	12.3%
Fairmont Pkwy., East of Bay Area Blvd., La Porte	16.7%
Underwood Dr., South of Fairmont Pkwy., La Porte	9.8%
Underwood Dr., North of Fairmont Pkwy., La Porte	5.4%
Bay Area Blvd., South of Fairmont Pkwy., La Porte	11.4%
Bay Area Blvd., North of Fairmont Pkwy., La Porte	1.7%

Table ES.3.1 Estimated Daytime (8 am to 5 pm) Number of Trucks with Placards, Baytown

Location	Estimated Daytime Number of Trucks with Placards
I-10, West of SH 146, Baytown	690
I-10, East of SH 146, Baytown	885
SH 99, East of SH 146, Baytown	290
SH 146 Bypass, South of SH 330, Baytown	750
SH 146, East of SH 146 Bypass, South Baytown	205
SH 146, South of I-10, Baytown	285
SH 146, North of I-10, Mont Belvieu	205
SH 330, Baytown	525

Table ES.3.2 Estimated Daytime (8 am to 5 pm) Number of Trucks with Placards, La Porte

Location	Estimated Daytime Number of Trucks with Placards
SH 146, South of SH 225, La Porte	815
SH 225, West of SH 146, La Porte	1200
Fairmont Pkwy., East of Underwood Dr., La Porte	160
Fairmont Pkwy., East of Bay Area Blvd., La Porte	365
Underwood Dr., South of Fairmont Pkwy., La Porte	95
Underwood Dr., North of Fairmont Pkwy., La Porte	40
Bay Area Blvd., South of Fairmont Pkwy., La Porte	110
Bay Area Blvd., North of Fairmont Pkwy., La Porte	3

A truck/hazmat traffic commodity flow study conducted in 2011 for the City of Deer Park estimated 9775 trucks on SH 225 between Miller Cut-Off Road and Sens Road during the daytime period, with an average of 10.9 percent of the trucks having placards, corresponding to around 1,065 hazmat placarded trucks during the daytime period. The 2015 estimates for overall truck traffic on SH 225 are 29 percent greater than the estimates from 2011, and the 2015 estimates for hazmat placarded truck traffic are around 13 percent greater than 2011.

The most common hazmat placard/markings observed on Baytown roadways are listed in Table ES.4.1; they comprise almost half of all placard observations in Baytown. Further information is available in Chapter 1 and Chapter 3.

Table ES.4.1 Most-Frequently Observed Placards in Baytown

Placard ID	% of Placards	Hazard Class	Description/Name
1993	11.2%	3	Flammable liquids, n.o.s.‡; Compounds, cleaning liquid‡; Compounds, tree killing, liquid or Compounds, weed killing, liquid‡; Diesel Fuel; Fuel Oil (No. 1, 2, 4, 5, or 6); Combustible liquid, n.o.s.‡
1075	8.3%	2.1	Petroleum gases, liquefied or Liquefied petroleum gas
3082	6.4%	9	Environmentally hazardous substance, liquid, n.o.s.‡; Hazardous waste, liquid, n.o.s.‡; Other regulated substances, liquid, n.o.s.‡
1824	4.3%	8	Sodium hydroxide solution
1203	4.0%	3	Gasoline includes gasoline mixed with ethyl alcohol, with not more than 10% alcohol
1267	3.1%	3	Petroleum crude oil
1268	2.9%	3	Petroleum distillates, n.o.s. or Petroleum products, n.o.s.
3257	2.7%	9	Elevated temperature liquid, n.o.s., at or above 100 C and below its flash point (including molten metals, molten salts, etc.)‡
Non-flammable gas	2.4%	2.2	Non-flammable gases
Flammable	2.2%	3	Flammable liquids

‡ Requires a technical name for common carrier shipping.

The most common hazmat placard/markings observed on La Porte roadways are listed in Table ES.4.2; they comprise about 40 percent of all placard observations in La Porte. Further information is available in Chapter 1 and Chapter 3.

Table ES.4.2 Most-Frequently Observed Placards in La Porte

Placard ID	% of Placards	Hazard Class	Description/Name
1993	9.0%	3	Flammable liquids, n.o.s.‡; Compounds, cleaning liquid‡; Compounds, tree killing, liquid or Compounds, weed killing, liquid‡; Diesel Fuel; Fuel Oil (No. 1, 2, 4, 5, or 6); Combustible liquid, n.o.s.‡
3082	5.3%	9	Environmentally hazardous substance, liquid, n.o.s.‡; Hazardous waste, liquid, n.o.s.‡; Other regulated substances, liquid, n.o.s.‡
Non-flammable gas	4.2%	2.2	Non-flammable gases
1267	4.1%	3	Petroleum crude oil
Class 8	3.6%	8	Corrosive materials
1203	3.5%	3	Gasoline includes gasoline mixed with ethyl alcohol, with not more than 10% alcohol
Flammable	3.4%	3	Flammable liquids
Corrosive	3.3%	8	Corrosive materials
Red	3.2%	Likely 2.1 or 3	Likely Flammable gases or Flammable liquids
1824	3.2%	8	Sodium hydroxide solution

‡ Requires a technical name for common carrier shipping.

In addition, many ‘special hazards’ placards were observed. Special hazards included hazmat requiring specialized response or with significant potential impact. These special hazards include explosives, toxic inhalation hazards, violent polymerization materials, gas-forming water reactive materials, and radioactive materials. Because of the extensive number of these diverse hazards, we cannot efficiently summarize them here. Instead, we cover them in detail in Chapter 3 of this report.

ES.3 RECOMMENDATIONS

This report provides information that can assist in management decisions and affect resource efficiencies. Recommendations listed here are only a portion of those developed in this report, and represent some of the higher priority hazards. For additional recommendations regarding hazardous materials, see Chapters 1 and 3.

We also recommend that officials consider developing a priority list based on the recommendations, identifying what they believe to be the top priorities for their respective agency/area, and developing a timeline/plan for implementation. In addition, the LEPC and respective agencies may wish to designate a responsible individual for reviewing this report and implementing recommendations. The key to achieving measurable change is to ensure both accountability and timeliness, and having designated points of contact with a clear timeline achieves both.

Beyond the specific recommendations below, there were two roadway segments/observation locations in Baytown and one location in La Porte with high-volumes of diverse hazardous material that were in very close proximity to schools. These locations were:

- SH 99 in South Baytown, particularly near Tri City Beach Road/FM 2354 by Lorenzo De Zavala Elementary School and Horace Mann Junior High School;
- IH 10 in East Baytown, near Harlem Elementary School, which is also in close proximity to a large railyard with a high concentration of placarded tank cars; and
- SH 146 in La Porte, near Bayshore Elementary School on McCabe Road, near the northbound exit ramp for Wharton Weems Blvd.

Incidents along these roadways, by these locations, would put a school in the initial isolation zone for many of the hazards that were observed. Responsible officials should carefully evaluate hazardous materials routing and evacuation planning for these schools, and consider evacuation training for their faculty and students. The proximity of these schools to high- volume traffic intersections and roads with a high percentage of hazardous materials traffic could preclude shelter-in-place as an option during an incident involving hazardous materials.

ES.3.1 Elected Officials

- Develop an action plan for implementation of recommendations with executive and agency heads
- Support hazmat routing designations, or review existing routing designations, if warranted.
- Connect with regional leaders and support regional plans of action that coordinate hazardous materials response across jurisdictional lines, including adjacent jurisdictions and any state, federal, and/or military jurisdictions within or bordering Baytown and La Porte.

ES.3.2 Executive and Agency Heads

- Transportation – In conjunction with the Offices of Emergency Management (OEM)/ emergency planners, assess hazmat traffic flows in the jurisdictions in relation to daytime and nighttime populations, special needs facilities (schools, nursing homes, hospitals, jails, etc.), designated evacuation shelters, critical infrastructure, and environmentally sensitive areas (aquifers, streams, rivers, etc.). Consider alternate designated hazmat traffic routes, if needed.
- Legal – Examine and evaluate any hazardous materials routing, community zoning, or other mitigation measures deemed necessary based on information contained within this report.

ES.3.3 Emergency Planners/OEM Staff

- In conjunction with transportation officials, examine hazmat traffic flows in the jurisdictions in relation to daytime and nighttime populations, special needs facilities (schools, nursing homes, hospitals, jails, etc.), designated evacuation shelters, critical infrastructure, and environmentally sensitive areas (aquifers, streams, rivers, etc.). Consider alternate designated hazmat traffic routes, if needed.

- In conjunction with the private sector (transportation carriers and petrochemical facilities), assess potential for impacts of hurricanes on hazmat transportation, including need to evacuate/relocate transportation equipment containing hazmat loads or residual quantities.
- Address continuity of designated hazmat routes across the jurisdictions. Current hazmat route designations by municipalities do not connect with each other across jurisdictions in many communities.
- Incorporate this study's findings into jurisdictional Hazard Assessments and EOPs.
- Planners should review local, and facility EOPs based on the specific hazards in this study. EOP reviews should initially focus on the Basic Plan, Annex D, and Annex Q – Hazardous Materials before examining other planning areas.

ES.3.4 Fire and Police Services

- Re-examine equipment, training, and stationing of hazmat response personnel in the jurisdiction. Adjust according to the observed threats. Planners and response organizations should pay special attention to the stationing of hazmat response equipment and trained personnel in proximity to areas of highest threat.
- Ensure that all first responder personnel have the appropriate training. Train *all* responders, including law enforcement, to follow initial response and site control procedures, including the use of personal protective equipment.
- Ensure that planning for decontamination and evacuation of contaminated casualties accounts for the priority chemicals identified in this study and other chemicals known to be present in the community. Decontamination plans should account for both mass decontamination of ambulatory and non-ambulatory victims and small-scale decontamination for smaller events with few casualties.
- Coordinate with medical facilities in the jurisdictions to ensure that dispatch, fire, police, and emergency medical services (EMS) personnel, and various medical facilities designated to receive contaminated casualties are coordinated and procedures are in place to ensure a seamless activation, identification, and transmittal of information to all parties. Use the materials identified in this report to ensure decontamination capabilities at designated facilities are adequate and test those systems in exercises.

ES.3.5 Communications and Media Relations

- Focus public education and risk communication strategies based on high-risk areas identified in the study. Ensure efforts reach both daytime and nighttime populations through workplace, business, and household training and outreach. Consider warning signage or other notices in or around high-risk locations.
- Coordinate with and conduct public information campaigns with Community Emergency Response Team (CERT) programs and organizations such as Channel Industries Mutual Aid (CIMA). Public information campaigns can gain significant advantages from working with such organizations and groups, which can carry out much of the work needed to make a program effective.

ES.3.6 Traffic Enforcement and Control

- Data collection identified certain areas as higher risk due to higher volumes of truck traffic and percentages of placarded vehicles. Traffic enforcement and control entities should concentrate enforcement and observation activity on these areas during periods of peak traffic.

ES.3.7 Medical Facilities/Hospitals/Emergency Medical Services

- Some observation points and hazmat transport corridors described in this report may be adjacent to or are nearby medical facilities/hospitals. Officials at these facilities should evaluate the risk posed to these facilities based on information in this report and coordinate with local emergency management to mitigate risks.
- Hospitals and EMS should coordinate with emergency management and first responders, as well as evaluate their own planning, to ensure coordination and communication amongst these entities and other response agencies in Baytown and La Porte. Personnel protection, transportation of contaminated casualties, and treatment require proper resources, and this report identifies specific information about hazards that can assist in resource planning and provide a basis for discussion.
- Medical facilities/hospitals should have a plan to deal with casualties that evacuate on their own (“self-evacuating casualties”). They should ensure that these plans account for facilities not usually accustomed to receiving such casualties/victims, including urgent care facilities.

ES.3.8 School Officials

- Several observation points and hazmat routes observed in this report may be adjacent to or are nearby schools, or are along established school bus routes. School officials should evaluate the risks posed to their facilities and coordinate with local emergency management to mitigate those risks. Evaluate bus routes based on truck traffic density data in this report. Make route and alternate route planning a part of existing operations.

ES.3.9 Special Facilities

- There are facilities in the Houston-Galveston region that may contain, receive, and ship hazardous, radioactive, and biohazard materials in small enough quantities that this commodity flow study would not capture those shipments. Because some of these materials may be extremely hazardous or require special handling due to security or other considerations, these facilities should coordinate with Baytown and La Porte OEM and the LEPCs and share information that allows community planners to account for the special requirements associated with responding to incidents related to these materials.

ES.3.10 Private Sector

- In conjunction with emergency management officials, assess potential for impacts of hurricanes on hazmat transportation, including the need to evacuate/relocate transportation equipment containing hazmat loads or residual quantities.

- Corporate and industrial facilities may pose particular problems for evacuation and/or shelter-in-place due to hazmat incidents at or near their location. These daytime population locations should assess their risk and vulnerability related to the data contained within this report, obtained from the LEPC, and ensure their evacuation and shelter-in-place planning is adequate to address their risk.
- Annual events can have similar issues related to shelter-in-place or evacuation that may pose particular problems since the majority of attendees are likely to be outdoors and individual vehicle evacuation might pose a significant traffic problem. Planners should coordinate with facility operators and event planners to ensure that their planning accounts for these large temporary population centers and assess the risks posed by hazmat flows in their vicinity. Site emergency plans should incorporate these risks and plans should include adequate mitigation measures to protect patrons, and the public.

This study is a snapshot in time. When change occurs, it is frequently due to a known factor – the construction of a new roadway, the arrival of new industries and construction or expansion of new facilities, etc. When incorporated into regular emergency and community planning this hazmat commodity flow study will remain useful for some time. We recommend conducting “spot checks” at observation locations on an annual or biennial basis to insure the continued validity of the data for planning purposes. We also recommend additional flow studies whenever significant long-term changes occur, or to examine other transportation corridors not covered in this study.

Hazardous Materials Transport and Planning for Resilience in La Porte, Texas

for

La Porte, Texas City Council

David Bierling, Ph.D.
Associate Research Scientist
Texas A&M Transportation Institute

May 9, 2016

The context

The Houston Ship Channel's petrochemical complex is the largest in the nation and second largest in the world. (Port of Houston Authority)

This brings significant economic benefits, but also substantial risks from potential exposure to technological hazards.

Image source: Bay Area Houston Economic Partnership

The challenge

How can we plan for emergencies and disasters involving natural and technological hazards in ways that enhance community resilience?

Resilience is “the ability to prepare and plan for, absorb, and recover from or more successfully adapt to actual or potential adverse events.” (National Research Council, 2012)

Image source: Reuters/Photos of the Aftermath of the Massive Explosions in Tianjin, China. Ann Taylor, *The Atlantic*, August 13, 2015. <http://www.theatlantic.com/photo/2015/08/photos-of-the-aftermath-of-the-massive-explosions-in-tianjin-china/401228/>.

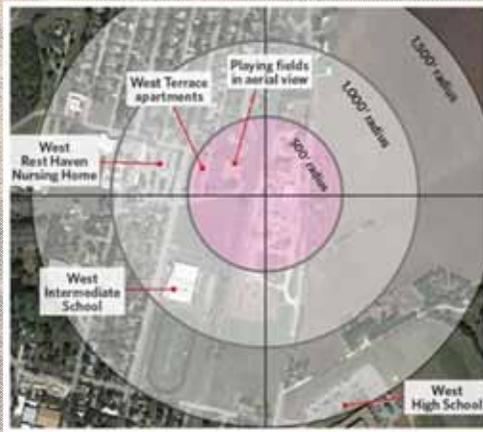
Transportation disasters

- 2013, Lac-Mégantic, Quebec
- 2010, San Bruno, California
- 2005, Graniteville, South Carolina
- 2004, Macdona, Texas
- 2001, Baltimore, Maryland
- 1989, Valdez, Alaska
- 1976, Houston, Texas
- 1947, Texas City, Texas

Image source: New rules on rail transportation a step in the right direction, Quebec mayors say. Geoffrey Vendeville, *Montreal Gazette*. February 20, 2015. <http://montrealgazette.com/news/quebec/new-rules-on-rail-transportation-a-step-in-the-right-direction-quebec-mayors-say>.

Challenges for disaster reduction

1. Provide hazard and disaster information



2. Understand hazard producing processes
3. Develop mitigation strategies, technologies
4. Reduce vulnerabilities
5. Assess disaster resilience
6. Promote risk-wise behavior

Doc. source: *Grand Challenges for Disaster Reduction: Technological Disasters*. National Science and Technology Council, Subcommittee on Disaster Reduction. 2008. Available at http://www.sdr.gov/docs/185820_TechDisasters_FINAL.pdf.

Image source: *In West's Wake*. Fred Durso, Jr. *NFPA Journal*. March 4, 2014. Available at <http://www.nfpa.org/newsandpublications/nfpa-journal/2014/march-april-2014/features/nfpa-400>.

Activities in La Porte

- The La Porte, Morgan's Point, and Shoreacres LEPC has been leading initiatives to better understand risks of hazardous materials transport in the Bay Area.
 - Public meetings every month
 - Partnering with CEMA and other communities
 - Drills and exercises; safety fairs
 - Hazmat commodity flow study in 2015
 - Transportation risk management plan in 2016
 - Updating emergency operations plans

What is a commodity flow study?

A hazmat commodity flow study (HMCFS) looks at where, when, how, and what kinds of hazardous materials are transported within or through a jurisdiction or area.

2015 project summary

- Joint project between Greater Baytown Area LEPC (Fiduciary Agent) and La Porte, Morgan's Point, and Shoreacres LEPC
- US DOT Hazardous Materials Emergency Preparedness (HMEP) grant = \$67,000
 - Administered by Texas Division of Emergency Management (TDEM)
- Non-federal matching funds = \$16,750
 - TTI cost share contribution = \$5,100
 - LEPCs' in-kind contribution = \$11,650

Data collection

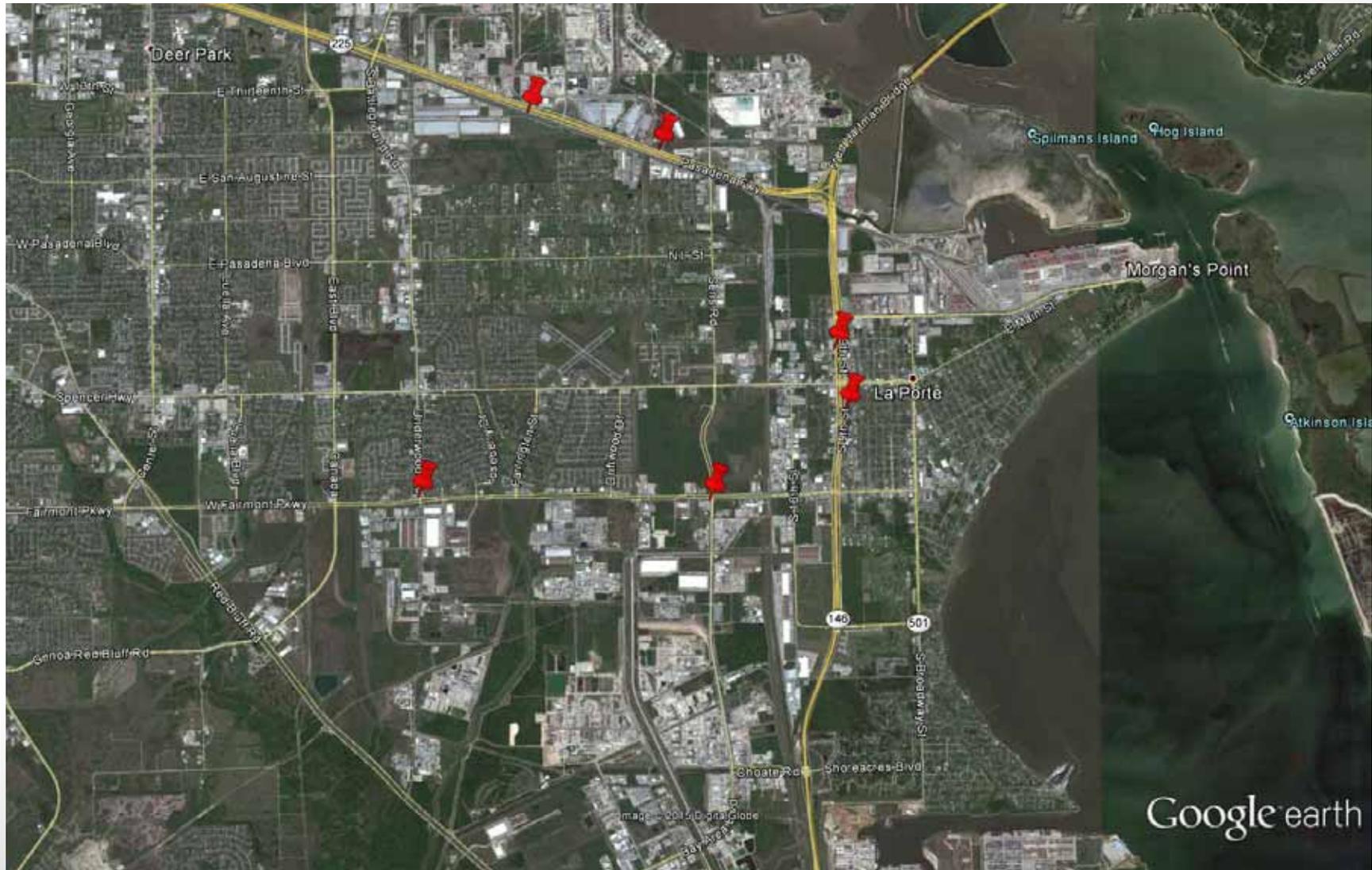
- Over 270 hours of truck traffic data collected at 19 locations*.



*Directional observations

Data collection locations

La Porte



Results – La Porte truck traffic

Estimated Daytime Truck Traffic (8 a.m. to 5 p.m.)

Location	Estimated Daytime Trucks
SH 146, South of SH 225, La Porte	8500
SH 225, West of SH 146, La Porte	12600
Fairmont Pkwy., East of Underwood Dr., La Porte	1300
Fairmont Pkwy., East of Bay Area Blvd., La Porte	2000
Underwood Dr., South of Fairmont Pkwy., La Porte	950
Underwood Dr., North of Fairmont Pkwy., La Porte	750
Bay Area Blvd., South of Fairmont Pkwy., La Porte	950
Bay Area Blvd., North of Fairmont Pkwy., La Porte	150

Results – La Porte hazmat percent

Percent of Trucks with Placards (8 a.m. to 5 p.m.)

Location	Percent Placarded Trucks
SH 146, South of SH 225, La Porte	9.6%
SH 225, West of SH 146, La Porte	9.5%
Fairmont Pkwy., East of Underwood Dr., La Porte	12.3%
Fairmont Pkwy., East of Bay Area Blvd., La Porte	16.7%
Underwood Dr., South of Fairmont Pkwy., La Porte	9.8%
Underwood Dr., North of Fairmont Pkwy., La Porte	5.4%
Bay Area Blvd., South of Fairmont Pkwy., La Porte	11.4%
Bay Area Blvd., North of Fairmont Pkwy., La Porte	1.7%

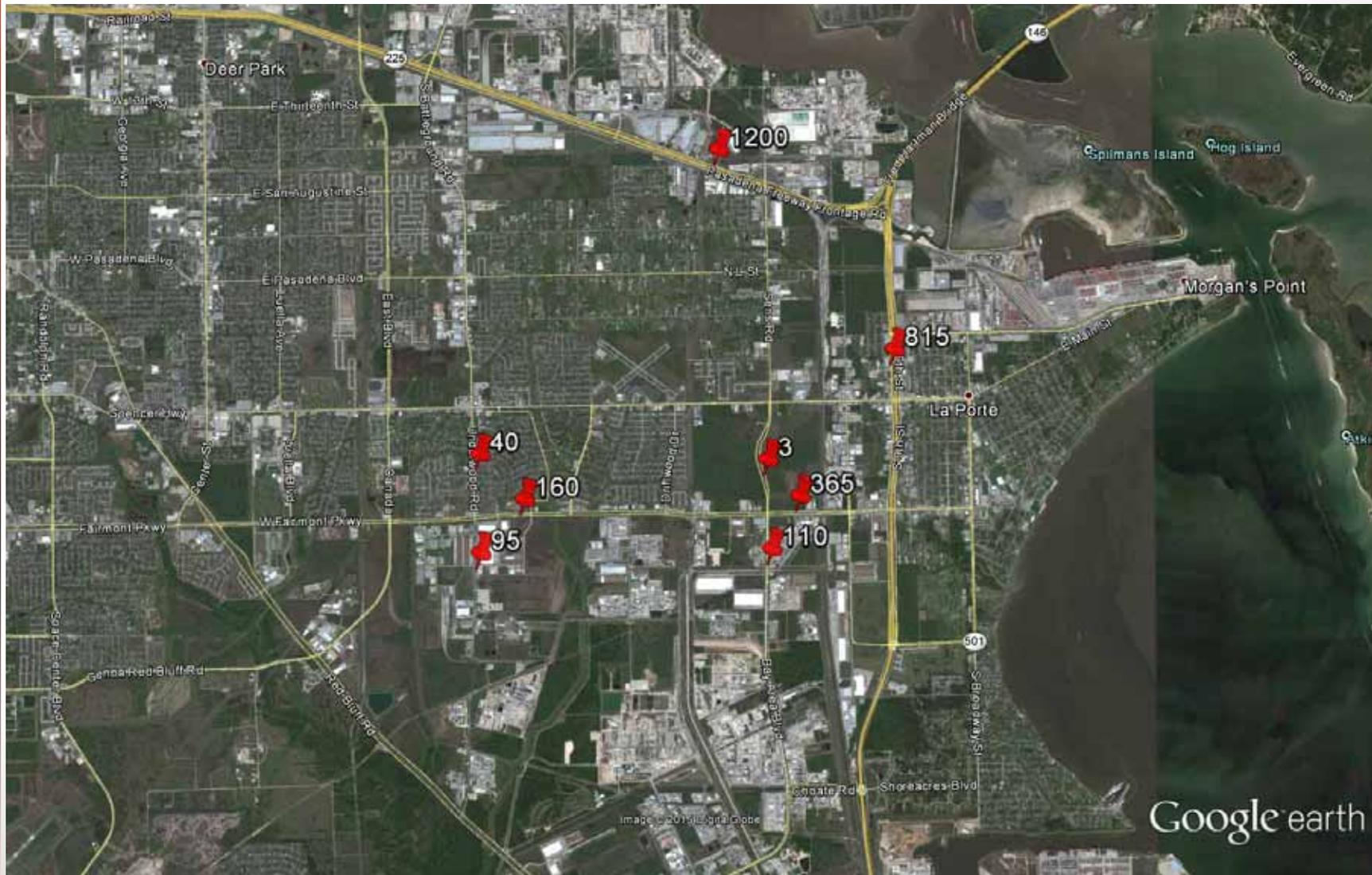
Results – La Porte hazmat trucks

Estimated Daytime Placarded Trucks (8 a.m. to 5 p.m.)

Location	Number of Placarded Trucks
SH 146, South of SH 225, La Porte	815
SH 225, West of SH 146, La Porte	1200
Fairmont Pkwy., East of Underwood Dr., La Porte	160
Fairmont Pkwy., East of Bay Area Blvd., La Porte	365
Underwood Dr., South of Fairmont Pkwy., La Porte	95
Underwood Dr., North of Fairmont Pkwy., La Porte	40
Bay Area Blvd., South of Fairmont Pkwy., La Porte	110
Bay Area Blvd., North of Fairmont Pkwy., La Porte	3

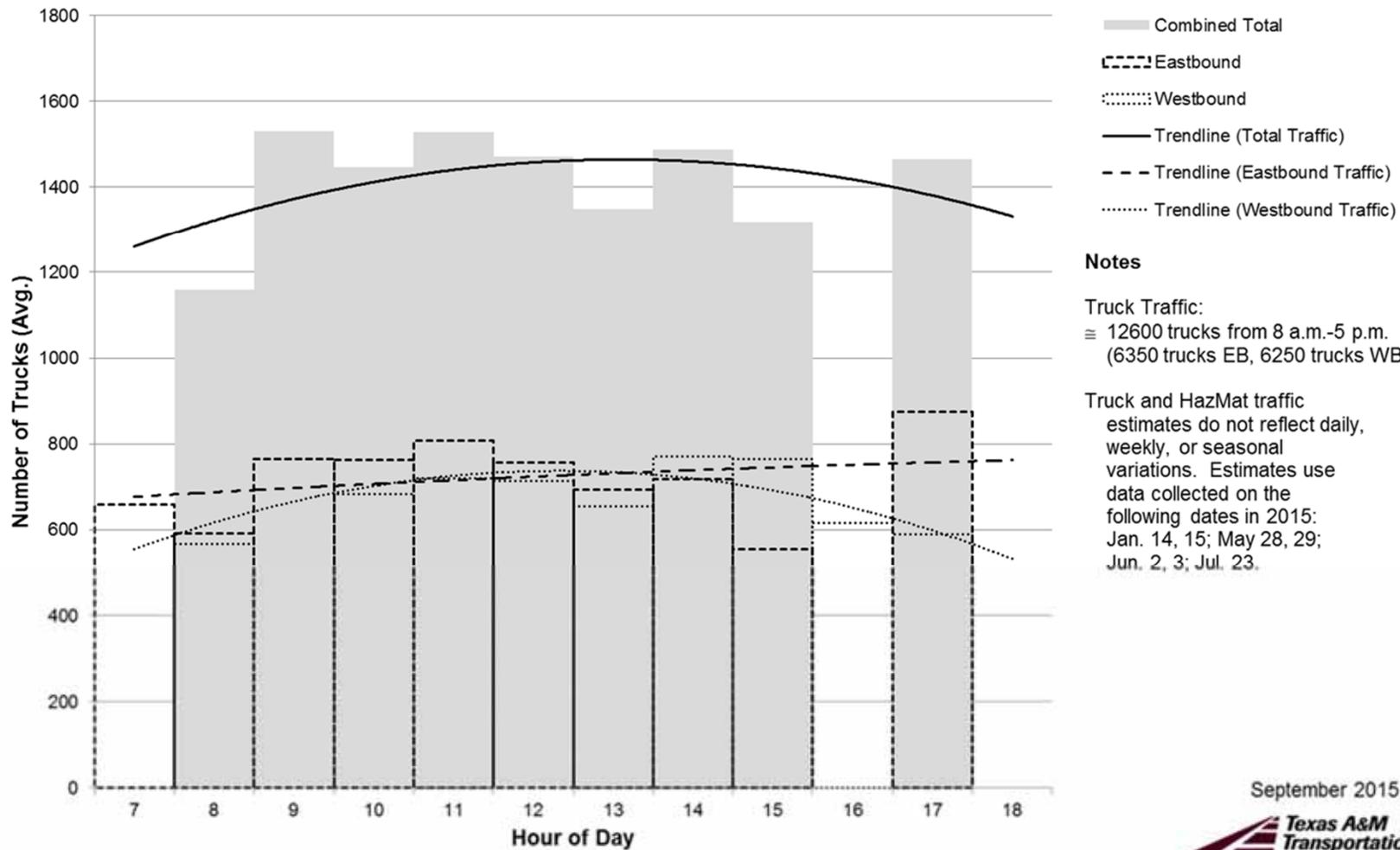
La Porte hazmat truck map

Estimated Daytime Placarded Trucks (8 a.m. to 5 p.m.)



Truck traffic patterns – All trucks

**Weekday Truck Traffic on SH 225, West of SH 146,
La Porte, Texas**



Notes

Truck Traffic:
 ≡ 12600 trucks from 8 a.m.-5 p.m.
 (6350 trucks EB, 6250 trucks WB)

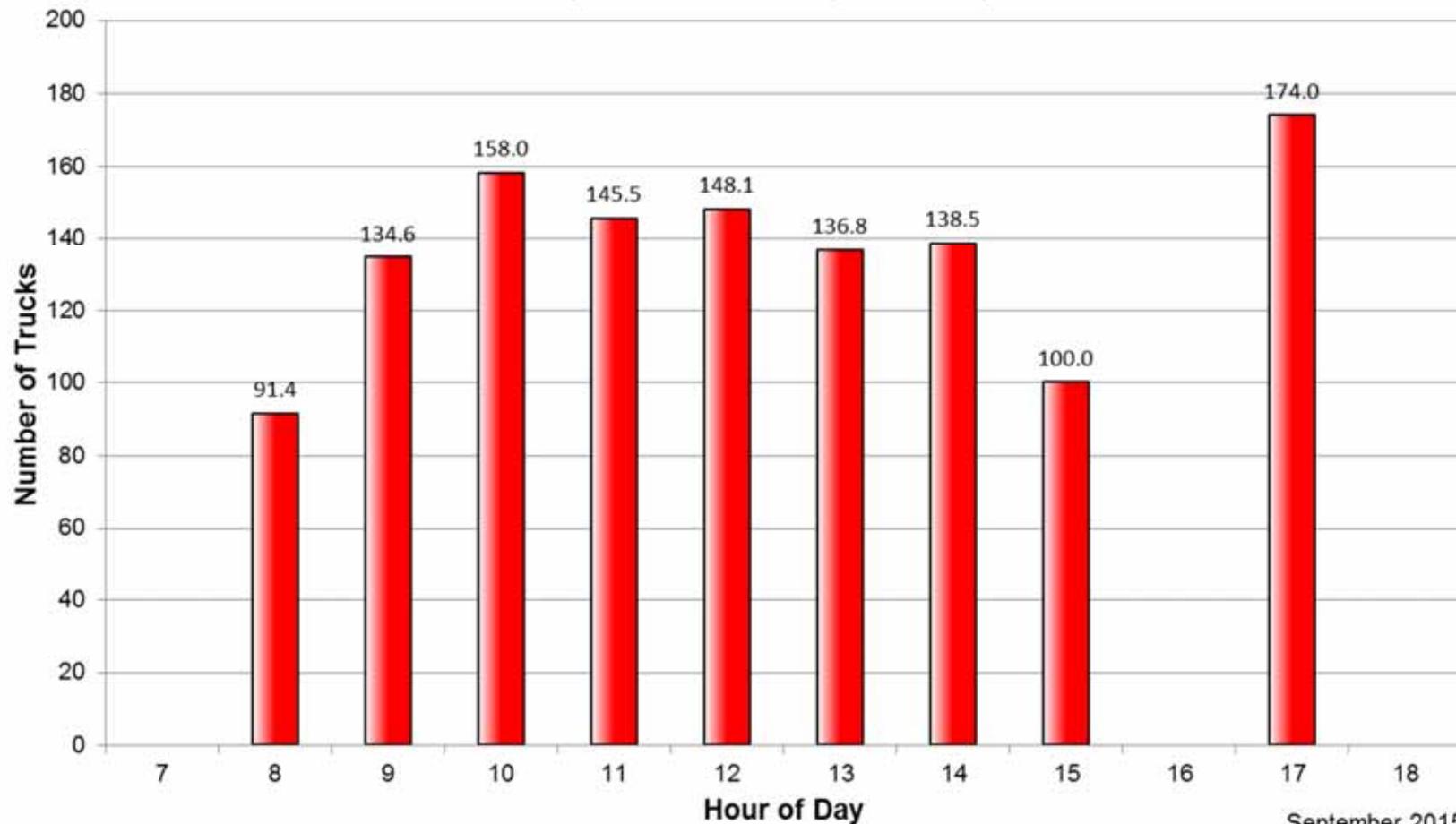
Truck and HazMat traffic estimates do not reflect daily, weekly, or seasonal variations. Estimates use data collected on the following dates in 2015:
 Jan. 14, 15; May 28, 29;
 Jun. 2, 3; Jul. 23.

September 2015 by



Truck traffic patterns – Hazmat

Average Number of Placarded Trucks per Hour
on SH 225, West of SH 146, La Porte, Texas



Traffic estimates do not reflect daily, weekly, or seasonal variations.

September 2015 by



Hazmat placard IDs – La Porte

Placard ID	Weighted Daytime Count	Weighted Percent	ERG #	Hazard Class	Description/Name
1993	250	9.0%	128	3	Flammable liquids, n.o.s.‡; Compounds, cleaning liquid‡; Compounds, tree killing, liquid or Compounds, weed killing, liquid‡; Diesel Fuel; Fuel Oil (No. 1, 2, 4, 5, or 6); Combustible liquid, n.o.s.‡
3082	146	5.3%	171	9	Environmentally hazardous substance, liquid, n.o.s.‡; Hazardous waste, liquid, n.o.s.‡; Other regulated substances, liquid, n.o.s.‡
Non-flammable gas	118	4.2%	121	2.2	Non-flammable gases
1267	113	4.1%	128	3	Petroleum crude oil
Class 8	101	3.6%	Unk.	8	Corrosive materials
1203	98	3.5%	128	3	Gasoline includes gasoline mixed with ethyl alcohol, with not more than 10% alcohol
Flammable	94	3.4%	127	3	Flammable liquids
Corrosive	91	3.3%	153	8	Corrosive materials
Red	90	3.2%	Unk.	Likely 2.1 or 3	Likely Flammable gases or Flammable liquids
1824	88	3.2%	154	8	Sodium hydroxide solution
Total	1189	42.7%			

‡ Requires a technical name for shipping purposes.

Other observed placard IDs include:

(50-87 each): Flammable gas, 1075, Marine pollutant;

(25-49 each): Unknown, 1230, 1977, Class 3, 1268, 2448, Dangerous, 2924, 3257, 3077, 1830, Class 9, Black & White;

(10-24 each): 2014, 2218, 2209, 1760, 1231, 2693, 1219, 1814, 1951, 2672, 3265, 3264, 3267, 1789, Class 2.2, 1073, 1218,

Class 2.1, 1791, 1294, 3394, 2735, Inhalation Hazard, 2491, 3295, 2187, Poison, Dangerous when wet;

(5-9 each): 2929, Toxic, 3190, Organic Peroxide, 1049, 2922, 1224, 1866, 2810, Oxidizer, 1010, 1193, 1208, 2348, Oxygen,

3110, 2055, Class 5.2, 2213, 2531, 2057, 3266, 2045, 2031, 2056, 1120, 2281, 1307, 1863, 1002, 1057, 1301, 3145, 2789;

(less than 5 each): 1859, 1428, 1016, 1918, 2215, Class 6.1, Class 2.X, 1001, 1005, 3272, 2227, 2078, 2748, 2920, 1648, 1917,

2049, 1247, 2586, 1289, 1105, 1287, 2265, 1038, 1751, 1872, 1798, Class 1.X, 2796, Blue, 1813, 1992, 1090, 1123, 1072,

1689, 1190, 3092, 1214, 1987, 1719, 1990, 1832, 2248, 2850, 2048, 3399, 2294, 2542, 1008, 3378, 1199, 2725, White, 1212,

3489, 1245, 3178, Red & white, 2312, 2015, 3256, 3115, 3109, 3469, 1764, 1055, 1263, 3167, 1091, Green, 2211, 2941, 2780,

3027, 2208, 3107, 1280, 2309, 2618, 1709, 3345, 2339, 1248, 3157, 1807, 1916, 2025, 1919, 1868, 1726, 1467, 2351, 1220,

1295, 2426, 1060, 2280, 2821, 2332, 2295, 1402, 1547, 1559, 1921, 1729, 1265, 1736, 1207, 1266, 2289, 1593, 1233, 1487,

2235, 1781, 1972, 1788, 1098, 2983, Class 2.3, 2794, 1206, 3393, 1827, 1202, 1397, 2053, 2803, 3405, 2238, 3422, 2818,

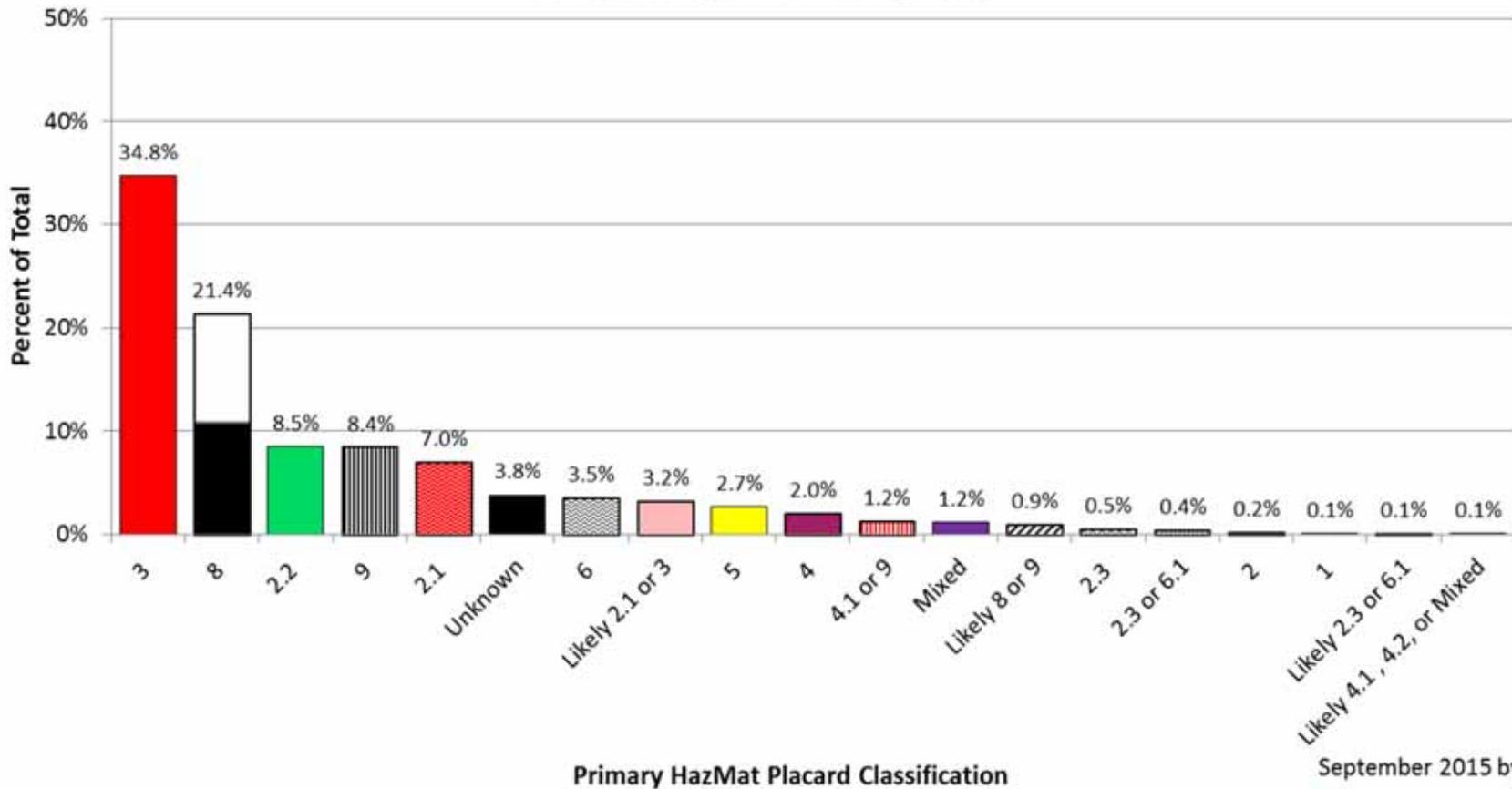
3445, 2581, 2338, 3159, 2529, 3163, 1017, 1973, 2206, 1050, 1264, 1548, 2076, 1750, 1602, 1819, 2319, Spontaneously

combustible, 3153, Class 4.1, 1710, 3225, 1604, 1897, 1063, 1738, 2347, 3119, 1170, 2079, 2536, 1963, 3281, 1848,

Class 4.X, and 2439.

Hazmat placard classes – La Porte

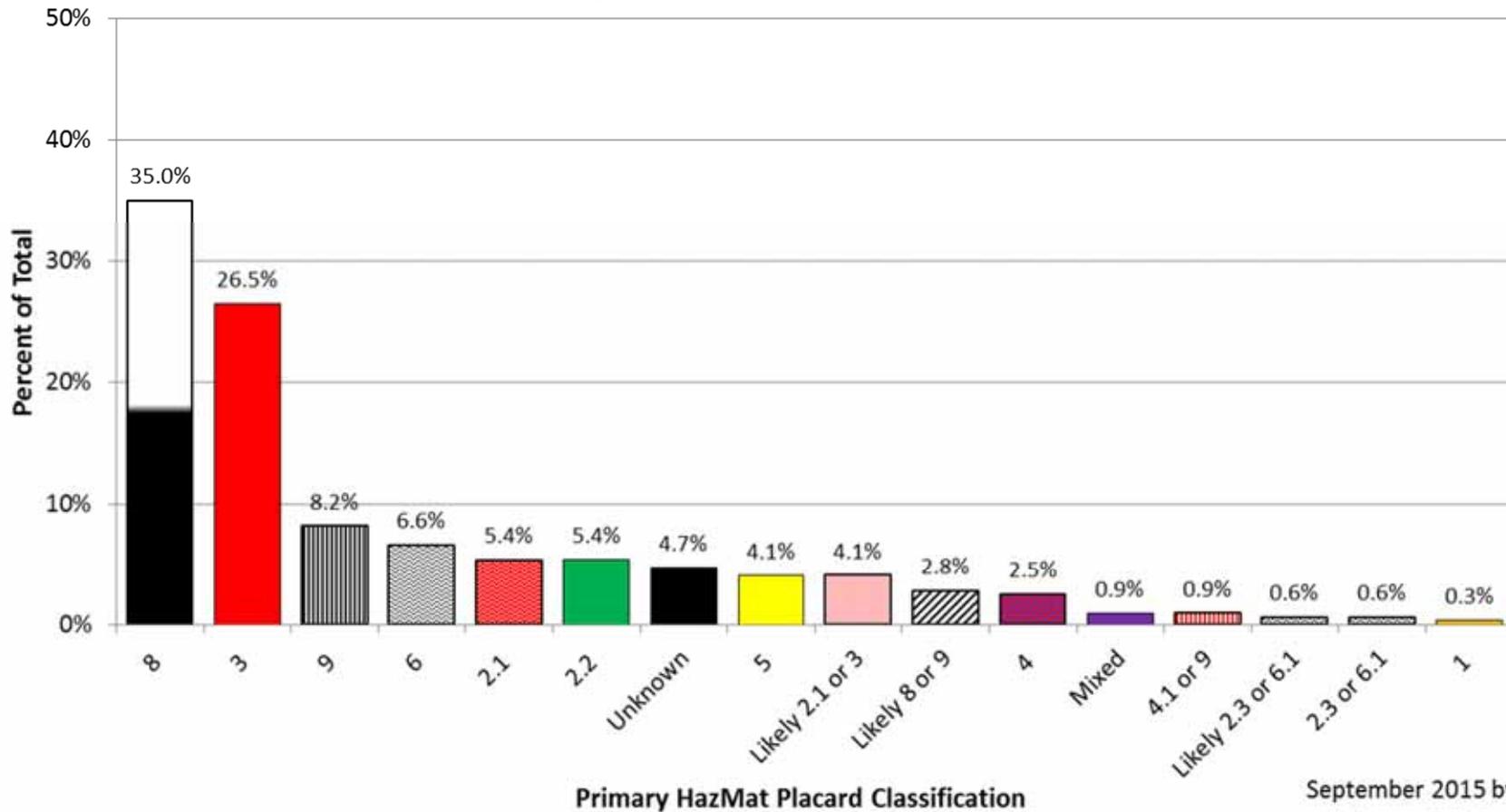
Weighted Percentages of HazMat Placards by Classification, Weekdays in 2015, on Roadways in La Porte, Texas



Percentages do not reflect daily, weekly, or seasonal variations.
Does not include secondary placard classifications.

Hazmat placard classes – Fairmont Pkwy., La Porte

Percentages of HazMat Placards by Classification, Weekdays in 2015,
on Fairmont Pkwy., East of Bay Area Blvd., La Porte, Texas



Percentages do not reflect daily, weekly, or seasonal variations.
Does not include secondary placard classifications.

La Porte Total	44
Inhalation Hazard	
Inhalation hazard materials	10
2929	
Toxic liquids, flammable, organic, n.o.s.‡	8
2810	
Toxic, liquids, organic, n.o.s.‡; Compounds, tree killing, liquid or Compounds, weed killing, liquid‡	6
1016	
Carbon monoxide, compressed	4
1859	
Silicon tetrafluoride	4
1005	
Ammonia, anhydrous	3
3489	
Toxic by inhalation liquid, flammable, corrosive, n.o.s. with an LC50 lower than or equal to 1000 ml/m3 and saturated vapor concentration greater than or equal to 10 LC50‡	2
1008	
Boron trifluoride	2
1050	
Hydrogen chloride, anhydrous	1
Class 2.3	
Toxic/poison gases	1
3281	
Metal carbonyls, liquid, n.o.s.‡	1
1098	
Allyl alcohol	1
1017	
Chlorine	1

TIH placards – La Porte*

*Observed placards on
surveyed roads
(8 a.m. to 5 p.m.)

La Porte Total	75
2218	
Acrylic acid, stabilized	19
1218	
Isoprene, stabilized	11
2348	
Butyl acrylates, stabilized	6
2531	
Methacrylic acid, stabilized	6
2055	
Styrene monomer, stabilized	5
1010	
Butadienes, stabilized or Butadienes and Hydrocarbon mixture, stabilized containing more than 40% butadienes	5
2227	
n-Butyl methacrylate, stabilized	4
1301	
Vinyl acetate, stabilized	4
1247	
Methyl methacrylate monomer, stabilized	3
1917	
Ethyl acrylate, stabilized	3
1199	
Furaldehydes	2
2618	
Vinyltoluenes, stabilized	1
2983	
Ethylene oxide and propylene oxide mixtures, with not more than 30 percent ethylene oxide	1
1280	
Propylene oxide	1
1921	
Propyleneimine, stabilized	1
2309	
Octadiene	1
1060	
Methyl acetylene and propadiene mixtures, stabilized	1
1919	
Methyl acrylate, stabilized	1

Violent polymer placards – La Porte*

*Observed placards on
surveyed roads
(8 a.m. to 5 p.m.)

Truck configurations/types – SH 225, La Porte

Truck Configuration	Truck Type	Number of Trucks Observed	Percent of Total Trucks Observed	Number of Trucks Observed With HazMat Placard	Percent of Truck Config. and Type With HazMat Placard
Straight	Box	363	3.3%	4	1.1%
	Flatbed	420	3.9%	42	10.0%
	NDT	26	0.2%	0	0.0%
	Other	1327	12.2%	8	0.6%
	Refrigerator	12	0.1%	0	0.0%
	Tank	123	1.1%	43	35.0%
	Utility	108	1.0%	0	0.0%
	Subtotal	2379	21.9%	97	4.1%
Tractor-Trailer	Box	1332	12.3%	56	4.2%
	Dry Tank	90	0.8%	0	0.0%
	Flatbed	542	5.0%	25	4.6%
	Hotshot	108	1.0%	5	4.6%
	Intermodal	2945	27.1%	41	1.4%
	Intermodal Chassis	427	3.9%	0	0.0%
	Intermodal Tank	155	1.4%	66	42.6%
	Other	1667	15.4%	43	2.6%
	Project	4	0.0%	1	25.0%
	Refrigerator	88	0.8%	1	1.1%
	Tank	1107	10.2%	691	62.4%
	Subtotal	8465	78.0%	929	11.0%
	Multi-Trailer	Box	2	0.0%	0
Other		4	0.0%	0	0.0%
Subtotal		6	0.1%	0	0.0%
All Trucks	Grand Total	10850	100.0%	1026	9.5%

Note: Includes data collected on Jan. 14, 15; May 28, 29; Jun. 2, 3; Jul. 23 of 2015

- Lots of non-destructive testing trucks
 - Seen at every data collection site
 - Highest on SH 146 Bypass (Baytown) and SH 225 (La Porte)
 - May contain shielded radioactive materials
 - Most are not placarded



Functional recommendation examples

- Elected officials
 - Connect with regional leaders and support plans of action that coordinate hazmat response across jurisdictions.
- Emergency planners/OEM
 - Review new TDEM and TCEQ plans and guidelines; Update Annex Q; communicate changes.
- Schools and special facilities
 - Evaluate risks posed to facilities and key routes, review and revise SIP & evac plans, consider drills and tests.
- Fire and police services
 - Ensure that all first responder personnel have *and follow* appropriate training, including initial response & site control, and use of PPE.

First responder hazard awareness



Photos by Cody Duty / Houston Chronicle

How can we use commodity flow study information?

- Reduce uncertainty
- Identify equipment/resource needs
- Inform training/exercises
- Enhance EOPs and SOPs
- Integrate into community and transportation plans
- Identify population risks and protective action needs

What is a transportation risk management plan?

A transportation risk management plan (RMP) is modeled after EPA's RMP program for industrial facilities.

It examines the types, quantities, and amounts of hazardous chemicals that could be released, who and what might be affected, and what is being done to reduce or mitigate risk.

2016 project summary

- Project conducted by La Porte, Morgan's Point, and Shoreacres LEPC
- US DOT Hazardous Materials Emergency Preparedness (HMEP) grant = \$40,000
 - Administered by TDEM
- Non-federal matching funds = \$10,000

Transportation RMP objectives

1. Review truck and rail incident histories, ID typical and high consequence events.
2. ID most-frequent and special hazards.
3. Update spatial information on populations and sensitive receptors.
4. Describe release scenarios for truck and rail.
5. Evaluate potential consequences (CAMEO, GIS).
6. Document outcomes.

Reducing vulnerability



Communities reduce vulnerabilities by adopting and enforcing appropriate codes, standards, and regulations; by good land use planning; and by disaster preparedness activities.

(National Institute of Standards and Technology, 2015)

Resilience considerations

- What is the current state of industrial and transport risk exposure in the La Porte area?
- What are development trends in the Houston Metro Region? How does this affect transport?
- What is the state of civic infrastructure systems and buildings in La Porte?
- Where are populations exposed? Who is especially vulnerable in a disaster, and why are they vulnerable?
- What would be systematic effects of disruption to infrastructure and exposed populations?
- How can La Porte enhance its community resilience?
- What are other benefits of enhancing resilience?

Industrial development (and transportation) in HSC area

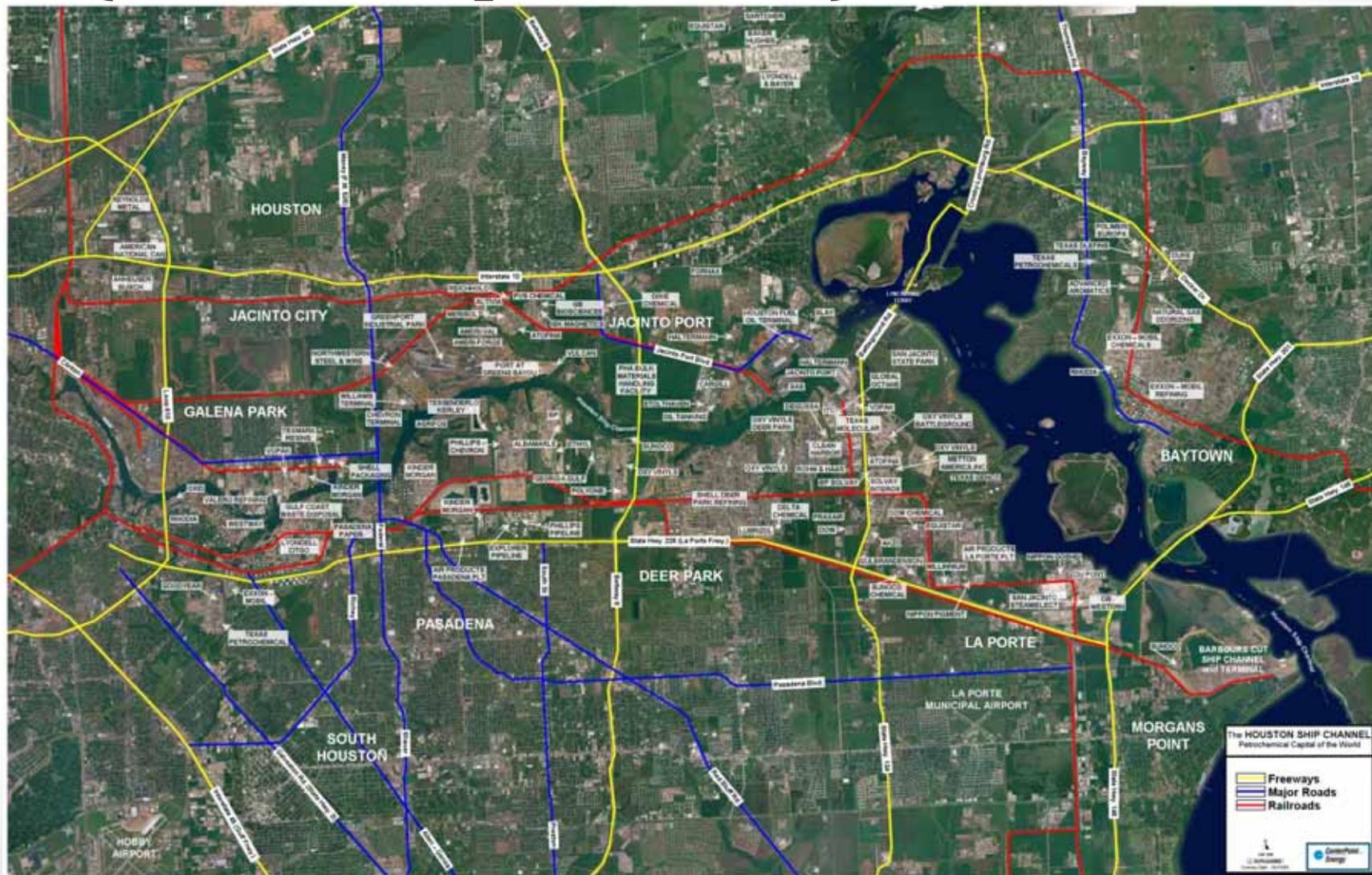


Image source: Bay Area Houston Economic Partnership. http://www.bayareahouston.com/Assets/houston_ship_channel_industries.pdf.

Industrial development (and transportation) near La Porte

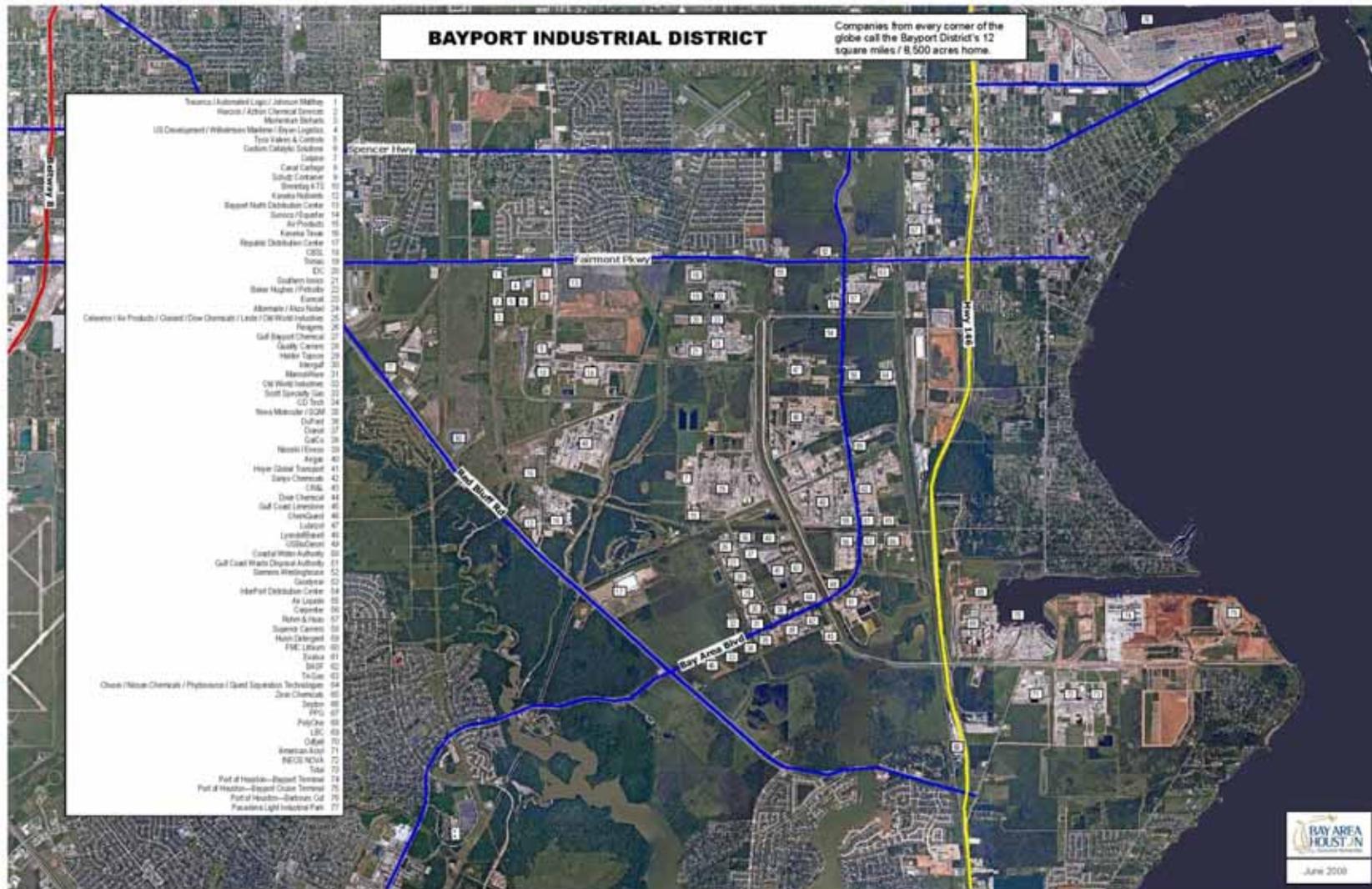


Image source: Bay Area Houston Economic Partnership. http://www.bayareahouston.com/Assets/bayport_map_2008.pdf.



- Attention is increasing on developing and enhancing community resilience.

Examples include:

- NIST's *Community Resilience Planning Guide* (<http://www.nist.gov/el/resilience/guide.cfm>)
- Rockefeller Foundation's *100 Resilient Cities Program* (<http://www.100resilientcities.org>)
- NFPA's *Resiliency and Emergency Preparedness Workshop* (<http://www.nfpa.org/research/fire-protection-research-foundation/projects-reports-and-proceedings/proceedings/2016-proceedings/resiliency-and-emergency-preparedness-workshop>)

Image source: National Institute for Standards and Technology. Available at <http://www.nist.gov/el/six-step-guide-to-planning-for-community-resilience.cfm>

It's about community

- Research shows that social networks are a key part of community disaster resilience:
 1. Be like Fred Rogers: Get to know your neighbors.
 2. Have government-sponsored community events that include socially vulnerable (e.g., elderly).
 3. Encourage political engagement: Have structured discussions that help enhance trust in others, society, and government.
 4. Reward volunteers with “community currency.”

From: How to Weather a Hurricane. Daniel P. Aldridge. *The New York Times*. August 28, 2012. Available at <http://www.nytimes.com/2012/08/29/opinion/community-works-best-against-a-natural-disaster.html>.

Thank you!



Questions, comments, or ideas?

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**Council Agenda Item
May 9, 2016**

8. (b) Receive report of the Fiscal Affairs Committee – Councilmember Engelken



Council Agenda Item May 9, 2016

9. ADMINISTRATIVE REPORTS

- Planning and Zoning Commission Meeting, Thursday, May 19, 2016
- La Porte Development Corporation Board Meeting, Monday, May 23, 2016
- City Council Meeting, Monday, May 23, 2016
- Zoning Board of Adjustment Meeting, Thursday, May 26, 2016
- Memorial Day Observed, Monday, May 30, 2016

10. 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 Leonard, Engelken, Earp, Clausen, J. Martin, K. Martin, Kaminski, Zemanek and Mayor Rigby

11. ADJOURN
