

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



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

CITY COUNCIL MEETING AGENDA

Notice is hereby given of a Regular Meeting of the La Porte City Council to be held September 8, 2014, 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 Windell Gill, First Baptist Church of La Porte.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Councilmember Dottie Kaminski.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)
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 the minutes of the Regular Meeting, including a Budget Workshop Meeting held on August 11-12, 2014 and the minutes of the Regular Meeting held on August 25, 2014 - S. Harris
 - (b) Consider approval or other action regarding a Resolution authorizing the resale of certain tax delinquent properties located in Block 201, Lots 9, 10 & 11 and Block 201, Lot 12, Town of La Porte - K. Powell
 - (c) Consider approval or other action authorizing the City Manager to execute an amended agreement between the City of La Porte and the La Porte Boy's Baseball Association regarding the use of Designated Youth Baseball Facilities **(This item was pulled from the agenda at the August 25, 2014 meeting)** - T. Leach/R. Epting
 - (d) Consider approval or other action regarding an Ordinance vacating, abandoning, and closing the northernmost 159' of the alley in Block 715, La Porte; retaining a 16' foot wide utility easement - T. Tietjens
 - (e) Consider approval or other action awarding Bid No. 14028 for Temporary Personnel Services - Solid Waste Worker - D. Mick
6. **PUBLIC HEARINGS AND ASSOCIATED ORDINANCES**
 - (a) Public hearing to receive comments regarding recommendation by City Staff to authorize a variance to Section 6-2, of the Code of Ordinances of the City of La Porte, by allowing the sale of alcoholic beverages for on-premise consumption at Broadway Cafe located at 1023 S. Broadway **(This item was pulled from the agenda at the August 25, 2014 meeting)** - T. Tietjens

- (b) Consider approval or other action regarding an Ordinance authorizing a variance to Section 6-2 of the Code of Ordinances by allowing the sale of alcoholic beverages for on-premises consumption at Broadway Cafe, located at 1023 S. Broadway St. **(This item was pulled from the agenda at the August 25, 2014 meeting)** - T. Tietjens
- (c) Public Hearing to receive comments regarding the City of La Porte's Fiscal Year 2014-2015 Proposed Budget - M. Dolby
- (d) Consider approval or other action regarding an Ordinance approving and adopting the City of La Porte's Fiscal Year 2014-2015 Proposed Budget - M. Dolby

7. AUTHORIZATIONS/RESOLUTIONS

- (a) Consider approval or other action ratifying property tax revenue increase reflected in 2014-2015 Fiscal Year Budget - M. Dolby
- (b) Consider approval or other action regarding a Resolution adopting the 2014 Appraisal Roll of the Harris County Appraisal District - M. Dolby
- (c) Consider approval or other action regarding an Ordinance establishing the tax rate for the current tax year (2014) for a total tax rate of \$0.71 per hundred dollar valuation - M. Dolby
- (d) Consider approval or other action awarding Bid No. 14020 for purchase of Electric Golf Carts - A. Osmond

8. ADMINISTRATIVE REPORTS

- Fiscal Affairs Committee Meeting, Monday, September 22, 2014
- La Porte Development Corporation Board Meeting, Monday, September 22, 2014
- City Council Meeting, Monday, September 22, 2014
- Planning and Zoning Commission Meeting, Thursday, September 25, 2014

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 or existing policies – Councilmembers Kaminski, Zemanek, Leonard, Engelken, Earp, Clausen, Martin, Moser and Mayor Rigby

10. 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 September 8, 2014, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on September 2, 2014 .

Patrice Fogarty



**Council Agenda Item
September 8, 2014**

1. **CALL TO ORDER**
2. **INVOCATION** – The invocation will be given by Windell Gill, First Baptist Church of La Porte.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Councilmember Dottie Kaminski.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)



Council Agenda Item September 8, 2014

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**MINUTES OF THE REGULAR MEETING INCLUDING A BUDGET WORKSHOP ON PROPOSED
2014-2015 FISCAL YEAR BUDGET OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
AUGUST 11 and 12, 2014**

The City Council of the City of La Porte met in a regular meeting on two back-to-back evenings on **Monday, August 11, and Tuesday, August 12, 2014**, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, beginning each evening at **6:00 p.m.** to consider the following items of business:

1. CALL TO ORDER

Mayor Rigby called the meeting to order at 6:00 p.m. each evening.

Members of Council present on Monday, August 11, 2014, were: Mayor Rigby, Councilmembers Engelken, Martin, Earp, Zemanek, Kaminski, Clausen, Moser and Leonard.

Members of Council present on Tuesday, August 12, 2014, were: Mayor Rigby, Councilmembers Engelken, Martin, Earp, Zemanek, Kaminski, Leonard, and Moser. Councilmember Clausen was absent.

Also present on Monday, August 11, and Tuesday, August 12, 2014, were Assistant City Secretary Sharon Harris and City Manager Corby Alexander. City Attorney Knox Askins was present on August 11, but not August 12, 2014.

2. INVOCATION - The invocation was given by Dr. B.L. Worsham, Second Baptist Church.

3. PLEDGE OF ALLEGIANCE - The pledge of allegiance was led by Councilmember Daryl Leonard.

4. PUBLIC COMMENTS (Limited to five minutes per person.)

There were no public comments.

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 the minutes of the regular City Council meeting held on July 28, 2014 – P. Fogarty

(b) Consider approval or other action regarding an Ordinance establishing a speed limit of 25mph for all streets within the Shady River Subdivision – K. Adcox

Councilmember Martin moved to approve the Consent Agenda pursuant to recommendations by City Staff. Councilmember Moser seconded. **MOTION PASSED.**

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

Prior to council action, City Attorney Knox Askins read the caption of **Ordinance 2014-3532**: AN ORDINANCE AMENDING CHAPTER 70 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES BY ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SEC. 545.356, TEXAS TRANSPORTATION CODE, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF LA PORTE; PROVIDING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO HUNDRED DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE HEREOF.

6. DISCUSSION OR OTHER ACTION

- (a) Discussion or other action concerning the proposed 2014-2015 Fiscal Year Budget of the City of La Porte, Texas – C. Alexander

Mayor Rigby and Council proposed 9:00 p.m. as the time to recess each budget meeting.

Finance Director Michael Dolby began the presentation by discussing the 2015 Budget Summary for Fiscal Year 2015 and an in depth budget discussion followed.

Councilmember Martin questioned how a 2.4% increase is calculated over the current year estimate. Public Works Director Dave Mick responded the estimates take place in March and April and is an average cost estimate price per gallon for the next fiscal year.

Mayor Rigby questioned the location of Park Fees in the proposed budget. Treasurer Shelly Wolny responded in the Grant Fund as Park Development.

Fire Chief Mike Boaze presented the 2014-2015 Fiscal Year proposed budget for the Fire Department.

Councilmember Zemanek questioned the decrease in electrical. City Manager Corby Alexander responded the Fire Marshal Office was paying an electrical bill and has now moved into the new Fire Administration Building.

Mayor Rigby questioned the decrease in overtime for the Emergency Medical Services Division. Emergency Medical Services Chief Ray Nolen responded the regular earnings will cover the overages in overtime when fully staffed. Mayor Rigby then asked if there are enough Toughbooks for Emergency vehicles. Chief Mike Boaze responded they are all covered.

Councilmember Earp questioned how old are the ambulances that will have Stryker Power Load Systems. Chief Mike Boaze responded they will be placed in the newest ambulances that will be operating the longest.

Police Chief Ken Adcox presented the 2014-2015 Fiscal Year proposed budget for the Police Department.

Mayor Rigby questioned why the Police Administration salaries decreased by \$6,000. Police Chief Ken Adcox advised he did not have an answer and the calculations come from the Finance Department.

Councilmember Zemanek questioned why Machinery/Tools and Equipment was listed in two different accounts in the Patrol Division. Police Chief Adcox responded the 8021 account is a capital account and the expenditure is over \$5,000.

Councilmember Martin questioned why request \$17,000 in the Physical Fitness Account when only \$12,500 was expended in the Patrol Division. Police Chief Adcox responded it is budgeted for all police officers to participate in the program and to pass the tests.

Assistant City Manager Traci Leach presented the 2014-2015 Fiscal Year proposed budget for the City Manager's Office; Community Investment and Legal for the Administration Department.

Mayor Rigby questioned the account for water in the Community Investment Fund. Assistant City Manager Traci Leach responded for utilities at Five Points.

Councilmember Martin questioned if the account for water should be accounted in the Parks and Recreation Department. Finance Director Michael Dolby responded it can be in either account. City Manager Corby Alexander and Finance Director Michael Dolby advised Council they will follow-up on the item.

Councilmember Zemanek questioned if there were any plans on replacing the dead palm tree at Five Points. City Manager Corby Alexander responded yes during this budget cycle.

Emergency Management Coordinator Jeff Suggs presented the 2014-2015 Fiscal Year proposed budget for Information Technology and Emergency Management.

Municipal Court Judge Denise Mitrano presented the 2014-2015 Fiscal Year proposed budget for the Municipal Court.

Golf Course Manager Alex Osmond presented the 201- 2015 Fiscal Year proposed budget for the Golf Course.

City Council recessed for a break at 7:28 p.m. and reconvened at 7:40 p.m.

Assistant City Secretary Sharon Harris presented the 2014-2015 Fiscal Year budgets for the City Secretary Office and City Council.

Councilmember Martin questioned if the existing iPads are purchased or leased and what will happen to the older iPads. City Manager Corby Alexander responded the iPads are purchased and the older ones will be repurposed.

Finance Director Michael Dolby presented the 2014-2015 proposed Fiscal Year Budget for the Finance Department.

Councilmember Zemanek questioned the increase comparison between HCAD and the contract with Hugh Landrum for the Industrial District in the Tax Office. Finance Director Michael Dolby responded he does not have the numbers available and will follow-up with Council.

Public Works Director Dave Mick presented the 2014-2015 proposed Fiscal Year Budget for the Public Works Department.

Councilmember Zemanek questioned if the 4015 account for Paving was for concrete, asphalt or a combination of the two. Public Works Director Dave Mick responded in the Streets Division primarily concrete and reinforcing steel. Councilmember Zemanek asked where the Street Maintenance Tax will be in the Public Works Department. Mr. Mick responded in the General Fund Budget.

Councilmember Moser questioned if account 4007 (Fire Hydrants) is for new fire hydrants or repairs in Water Distribution. Public Works Director Dave Mick responded for repairs. Councilmember Moser where is water sampling testing for commercial customers. Assistant Public Works Director Dave Mick responded account 5007 (Other Professional Services) in the Wastewater Division.

Public Works Director Dave Mick presented the Airport Fund and advised Council he and City Manager Corby Alexander had meet with the Federal Aviation Administration and Texas Department of Transportation Aviation regarding options for the La Porte Municipal Airport.

Mayor Rigby questioned if Council will have to decide whether to continue with the Economic Development Study of the La Porte Municipal Airport or use the funds for another Master Plan. City Manager Corby Alexander responded yes.

Councilmember Martin asked if there was an update on the Air National Guard Building. City Manager Corby Alexander reported the Army National Guard will not move into the building until the Air National Guard cleans the fuel leaks.

Councilmember Moser questioned the amount of contribution from the City of Morgan's Point and the City of Shoreacres for the La Porte Area Water Authority Fund. Finance Director Michael Dolby advised Council he does not have the numbers available and will follow-up with Council.

Councilmember Zemanek questioned the cost for mowing at the La Porte Municipal Airport vs. other city facilities on an annual basis. City Manager Corby Alexander advised Council staff will generate figures.

Councilmember Moser requested a copy of the scheduled Street Maintenance List.

Parks and Recreation Director Stephen Barr presented the 2014-2015 proposed Fiscal Year Budget for the Parks and Recreation Department.

The meeting recessed at 8:53 p.m. to reconvene on Tuesday, August 12, 2014, at 6:00 p.m.

Tuesday, August 12, 2014

Mayor Rigby called the meeting to order at 6:00 p.m. on Tuesday, August 12, 2014. Members of Council present: Councilmembers Engelken, Martin, Leonard, Kaminski, Earp, Zemanek and Moser. Absent: Councilmember Clausen. Also present were Assistant City Secretary Sharon Harris and City Manager Corby Alexander.

Parks and Recreation Director Stephen Barr began the meeting by presenting the Special Services Division to complete the 2014-2015 proposed Fiscal Year Budget for the Parks and Recreation Department.

Councilmember Martin questioned the use for account 5007 (Other Professional Services) in the Recreation Department. Parks and Recreation Director Stephen Barr responded life guard services at the swimming pools.

Councilmember Zemanek questioned the cost of \$4,850 for equipment maintenance and the fee of \$3,606 to lease a 75 horse power tractor with wing mower. Public Works Director Dave Mick responded the calculations are based on the maintenance cost for the last four years and staff will go back and gather a summary with additional information.

Public Works Director provided a handout with answers to questions during the previous night meeting.

Mayor Rigby questioned if citizens express wishes that the Hazardous Waste Collection Day be held more often than once a year. Public Works Director Dave Mick responded there are calls from citizens that missed the Hazardous Waste Collection Day and want to know what to do with hazardous materials.

Councilmember Earp questioned if the Public Works Department can provide a disposal site for hazardous materials. Public Works Director Dave Mick advised staff will confirm the options and liabilities for providing the services.

Mayor Rigby questioned if the hazardous materials were disposed by city employees. Public Works Director Dave Mick responded a contractor trained with handling the disposal of the materials in accordance with environmental laws disposes of hazardous materials.

Finance Director Michael Dolby provided a handout with answers to questions during the previous night meeting.

City Manager Corby Alexander advised Council account 8050 (Motor Vehicles) in the Emergency Medical Services Budget will decrease by \$17,500.

Planning and Development Director Tim Tietjens presented the 2014-2015 proposed Fiscal Year Budget for the Planning Department.

Mayor Rigby questioned if there was enough budgeted for training when transitioning over to ONESolution in the GIS Division. Planning and Development Director Tim Tietjens responded the actual training is expected to take place in a year or two.

Councilmember Moser commented he noticed mowing in District 4 has decreased. Planning and Development Director Tim Tietjens responded the decrease of mowing was due to being without one of the two Code Enforcement Officers, in addition to other staff shortages in the Planning and Development Department.

Councilmember Zemanek questioned if the employees in the Inspections Department are cross-trained to continue providing services to the City. Planning and Development Director Tim Tietjens responded employees are trained and staff shortages in the department may have had an impact on customer service in the past.

Mayor Rigby commented Council does not have an issue with new positions being requested if they can be justified.

Councilmember Martin questioned if the post office can be issued citations for complaints of tall trees and high grass. Planning and Development Director Tim Tietjens responded yes.

Councilmember Earp questioned if most code enforcement issues are reported or discovered by the Code Enforcement Officers. Planning and Development Director Tim Tietjens responded most are reported and the Code Enforcement Officers are driving looking for violations as well.

Councilmember Leonard questioned if both the Chief Building Official and Deputy Building Official are trained in code enforcement. Planning and Development Director Tim Tietjens responded yes.

Assistant City Manager Traci Leach presented the 2014-2015 proposed Fiscal Year Budget for the Hotel/Motel Fund.

Mayor Rigby questioned \$25,000 requested in account 9997 (Request for Special Programs). Assistant City Manager Traci Leach responded Decorative Lighting on Main Street. Mayor Rigby questioned why the Decorative Lighting was not a Capital Improvement Project. Treasurer Shelley Wolny advised it will be transferred to the Capital Improvement Project.

Councilmember Zemanek questioned if the \$25,000 will include metering. Assistant City Manager Traci Leach responded yes. Councilmember Zemanek requested the towers on the Gateway have more lighting to work properly.

Councilmember Earp requested revenue figures for advertising.

Economic Development Coordinator Scott Livingston presented the 2014-2015 proposed Fiscal Year Budget for Economic Development.

Councilmember Zemanek questioned the difference between Training & Seminars and Trade Shows. Finance Director Michael Dolby responded a classification requested by the La Porte Development Corporation Board to track seminars and trade shows separately.

Human Resources Manager Allison Curry presented the 2014-2015 proposed Fiscal Year Budget for Human Resources, Health Fund and Insurance.

Councilmember Martin questioned if there are any conditions for Tuition Reimbursements if an employee decides to leave the City. Human Resources Manager Allison Curry responded no, employees are encouraged to seek higher education and are only reimbursed if they pass the class.

Councilmember Engelken questioned if there is a point system for employees for the annual Driver License Audit. Human Resources Manager Allison Curry responded there is not a point system. Councilmember Engelken then questioned if there was any driving training for employees to reduce liability. City Manager Corby Alexander responded the City is not currently providing any type of training but it is something the City can look into.

Councilmember Earp questioned if background and driver's license checks are performed before employment. Human Resources Manager Allison Curry responded yes.

Councilmember Engelken and Councilmember Zemanek questioned the number of traffic accidents and incidents last year. Human Resources Manager Allison Curry and City Manager Corby Alexander advised a report can be generated by TML.

Councilmember Leonard questioned if TML subrogates with other insurance companies when there is an accident. Human Resources Manager Allison Curry responded not if the damage are less than the deductible.

Councilmember Earp questioned the EMR rating for Worker's Compensation. Human Resources Manager Allison Curry responded she does not have the information but will forward it.

Councilmember Martin questioned the percentage of employees and retirees using In-Network vs. Out-of-Network. Human Resources Manager Allison Curry advised she will forward the information to Council.

Councilmember Earp questioned if a Wellness Program is being promoted due to the low amount requested. Human Resources Manager Allison Curry responded there is a Wellness Program with Aetna and additional funding does not have to be included. Ms. Curry also informed the Wellness Program is not being utilized and there will be more emphasis on wellness the coming year.

Councilmember Zemanek commented he would like to see information from the City of Pasadena regarding their City Employee Medical Clinic. City Manager Corby Alexander advised Council, staff will generate a report by disease category and prescription drugs.

City Council recessed for a break at 7:37 p.m. and reconvened at 7:49 p.m.

City Manager Corby Alexander and Public Works Director presented the 2014-2015 proposed Fiscal Year Budget for Capital Improvement Projects.

Mayor Rigby informed Council that Councilmember Clausen advised, he has no problem revisiting Fairmont Park Spray Park next year. Councilmember Zemanek commented he would like to move forward with the project. Councilmember Martin commented he has no problem revisiting Fairmont Park Spray Park. Council agreed to move forward with the project.

Councilmember Moser commented he has concerns with the street light at 7th Street on Fairmont Parkway and would like to see it moved to 8th Street. Public Works Director Dave Mick advised Harris County may consider the Fairmont Parkway Corridor Study as a federal grant project.

7. **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, Moser, Kaminski, Zemanek, Leonard, Engelken, Earp, Clausen, Martin and Mayor Rigby.

Councilmembers Moser, Kaminski, Leonard, Earp and Engelken thanked staff for their hard work on the budget process; Councilmember Zemanek thanked staff and requested departmental sections for

the slide presentations with increases and decreases; Councilmember Martin thanked staff and commented City streets and sidewalks are also a priority in the City, Mayor Rigby thanked staff for the budget process and requested all Councilmembers be provided any additional information requested at tonight's meeting.

8. ADJOURN

There being no further business, Councilmember Engelken moved to adjourn the meeting on Tuesday, August 12, 2014 at 8:21 p.m. Councilmember Zemanek seconded. **MOTION PASSED UNANIMOUSLY.**

Respectfully submitted,

Sharon Harris, Assistant City Secretary

Passed and approved on August 25, 2014.

Mayor Louis R. Rigby

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**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
AUGUST 25, 2014**

The City Council of the City of La Porte met in a regular meeting on **Monday, August 25, 2014**, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at **6:00 p.m.** to consider the following items of business:

1. CALL TO ORDER

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

2. INVOCATION - The invocation was given by Dee Spears, Fairmont Park Church.

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

4. PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS

(a) Recognition – Retirement of Stephen Barr (Parks and Recreation Director) – Mayor Rigby

Mayor Rigby recognized Stephen Barr for twenty years of service as the Parks and Recreation Director for the City of La Porte and wished him well in his retirement. Stephen Barr spoke kind words and thanked everyone for allowing him to serve the City.

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

Steve Clark, 2601 S. Broadway #58, addressed Council with concerns of lack of proper payment for utility services from Pelican Bay Association. Mr. Clark advised Council the Board members acknowledge the underpayment and he requested it be resolved by the City.

Daniel Pring, 21 North Forrest Ave., addressed Council with concerns of safety in his neighborhood due to the lack of street lighting and speed bumps. Mr. Pring also advised Council of an accident in the neighborhood caused by a drunk driver.

Patricia Rothermel, 2601 S. Broadway #32, addressed Council to defend her character as a business owner, citizen and Treasurer of Pelican Bay Association. Ms. Rothermel advised Council of a resident of Pelican Bay attempting to publicly defame her character.

Bill Manning, 108 S. 2nd St., thanked the City for the Main Street Town Hall Meeting and expressed concerns of electronic signage on Hwy 146 not being considered in the upcoming budget year.

Kathryn Aguilar, 3119 Fondren, thanked Council for the considering the Street Overlay Project and advised of the need to enforce code violations in her Bayside Terrace community.

Virginia Pierson-Turner, 231 Bayside, addressed Council and thanked them for considering the Street Overlay Project and requested culverts and drainage also be observed during the repairs in her Bayside Terrace Community.

Don Berkemeyer, 3111 Fondren, addressed Council as a Board member of the Bayside Terrace Civic Club and thanked them for considering the Street Overlay Project in the community.

Aubry Sartori, owner of Stepping Stone Funeral Home on Broadway, thanked Council for their support of businesses in the La Porte community and requested Council reconsider the electronic signage on Hwy 146, in addition to speaking in support of Items 7 A and 7 B.

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 authorizing the City Manager to execute an amended agreement between the City of La Porte and the La Porte Livestock Show and Rodeo Association regarding the use of Designated Rodeo Arena and Facilities at Lomax Park – S. Barr
- (b) Consider approval or other action authorizing the City Manager to execute an amended agreement between the City of La Porte and the La Porte Boy's Baseball Association regarding the use of Designated Youth Baseball Facilities – S. Barr
- (c) Consider approval or other action regarding installation of permanent window coverings at the P.D./E.O.C. Building; EMS Station; Municipal Court Building and Fire Stations 2,3, and 4 – J. Suggs
- (d) Consider approval or other action authorizing the City Manager to execute a contract with Forde Construction Company Inc., in the amount of \$577,477.00 for Street Overlay Project – D. Mick
- (e) Consider approval or other action to award Bid No. 14023 for Lift Station 39 Force Main Replacement – D. Mick
- (f) Consider approval or other action authorizing the Mayor to renew the operator's agreement between the City of La Porte and the La Porte Area Water Authority – D. Mick
- (g) Consider approval or other action regarding an Ordinance authorizing the release of an eight (8) foot wide utility easement from the east line of Lot 9, Block 6, Shady River Subdivision, Sec 3 – T. Tietjens

Regarding Items A and B, Mayor Rigby informed Council the items were requested to be pulled by City Manager Corby Alexander, until the September 8, 2014 meeting, due to last minute revisions on both items.

Regarding Item D, Mayor Rigby questioned if references were checked on Forde Construction Company Inc. Public Works Director Dave Mick responded references were checked from the contract the previous year and Forde Construction Company Inc. is highly recommended.

Regarding Item D, Councilmember Zemanek questioned if there is a need for a motion to address asphalt changes on Boyette St. Assistant City Attorney Clark Askins advised a motion to include the changes are acceptable.

Item 6 (D) was pulled for a separate vote.

Regarding Item C, Councilmember Martin questioned if the concerns of were addressed with Municipal Court Judge Denise Mitrano in regards to installation of permanent window coverings at the Municipal Court Building. Emergency Management Coordinator Jeff Suggs responded yes Judge Mitrano concerns were addressed and she is all for the project.

Councilmember Engelken moved to approve the Consent Agenda Items C, E, F and G pursuant to staff recommendations. Councilmember Moser seconded. **MOTION PASSED.**

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

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2014-3533: AN ORDINANCE RELEASING AN EIGHT (8) FOOT WIDE UTILITY EASEMENT LOCATED WITHIN LOT 9, BLOCK 6 SHADY RIVER SUBDIVISION, SECTION 3, HARRIS COUNTY, TEXAS, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING AN EFFECTIVE DATE HEREOF.**

Councilmember Zemanek moved to approve the Consent Agenda Item D and have staff address the changes and concerns with overlay on Boyette St. Councilmember Martin seconded. **MOTION PASSED.**

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

7. AUTHORIZATIONS

- (a) Consider approval or other action regarding an Ordinance authorizing and approving an amendment to Chapter 6 of the La Porte Code of Ordinances to provide for variance procedures for alcohol sales within 300 feet of schools; churches and hospitals – T. Tietjens

Planning and Development Director Tim Tietjens presented a summary.

Mayor Rigby questioned if the Ordinance is to grant an alcohol permit or to provide for consideration of a variance. Planning and Development Director Tim Tietjens responded it is an amendment to Chapter 6 for a procedure for variance going forward.

Councilmember Martin moved to authorize and approve amending Chapter 6 of the La Porte Code of Ordinances to provide for variance procedures for alcohol sales within 300 feet of schools; churches and hospitals. Councilmember Kaminski seconded. **MOTION PASSED.**

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

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2014-3534: AN ORDINANCE AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, RELATING TO THE GRANTING OF VARIANCES TO DISTANCE REQUIREMENTS FOR THE SALE OF ALCOHOL NEAR CHURCHES, PUBLIC SCHOOLS AND PUBLIC HOSPITALS; PROVIDING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

- (b) Consider approval or other action regarding an Ordinance authorizing a variance to Section 6-2 of the Code of Ordinances by allowing the sale of alcoholic beverages for on-premises consumption at Broadway Café, located at 1023 S. Broadway St. – T. Tietjens

Mayor advised Council the item was not posted on the agenda as a public hearing and will come back to the September 8, 2014 meeting for consideration and posted as a public hearing on the agenda.

- (c) Consider approval or other action regarding an Ordinance authorizing and approving an amendment to Chapter 70, of the Code of Ordinance by establishing a speed limit of 45 MPH along BS 146D from S. Broadway to SH 146 (Wharton Weems Boulevard), a distance of approximately 0.672 miles – B. Eng

City Engineer Bob Eng presented a summary.

Councilmember Zemanek questioned if the concern is that the speed limit of 55 MPH is on a side street going into a subdivision. City Engineer Bob Eng responded the concern is cars turning in and out of a street with a speed limit of 55 MPH. Councilmember Zemanek commented he has concerns with the speed limit of 55 MPH with several subdivision with entrances on Fairmont Parkway that are not being observed.

Councilmember Martin questioned if the study was initiated from a citizen concern. Public Works Director Dave Mick responded he initiated the study due to traffic safety concerns and Texas Department of Transportation (TxDot) proposed to reduce the speed limit to 45 MPH after completion of the study.

Councilmember Martin questioned if there is signage warning motorists that the lanes merge. City Engineer Bob Eng responded no just a 55 MPH sign.

Councilmember Zemanek commented a simple solution is to remove the second lane. Mayor Rigby agreed.

Councilmember Zemanek moved to postpone the item until information can be gathered from Texas Department of Transportation to close the second lane and avoid a merge along BS 146 D from S. Broadway to SH 146 (TxDot) Councilmember Kaminski seconded. **MOTION PASSED.**

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

8. DISCUSSION OR OTHER ACTION

- (a) Discussion or other action regarding appointing members to various City boards, commissions and committees – Mayor Rigby

Assistant City Secretary Sharon Harris presented a summary for the 2014-2015 annual appointments to boards, commissions and committees.

Council was advised to consider the City Manager's appointment of Les Bird on the Civil Service Commission; David Brady to replace David Janda as one of the directors on the La Porte Area Water Authority; Trey Kendrick, District 1 to replace Doretta Finch on the Planning and Zoning Commission; and Nick Barrera, At-Large B, to replace Phillip Hoot on the Planning and Zoning Commission.

Council was also reminded of the three Planning and Zoning Commission positions that are off schedule according to the ordinance and was advised to consider appointing Hal Lawler as Chair; Richard Warren to District 2; and Helen La Cour to District 3; with one-year terms expiring August 30, 2015, to coincide with the appointing Councilmember's term.

Councilmember Zemanek moved to approve the appointments to the boards, committees, and commissions. Councilmember Moser seconded. **MOTION PASSED.**

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

9. REPORTS

- (a) Receive report of La Porte Development Corporation Board – Councilmember Engelken

Councilmember Engelken provided a report from the La Porte Development Corporation Board meeting held on August 18, 2014.

10. ADMINISTRATIVE REPORTS

- (a) Receive report from City Manager
- Labor Day Holiday Observed, Monday, September 1, 2014
 - City Council Meeting, Monday, September 8, 2014
 - Fiscal Affairs Committee Meeting, Monday, September 22, 2014
 - La Porte Development Corporation Board Meeting, Monday, September 22, 2014
 - City Council Meeting, Monday, September 22, 2014

City Manager Corby Alexander advised that staff will respond to the comments made during public comments and will report back to Council.

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

or existing policies – Councilmembers Kaminski, Zemanek, Leonard, Engelken, Earp, Clausen, Martin, Moser, and Mayor Rigby.

Councilmembers Kaminski, Zemanek, Engelken, Earp and Clausen thanked Stephen Barr for his services to the City and wished him the best in his retirement; Councilmember Martin thanked Stephen Barr for his services to the City, thanked David Janda for serving on the La Porte Area Water Authority, thanked the Bayside Terrace citizens for their comments and attending the meeting tonight; Councilmember Moser thanked Stephen Barr for his services to the City and thanked the Main Street group for their comments and attending the meeting tonight and Mayor Rigby thanked Stephen Barr for his services and his wife Marci Barr for sharing him for all of the years.

12. ADJOURN

There being no further business, the meeting adjourned at 6:48 p.m.

Sharon Harris, Assistant City Secretary

Passed and approved on September 8, 2014.

Mayor Louis R. Rigby

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 8, 2014

Appropriation

Requested By: Kathy Powell

Source of Funds:

Department: Finance

Account Number:

Report: Resolution: Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item: YES NO

Attachments :

1. Resolution
2. Deed
3. Map
4. Summary of Foreclosure Activity

SUMMARY & RECOMMENDATIONS

If a property is sold or struck off to a taxing unit that is party to the judgment, the taxing unit may sell the property at any time by public or private sale. The City of La Porte has had these properties on the public resale list for more than an adequate amount of time and has received a bid for the minimum bid amount set by the judgment or higher; at this time the City is asking the City Council to pass a resolution to approve the sale of these properties for the amount that has been offered.

P213(1) – Lots 9, 10 & 11 Block 201 Town of La Porte – Offer \$7,667.01

P213(3) – Lot 12 Block 201 Town of La Porte – Offer \$4,432.99

Action Required of Council:

Consider approval or other action of the Resolution authorizing the sale of:

P213(1) – Lots 9, 10 & 11 Block 201 Town of La Porte

P213(3) – Lot 12 Block 201 Town of La Porte

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

RESOLUTION 14- .

RESOLUTION AUTHORIZING THE RESALE OF CERTAIN PROPERTY

WHEREAS the City of La Porte (City), in the course of its function as a taxing entity in the State of Texas, obtains title to real property in the capacity as Trustee for itself and other taxing units that tax the property; and

WHEREAS it is necessary for various reasons that some of the property so obtained must be resold by the taxing units for less than the aggregate amounts of taxes, penalties, interest and costs; and

WHEREAS Section 34.05 of the Texas Property Tax Code requires that when real property is sold for less than the aggregate amount of taxes, penalties, interest and costs, the sale must be approved by all taxing units that tax the property; and

WHEREAS the City has adopted procedures designed to provide all parties the opportunity to submit offers to purchase such real property and to secure the best offer for such property that is sufficient to pay at least the costs of suit and sale of such property; and

WHEREAS it is desirable that resale of the property be free and clear of all claims of the taxing units, for all taxes, penalties interest and costs that have accrued up to the date of resale

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA PORTE,

Section 1. That the City of La Porte, as Trustee, resells the real properties described in the attached Exhibit "A", for the amounts set for on said Exhibit "A", in full satisfaction of taxes, penalties, interest and costs that have accrued on the property up to the date of sale.

Section 2. That the City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the offices of City of La Porte for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this resolution 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.

PASSED AND APPROVED this the 8th day of September 2014.

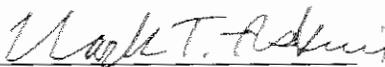
CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Clark Askins, City Attorney

EXHIBIT A

TAX RESALE PROPERTY TO BE SOLD

- TRACT 1: Resale Property P213(1)
Legal Description: Lot 9, 10 & 11 Block 201 Town of La Porte
HCAD #024-005-001-0009
Offer Amount: \$7,667.01
- TRACT 2: Resale Property P213(3)
Legal Description: Lot 12 Block 201 Town of La Porte
HCAD #024-005-001-0012
Offer Amount: \$4,432.99

COLLEGE DISTRICT any person claiming under it shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

Grantee accepts the property in "AS IS, WHERE IS" condition and subject to any environmental conditions that might have or still exist on said property, and subject to any title defects and deficiencies, and subject to the right of redemption, if any, provided under the Texas Property Tax Code. Grantee acknowledges and agrees that this conveyance is expressly made without warranty.

This transaction is in full satisfaction of all taxes, penalties, interest, and costs that have accrued until the date hereof.

Pro rata taxes for the current year are assumed by Grantee.

IN TESTIMONY WHEREOF, CITY OF LA PORTE, TRUSTEE, for the use and benefit of itself, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT and the SAN JACINTO COMMUNITY COLLEGE DISTRICT has caused these presents to be executed this _____ day of _____ 2014.

CITY OF LA PORTE, TRUSTEE

LOUIS R RIGBY, MAYOR

ACCEPTED:

JACOB BRUNDIGE

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared LOUIS R RIGBY, Mayor of the City of La Porte, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2014.

NOTARY PUBLIC, in and for the
STATE OF TEXAS
My Commission Expires: _____

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared JACOB BRUNDIGE known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed, in the capacity therein stated, and with the conditions and the limitations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2014.

NOTARY PUBLIC, in and for the
STATE OF TEXAS
My Commission Expires: _____

After Recording
Return To: JACOB BRUNDIGE
233 SAN JACINTO ST
LA PORTE, TX 77571



AREA MAP



**LOTS 9, 10 & 11, BLOCK 201,
TOWN OF LA PORTE
(HCAD NO. 024-005-001-0009)**

**LOTS 12, BLOCK 201,
TOWN OF LA PORTE
(HCAD NO. 024-005-001-0009)**

1 inch = 100 feet

SUMMARY OF FORECLOSURE ACTIVITY

HCAD ACCOUNT NO:	024-005-001-0009	Property Struck off for:	Taxes
CAUSE NO:	2004-48872		+ Post Judgment Taxes
PLAINTIFF(S):	City of La Porte & La Porte Independent School District		
JUDGMENT AGAINST:	Charles W.F. Compton		
JUDGMENT DATE:	June 20, 2005	STRUCK OFF DATE:	October 4, 2005
ORDER OF SALE:	July 25, 2005		
DEED RECORDED DATE:	November 5, 2005	STRUCK OFF TO:	City of La Porte
CONSTABLE:	Bill Bailey, Constable Precint No 8		
PROPERTY ADDRESS:	San Jacinto Street		
LEGAL DESCRIPTION:	Lots 9, 10 and 11 Block 201 Town of La Porte		
ADJUDGED VALUE (IN JUDGMENT):	\$ 9,400.00		
SQUARE FOOTAGE:	9,375		

SUMMARY OF SALE ACTIVITY

BIDDER:	Jacob Brundige	BIDDER'S ADDRESS:	233 San Jacinto St La Porte, TX 77571
AMOUNT OF BID:	\$7,667.01		
AMOUNT OF DEPOSIT:	\$766.70		
AMOUNT DUE:	\$6,900.31	BIDDER'S PHONE NO:	713-724-7779

PRORATED PERCENTAGED OF TAXES DUE TO EACH JURISDICTION BASED UPON JUDGMENT

JUDGMENT TO	COUNTY, ET AL.	%	SCHOOL	%	CITY	%	TOTAL
AMOUNT DUE	\$757.00	20.15%	\$2,309.10	61.47%	\$690.66	18.38%	\$3,756.76

ASSOCIATED COSTS ON ORIGINAL AND SEALED BID SALES

AMOUNT OF BID	COURT COST	CONSTABLE/ PUBLICATION FEE (TISD)	AD LITEM FEE	RESEARCH FEE & DEED RECORDING FEE	ESTIMATED AMOUNT TO BE PRORATED TO TAXES
\$7,667.01	\$757.00	\$175.00	\$0.00	\$250.00	\$6,485.01

PRORATED TAX AMOUNTS TO EACH JURISDICTION

OWED TO	COUNTY	%	SCHOOL	%	CITY	%	TOTAL
PRORATED AMOUNT	\$1,306.75	20.15%	\$3,986.02	61.47%	\$1,192.23	18.38%	\$6,485.01

Amount of Bid:	\$7,667.01	
Costs:		
-District Clerk	\$707.00	
-Tax Master	\$50.00	Michael Landrum
-Constable Fee	\$0.00	
-Publication	\$175.00	
-Abstract Fee	\$250.00	
-Cost	\$2,728.25	Mowing/Demolition Liens
-Ad Litem Fee	\$0.00	
Total:	\$3,756.76	

Taxing Jurisdictions:	Amount in Judgment:	%	Amount Received
City of La Porte	\$690.66	18.38%	\$690.66
La Porte ISD	\$2,309.10	61.47%	\$2,309.10
Harris County	\$633.94	16.87%	\$633.94
San Jacinto CCD	\$123.06	3.28%	\$123.06
State of Texas	\$0.00	0.00%	\$0.00
	\$3,756.76	100.00%	\$3,756.76

Costs + Taxes	\$7,667.01
Adjudged Value	\$ 9,400.00

SUMMARY OF FORECLOSURE ACTIVITY

HCAD ACCOUNT NO:	024-005-001-0012	Property Struck off for:	Taxes
CAUSE NO:	2004-48872		+ Post Judgment Taxes
PLAINTIFF(S):	City of La Porte & La Porte Independent School District		
JUDGMENT AGAINST:	Charles W.F. Compton		
JUDGMENT DATE:	June 20, 2005	STRUCK OFF DATE:	October 4, 2005
ORDER OF SALE:	July 25, 2005		
DEED RECORDED DATE:	November 5, 2005	STRUCK OFF TO:	City of La Porte
CONSTABLE:	Bill Bailey, Constable Precint No 8		
PROPERTY ADDRESS:	San Jacinto Street		
LEGAL DESCRIPTION:	Lot 12 Block 201 Town of La Porte		
ADJUDGED VALUE (IN JUDGMENT):	\$ 6,900.00		
SQUARE FOOTAGE:	3,125		

SUMMARY OF SALE ACTIVITY

BIDDER:	Jacob Brundige	BIDDER'S ADDRESS:	233 San Jacinto St La Porte, TX 77571
AMOUNT OF BID:	\$4,432.99		
AMOUNT OF DEPOSIT:	\$443.30		
AMOUNT DUE:	\$3,989.69	BIDDER'S PHONE NO:	713-724-7779

PRORATED PERCENTAGED OF TAXES DUE TO EACH JURISDICTION BASED UPON JUDGMENT

JUDGMENT TO	COUNTY, ET AL.	%	SCHOOL	%	CITY	%	TOTAL
AMOUNT DUE	\$359.88	24.65%	\$772.27	52.90%	\$327.69	22.45%	\$1,459.84

ASSOCIATED COSTS ON ORIGINAL AND SEALED BID SALES

AMOUNT OF BID	COURT COST	CONSTABLE/ PUBLICATION FEE (TISD)	AD LITEM FEE	RESEARCH FEE & DEED RECORDING FEE	ESTIMATED AMOUNT TO BE PRORATED TO TAXES
\$4,432.99	\$0.00	\$175.00	\$0.00	\$250.00	\$4,007.99

PRORATED TAX AMOUNTS TO EACH JURISDICTION

OWED TO	COUNTY	%	SCHOOL	%	CITY	%	TOTAL
PRORATED AMOUNT	\$988.05	24.65%	\$2,120.27	52.90%	\$899.67	22.45%	\$4,007.99

Amount of Bid:	\$4,432.99	
Costs:		
-District Clerk	\$0.00	
-Tax Master	\$0.00	
-Constable Fee	\$0.00	
-Publication	\$175.00	
-Abstract Fee	\$250.00	
-Cost	\$2,542.36	Mowing/Demolition Liens
-Ad Litem Fee	\$0.00	
Total:	\$1,465.63	

Taxing Jurisdictions:	Amount in Judgment:	%	Amount Received
City of La Porte	\$327.69	22.45%	\$328.99
La Porte ISD	\$772.27	52.90%	\$775.33
Harris County	\$300.38	20.58%	\$301.57
San Jacinto CCD	\$59.50	4.08%	\$59.74
State of Texas	\$0.00	0.00%	\$0.00
	\$1,459.84	100.00%	\$1,465.63

Costs + Taxes	\$4,427.20
Adjudged Value	\$ 6,900.00

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 8, 2014 Appropriation
Requested By: T. Leach/R. Epting Source of Funds: N/A
Department: Parks & Recreation Account Number:
Report: Resolution: Ordinance: Amount Budgeted:
Other: Amount Requested:
Budgeted Item: YES NO

Attachments :

1. Proposed Agreement

SUMMARY & RECOMMENDATIONS

This item originally appeared on the August 25, 2014 Agenda. There was one late adjustment to some wording to clarify the trash disposal for the Sunday games at Fairmont Park. Staff requested that the item be postponed to provide additional time for all parties to fully review the one change. The text below is identical to what appeared in the August 25 agenda.

The La Porte Boy's Baseball Association is requesting the use of Fairmont Park Practice Fields for use during the Association's Sunday Fall League series to take care of overflow league games that can't be played at the Pecan Park fields. This proposed use is not covered under the existing agreement so it needs to be amended to allow this special use.

Proposed changes to the agreement are shown in the agreement in green.

Highlights of the proposed changes are:

1. A maximum of eight Sundays are to be used for this purpose and the City must be notified 30 days prior to the first use.
2. The Association is responsible for preparation, cleanup, litter removal, restroom cleaning, supplies and materials necessary to accomplish this series of events.
3. The Financial section of the agreement is adjusted to reflect the actual documentation that is provided by the Association to the City; an approved statement as approved by the City's Finance Department.
4. Tournament/League games at Fairmont Park cannot begin before 7am or end after 8pm on Saturdays, nor begin before 9am or end after 6pm on Sundays.
5. The advertising signage language has been adjusted to align with the City's off-premises Sign Ordinance.

The Association has over 50 teams from all over the Houston area that participate in this Fall League. These visitors have a big economic impact on the businesses in the areas around both Pecan Park and Fairmont Park. Safeguards on time of use, and light use for these games should ensure that they have a minimal impact on the surrounding Fairmont community.

Staff recommends that the agreement be amended as presented.

Action Required of Council:

Consider approval or other action authorizing the City Manager to execute an amended agreement between the City of La Porte and the La Porte Boy's Baseball Association regarding the use of Designated Youth Baseball Facilities.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

**AMENDED AGREEMENT BETWEEN THE CITY OF LA PORTE
AND THE LA PORTE BOY'S BASEBALL ASSOCIATION
REGARDING THE USE OF DESIGNATED YOUTH BASEBALL FACILITIES**

BECAUSE, the City of La Porte (the "City") is the owner and operator of various youth baseball facilities as part of the parks and recreational facilities of the community; and

Because, the La Porte Boy's Baseball Association (the "Association") has provided the organization of youth baseball teams, conducted instructional league and tournament play for the youth of La Porte for many years, and has contributed funds in past years, which funds have been matched by the City, toward the construction of various amenities and facilities at the various youth baseball facilities owned by the City; and

Because, the City wishes to recognize and commend the Association for its contributions to youth recreation and health in the community, its support, and funding that has been provided by the Association;

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That in consideration of the mutual covenants, agreements and benefits to both parties, it is agreed as follows:

I.

The City will provide limited use of the youth baseball facilities as described in "Exhibit A" which is attached and herein as if set out herein verbatim, and included as a part of this Agreement, to the Association for conduct of its league games, practice games, league/team practices, tournament games, and league playoff games from the first week in February through the last weekend in December for each year that this Agreement is in effect. Use is limited to Monday through Sunday, from 7:00am until 11:00pm each day for Pecan Park, and 7:00am until 9:00pm for practice at Fairmont Park. The Association shall have exclusive right and responsibility for scheduling, organizing and conducting youth baseball league games, practice games, league/team practices, tournament games, and league playoff games at the youth baseball facilities listed in Exhibit A. The City reserves the right to close the fields for field maintenance purposes, for inclement weather, or other reasonable cause. The fields at Fairmont Park are now designated primarily for practice use. Any scheduled tournament games to be held at Fairmont Park will require the written permission of the Director of Parks & Recreation or his/her designee, and such approval shall not be unreasonably withheld. The Association will schedule no more than four tournaments annually that utilize the practice fields at Fairmont Park. No tournament games at Fairmont Park may be scheduled to begin before 7:00am, nor after 8:00pm on Saturday, or begin before 9:00am, nor after 6:00pm on Sunday.

II.

The City will assume limited responsibility for maintenance of all structures located on City property at Pecan Park and Fairmont Park as set forth in this Agreement. Except for routine marking, dragging, watering and other field preparation as set out herein, the City will assume responsibility for maintenance and repair of fencing, parking lots, sidewalks, turf areas, and major field maintenance at the youth baseball facilities listed in Exhibit A. The Association will be responsible for routine marking, dragging, and other field preparation as necessary, of the youth baseball facilities as listed in Exhibit A. The City will manage all operations related to facility and grounds maintenance at the baseball facilities designated in Exhibit A.

The City has also provided an open air pavilion containing restroom, storage, and concession facilities, a maintenance storage area, a satellite storage building, and two batting cages at Pecan Park, as listed in Exhibit A. The open air pavilion containing restroom, storage, and concession facilities, the Maintenance facility for City use with designated storage area for the Association, the satellite storage building, and any permanent attachments to said facilities, are the property of the City. The concession facility at Fairmont Park will no longer be in operation as a full-time concession booth. It will be available for tournament or practice use by the Association for portable food and drink service only. Except as set out herein in Paragraph 3 below, the City agrees to maintain utility service to the concession/restroom, and storage structure's various components including, electrical, plumbing, roofing, and other systems that contribute to their safe and efficient operation. The restroom portion of the facility is a shared facility for various uses at Pecan Park and Fairmont Park and is the property of the City. The City will provide daily weekday custodial services for the restroom facility and provide necessary supplies for the restroom facility. Unless specifically marked, parking spaces at Pecan and Fairmont Parks are not reserved and are available on a first-come, first-served basis.

III.

The Association agrees to operate the concession facility exclusively and to provide materials, equipment, supplies, and personnel necessary for operation. Further, the Association is responsible for furnishing equipment for the batting cages and concession stands at the youth baseball facilities, including but not limited to the following: pitching machines, microwaves, refrigerators, ice machines, freezers, ~~air conditioners~~ and all other electrical appliances. The Association is responsible for maintenance of all furnished equipment in the concession stand and batting cages and ~~turf~~ maintenance inside and around the batting cages. The Association agrees to clean the restroom facilities at its expense, in addition to the City's regular cleaning schedule on an as needed basis, during the Association's use of the facilities particularly including tournament use, to assure that the restrooms are clean and operable. The Association agrees to clean the concession portion of the facility at its expense. All revenues produced by batting cages and concession operations shall belong to the Association. The Association is responsible for meeting all applicable laws, ordinances, and codes regarding the following: sales tax, safety, and any other issue relative to concession operations, batting cage operations, and conduct of all its activities at the youth baseball facilities. Alcoholic beverage use, sales, or possession is prohibited by Ordinance at youth baseball facilities located on City property.

In addition to the four overflow tournament events at the Fairmont Park Practice Fields as specified herein, the Association may schedule annually up to a maximum of eight (8) additional days for "Sunday Only" use of the Fairmont Park fields for overflow league games if needed. Association must provide the dates of the days to be used for the overflow league games to the City at least thirty (30) day prior to commencement of the league. Rainout days will be allowed provided that notice is given of the rainouts as they occur. The Association agrees to provide all field preparation necessary to conduct said league games. Further, the Association agrees to remove all litter and trash associated with the league games and deposit them off-site in a City of La Porte waste container. The Association agrees to clean and stock restrooms at its expense for the league games. The City agrees to provide its standard level of maintenance for the league games, any maintenance over and above those responsibilities identified herein, will be the responsibility of the Association for the league games.

IV.

The Association is granted the right to solicit advertising boards for the outfield fencing at the ten baseball fields at Pecan Park. Per the architect's recommendation, signs placed on the fencing are limited to no larger than one fence panel in length (10 feet), and no more than five signs per field. The City reserves the right to review and approve potential advertisers and sign content prior to installation. No advertising boards/signs shall be placed where visible from Canada Road, on Fields #1, #8, #9 and #10. All revenues generated by the advertising boards shall be the property of the Association.

V.

Batting cages shall not be open for use by the general public by the Association under any circumstances, unless the City gives its prior written permission, which permission shall not be unreasonably withheld. In any event, if the Association receives permission to open said batting cages to the public, such use shall be under the strict supervision of the Association. All provisions herein relating to insurance and indemnity to the City by the Association shall be applicable. Use of other baseball facilities by the public will be limited to the following conditions: (a) During the period not covered by this Agreement, the public shall have the right to use the various youth baseball facilities for pickup games at any time during park operating hours, except when the City is conducting maintenance or construction at the various facilities; and (b) During the period covered by this Agreement, the public shall have the right to play pickup youth baseball or other field sports games at the youth baseball facilities listed in Exhibit A, at any time during park operating hours when no practice game, league game, tournament game, or playoff game is scheduled; or the fields have not been *Specially Prepared* for such games (*Special Preparation* shall include marking, dragging, watering, painting, or other activity which would be disrupted or spoiled by indiscriminate use of the facilities by the public).

VI.

The Association shall indemnify and hold harmless the City, its officers, directors, agents, and employees from and against any and all claims, damages, losses, expenses, and liabilities, including attorney's fees which may be asserted against or incurred by the City arising, directly or indirectly, from any activities conducted or services performed by the Association under this agreement, or from any event occurring on the premises owned by the City during any period in which activities are being performed, conducted, or sponsored on the premises by the Association.

VII.

The City shall indemnify and hold harmless the Association, its officers, directors, agents, and employees from and against any and all claims, damages, losses, expenses, and liabilities, including attorney's fees which may be asserted against or incurred by the Association arising, directly or indirectly from any activities conducted or services performed by the City pursuant to this agreement, or from any event occurring on the premises owned by the City during any period in which activities are being performed, conducted, or sponsored on the premises by the City.

VIII.

The Association shall keep and maintain during the term of this agreement, a comprehensive general liability policy, with the City named as ***Additional Named Insured***, with limits of liability of not less than One Million Dollars (\$1,000,000.00) combined single limit bodily injury and property damage per occurrence, with a minimum deductible of One Thousand (\$1,000.00) per occurrence. Thirty (30) days prior notice of policy cancellation shall be provided to the City. Effective policy must not exclude participants in the Association's scheduled or unscheduled activities at the facilities. Other policy exclusions are permissible, provided that they do not contradict the terms of this Agreement. The Association shall furnish the City with a ***Certificate of Insurance*** evidencing such coverage. Such insurance shall include contractual liability insuring the indemnity agreements contained in this Agreement.

IX.

The Association shall not assign, transfer, convey, sublet or otherwise dispose of the Agreement, or any part, to any person, partnership, company, corporation, club or association without prior written consent of the City of La Porte.

X.

This instrument contains the entire Agreement between the parties relating to the rights granted in the Agreement and the obligations assumed as a part of the Agreement. Any representations or

and signed by each party to the Agreement.

XI.

This Agreement shall be in force for a period of five (5) years, beginning with the date of its execution. At the end of the term of the agreement, both the City and the Association have the option to continue the agreement for an additional five (5) year term. Such option shall be executed in writing by the President of the Association and the City Manager or his designee. Should either party choose not to exercise their option, the agreement shall be considered to be at an end. During the term of this agreement, the Association and the City may enter into separate agreements regarding future capital improvement projects or other boy's baseball facilities that may be contemplated in the City.

XII.

The Association shall maintain a favorable financial position during the term of this Agreement. The Association will provide an official annual report on the Association's fiscal condition to the City, comprised of a combined expense statement/balance sheet as approved by the City's Controller and mutually agreed to by the City and the Association along with supporting documentation. The City reserves the right to review the internal financial control structure of the Association and to perform other audit steps as necessary to protect its interests. The Annual Report on the Association's Fiscal Condition will be due to the City sixty (60) days after the end of each fiscal year. Failure to provide requested financial information within the prescribed time limit will prompt a formal notification from the City to the Association of that the agreement is in Danger of Default and a request for satisfaction of the requirement within an additional fifteen (15) days from the date of official notification. If the requirement for financial statement submission is not met by that time, or arrangements to submit not made to the City's satisfaction within that time, the agreement will be considered in Default.

XIII.

If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Agreement shall, for any reason, not be legally or factually valid, such invalidity shall not affect the remaining portions of this Agreement.

IN TESTIMONY WHEREOF, this instrument has been renewed and executed in duplicate, each to have the effect of an original as follows:

- (A) It has been executed on behalf of the City on the _____ th day of August, 2014 by its City Manager and attested by its City Secretary; and
- (B) It has been executed on behalf the Association on the _____ th day of August, 2014 by its President and attested by its Secretary, authorizing such execution.

CITY OF LA PORTE

By: _____
Corby D. Alexander, City Manager

ATTEST:

Patrice Fogarty, City Secretary

LA PORTE BOY'S BASEBALL
ASSOCIATION

By: 

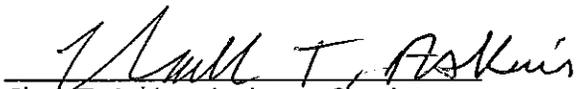
Dean Bieber, President

ATTEST:



Association Secretary

APPROVED AS TO FORM:



Clark T. Askins, Assistant City Attorney

Satellite Storage Building

is located diagonally between and north of Fields #7 & #8, and to the southeast of Field #6.

Batting Cages

are located directly east of Field #8, directly east of Canada Road, on the southeast corner of the park.

FAIRMONT PARK PRACTICE FACILITIES

Field #1

is the southernmost baseball field at the park, located on the southwest corner of the park; bounded on the west by Harris County Flood Control District ditch; on the south by the vehicle parking lot off Farrington; on the east by Field #2; and on the north by Field #3.

Field #2

is located immediately east of Field #1, and southeast of the Concession/Restroom building.

Field #3

is located immediately north of Field #1, and northwest of the Concession/Restroom building.

Field #4

is located immediately east of Field #3, and northeast of the Concession/Restroom building.

Concession/Restroom Building

is located in the center of the cloverleaf formed by Fields #1 -4.

Storage Area

is located east of the Concession/Restroom building, outside the cloverleaf formed by Fields #1-4.

EXHIBIT "A"

The youth baseball facilities designated herein are located at Fairmont Park, 3544 Farrington Street, and Pecan Park, 3600 Canada Road, in La Porte, Texas, and are identified as follows:

PECAN PARK FACILITIES

- Field #1** is the northernmost baseball field at the park, located on the northeast corner of the park; bounded on the north by the Pecan Plantation Mobile Home Park, on the east by Canada Road, and on the west, by Field #2.
- Field #2** is located immediately west of Field #1, east of Field #3, and to the northeast of the Maintenance Facility.
- Field #3** is located immediately west of Field #2, north of Field #4, and to the northwest of the Maintenance Facility.
- Field #4** is located immediately south of Field #3, north of Field #5, and to the southwest of the Maintenance Facility.
- Field #5** is located immediately south of Field #4, north of Field #6, and directly west of the Pavilion.
- Field #6** is located immediately south of Field #5, north of Field #7, and to the southwest of the Pavilion.
- Field #7** is located immediately south of Field #6, directly west of Field #8, in the southwest corner of the park.
- Field #8** is located immediately east of Field #7, and south of Field #9, and directly west of Canada Road.
- Field #9** is located north of Field #8, and southwest of Field #10, southeast of the Pavilion, and directly west of Canada Road.
- Field #10** is located directly east of Canada Road, northeast of Field #9, and south of Field #1, southeast of the Pavilion, and directly west of Canada Road.
- Pavilion/Concession
/Restrooms** are located northwest of Field #10, southwest of Field #9.
- Facility Maintenance
Storage Area** is located southwest of Field #2, southeast of Field #3, and northeast of Field #4.

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 8, 2014

Appropriation

Requested By: T. Tietjens

Source of Funds:

Department: Planning & Development

Account Number:

Report: Resolution: Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item: YES NO

Attachments :

1. Ordinance
2. Utility Easement
3. Deed
4. Area Map

SUMMARY & RECOMMENDATIONS

The City has processed an application from Analytic Stress Relieving, Inc. to vacate, abandon and close the northernmost 159' of the alley in Block 715, La Porte (see Area Map). The company desires this closing to facilitate plans for the construction of a new 2-story office building at the southwest corner of the intersection of North 17th and West Polk Streets.

Staff's review of the closing application has determined that a 6" sanitary sewer main is located within the subject for which a 16' wide utility easement will be retained. Centerpoint Energy, Comcast and AT&T have each issued letters of no object to the closing.

In accordance with Section 62.35 of the Code of Ordinances, an independent appraisal of the alley has established a value of \$2.50 per square foot for the 2,544 square foot area to be closed. Closing fees for the alley (with 25% discount by ordinance) total \$4,770 for which payment has been received pending final action by Council.

Action Required of Council:

Consider approval or other action of an ordinance vacating, abandoning, and closing the northernmost 159' of the alley in Block 715, La Porte; retaining a 16' foot wide utility easement within the area to be closed and authorizing the City Manager to execute a deed to the adjacent owner for the area subject to closing.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2014-_____

AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF THE ALLEY IN BLOCK 715, LA PORTE; RETAINING A 16' WIDE PUBLIC UTILITY EASEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A DEED TO THE ADJOINING LANDOWNER, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Council of the City of La Porte has been requested by the record owner of the property abutting the hereinafter described alley in Block 715, La Porte; and,

WHEREAS, the City Council of the City of La Porte has determined and does hereby find, determine, and declare that the hereinafter described alley in Block 715, La Porte is not suitable, needed, or beneficial to the public as a public road, street, or alley, and the closing of hereinafter described alley in Block 715, La Porte is for the protection of the public and for the public interest and benefit, and that the hereinafter described alley in Block 715, La Porte should be vacated, abandoned, and permanently closed.

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

Section 1. Under and by virtue of the power granted to the City of La Porte under its home rule charter and Chapter 253, Section 253.001, Texas Local Government Code, the hereinafter described alley in Block 715, La Porte is hereby permanently vacated, abandoned, and closed by the City of La Porte, being generally illustrated on Exhibit "A" incorporated herein, and further described to wit:

BEGINNING at the northwest corner of Lot 30, Block 715, La Porte, said point being located on the south right-of-way line of West Polk Street (60' wide);

THENCE in a westerly direction, a distance of 16 feet along the south line of West Polk St. (60' wide) to a point at the northeast corner of Lot 1, Block 715, La Porte;

THENCE in a southerly direction along the east line of Lots 1 through 6, Block 715, La Porte, a distance of 159 feet to the southeast corner of Lot 6, Block 715, La Porte;

THENCE in an easterly direction, crossing the alley in Block 715, La Porte, a distance of 16 feet to a point at the southwest corner of Lot 25, Block 715, La Porte;

THENCE in a northerly direction along the west line of Lots 25 through 30, Block 715, La Porte, a distance of 159 feet to the POINT OF BEGINNING of the herein described tract containing 2,544 square feet.

Section 2. The City of La Porte hereby retains for itself and its successors and assigns, a sixteen (16) foot wide Public Utility Easement within the entire area of the above-described 16 (16) foot wide alley to be closed by this ordinance.

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

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

PASSED AND APPROVED THIS _____ DAY OF _____ 2014.

CITY OF LA PORTE

By:

Louis R. Rigby, Mayor

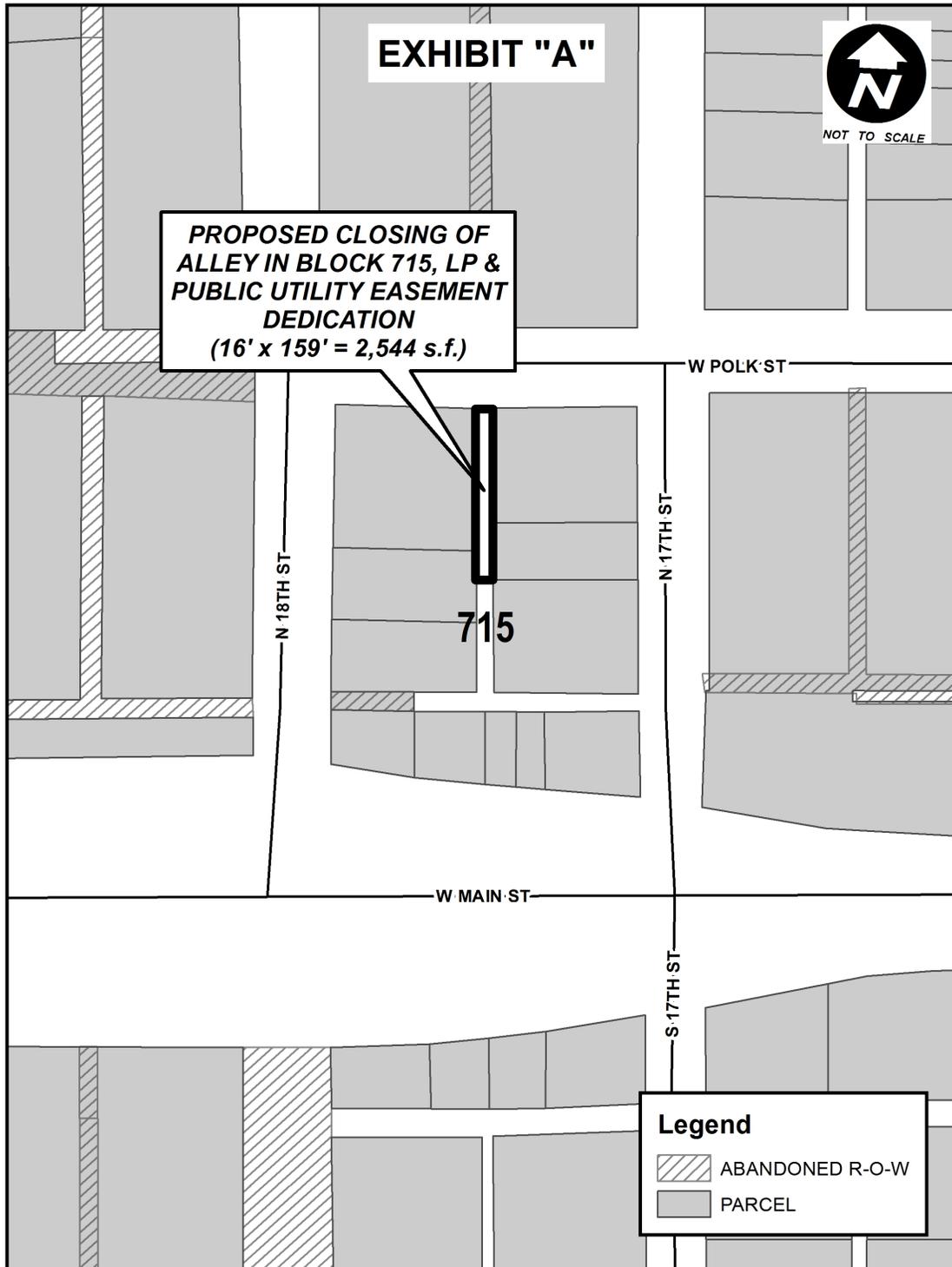
ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Knox W. Askins, City Attorney



PUBLIC UTILITY EASEMENT

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF HARRIS

That **ONYX PROPERTIES, LLP** ("Grantor"), for and in consideration to Ten and no/100 Dollars (\$10.00) and other good and valuable consideration paid by the **CITY OF LA PORTE** ("Grantee"), a Municipal Corporation, the receipt and sufficiency of which is hereby acknowledged and confessed, have this day **GRANTED, BARGAINED, SOLD AND CONVEYED** and by these presents do **GRANT, SELL AND CONVEY** unto said **GRANTEE**, and to its successors and assigns the perpetual right, privilege and easement, with appropriate rights of ingress and reasonable working area for construction and maintenance, to enter upon and construct, reconstruct, maintain, operate, inspect, replace, repair and remove **A 6" SANITARY SEWER LINE** together with all necessary appurtenances, over, across, through and under that certain tract or parcel of land lying and being situated in Harris County, Texas and being more particularly described on Exhibits "A" & "B" attached hereto and made a part hereof for all purposes.

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

WITNESS THE EXECUTION HEREOF on this the 14TH day of APRIL, 2014.

BY: Johnny McShee
Grantor or Authorized Representative

This instrument was acknowledged before me on the 14th day of April, 2014

by Annalisa C. Diaz

[Signature]
Notary Public, State of Texas

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

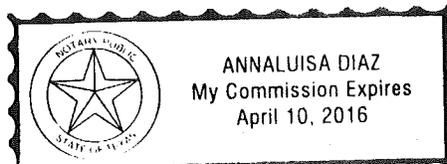


EXHIBIT "A"

(16' Public Utility Easement in Block 327, Town of La Porte)

Being a 0.058 acre tract of land (2,544 square feet) situated in Block 715, Town of La Porte, Harris County, Texas, and being more particularly described by metes & bounds as follows;

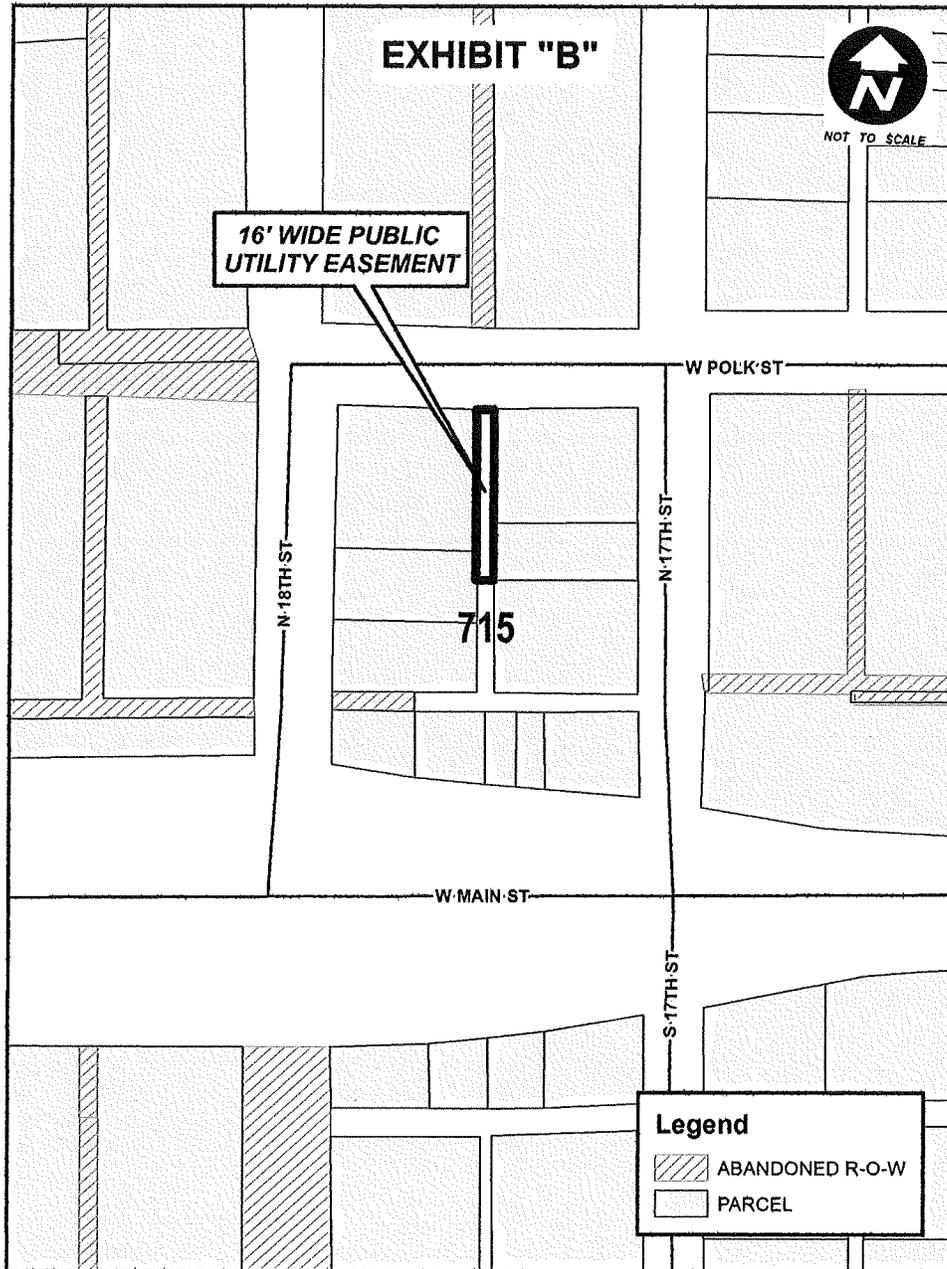
BEGINNING at the northwest corner of Lot 30, Block 715, La Porte, said point being located on the south right-of-way line of West Polk Street (60' wide);

THENCE in an westerly direction, a distance of 16 feet along the south line of West Polk St. (60' wide) to a point at the northeast corner of Lot 1, Block 715, La Porte;

THENCE in a southerly direction along the east line of Lots 1 through 6, Block 715, La Porte, a distance of 159 feet to the southeast corner of Lot 6, Block 715, La Porte;

THENCE in an easterly direction, crossing the alley in Block 715, La Porte, a distance of 16 feet to a point at the southwest corner of Lot 25, Block 715, La Porte;

THENCE in a northerly direction along the west line of Lots 25 through 30, Block 715, La Porte, a distance of 159 feet to the POINT OF BEGINNING of the herein described tract containing 2,544 square feet.



Draft

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: _____, 2014

Grantor: City of La Porte, a municipal corporation

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

Grantee: Analytic Stress Relieving, Inc.

Mailing Address: 117 Board Road, Lafayette, Louisiana 70508

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

Property (including any improvements):

The north 119 feet of the alley in Block 715, Town of La Porte, Harris County, Texas, which was vacated, abandoned, and closed by City of La Porte Ordinance No. 2014-_____, passed and approved by the City Council of the City of La Porte on the _____ day of _____, 2014, and as more particularly described by metes and bounds on Exhibit A attached hereto, and as shown on a plat attached hereto as Exhibit B, reference to which is here made for all purposes.

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.

City of La Porte

By:

Corby D. Alexander
City Manager

Attest:

Patrice Fogarty
City Secretary

Approved:

Knox W. Askins
City Attorney

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the ____ day of _____, 2014, by Corby D. Alexander, City Manager of the City of La Porte, a municipal corporation.

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"

Being a 0.058 acre tract of land (2,544 square feet) situated in Block 715, Town of La Porte, Harris County, Texas, and being more particularly described by metes & bounds as follows;

BEGINNING at the northwest corner of Lot 30, Block 715, La Porte, said point being located on the south right-of-way line of West Polk Street (60' wide);

THENCE in an westerly direction, a distance of 16 feet along the south line of West Polk St. (60' wide) to a point at the northeast corner of Lot 1, Block 715, La Porte;

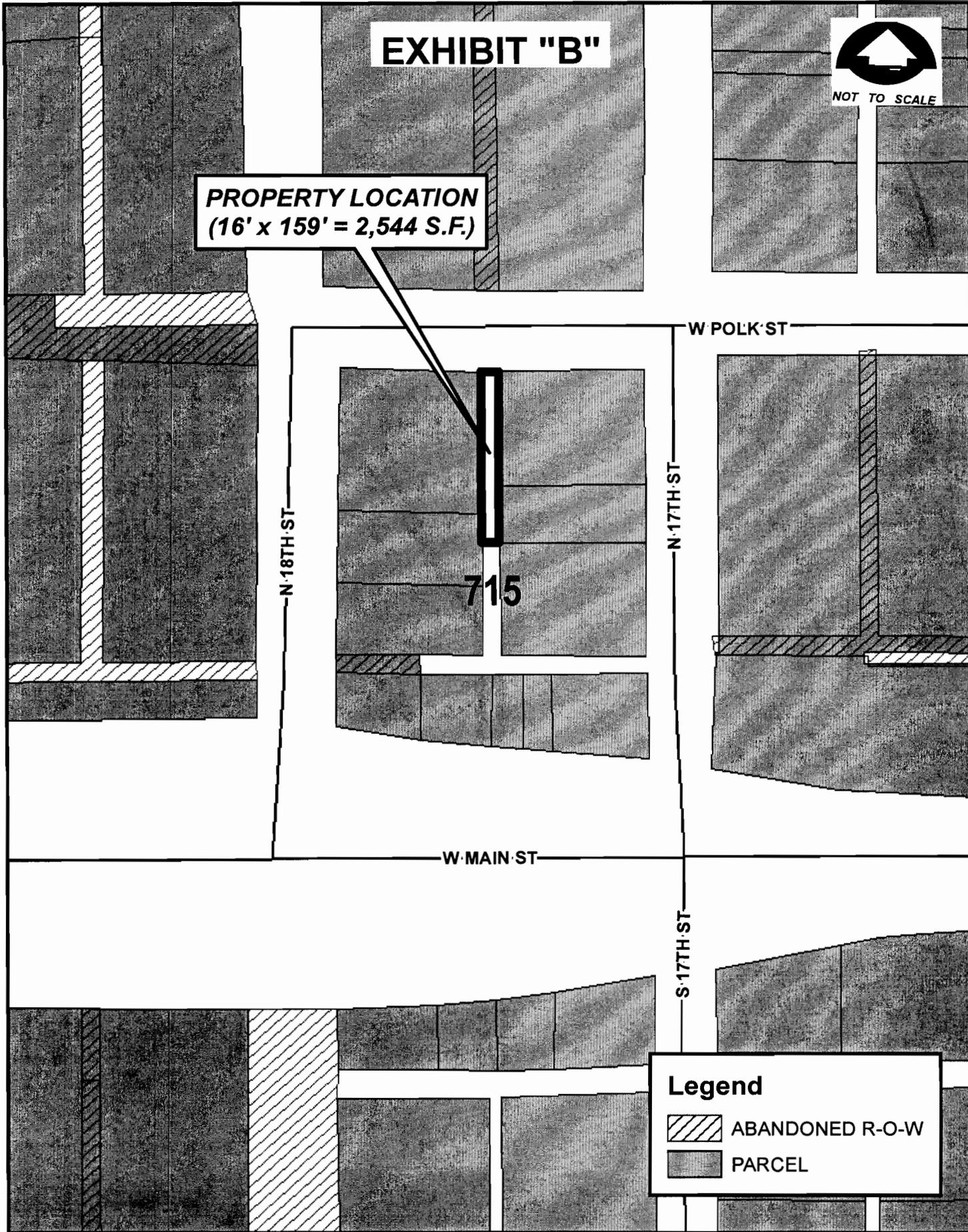
THENCE in a southerly direction along the east line of Lots 1 through 6, Block 715, La Porte, a distance of 159 feet to the southeast corner of Lot 6, Block 715, La Porte;
THENCE in an easterly direction, crossing the alley in Block 715, La Porte, a distance of 16 feet to a point at the southwest corner of Lot 25, Block 715, La Porte;

THENCE in a northerly direction along the west line of Lots 25 through 30, Block 715, La Porte, a distance of 159 feet to the POINT OF BEGINNING of the herein described tract containing 2,544 square feet.

EXHIBIT "B"



PROPERTY LOCATION
(16' x 159' = 2,544 S.F.)



Legend

-  ABANDONED R-O-W
-  PARCEL

AREA MAP



NOT TO SCALE

PROPERTY LOCATION
(16' x 159' = 2,544 S.F.)

715

N 18TH ST

N 17TH ST

N 16TH ST

W POLK ST

W MAIN ST

S 17TH ST

W A ST

S 16TH ST



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>September 8, 2014</u>	<u>Appropriation</u>
Requested By: <u>Dave Mick</u>	Source of Funds: <u>001 (General Fund)</u>
Department: <u>Public Works</u>	Account Number: <u>001-7072-532-5005</u>
Report: <input checked="" type="radio"/> Resolution: <input type="radio"/> Ordinance: <input type="radio"/>	Amount Budgeted: <u>50,000</u>
Other: <input type="radio"/>	Amount Requested: <u>80,000</u>
	Budgeted Item: <input type="radio"/> YES <input type="radio"/> NO

Attachments :

- 1. Bid Tabulation**
- 2. Vendor Access Report**
- 3. Request for Proposal (Selected Pages)**

SUMMARY & RECOMMENDATIONS

Summary: Public Works routinely utilizes 2 – 4 temporary help employees in the Solid Waste Division. Staff originally bid this item June 30, 2014 and received one bid of \$17.40/hour. The item was bid a second time July 29, 2014 and the City received bids of \$13.11/hour and \$16.68/hour. The request is for City Council authorization of both the agreement between the City and the staffing company and the expenditures over \$50,000 for temporary help. The cost of two temporary employees is approximately \$45,000/year. The total cost over any 12-month period may increase to over \$50,000 depending on the frequency that a third or fourth temporary employee may be utilized.

Background: The Solid Waste Division has utilized temporary staffing from outside agencies to fill in vacant Solid Waste Worker positions for short term leave due to vacation, sick, bereavement, and end of employment for over 25 years. This position has a high turnover rate and the temporary staffing is used regularly from a budgeted account 001-7072-532-5005.

Beginning in September 2011 one of the eight full time Solid Waste Worker positions was left unfilled after an employee left City employment and a temporary worker was utilized on a daily basis to fill the position. Beginning in April 2012 a second full time Solid Waste Worker position was left unfilled after an employee left City employment and a temporary worker was utilized on a daily basis to fill the position.

The permanent, City hired, full time Solid Waste Worker for this position work schedule is 4 – ten hour days and is paid 40 hours per week. The average amount of actual time worked per week is 28 – 32 hours per week. The entry level wages (\$11.75 per hour) and benefits for this position are as follows:

Annual Salary	\$24,446.00
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Benefits

FICA	1870.12
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TMRS	4192.49
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Medical Insurance	10422.00
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Life Insurance	28.80
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Workers Comp.	387.00
---------------	--------

Total Salary and Benefits: \$41,346.41

The annual cost to fill a Solid Waste Worker position with a temporary worker based on an average 32 hours per week actual pay at \$13.11 per hour is an annual cost of \$21,815.00 per year. A savings of \$19,531.41 per year per full time position filled with temporary workers.

Bid 14028 for Temporary Personnel Services for Solid Waste Worker was advertised in the Houston Chronicle, posted on the City's website and Public Purchase and sent to 4 local companies directly on July 10, 2014. Two responses were opened and read on 7/29/2014. Tungsten Staffing is the low bidder at \$13.11 per hour for one temporary worker. Tungsten is currently the vendor providing temporary worker services to the City. Tungsten has consistently provided workers as needed on a scheduled and on demand basis. Employee Training Centers is second bid at \$16.68 per hour. Staff recommends Tungsten Staffing as primary vendor and Employee Training

Centers as an alternate.

This is a one-year contract with an option for up to two additional years with annual CPI adjustments.

Action Required of Council:

Consider approval or other action to: 1) Award Bid No. 14028 to Tungsten Staffing as primary vendor in the amount of \$13.11 per hour and Employee Training Centers as an alternate vendor in the amount of \$16.68 per hour for a maximum \$70,000 per year. 2) Authorize additional excess funding from 001-7072-532-1010 regular earnings (the budget for city solid waste division employee salaries) to be transferred to 001-7072-532-5005 personnel services (the budget for solid waste division contract services) for both FY 14 and FY 15 as funding becomes available utilizing temporary staffing on a regular basis in lieu of regular full time employees.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

**Sealed Bid #14028-Temporary Personnel Services-Solid Waste Worker
Bid Tabulation**

	Tungsten Staffing			Employee Training Centers		
Description	Hourly Wage	Mark up Rate	Total Bill Rate	Hourly Wage	Mark up Rate	Total Bill Rate
Temporary Personnel Services						
Solid Waste Worker-	\$9.50	38%	\$13.11	\$12.00	39%	\$16.68

Access Report
Agency
Bid Number
Bid Title

City of La Porte (TX)
14028
Temporary Personnel Services-Solid Waste Worker

Vendor Name	Accessed First Time	Documents
Protouch Nurses	2014-07-17 04:43 PM CDT	#14028 Temporary Personnel S
Employee Solution	2014-07-10 09:01 AM CDT	#14028 Temporary Personnel S
FW Services, Inc.	2014-07-10 04:26 AM CDT	#14028 Temporary Personnel S
Jlm Kodam Inc.	2014-07-11 01:02 AM CDT	#14028 Temporary Personnel S
Employment & Training Centers, I makro	2014-07-10 01:31 PM CDT 2014-07-11 10:08 AM CDT	#14028 Temporary Personnel S #14028 Temporary Personnel S

Sent by email directly to

Tungsten
Laborfinders
Meador
Pacesetters

ervice Final.pdf
ervice Final.pdf
ervice Final.pdf
ervice Final.pdf
ervice Final.pdf
ervice Final.pdf



Invitation to Bid

Bid #14026– Temporary Personnel Services-Solid Waste Worker

required for use by

The City of La Porte Public Works Department

issued by

City of La Porte Procurement Division Office
604 W. Fairmont Parkway, La Porte, Texas 77571
Phone: 281-470-5126 Fax: 281-470-5127

Information: Forms furnished by the City of La Porte may be obtained without deposit from PublicPurchase.com; the Purchasing Division Office located at 604 W. Fairmont Pkwy, La Porte, TX 77571; or, by emailing purchasing@laportetx.gov.

Bid Opening Date: Monday, June 30, 2014

Bid Opening Time: 2:00 p.m., Central Standard Time

Bid Receiving Location: City Hall Information Desk, 604 W. Fairmont Parkway, La Porte, Texas 77571

Sealed Bids must be received at the City Hall Information Desk, 604 W. Fairmont Parkway, La Porte, Texas 77571 no later than date and time stated above. The bids will be opened and publicly read in Council Chambers immediately after the closing hour for the bids on said date.

No late bids will be considered

Bid must be submitted in sealed envelope(s) or package(s). The outside of the envelope or package must clearly state the name of the project, the bid number, and the time and date specified for receipt. The name and address of the Bidder must also be clearly printed on the outside of the envelope(s) or packages. Bid package must be complete and returned in its entirety.

Published: June 12, 2014
June 19, 2014



General Information to Bidders

From Bid Advertisement to Bid Submission

Article 1. Requirements for Bidding and Instructions to Bidders

1.1 The Bid Documents

The Bid Documents include this Invitation for Bids, Bid Proposal Pages, Requirements for Bidding and Instructions for Bidders, Standard Terms and Conditions, Special Conditions, Supplemental Special Conditions (if any), Detailed Specifications, Plans and Drawings (if any), Insurance Requirements, and all other exhibits attached hereto, and any and all clarifications and addenda issued by the City. Upon the award and execution of a contract pursuant to the Bid Documents, the Bid Documents become the Contract Documents.

1.2 Preparing the Bid

Bids are to be prepared and submitted in accordance with the provisions herein. Failure to do so may result in rejection of the bid. Bids must be prepared and submitted only on the forms provided within the solicitation package. Where a signature is required, an authorized representative of the bidder must do so. Evidence as to such authority may be required.

1.3 Obtaining the Bid Documents

Bid Documents are typically provided to a bidder at no cost. If a fee is to be charged it will be so stated in the Invitation to Bidders

1.3.1 Downloadable Bid Documents

The primary method to obtain documents is by downloading the solicitation package from the City's third party provider, PublicPurchase.com.

1.3.1.1 All Bidders that download from the City's third party resource, Public Purchase, or that receive Bid Documents by any other means are responsible for checking the Public Purchase website for clarifications, supplemental instructions and/or addenda. The City will only publish this information on Public Purchase and will not be responsible for a bidder's failure to consider additional information contained therein in preparing its bid. Further, failure to obtain the proper forms, clarifications and/or addenda from Public Purchase website and acknowledge them in the Bid Documents when submitting the bid will render the bid non-responsive. Any harm to the bidder resulting from such failure to obtain all necessary documents will not be valid grounds for a protest against award(s) made under this bid solicitation.

1.3.1.2 Printable Documents

If a prospective bidder is unable to download the Bid Documents by registering at PublicPurchase.com or by other electronic means, these documents are available by contacting the Purchasing Division Office located at 604 W. Fairmont Parkway, La Porte, Texas 77571. Telephone 281-470-5126, FAX 281-470-5127.

Bidders are solely responsible for obtaining all Bid Documents, including Clarifications and Addenda



4.6 Warranty and Product information

Contractor must provide original product warranty and related services for products provided under this Contract in accordance with the standard warranty regularly provided by the original equipment manufacturer for that product, unless the Detailed Specifications call for a different warranty.

Contractor warrants that the title to products provided under this agreement is good and its transfer is rightful, and that the products delivered to the City are free from all liens or security interest or other encumbrance.

Additionally, in addition to any implied warranty, the items shall conform to specifications, drawings, and other requirements in the Detailed Specifications and shall be free from defects in materials and workmanship including defects in design except to the extent that they are non-standard products manufactured pursuant to detailed designs furnished by the City and the defect is in the portion of the design furnished by the City. Said warranties, including warranties implied by law, shall run to City, its successors, assigns, customers and to users of the goods.

ARTICLE 5 Scope of Work and Detailed Specifications

5.1 Intent

The City of La Porte is requesting competitive sealed bids for an annual contract to furnish temporary personnel on an on-call basis for a Solid Waste Worker in the Public Works Department. See Exhibit D for Job Description.

The successful Contractor shall abide by all labor laws.

5.2 Period of Contract:

The initial term of the contract shall be for a period of one (1) year from the date of approval by City Council. If agreed to by both parties, the contract may be extended for up to two (2) additional one (1) year terms. A price adjustment based on the Consumer Price Index will be considered upon renewal.

In the event services are scheduled to end because of the expiration of this contract, the Contractor shall continue the service upon the request of the Purchasing Manager. The extension period shall not extend for more than 90 days beyond the expiration date of the existing contract. The Contractor shall be compensated for the service at the rate in effect when the extension clause is invoked by the City.

5.3 Hours/City Holidays

Hours of work shall normally be eight (8) hours per day Monday through Friday. Hours may vary due to departmental work schedules. Approximate work hours are 7 hours Mon/Tues and 5.5 hours Thurs/Fri. Hours worked will be reported in whole and quarter hours. The City will specify the time for the temporary employee-s arrival and departure from the work site. Temporary employees are responsible for their own transportation to and from the work site. The City will not be responsible for payment for time spent applying and testing/interviewing for City jobs nor for any time not actually spent in productive work for the City.

Official City holidays include:

- | | |
|-------------------------|----------------------------|
| New Year's Day | Labor Day |
| Good Friday | Thanksgiving |
| Memorial Day (Observed) | Day after Thanksgiving Day |
| Independence Day | Christmas Day |
| | Christmas Eve |

5.4 Contract Award

The City may award to multiple vendors or to one vendor, or use any combination that best serves the



interest of the City. The City makes no guarantee as to the specific amount of service required from the vendor.

5.5 Price

The price per hour bid for each classification shall include, but not be limited to, taxes, insurance, benefits, workers- compensation and wages. The City will not provide workers- compensation, health benefits, vacation leave, sick leave, etc. for temporary personnel. Price will remain the same for a period of one year.

At all times and for purposes of benefits and wages, temporary employees are considered to be employees of the Contractor providing them and not in any way employees of the City.

5.6 Job Knowledge

Successful Contractor shall ensure that temporaries maintain proof of employment eligibility and meet job experience and knowledge requirements. Upon request, the Contractor shall provide a copy of the temporary's resume, application, or other documentation stating the skills and experience which qualifies them for assignment.

5.7 Attire

Successful Contractor shall ensure that temporaries are informed of proper attire for the work assignment. Laborers shall wear long pants, short or long sleeved shirts, and safety shoes. The temporary employee or the staffing agency is also responsible for safety glasses, if required. The City will not furnish uniforms, footwear, hard hats, rain gear, safety glasses or other personal protective gear. The City may elect to provide some safety equipment, i.e., safety vests for traffic control, etc.

5.8 Safety

The contractor shall ensure all laborers receive and understand Exhibit E - Solid Waste Safety Rules

5.9 Notice of Temporary Services

The City will normally provide a twenty-four (24) hour notice to the Contractor of the need for a temporary, but in some instances, advance notice may not be given. If the Contractor fails to provide a temporary within the time frame specified, the City reserves the right to fill the position through other employment agencies. The City reserves the right to directly hire temporary personnel, if needed.

5.10 Performance

The Contractor will use the City's job classifications in order to avoid confusion of placement and payment. The Contractor shall supply personnel that are capable of performing all required functions in a satisfactory and acceptable manner. The City shall be the sole judge of satisfactory performance. The City reserves the right to require a replacement of any temporary. The City will be responsible for payment for services rendered only until the time the Contractor is notified of unsatisfactory performance. If for any reason the temporary leaves before the assignment is complete, the Contractor shall replace the temporary as soon as possible, but not later than 24 hours thereafter.

Temporary assignments may only be authorized by a City of La Porte Purchase Order.

Daily requests for staffing will be done by the City of La Porte Solid Waste Division Supervisor.

Requests for temporaries will be confirmed in writing by the City's Human Resources Department. When placing an order for a temporary employee the Human Resources Department will provide the following information:

- Department/Division requesting services
- Job classification of the individual needed



Job Duties

Location of Work site

Working hours

Person to whom the temporary employee reports

Approximate length of time temporary employee will be needed

5.11 Pre-screening/Background Checks

All temporaries assigned to the City shall be pre-screened and tested by the Contractor before being assigned to ensure temporary meets the requirements of the assignment. Contractor is responsible for all costs associated with pre-screening requirements and background searches.

All temporaries shall meet the job skill requirements of the assignment as indicated by the attached job descriptions.

All temporary personnel assigned to the City shall be screened for drugs using a five (5) panel drug screen. No temporary failing drug screening will be sent to the City for employment. Proof of drug screening must be provided to the City on the first day of employment. Drug screening for temporary positions requiring a CDL must be in accordance with the Federal Department of Transportation guidelines. Verification of driver's license record is also required.

The vendor shall perform a criminal history search through the Texas Department of Public Safety (DPS) public access crime records website. Information pertaining to this service may be obtained at: <https://records.txdps.state.tx.us/accountinfo.cfm>. The DPS public database shall be searched for any conviction record and sex offender registration status for each temporary prior to assignment with the City. Results of this search shall be provided to the City prior to the placement of an individual in an assignment. The City reserves the right, at its sole discretion, to accept or reject personnel for a job assignment based on the results of this search. **Contractor must adhere by the attached Exhibit F - City of La Porte Background Check Policy for all potential temporary personnel.**

The Contractor shall verify that personnel provided for assignment to City positions, are fully documented and authorized to work in the United States. Such documentation shall be provided to City upon request.

5.12 Performance

The Contractor will waive all charges for employees who report to work and are deemed unsatisfactory within the first two (2) hours. If the employee works more than two (2) hours and is then deemed unsatisfactory, the Contractor may bill the City for all hours worked in the shift.

5.13 Overtime

Temporary employees may be required to work overtime or beyond the work shift with prior authorization from the hiring supervisor/manager. Time and one-half the regular hourly rate will be paid for hours worked in excess of a consecutive forty (40) hour period calculated from Monday to Sunday.

5.14 Hiring of Temporary

The Contractor shall not be eligible for any fee if any person assigned to the City under this contract is subsequently hired by the City through a competitive hiring process after working 500 hours as a temporary employee.

5.15 Qualifications of Contractor



Bidders shall furnish evidence satisfactory to the City that he/she has sufficient means and experience in the type of work called for to assure completion of the Contract in a satisfactory manner. Bidders, who have not held this contract within the immediately preceding three (3) years, shall include the following information to describe the experience and capability factors of the company:

- 5.15.1 Number of years in operation.
- 5.15.2 Kind of company, i.e., corporation, partnership or sole proprietor. If corporation, please list names and addresses of three top corporate officers. If partnership, please list names and addresses of partners.
- 5.15.3 Largest dollar amount of contract currently in effect with a business.
- 5.15.4 References from at least three (3) businesses with which your company has completed similar type work within the last two (2) years including the business name, address, phone number, and a contact person.



ARTICLE 6 Insurance Requirements

6.1 Contractor shall not commence work under this contract until all insurance requirements have been met as presented under this Article and such insurance has been approved by the City, nor shall the contractor allow any subcontractor to commence work on his subcontract until all similar insurance required of the subcontractor has been so obtained and approved.

Contractor is required to maintain, at all times during the performance of the contract, the insurance detailed in the bid specifications (Exhibit B).

ARTICLE 7 Proposal Pages

7.1

Contractor agrees to charge to the public the retail prices, exclusive of any sales tax, as shown on Exhibit A, attached hereto, incorporated by reference herein, and made a part hereof for all purposes. Contractor shall offer no other item for sale that is not on the approved price list. Initial pricing shall be in accordance with Exhibit A. Contractor may add, delete, or make other adjustments to items or pricing from time to time, provided each item or price change is pre-approved, in writing, by the City prior to its offering.

ARTICLE 8 Execution and Exception Page

Bid execution and acceptance pages follow. Please complete only the Execution page appropriate for your business type.

Remainder of this page intentionally blank.



City of La Porte

Established 1892

Purchasing Department

Cherell Daeumer, Purchasing Manager

Article 9 EXHIBITS

Exhibit pages to follow

Remainder of page intentionally blank



Exhibit B Insurance Requirements

Contractor shall keep and maintain during the term of this contract, insurance as detailed in this Exhibit. Each policy obtained by the Contractor for work with this Contract, with exception of the Worker's Compensation policy, shall name the City of La Porte as an additional insured, and shall contain waiver of subrogation in favor of the City of La Porte. The coverage and amounts designated are minimum requirements and do not establish limits of the Contractor's liability. Additional coverage may be provided at the Contractor's option and expense.

General Liability:

Commercial General Liability

General Aggregate	\$2,000,000
Personal Injury	\$1,000,000
Each Occurrence	\$1,000,000

Automobile Liability:

Combined Single Limit	\$1,000,000
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Excess Liability:

Umbrella Each Occurrence	\$1,000,000
Each Aggregate	\$1,000,000

Worker's Compensation:

A. Definitions:

Certificate of coverage ("certificate"). A copy of a certificate of insurance, a certificate of authority to self-insure issued by the commission, or a coverage agreement (TWC-81, TWCC-82, TWCC-83 or TWCC-84), showing statutory workers' compensation insurance coverage for the person's or entity's employees providing services on a project, for the duration of the project.

Duration of the project - includes the time from the beginning of the work on the project until the Contractor's work on the project has been completed and accepted by the Owner.

Persons providing services on the project - includes all persons or entities performing all or part of the services the contractor has undertaken to perform on the project, regardless of whether that person has employees. This includes, without limitation, independent contractors, subcontractors, leasing companies, motor carriers, owner-operators, employees of any such entity, or employees of any entity which furnishes persons to provide services on the project. "Services include without limitation providing, hauling or delivering equipment or materials, or providing labor, transportation or other services related to the project.



**CITY OF LA PORTE
SOLID WASTE WORKER
JOB DESCRIPTION**

FLSA: Non-Exempt

PAY GRADE: 010

DEFINITION

To perform heavy manual labor in the collection and the removal of refuse, trash, brush, and solid waste.

SUPERVISION RECEIVED AND EXERCISED

Receives general supervision from higher level solid waste personnel

ESSENTIAL JOB FUNCTIONS

Duties may include, but are not limited to, the following:

- Pick up and empty refuse material into refuse truck.
- Pick up brush, bulky items and other debris and place it into refuse truck.
- Operate mechanism for loading, compressing, and dumping refuse material.
- Provide direction to truck operator in backing up and moving refuse truck in collections operations.
- Clean and perform minor maintenance on refuse vehicles as required.
- Perform related duties as assigned.

QUALIFICATIONS

Knowledge of:

- Proper lifting techniques.
- Refuse collection equipment operations.
- Rules, policies, and procedures relating to refuse collection and safety.

Ability to:

- Perform heavy manual labor.
- Work in unfavorable weather conditions.
- Understand and carry out written and oral instructions.
- Establish and maintain effective working relationships with those contacted in the course of work.

TRAINING AND EXPERIENCE

Some experience in heavy manual labor and completion of formal or informal training sufficient to read and write at a level necessary for adequate job performance. Possession of a High School Diploma or GED, is desirable.

**Please note this job description is not designed to cover or contain a comprehensive listing of activities, duties, or responsibilities that are required of the employee for this job.*

**Duties, responsibilities and actions may change at any time with or without notice.*

The City of La Porte is an Equal Opportunity and Affirmative Action Employer.

Employee signature below constitutes employee's understanding of the requirements, essential functions and duties of the position.

Employee Name

Date



SOLID WASTE SAFETY RULES, POLICIES, AND PROCEDURES



The following safety rules have been prepared to assist you based on your job descriptions and nature of work these rules apply to all **regular full time** and **temporary** employees.

All Employees

1. **MUST** wear a safety vest, work boots, back brace belt, and gloves when performing the daily duties, the City of La Porte do not supply **temporary** workers with safety equipment, but all employees regular full time or temp shall abide by all safety rules/policies. In the case of a temporary worker not having proper safety equipment and we have the equipment needed, we will provide the equipment and receive it back at the end of the work day. If we don't have the safety equipment the temporary will be sent back to temporary service.
2. **DO NOT**, under any circumstances, move the truck or heavy equipment until the driver can see the ground crew or spotter either by direct view or in the rear-view mirror.
3. Before the driver moves the vehicle, visually inspect footwear to verify that it is free from mud, oil, or any other slippery material to prevent slippage off the pedals.
4. All employees **must** wear the seat belt, if the vehicle that you are driving or riding in is designed with a seat belt for you.



Curbside Pickup (Truck Operators, Waste Collection, Recycling, Cleanup Program)

1. Bend at the knees, not at your back when lifting garbage cans and bags.
2. Test the weight of the garbage container before lifting it by pushing the load along its resting surface; if the load is too heavy or bulky, ask for assistance from your co-worker.
3. Wear your back brace belt at all times when working.
4. Do not ride or sit in the garbage hopper at any time. Sit in the cab of the truck when finished with daily route.
5. Do not dismount the truck until it has come to a complete stop.
6. Do not stand on any area on the truck other than the platform which was designed to accommodate hangers.
7. Look up and down the street before crossing.
8. Press the emergency buzzer to alert the truck driver of any danger you anticipate or experience.
9. Stand clear of the packer mechanism while the packer is in operation.
10. Do not restrict the PTO (Power Take Off) control to the packer.
11. Always enter and exit vehicles using the climb supports; never jump into or out of vehicles.



Bulky Waste Pickup (Crane, Truck Operators)

1. Test the high voltage warning system on the crane by hitting the “test” switch before raising the boom. If it is non-operational, do not operate the crane until it has been repaired. Never operate the crane within 10 feet of high tension lines (you need greater clearances for lines with voltages over 50 kV).
2. Do not hoist loads over co-workers/crew.
3. Follow the crane signals given by your helper only.
4. Make sure that the load is secured before proceeding to the next site.



Heavy Equipment Operations

1. Only trained and authorized personnel shall operate the equipment.
2. Do not climb onto the tub grinder while it is in operation.



Required Safety Equipment for Trash and Recycling Collectors

1. **Safety Shoes** – Ankle high shoes are required. Safety shoes utilized in this application are to have a composition construction sole; i.e., the outer sole should be of a hard, durable, cut and break resistant material which is skid resistant and which resists the degradation caused by oil. The upper portion of the sole needs to be soft and pliable; to allow the ultimate in cushioning to the foot when jumping or running occurs. This type of sole, known as the polyurethane sole, will provide ultimate protection and also has good long wear qualities.



2. **Reflective Vests** – Reflective vest or OSHA approved reflective shirt shall be worn at all times.



3. **Lumbar Sacral Support Belts** – After appropriate training support belts is provided and should be worn at all times.

4. **Hard Hats** – These are required for the Trash Division due to the hazards of items such as tree branches and other debris being lifted overhead.



Daily Vehicle Inspection Report

It is required that each Waste Truck Driver perform an inspection of the vehicle each day prior to leaving the yard to go out on the route. The truck's height and weight classification shall be displayed prominently at all times on the dash board.

As part of the inspection procedure, the driver **MUST** verify the status of each item on the "Drivers Responsibility Checklist," listed below and must complete the Driver's Vehicle Inspection Report, This approach will result in enhancement of the safe operation of the vehicle, identifying safety infractions or potential safety hazards.

The driver **MUST** inspect the vehicle each day, utilizing the waste collectors/crew for the day, to assist with the inspection, thus causing for the waste collectors/crew to be more safety conscious.

Copies of the driver's vehicle safety inspection reports **MUST** be submitted on a daily basis to the **supervisor prior to departing the yard** to go out on the route.

Driver's Responsibility Checklist

Below are the responsibilities for Waste Truck Drivers:

1. Become familiar with the job description of Waste Truck Driver.
2. Absence or tardiness of crew members should be reported before 7:30 a.m. to supervisors.
3. Confirm crew attendance and readiness.
4. Complete and turn in (1) keys and (2) equipment checklist daily before leaving for, and upon return from route.





5. Report all injuries and accidents to Supervisor however minor these may appear to be
6. Adhere to all safety regulations.
7. Submit information sheet whenever garbage is left behind that cannot be collected.
8. Report all out of the ordinary instances to the Supervisor during operations, such as trouble with the crew or citizen complaints that you were not able to handle at the location.
9. Become familiar with the hazards on your route; plan ahead for collection in areas with known hazards and/or prior incidents such as areas with low-hanging utility wires and narrow streets.
10. While turning onto for heavy traffic areas and exposing the hanger to hazard, only allow curb side hanger on truck at this time. The hanger exposed to traffic **must** ride in cab of vehicle Streets deemed heavy traffic areas are Sens, Main, Canada, Old Broadway, Driftwood, Fleetwood, Valleybrook and Farrington.
11. Be sure the truck is emptied, fueled up, and cab and body cleaned, at the end of each working day (spares included when used).
12. Proper uniforms and approved safety equipment **MUST** be worn by crew as required.
13. Become familiar with and utilize the chain of command.
14. Show courtesy when dealing with the public and fellow employees.
15. All vehicle accidents must be reported to your immediate supervisor/superintendent and the City of La Porte Police Department.
16. All breakdowns are to be reported to the Shop supervisor and Solid Waste supervisor.
17. Pay close attention to hangers especially during summer months for heat related issues; give hangers a 5 min. break at least once per hour.



Backing of Garbage and Trash Vehicles

Backing should be minimized to the greatest degree possible. Supervisors will work with crews to evaluate collection routes in order to minimize backing only to those cul-de-sacs and other areas where trash and garbage collection cannot be otherwise accomplished.

Once established, these collection patterns **MUST** not be violated unless an unusual circumstance occurs, such as roadwork or unexpected vehicle parking. These unusual occurrences shall be reported to the crew's supervisor at the end of the work day.



The following rules shall apply when backing is required:

1. The driver is responsible for knowing exactly where other members of the crew, other persons in the vicinity, vehicles, etc., are before the driver begins backing the vehicle. This means that waste collector/crew positions must be visible in the truck mirrors before backing begins.
2. Waste collectors are responsible for assisting the driver in the backing process by positioning themselves to the rear of the truck visible to the driver.
3. Waste collectors shall carefully observe the backing process. If it appears that the truck may strike a person, vehicle or other obstacle, the collector **MUST shout and raise both to arms to the vertical**. These signals shall tell the driver to STOP IMMEDIATELY!
4. NEVER mount the truck while it is backing or moving.
5. NEVER dismount the truck while it is backing or moving.
6. NEVER ride on the step while the truck is backing.
7. REPORT all spills or leaks to the operator, operator shall stop truck once notified of leak and report to supervisor.

Guiding and Directing the Backing Vehicle

1. On a two-person crew or larger, a helper should be designated to guide the backing vehicle. The driver and helper should work together as a team.
2. Do not back up unless a helper is guiding and the location of other workers is known. On a single person operation, check carefully to the rear to make sure the way is clear before backing.
3. The helper shall be standing to the side and to the rear of the truck, visible to the driver.
4. If the helper is not in sight, stop the truck immediately and do not resume backing until the helper is again in view and in a position to signal properly.
5. The helper must be off the truck in a position that gives the helper an unobstructed view of the ground over which the truck is about to be moved.
6. The helper must face the driver at all times while signaling.
7. The helper must be positioned as to observe for the most immediate hazards to the truck. This will require the helper to stop the truck and change positions one or more times to guide the driver effectively.
8. Wherever possible, the helper must be stationed at the point where the backing maneuver is to end, so that the helper avoids the hazards of walking backward over surfaces the helper cannot see.





9. The rest of the crew shall be standing to the front of the truck, clearly visible by the driver.
10. The driver must continuously alternate looking into both sideview mirrors.
11. Back the vehicle at a slow (about 3 mph), even rate.
12. All signals should be made with the hand away from the head and body so the driver will see the signaling to the side and/or above the outline of the helper's head and body.

Hand Signals

Voice communications are sometimes impossible in certain working situations due to distance and noise. Hand signals can prevent accidents and save time. By using this hand signals it will give you an easy and effective way to communicate.

1. COME TO ME – Raise the right arm vertically overhead, palm to the front, and rotate in large horizontal circles.
2. MOVE TOWARD ME – Look and point toward the person(s), vehicle(s) you want moved. Hold one hand in front of you, palm facing you, and move your forearm back and forth.
3. THIS FAR TO GO – Place hands in front of face, palms facing each other. Move hands together or further apart to indicate how far to go.
4. LOWER EQUIPMENT – Point toward the ground with forefinger of one hand while moving the hand in circular motion.
5. RAISE EQUIPMENT – Point upward with forefinger, making a circle at head level with your hand.
6. SLOW DOWN – Extend the right arm horizontally sideward, palm down, and wave arm downward 45 degree minimum several times, keeping the arm straight. Do not move arm above horizontal.
7. START ENGINE – Move arm in a circle at waist level as though you were cranking an engine.
8. STOP – Raise the right hand upward, arm fully extended, and palm to the front. Hold that position until the signal is understood.
9. STOP ENGINE – Move your right arm across your neck from left to right in a “throat-cutting” motion.

The following are a few more signal descriptions for which illustrations are not provided.

10. MOVE TO THE RIGHT – Raise the right hand above the shoulder and with the thumb pointing to the right, make repeated motions to the right with the hand.
11. MOVE TO THE LEFT – Raise right hand above the shoulder and with the index finger pointing to the left, make repeated motions to the left with the hand.
12. BACK – With the right hand raised above the head and the palm of the hand turned inward, roll the arm and hand in a circular motion toward the body.



13. GO FORWARD – Raise right hand above the shoulder and with the index finger pointing ahead, repeatedly move the hand in a forward motion.
14. LOW HANGING OBJECTS – Whenever the helper may be endangered by low hanging or other projections being passed by the moving truck, the driver will warn the helper by **two short signals of the truck horn.**

Garbage and Trash Vehicle Waste Collector Safety Rules

1. Before leaving the yard, assist the driver in checking the truck back-up alarm, drivers warning buzzer and all lights particularly stop signal and tail lights.
2. Riding on the trash vehicle riding step is **NOT PERMITTED** if:
 - a. The truck is backing up;
 - b. Forward speeds are expected to exceed 10 mph; and,
 - c. If the truck is expected to travel more than two-tenths (0.2) of a mile without stopping.
3. When riding on the riding step, stand facing the truck and use both hands on the grab-handle.
4. Stand well clear when the tailgate is in motion and during unloading. **DO NOT** stand under raised tailgate.
5. Tie-down of the joy-stick (packer lever) is prohibited.
6. Try to make all of our jobs safer. If you have ideas for improving safety, tell your supervisor and follow-up to determine if anything has been done about your idea.



Riding on steps

1. Always wait until the truck has come to a complete stop before mounting or dismounting.
2. Keep the step clear of waste material and grease; to avoid a slip and fall situation.
3. If there is a button that signals the driver, remember to use it **only** in emergency situations. Make sure the button works before using the vehicle.
4. When the truck is traveling a long distance (more than two-tenths of a mile), ride in the cab and wear the seat belt.
5. Do not ride on the step while backing.
6. Do not block the rear signal lights.





7. If there are not enough riding steps for a multi-man crew, ride in the cab, not in the hopper.
8. Ride in the cab, not on the step, at the landfill and other disposal sites.

Getting On and Off the Rear Riding Step

1. Dismount to the side and keep an eye on the ground.
2. Keep your body facing the truck when dismounting.
3. Keep a hold on the grab handle when stepping onto or off the riding step.
4. Check the road surface before dismounting to be sure that there are no slippery spots, puddles, or objects in the way.
5. Place feet flatly on the surface
6. Avoid painted, slippery curbs, and wet grass when stepping off the truck.
7. Keep steps dry and **clean** of waste and/or debris
8. Always wait until the truck has come to a complete stop before mounting or dismounting.
9. Keep the step clear of waste material and grease; to avoid a slip and fall situation.
10. If there is a button that signals the driver, remember to use it only in emergency situations. Make sure the button works before using the vehicle.
11. When the truck is traveling a long distance (more than two-tenths of a mile), ride in the cab and wear the seat belt.
12. Do not ride on the step while backing.
13. Do not block the rear signal lights.
14. If there are not enough riding steps for a multi-man crew, ride in the cab, not in the hopper.
15. Ride in the cab, not on the step, at the landfill and other disposal sites.



Safe Lifting Techniques

Solid Waste personnel will be given periodic training concerning Back Safety and Safe Lifting Techniques. Always evaluate the load before lifting it and get assistance from a co-worker to lift heavy and/or bulky objects. To provide safety to your back while lifting, be sure to follow the safety guidelines below:

1. Wear Back Brace Belt tight.
2. Tighten the stomach muscles.
3. Get a firm footing with a wide base of support.
4. Bend the knees.
5. Lift with the legs.
6. Keep the load close.
7. Keep the spine upright.

Training will also emphasize that **strain or injury can be minimized** if the worker:

1. Never leans forward without bending the knees or extending one leg back.
2. Never lift anything of significant weight above the elbows.



Reviewed and approved (12/16/2013)

David Mick, Director of Public Works



Background Check Policy

(Excluding Police, Fire and EMS Personnel)

As part of the application process, the City of La Porte conducts pre-employment criminal history background checks for all positions. The applicant's failure to identify any incidents as requested on the employment application, unless allowed by law, and the subsequent revelation of the incident pursuant to the criminal history background checks will automatically disqualify the applicant from employment with the City of La Porte.

Culpability of any of the offenses listed below, as shown by a conviction, a plea of no contest, or deferred adjudication, shall constitute grounds for disqualification of potential employment or volunteer opportunities with the City of La Porte. Each incident will be evaluated on a case by case basis and will require the approval of the City Manager and Director of Human Resources.

The list below is intended to be illustrative and not inclusive of all offenses. The City of La Porte reserves the right to exercise sound business judgment when making a determination of disqualification of an applicant whose employment could have an adverse impact on the City of La Porte.

Offense	Within the Last
Disorderly Conduct	3 years
Reckless Driving	3 years
Any alcohol-related offense while under 21	3 years OR 2 in 5 years
Criminal Mischief (misdemeanor grade)	5 years
Harassment	5 years
Selling/furnishing alcohol to a minor	5 years
Driving with a suspended drivers license	5 years
DWI/DUI	5 years OR 2 in 10 years
Possession of a controlled substance	10 years
Any offense involving theft or fraudulent activity	10 years
Any offense involving the use of a threat of violence	10 years
Public Lewdness/Indecent Exposure	Disqualified
Any offense involving bribery or corrupt influence	10 years
Any offense involving perjury or other falsification	10 years
Any offense involving obstructing governmental operation	10 years
Any offense involving the abuse of office	10 years
Any offenses related to the manufacture/distribution of a controlled substance	10 years
Any offense involving a deadly weapon	10 years
Any sexual offense	Disqualified
Any offense with the grade of Felony	10 years

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 8, 2014 Appropriation
Requested By: T. Tietjens Source of Funds: N/A
Department: Planning & Development Account Number:
Report: Resolution: Ordinance: Amount Budgeted:
Other: Amount Requested:
Budgeted Item: YES NO

Attachments :

SUMMARY & RECOMMENDATIONS

This item originally appeared on the August 25, 2014 agenda. However, due to a captioning error, the item was not considered for action at that time. A second public hearing notice was placed in the Bay Area Observer and the item is now ready for a Public hearing and Council action at this meeting. The following text is exactly as it appeared on the August 25, 2014 agenda.

The owner of the Broadway Café, (formerly Ogarrio's) Jaime Suarez, located at 1023 S. Broadway, has applied for a permit to serve alcohol to patrons of the restaurant on site. The Alcohol Sales Chapter (Chapter 6) of the La Porte Code of Ordinances specifies distance requirements to certain land uses for establishments selling alcohol. The distances required to sell alcohol are 300 feet to a church, daycare or school as measured from nearest property line to nearest property line. After review by the Planning Department, it was found that the property, on which the Broadway Café is located, is within 60 feet of LPISD property containing the La Porte High School. A subsequent request for a variance has been received by the City Secretary and is before City Council for consideration.

The following additional findings are applicable to this application:

- The Broadway Café is located within a strip center, which faces west toward Broadway and away from the high school.
- The distance from the Café front door to the high school property line is approximately 172 feet, while the distance to the nearest building on the high school campus is approximately 467 feet.
- An existing alcohol establishment (carry out facility) is within the same strip center further to the north of this location that is also within 60 feet of the LPISD property line, but is grandfathered from these regulations.
- An existing convenience store selling alcohol is located approximately 176 feet from, and southwest of the LPISD property line.

The proposed ordinance attached hereto allows a variance for the Broadway Café to sell alcohol.

In anticipation of a variance request Mr. Suarez submitted a request for consideration to the LPISD School Board who then took up the issue on June 10, 2014. A letter from LPISD was received by the City Secretary (attached) deferring the decision to the city without objection to the application.

The Texas Alcoholic Beverages Code (TABC) allows a local variance process if adopted by ordinance and in accordance with rules promulgated by the TABC as defined in Section 109.33 (e) with specific standards.

Distance requirements otherwise required by TABC and Chapter 6 can be varied if the City Council determines that the variance is in the best interest of the community for any of six specified reasons.

Action Required of Council:

Consider approval or other action of an ordinance authorizing and approving a variance to Chapter 6 of the La Porte Code of Ordinances by allowing for alcohol sales within the Broadway Café.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 8, 2014

Appropriation

Requested By: T. Tietjens

Source of Funds:

Department: Planning & Development

Account Number:

Report: Resolution: Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item: YES NO

Attachments :

1. Ordinance
2. TABC Prequalification Packet
3. Area Map
4. Letter from LPISD School Board
5. Public Response

SUMMARY & RECOMMENDATIONS

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The Texas Alcoholic Beverages Code (TABC) allows a local variance process if adopted by ordinance and in accordance with rules promulgated by the TABC as defined in Section 109.33 (e) with specific standards.

Distance requirements otherwise required by TABC and Chapter 6 can be varied if the City Council determines that the variance is in the best interest of the community for any of six specified reasons.

Action Required of Council:

Consider approval or other action of an ordinance authorizing and approving a variance to Chapter 6 of the La Porte Code of Ordinances by allowing for alcohol sales within the Broadway Café.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE WAIVING THE REQUIREMENTS OF SECTION 6-2 OF THE LA PORTE CODE OF ORDINANCES AND AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES FOR V&V SUAZCA INVESTMENTS, INC. D/B/A BROADWAY CAFE, LOCATED AT 1023 S. BROADWAY ST., FOR ON-PREMISES CONSUMPTION OF ALCOHOLIC BEVERAGES WITHIN THREE-HUNDRED FEET OF LA PORTE HIGH SCHOOL; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, Section 109.33 of the Texas Alcoholic Beverage Code authorizes the governing board of an incorporated city to enact regulations prohibiting the sale of alcoholic beverages if the place of business is within three hundred feet of any church, public school or public hospital; and

WHEREAS, Chapter 6, Section 6-2 of the City Code of the City of La Porte prohibits the sale of alcoholic beverages if the place of business is within three hundred feet of any church, public school or public hospital; and

WHEREAS, Section 109.33 of the Texas Alcoholic Beverage Code also authorizes the governing body of an incorporated city to allow variances to the regulation if the governing body determines that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the governing board, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community; and

WHEREAS, the La Porte City Council has previously passed and approved an ordinance amending Chapter 6 of the La Porte Code of Ordinance, which ordinance established procedures and guidelines for the granting of a variance to the prohibition; and

WHEREAS, Broadway Café is situated within three hundred (300) feet of the nearest property line of La Porte High School, a public school, thus making the sale of alcoholic beverages a violation contrary to Section 6-2 of the City Code of Ordinances, and has filed an application with the City of La Porte for a variance to the prohibition;

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

Section 1. The requirements of Section 6-2 of the City Code of Ordinances prohibiting the sale of alcoholic beverages if the place of business is within three hundred feet of any church, public

school or public hospitalare waived for the purposes of the variance request filed by Jaime Suarez on behalf of V&V Suazca Investments, Inc. D/B/A Broadway Café, for the property located at 1023 S. Broadway St., legally described as Lots 3-10, Block 64, Town of La Porte, and which premises is located within 300 feet of the property line of La Porte High School, a public school, and such variance application is hereby granted, but subject to the following conditions:

- (a) This variance shall be applicable only to applicant V&V Suazca Investments, Inc. D/B/A Broadway Café and the premises located at 1023 S. Broadway St., and shall not transfer to any successor company or entity of applicant.
- (b) The sale of alcohol beverages shall be limited to on-premises consumption.
- (c) This variance shall not be transferable to a land use other than a restaurant.
- (d) This variance shall terminate in the event of non-operation or non-use of a restaurant on the premises of 1023 S. Broadway St. for a period of twelve or more successive calendar months.

Section 2: The La Porte City Council determines that enforcement of the distance requirements in the case of Broadway Cafe, located at 1023 S. Broadway St. is 1) is not in the best interest of the public; 2) constitutes waste or inefficient use of land or other resources; 3) creates an undue hardship on an applicant for a license or permit; 4) does not serve its intended purpose; 5) is not effective or necessary; and 6) after consideration of the health, safety and welfare of the public and the equities of the situation, is not in the best interest of the community; and in consideration of these factors, that the granting of the variance applied for by Broadway Café, with the conditions described herein, should be granted.

Section 3: All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 4:Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 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 immediately upon passage its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2014.

CITY OF LA PORTE

By: _____

Louis R. Rigby, Mayor

ATTEST:

City Secretary

APPROVED:



City Attorney



On-Premise Prequalification Packet

L-ON
(09/2013)

Please complete this Prequalification Packet with information concerning your proposed business location for which you are applying to sell/serve alcoholic beverages. This information will be used to obtain your pre-qualification to hold a license/permit. You will submit this information to the proper governmental entities for certification that your proposed location is legal for the type of license/permit for which you are applying.

Please immediately contact your local TABC office to determine if you must post a 60 Day Sign at your proposed location, and for more information.

LOCATION INFORMATION

1. Type of On-Premise License/Permit

- | | |
|---|--|
| <input checked="" type="checkbox"/> BG Wine and Beer Retailer's Permit | <input type="checkbox"/> LB Mixed Beverage Late Hours Permit |
| <input type="checkbox"/> BE Beer Retail Dealer's On-Premise License | <input type="checkbox"/> MI Minibar Permit |
| <input type="checkbox"/> BL Retail Dealer's On-Premise Late Hours License | <input type="checkbox"/> CB Caterer's Permit |
| <input type="checkbox"/> BP Brewpub License | <input type="checkbox"/> FB Food and Beverage Certificate |
| <input type="checkbox"/> V Wine & Beer Retailer's Permit for Excursion Boats | <input type="checkbox"/> PE Beverage Cartage Permit |
| <input type="checkbox"/> Y Wine & Beer Retailer's Permit for Railway Dining Car | <input type="checkbox"/> RM Mixed Beverage Restaurant Permit with FB |
| <input type="checkbox"/> MB Mixed Beverage Permit | |

2. Indicate Primary Business at this Location

- | | |
|--|--|
| <input checked="" type="checkbox"/> Restaurant | <input type="checkbox"/> Sporting Arena, Civic Center, Hotel |
| <input type="checkbox"/> Bar | <input type="checkbox"/> Miscellaneous _____ |
| <input type="checkbox"/> Sexually Oriented | |

3. Trade Name of Location

BROADWAY CAFE

4. Location Address

1023 S Broadway st, La porte TX

City LA PORTE	County HARRIS	State TX	Zip Code 77571
------------------	------------------	-------------	-------------------

5. Mailing Address

1023 S Broadway st	City La porte	State TX	Zip Code 77571
--------------------	------------------	-------------	-------------------

6. Business Phone No.

(281) 470 0126

Alternate Phone No.

(917) 224 6760

E-mail Address

Broadwaycafetexas@gmail.com

OWNER INFORMATION

7. Type of Owner

- | | | |
|--|--|---|
| <input type="checkbox"/> Individual | <input checked="" type="checkbox"/> Corporation | <input type="checkbox"/> City/County/University |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Joint Venture | |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Trust | |

8. Entity/Applicant

V. Q. V. SUAZCA INVESTMENT INC

9. If Applicant Is/Must Be Listed Below (attach L-OIC if additional space is needed).

Individual/Individual Owner	Limited Liability Company/All Officers or Managers
Partnership/All Partners	Joint Venture/Venturers
Limited Partnership/All General Partners	Trust/Trustee(s)
Corporation/All Officers	City, County, University/Official

Last Name SUAREZ	First Name JAIME	MI A	Title Director
Last Name SUAREZ	First Name CLAUDIA	MI J	Title 1st officer
Last Name	First Name	MI	Title

MEASUREMENT INFORMATION

10. Will your business be located within 300 feet of a church or public hospital? Yes No

NOTE: For churches or public hospitals measure from front door to front door, along the property lines of the street fronts and in a direct line across intersections.

11. Will your business be located within 300 feet of any private/public school, day care center or child care facility? Yes No

If "YES," are the facilities located on different floors or stories of the building? Yes No

NOTE: For private/public schools, day care centers and child care facilities measure in a direct line from the nearest property line of the school, day care center or child care facility to the nearest property line of the place of business, and in a direct line across intersections.

NOTE: For multistory building: businesses may be within 300 feet of a day care center or child care facility as long as the facilities are located on different floors of the building.

NOTE: If located on or above the fifth story of a multistory building: measure in a direct line from the property line of the private/public school to property line of your place of business in a direct line across intersections vertically up the building at the property line to the base of the floor on which your business is located.

12. Will your business be located within 1,000 feet of a private school? Yes No

13. Will your business be located within 1,000 feet of a public school? Yes No

60-DAY SIGN INFORMATION

14. If you were required to post a 60-day sign as required by Section 11.391 or 61.381 of the Texas Alcoholic Beverage Code at this location; what exact date was the required sign posted at the location?

Exact Date (mm/dd/yyyy)

05/08/2013

ALL APPLICANTS

15. CHECK HERE IF NOT IN CITY LIMITS

I, the applicant, have confirmed I am not located in the city limits of any city and therefore all city certificates are not required.

WARNING AND SIGNATURE

If Applicant Is/Must Sign

Individual/Individual Owner

Corporation/Officer

Partnership/Partner

Limited Liability Company/ Officer or Manager

Limited Partnership/General Partner

WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the Commission and required to be sworn commits an offense punishable by imprisonment in the penitentiary for not less than 2 nor more than 10 years."

BY SIGNING YOU ARE SWEARING TO ALL INFORMATION AND ATTACHMENTS TO THIS PACKET.

PRINT NAME

Jame A. Swartz

SIGN HERE

Jame A. Swartz

TITLE

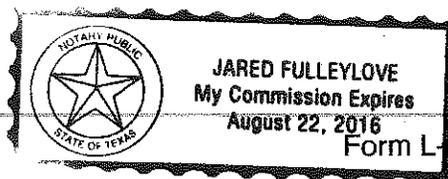
Owner

Before me, the undersigned authority, on this 2nd day of May, 2014, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.

SIGN HERE

Jared Fulleylove
NOTARY PUBLIC

SEAL



CERTIFICATE OF CITY SECRETARY (FOR MB, RM, V & Y)

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

SIGN
HERE _____, TEXAS
City Secretary/Clerk City

SEAL

CERTIFICATE OF CITY SECRETARY (FOR BG & BE)

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

Election for given location was held for:

- legal sale of all alcoholic beverages
- legal sale of all alcoholic beverages except mixed beverages
- legal sale of all alcoholic beverages including mixed beverages
- legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
- legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999

OR IF ABOVE DOES NOT APPLY:

Be advised the location must have had two election passages per 25.14 or 69.17 of the TAB Code. One for beer and wine off-premise and one for mixed beverage.

- legal sale of beer and wine for off-premise consumption only

AND EITHER:

- legal sale of mixed beverages

OR

- legal sale of mixed beverages in restaurants by food and beverage certificate holders (applicant must apply for FB with BG and BE)

SIGN
HERE _____, TEXAS
City Secretary/Clerk City

SEAL

CERTIFICATE OF CITY SECRETARY FOR LATE HOURS LICENSE/PERMIT (LB & BL)

I hereby certify on this _____ day of _____, 20____, that one of the below is correct:

- The governing body of this city has by ordinance authorized the sale of **mixed beverages** between midnight and 2:00 A.M.; or
- The governing body of this city has by ordinance authorized the sale of **beer** between midnight and _____ A.M.; or
- The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or
- The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

FOR A RETAIL DEALER'S ON PREMISE LATE HOURS LICENSE FOR A BG OR BE CERTIFIED UNDER 25.14 OR 69.17 AND IF POPULATION ABOVE DOES NOT APPLY:

- the governing body of this city has by ordinance authorized late hours for the type of permit/license sought.

SIGN
HERE _____, TEXAS
City Secretary/Clerk City

SEAL

CERTIFICATE OF COUNTY CLERK (FOR MB, RM, V & Y)

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is in a "wet" area for such license/permit, and is not prohibited by any valid order of the Commissioner's Court.

SIGN
HERE _____ COUNTY
County Clerk

SEAL

CERTIFICATE OF COUNTY CLERK (FOR BG & BE)

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is in a "wet" area and is not prohibited by any valid order of the Commissioner's Court for a Wine & Beer Retailer's Permit.

Election for given location was held for:

- legal sale of all alcoholic beverages
- legal sale of all alcoholic beverages except mixed beverages
- legal sale of all alcoholic beverages including mixed beverages
- legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
- legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999

OR IF ABOVE DOES NOT APPLY:

Be advised the location must have had two election passages per 25.14 or 69.17 of the TAB Code. One for beer and wine off-premise and one for mixed beverage.

- legal sale of beer and wine for off-premise consumption only

AND EITHER:

- legal sale of mixed beverages

OR

- legal sale of mixed beverages in restaurants by food and beverage certificate holders (applicant must apply for FB with BG and BE)

SIGN
HERE _____ COUNTY
County Clerk

SEAL

CERTIFICATE OF COUNTY CLERK FOR LATE HOURS LICENSE/PERMIT (LB & BL)

I hereby certify on this _____ day of _____, 20____, that one of the below are correct:

- The Commissioner's Court of the county has by order authorized the sale of **mixed beverages** between midnight and 2:00 A.M.; or
- The Commissioner's Court of the county has by order authorized the sale of **beer** between midnight and _____ A.M.; or
- The population of the city where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or
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- the governing body of this county has by order authorized late hours for the type of permit/license sought.

SIGN
HERE _____ COUNTY
County Clerk

SEAL

COMPTROLLER OF PUBLIC ACCOUNTS CERTIFICATE

This is to certify on this 27th day of July, 2014, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit.

Sales Tax Permit Number 320 503 40838 Outlet Number 00001

Print Name of Comptroller Employee Monica Gomes

Print Title of Comptroller Employee EO

SIGN HERE [Signature] FIELD OFFICE 2431

SEAL

PUBLISHER'S AFFIDAVIT (FOR MB, LB, RM, BP, BG, BE, BL, V & Y)

Name of newspaper		ATTACH PRINTED COPY OF THE NOTICE HERE
City, County		
Dates notice published in daily/weekly newspaper (mm/dd/yyyy)	/ /	
<i>Publisher or designee certifies attached notice was published in newspaper stated on dates shown</i>		
Signature of publisher or designee		
Sworn to and subscribed before me on this date	/ /	
Signature of Notary Public		
SEAL		



AREA MAP



**LOCATION OF BUSINESS
(1023 S. BROADWAY)**

W FAIRMONT PKWY

E FAIRMONT PKWY

S BROADWAY ST

TEXAS ST

1 inch = 100 feet



La Porte

Independent School District

1002 San Jacinto Street
La Porte, Texas 77571

www.lpsid.org

(281) 604-7001
Fax (281) 604-7010

Lloyd W. Graham
Superintendent

BOARD OF TRUSTEES

Lee Wallace
President
Dee Anne Thomson
Vice President
Charlcya Wheeler
Secretary

Kathy Green
Phillip Hoot
David Janda
Lois Rogerson
Trustees

Via Certified Mail, Return Receipt Requested

June 11, 2014

Mr. Corby Alexander
City of La Porte
604 W. Fairmont Parkway
La Porte, Texas 77571

Dear Mr. Alexander:

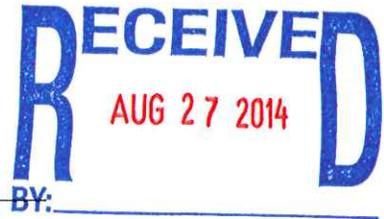
La Porte ISD recently received a letter from Mr. Jaime Suarez, owner of Ogarrio's Restaurant at 1023 South Broadway, to inform us that he has filed an application with the Texas Alcoholic Beverage Commission for a wine and beer permit. This issue was considered by our Board of Trustees at its June 10, 2014, meeting as an action/discussion item.

Following discussion, the LPISD Board of Trustees voted 6-1, with Mr. Hoot casting the dissenting vote, to defer to city government and support the city's judgment with regard to the issuance of a wine and beer permit at Ogarrio's Restaurant.

Please let me know if you have any questions.

Sincerely,


Lloyd W. Graham
Superintendent of Schools



A Meeting of the La Porte

City Council
(Type of Meeting)

Scheduled for

August 25, 2014
(Date of Meeting)

to Consider

Variance to allow sales of alcoholic beverages at Broadway Café, 1023 S. Broadway
(Type of Request)

I have received notice of the above referenced public hearing.

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

I don't think this will have a detrimental impact on our property.

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

David Weldon Tindle
Name (please print)

1551 Stemmons Ave
Address

David Weldon Tindle
Signature

Dallas, TX 75208-2347
City, State, Zip

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 8, 2014 Appropriation
Requested By: M. Dolby Source of Funds: N/A
Department: Finance Account Number:
Report: Resolution: Ordinance: Amount Budgeted:
Other: Amount Requested:
Budgeted Item: YES NO

Attachments :

1. Notice of Public Hearing
2. Presentation

SUMMARY & RECOMMENDATIONS

On July 28th, Council approved that a Public Hearing for the Fiscal Year 2014-2015 Proposed Budget be held on Monday, September 8, 2013, at the regularly scheduled Council meeting, which began at 6:00 p.m.

The City Council held budget workshops on August 11 through August 12, 2014 to discuss proposed budgets for the fiscal year beginning October 1, 2014 and ending September 30, 2015.

The following presentation summarizes the result of the workshops held with City Council. All changes made by Council were incorporated into the various budgets. These changes include:

PD Administration - salary line items increased by \$7,488

- Administration – \$20,200 added for council chamber renovations
 - Parks Administration – increased salary line items by \$11,842 for Part-time Caretaker
 - EMS – Emergency Services District vehicles account reduced by \$17,500 to reflect budget adopted by board
 - Hotel/Motel - added \$45,000 for the San Jacinto Monument Museum Expansion
-

Action Required of Council:

Conduct the Public Hearing on the City's FY 2014-2015 Proposed Budget.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

PUBLIC NOTICES

Legal and Public Notices:

editor@bayareaobserver.com

Call 281-907-3140

UNNECESSARY

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of La Porte will hold a Public Hearing on the 8th day of September 2014, in the Council Chambers of the City Hall, 604 West Fairmont Parkway, La Porte, Texas, beginning at 6:00 P.M. The purpose of this hearing is to provide citizens the opportunity to comment on the overall budget.

This budget will raise more total property taxes than last year's budget by \$1,129,059.00, or 7.07%. It is unknown at this time the amount of tax revenue to be raised from new property added to the tax roll this year.

The City of La Porte, must, by Charter requirement, adopt its fiscal budget by September 30, 2014. Copies of the adopted budget will be available for public inspection and copying at the office of the City Secretary, City Hall, 604 West Fairmont Parkway, La Porte, Texas, and the La Porte Community Library, 600 South Broadway, La Porte, Texas, during normal business hours. Copies will also be made available on the City's website.

CITY OF LA PORTE

Patrice Fogarty, TRMC, MMC
City Secretary

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NOTICE OF 2014 TAX YEAR PROPOSED PROPERTY TAX RATE FOR CITY OF SHOREACRES

The City of Shoreacres is unable to complete 2014 proposed property tax rates notices required under Texas Local Government Code Sec. 140.010 since it has not received certified values from the Harris County Appraisal District. Once the City of Shoreacres receives certified values from the Harris County Appraisal District this form will be completed and republished.

A tax rate of \$ (will be available when republished) per \$100 valuation has been proposed by the governing body of City of Shoreacres.

PROPOSED TAX RATE	\$ _____	per \$100
PRECEDING YEAR'S TAX RATE	\$0.844381	per \$100
EFFECTIVE TAX RATE	\$ _____	per \$100

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for City of Shoreacres from the same properties in both the 2013 tax year and the 2014 tax year.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES
CAN BE CALCULATED AS FOLLOWS:

property tax amount= (rate) x (taxable value of your property)/100

For assistance or detailed information about tax calculations, please contact:

City of La Porte
FY 2014-15 Budget
Public Hearing

September 8, 2014





Budget Summary for Fiscal Year 2015

- No increase in property tax rate
- No utility fund rate increase
- Intentional drawdown of excess General Fund balance for CIP
- Merit increases for employees
- Proposed 2.5% COLA for Non-Civil Service Employees
- Capital projects of approximately \$5 million
(Including \$1.04 million from Street Maintenance Sales Tax Funding)
- Vehicle replacement of \$2 million



Changes from Published Proposed Budget

- PD Administration - salary line items increased by \$7,488
- Administration – \$20,200 added for council chamber renovations
- Parks Administration – increased salary line items by \$11,842 for Part-time Caretaker
- EMS – Emergency Services District vehicles account reduced by \$17,500 to reflect budget adopted by board
- Hotel/Motel – added \$45,000 for the San Jacinto Monument Museum Expansion

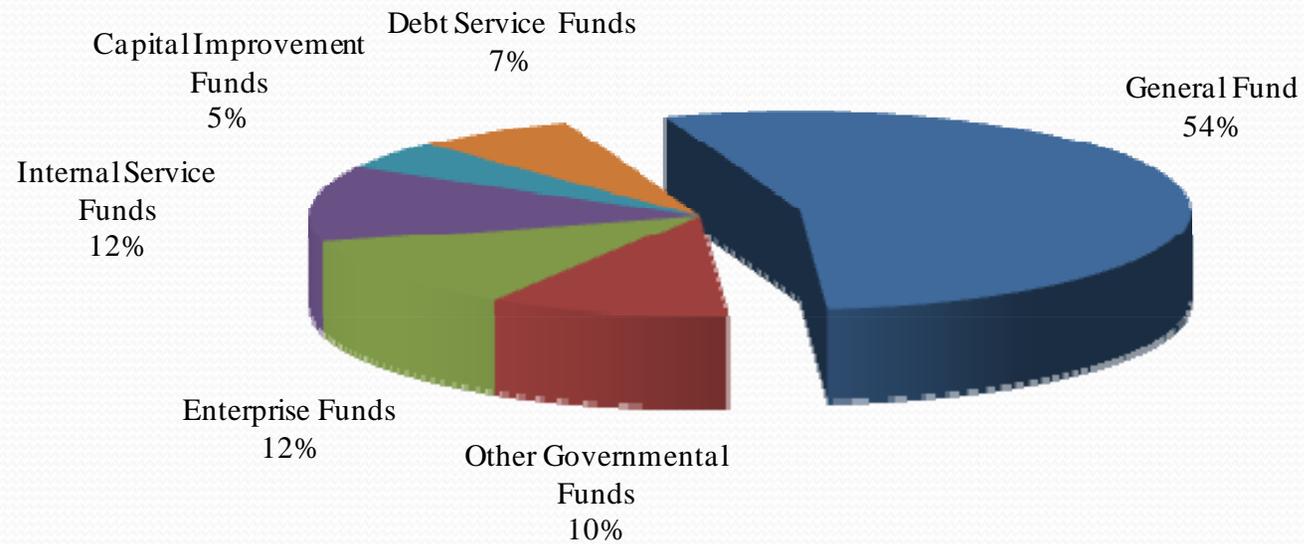


Expenditure Assumptions

- No Changes to Employee Health Insurance
- TMRS rate – 17.15%
- Fuel – 2.4% increase over current year estimate
- Vehicle Lease Fees – 10.6% increase
 - *FY2015 is the final year of the \$1.8 million “pay down”*
- Technology Lease Fees – 10.6% increase



Expenditures - All Funds





Consolidated Summary of All Funds

(In millions)

	Working Capital 09/30/14	FY 14-15 Revenues	FY 14-15 Expenses	Working Capital 09/30/15
General Fund	20.87	41.06	42.52	19.40
Special Revenue	6.50	8.10	7.67	6.93
Enterprise	4.21	9.42	9.32	4.31
Internal Service	4.45	8.92	9.60	3.77
Capital Improvement	1.87	3.69	3.66	1.90
Debt Service	3.03	5.20	5.33	2.90
Total All Funds	40.94	76.38	78.11	39.21

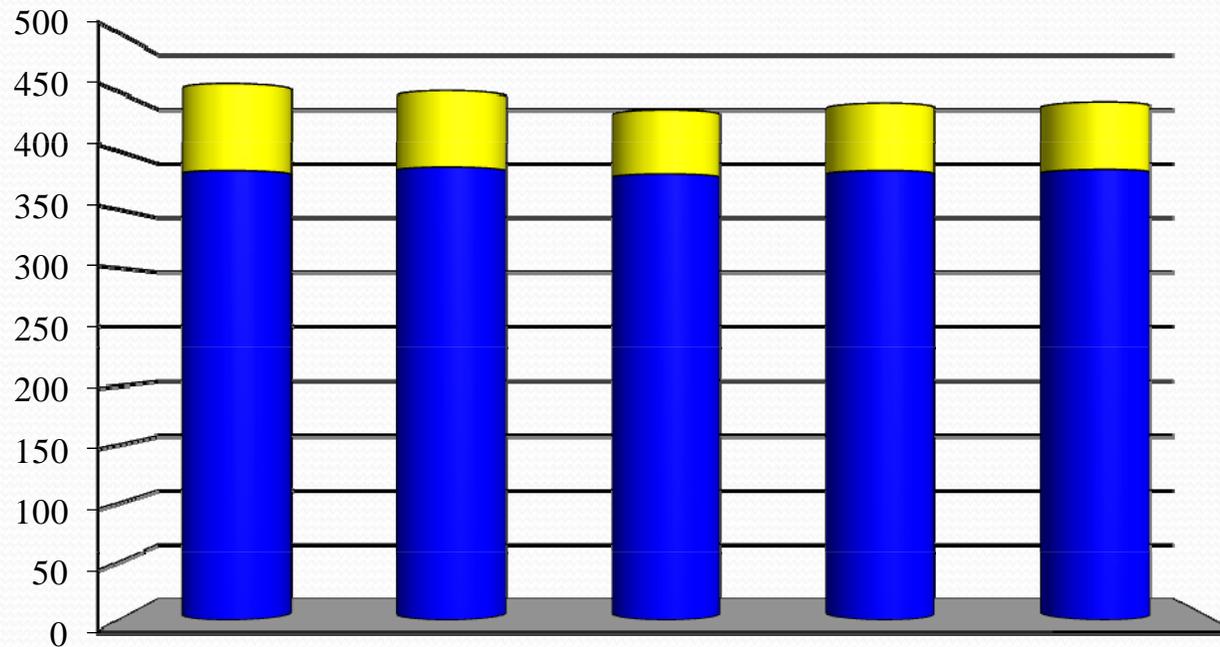


Revenues - All Funds

<i>(In millions)</i>	Actual	Budget	Revised	Projected
Description	2012-13	2013-14	2013-14	2014-15
General Property Taxes	18.15	17.91	19.79	19.55
Franchise Fees	2.18	2.22	2.18	2.16
Sales Taxes	8.09	7.86	8.62	8.83
Industrial Payments	11.11	11.09	11.56	12.05
Other Taxes	0.62	0.56	0.64	0.64
License & Permits	0.37	0.37	0.38	0.39
Fines & Forfeits	1.89	1.71	1.63	1.59
Charges for Services	8.04	8.21	8.32	8.60
Parks & Recreation	0.25	0.26	0.23	0.23
Recreation & Fitness Center	0.21	0.19	0.20	0.20
Employee Health Service	5.16	5.29	5.29	5.29
Water Revenue	5.69	5.82	5.55	5.80
Wastewater Revenue	3.42	3.52	3.55	3.55
Intergovernmental	0.57	0.65	0.35	0.28
Miscellaneous	0.67	0.04	0.04	0.04
Operating Transfers	5.98	6.25	6.41	5.80
Other Financing Sources	0.79	1.76	1.27	1.28
Interest	0.09	0.11	0.11	0.11
Grand Total All Revenue	<u>73.28</u>	<u>73.82</u>	<u>76.12</u>	<u>76.38</u>



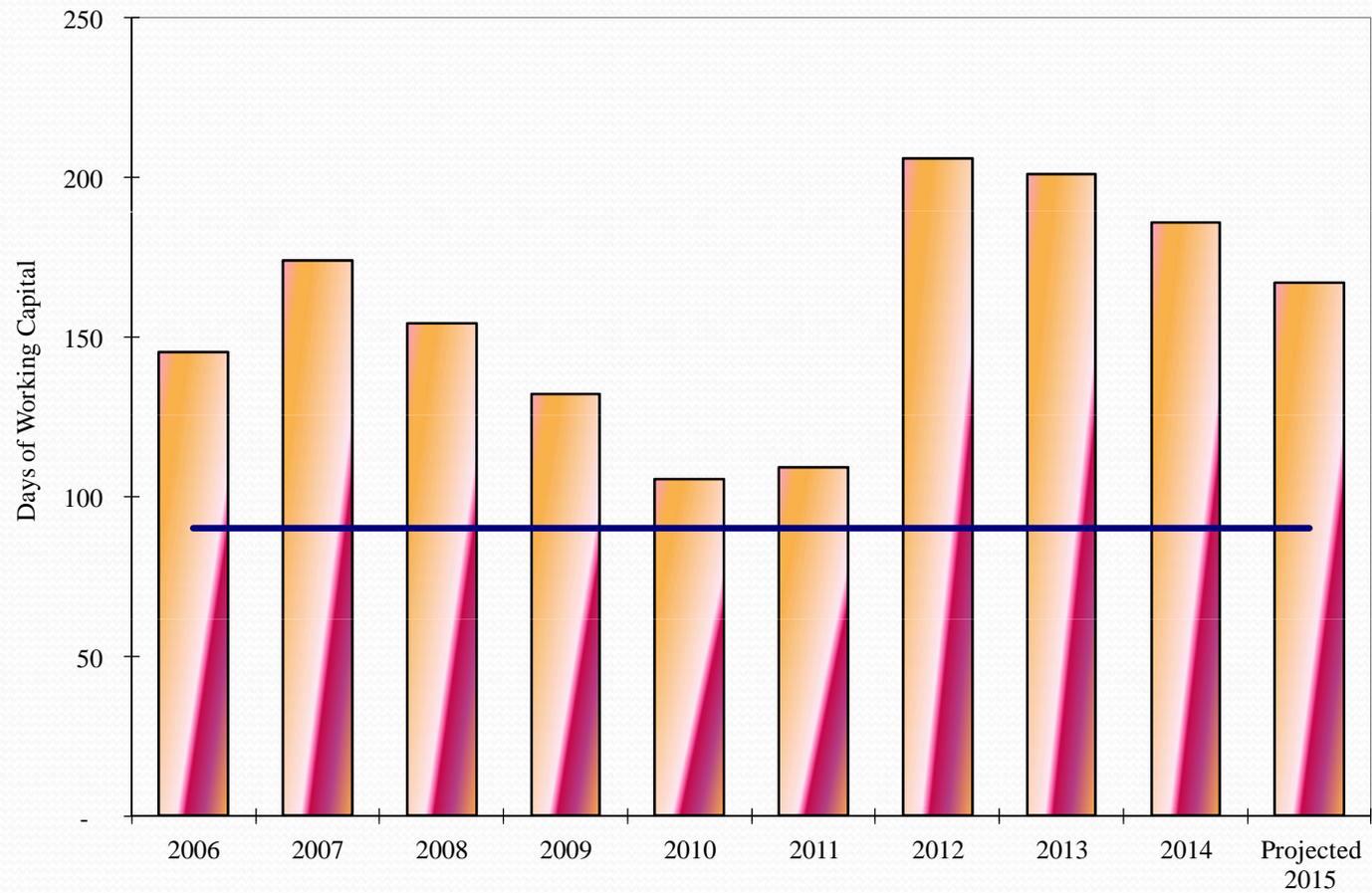
Employee Positions Citywide



	FY 10-11	FY 11-12	FY 12-13	FY 13-14	FY 14-15
■ Part-time	74	65	55	58	58
■ Full-time	382	385	379	382	383



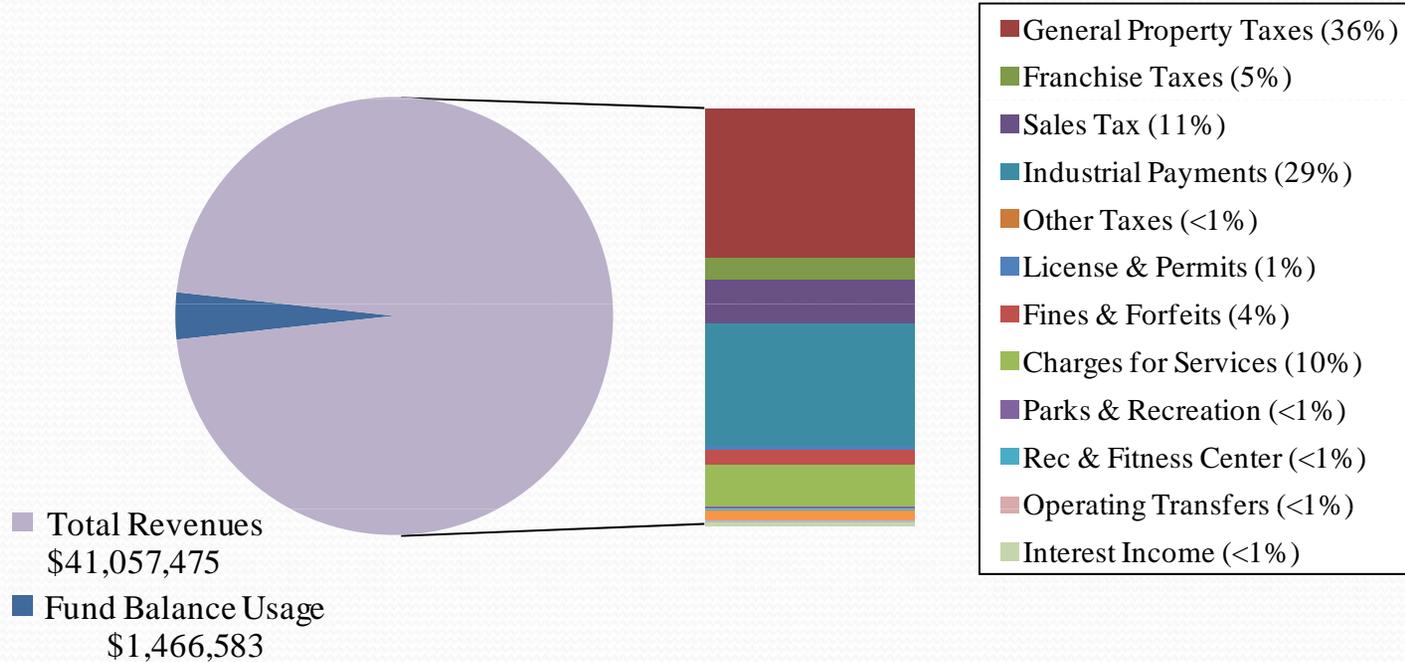
General Fund Days of Working Capital





General Fund Revenue Sources

Where the Money Comes From



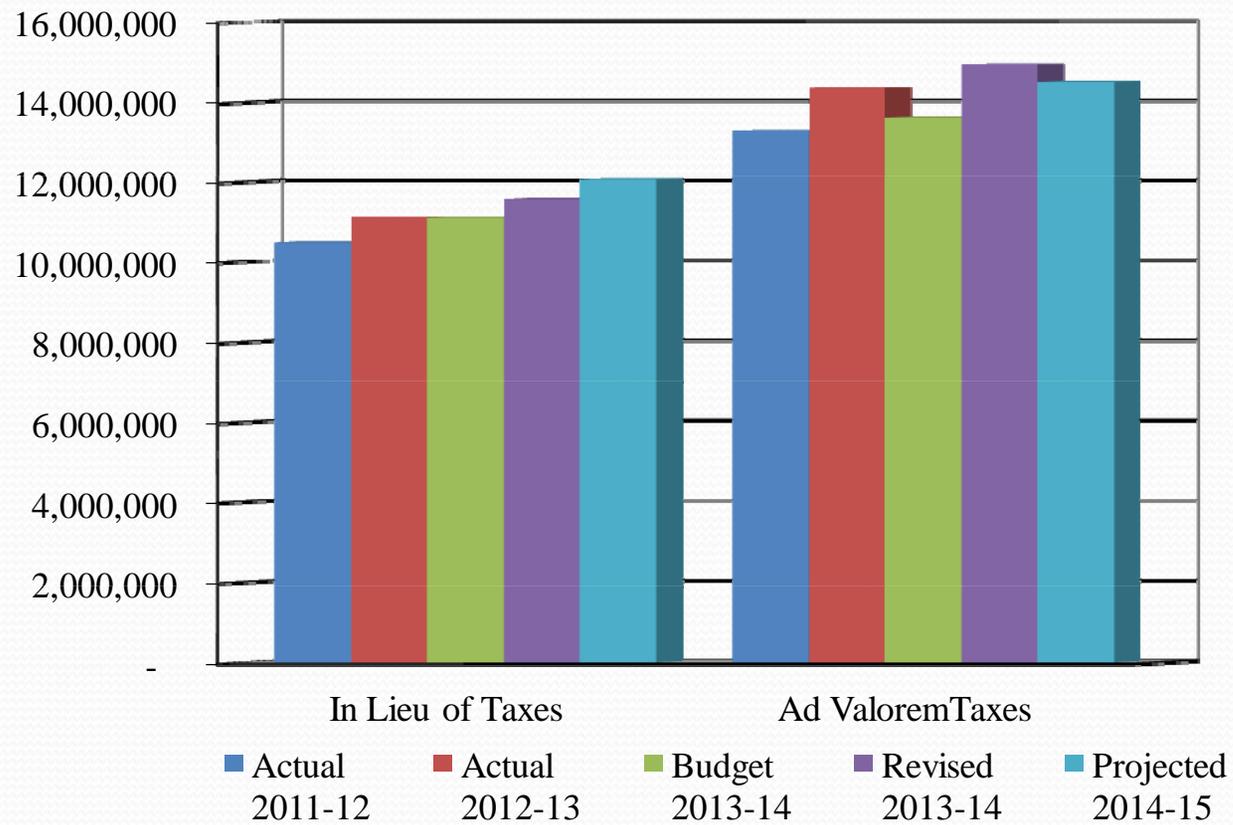


General Fund Revenues

Revenues: (in millions)	Actual 2012-13	Budget 2013-14	Estimated 2013-14	Projected 2014-15	Percent Change
General Property Taxes	14.630	13.861	15.162	14.729	6.26%
Franchise Taxes	2.184	2.218	2.176	2.159	-2.70%
Sales Taxes	4.076	3.979	4.310	4.417	11.02%
Industrial Payments	11.108	11.087	11.557	12.055	8.73%
Other Taxes	0.059	0.060	0.060	0.060	0.00%
Licenses & Permits	0.368	0.368	0.381	0.388	5.40%
Fines Forfeits	1.666	1.587	1.472	1.462	-7.87%
Charges for Services	3.992	3.996	4.095	4.091	2.37%
Parks & Recreation	0.246	0.260	0.229	0.230	-11.47%
Recreation & Fitness	0.207	0.190	0.196	0.201	5.79%
Golf Course	0.991	1.018	1.000	1.032	1.34%
Miscellaneous	0.605	0.040	0.040	0.040	0.00%
Operating Transfers	0.108	0.108	0.108	0.125	15.46%
Interest	0.049	0.071	0.071	0.071	0.00%
Total Revenues	40.288	38.842	40.855	41.057	5.70%

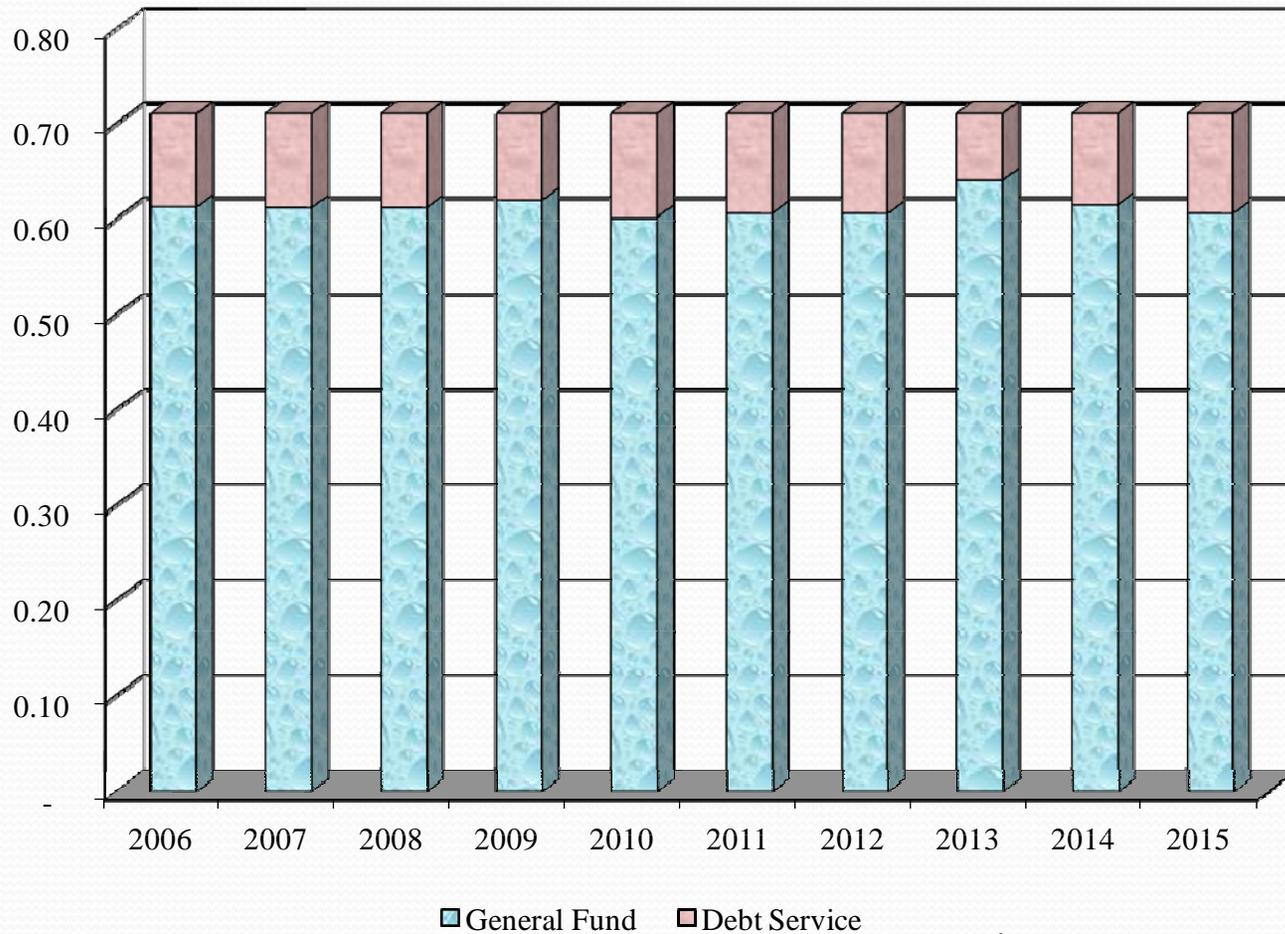


General Fund Revenues In Lieu of Taxes & Ad Valorem Taxes





Property Tax Rate* Last Ten Fiscal Years



*Council has not raised in 26 years



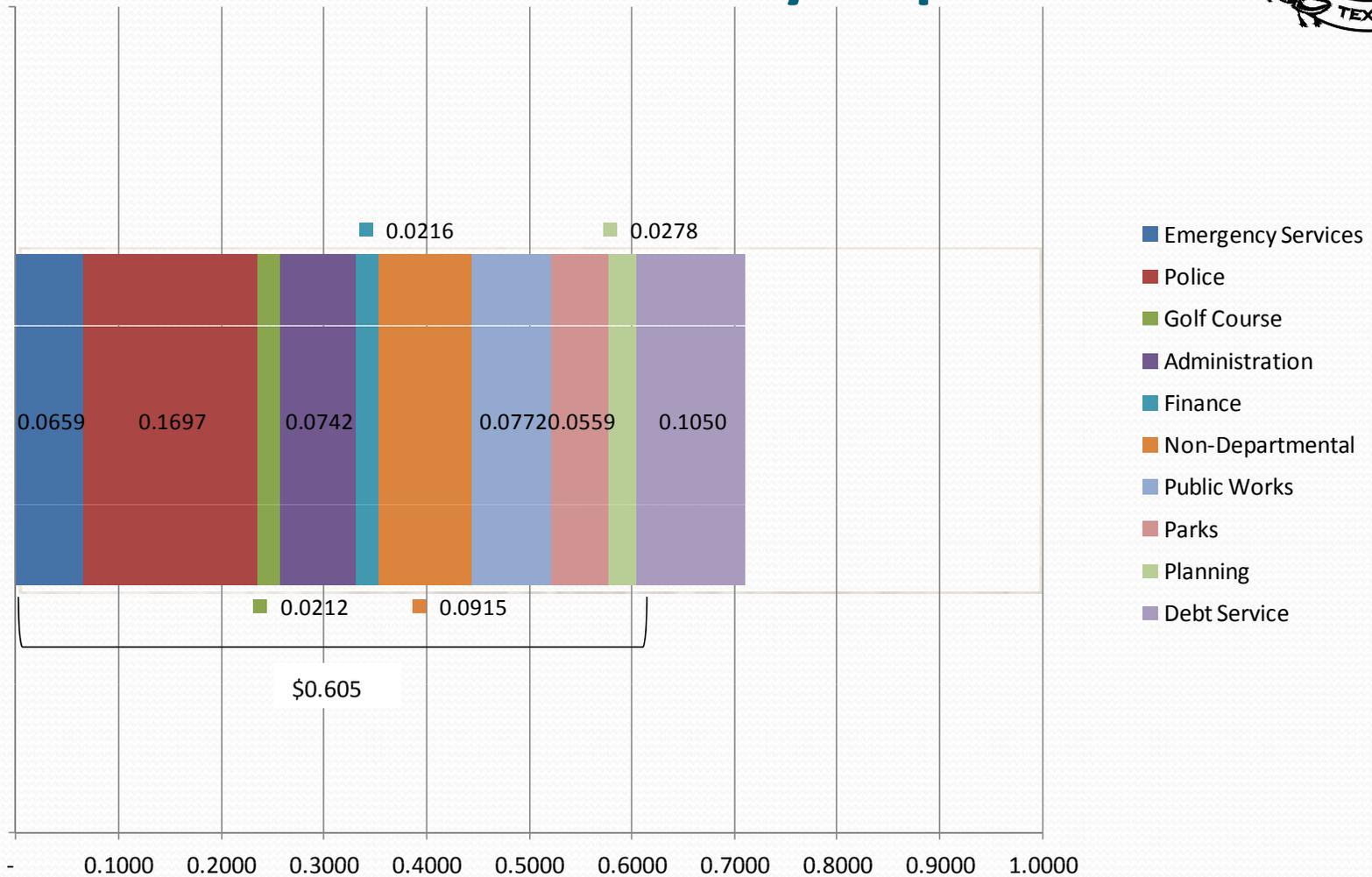
What you get for your tax dollars

- Average Home Value - \$125,124*
- City taxes paid by average household per year - \$710.70
- Per month - \$59.23 to support these city services:
 - 24 hour Police Protection
 - 24 hour Emergency Medical Services
 - 24 hour Fire Protection
 - Animal Control services
 - Maintenance of all public streets
 - Park facilities, including softball fields
 - Recreational facilities & activities
 - Building Inspections & permitting services
 - Code Enforcement Services

*Based on 2013 average home value with 20% homestead exemption.
(\$0.71/\$100 Valuation)



Tax Rate Breakdown by Department





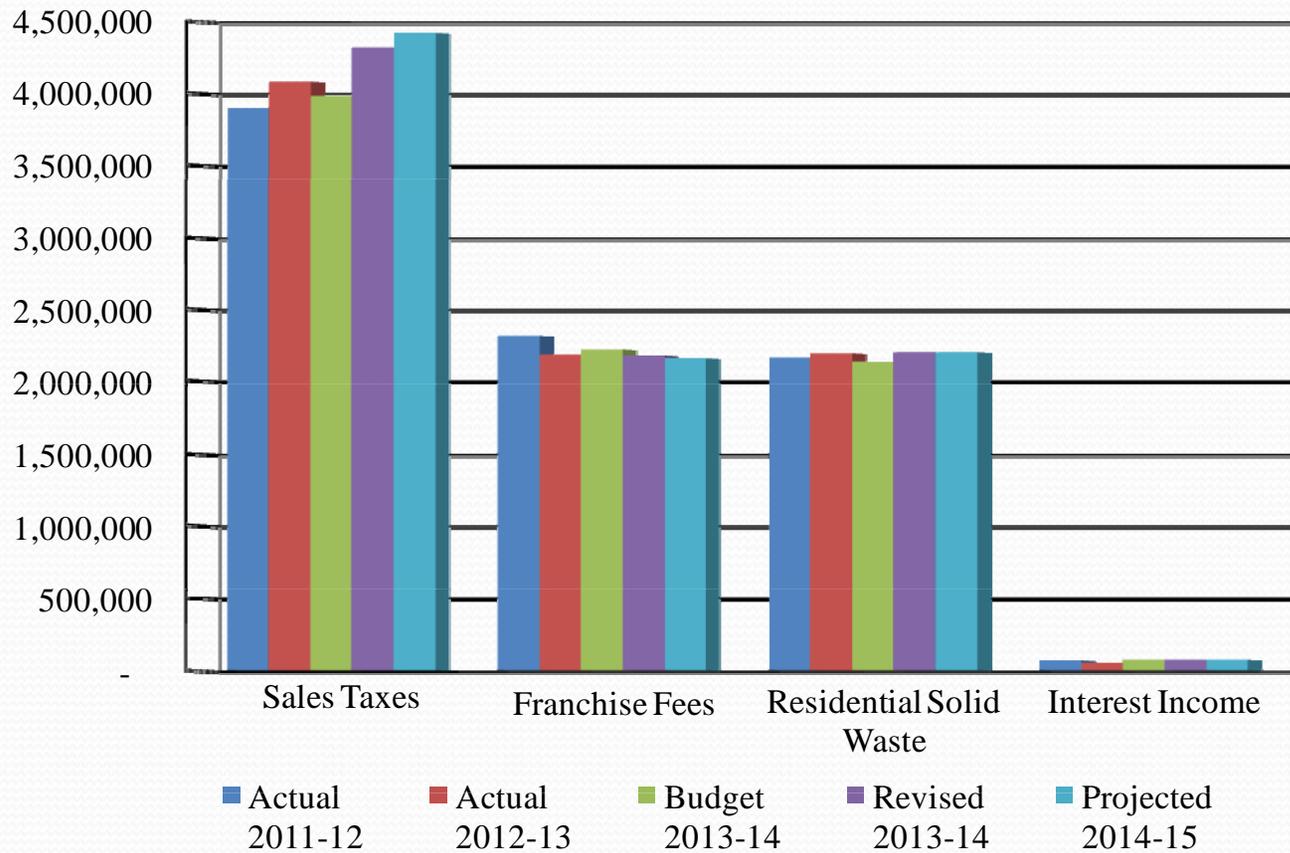
Industrial Payments Historical Trends

	Budget		
	Projection	Actual	Variance
2005	6,601,049	6,991,926	390,877
2006	6,534,372	7,371,287	836,915
2007	6,836,257	7,987,846	1,151,589
2008	7,500,000	7,759,647	259,647
2009	9,860,078	10,181,383	321,305
2010	8,718,883	10,464,176	1,745,293
2011	10,000,000	9,937,767	(62,233)
2012	9,900,000	10,471,444	571,444
2013	10,530,376	11,086,500	556,124
2014	11,086,500	11,556,546	470,046



General Fund Revenues

Sales Tax, Franchise Taxes, Residential Solid Waste and Interest



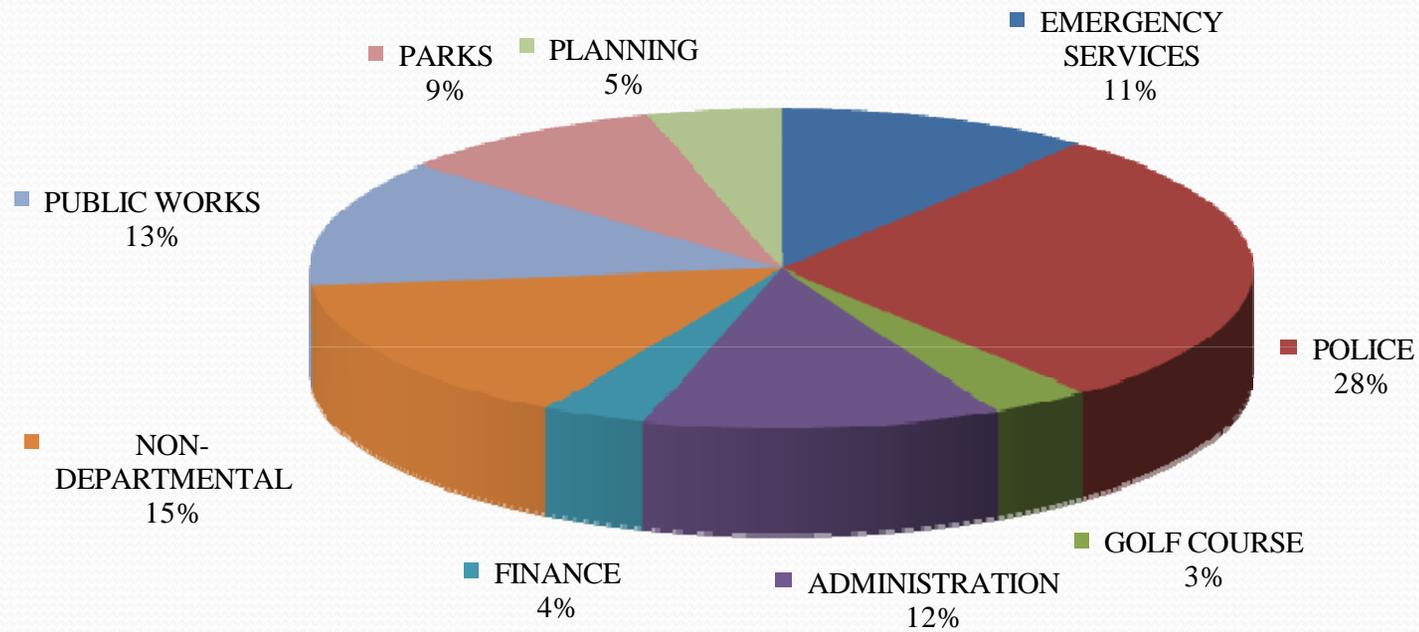


General Fund

- Emergency Services
- Police
- Golf Course
- Administration
- Finance
- Public Works
- Parks & Recreation
- Planning & Engineering



Expenditures by Activity





General Fund Expenditures

Expenditures: <i>(in millions)</i>	Actual 2012-13	Budget 2013-14	Estimated 2013-14	Projected 2014-15	Percent* Change
Emergency Services	4.36	4.65	4.55	4.63	-0.58%
Police	10.92	12.02	11.79	11.92	-0.83%
Golf Course	1.36	1.57	1.48	1.49	-5.07%
Administration	4.27	4.75	4.68	5.23	10.27%
Finance	1.44	1.47	1.45	1.52	3.11%
Non-Departmental	3.68	5.66	5.89	6.42	13.48%
Public Works	5.04	5.37	5.21	5.42	0.84%
Parks	3.77	4.04	3.95	3.94	-2.42%
Planning	1.83	2.05	1.84	1.96	-4.59%
Total Expenditures	36.66	41.58	40.84	42.52	2.27%

**Budget to Budget*

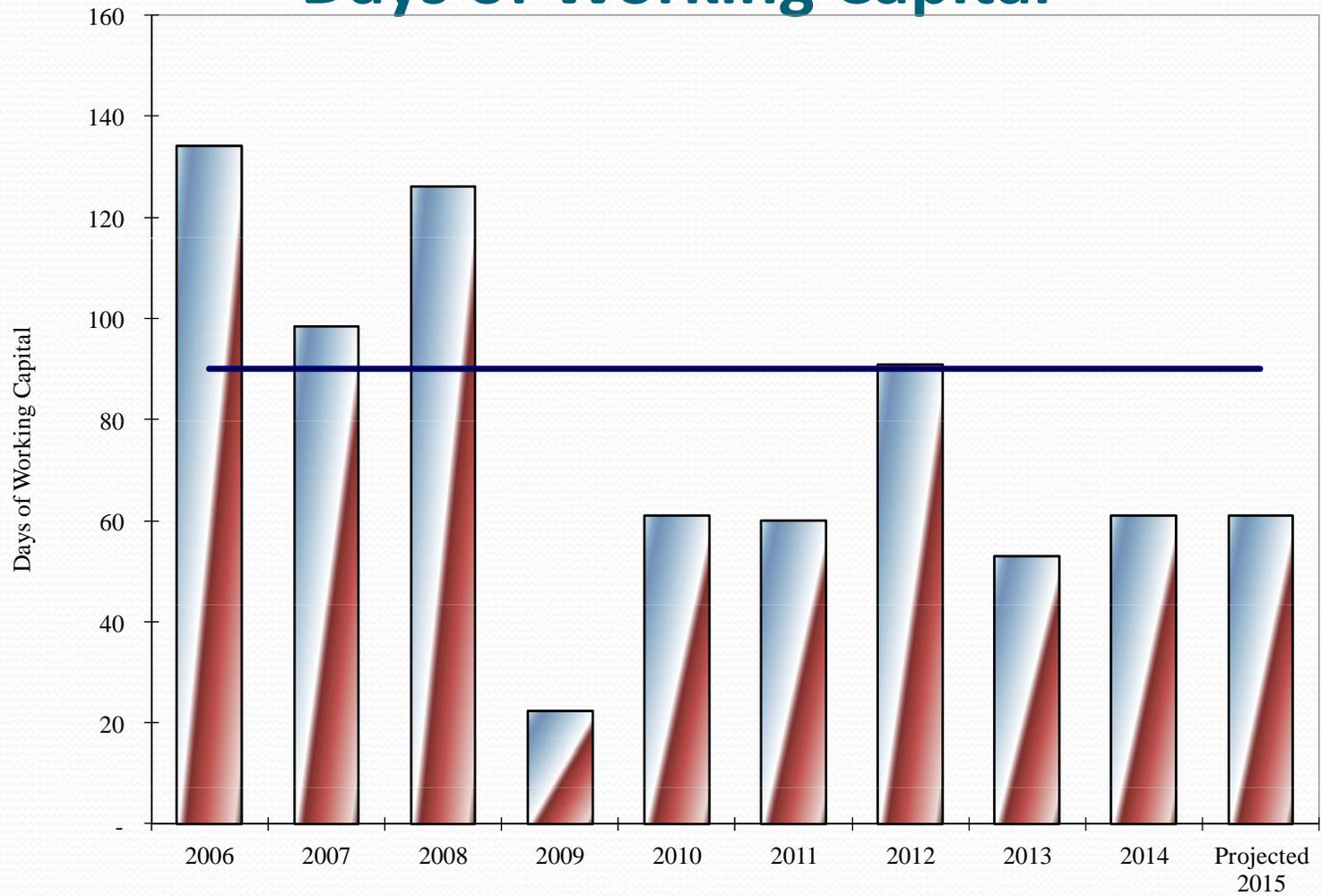


Utility Fund

- Water Production
- Water Distribution
- Wastewater Collection
- Wastewater Treatment
- Utility Billing
- Non-Departmental

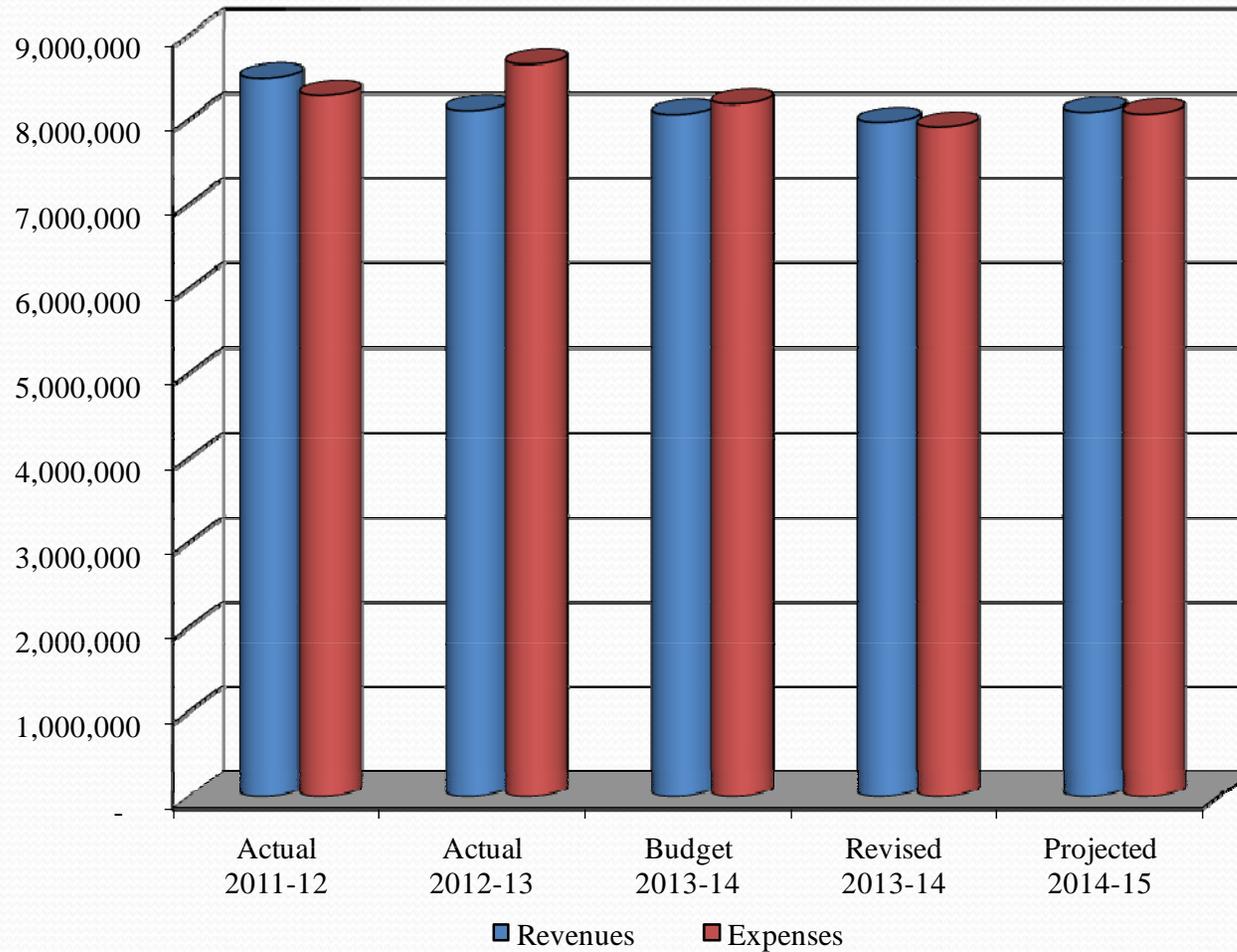


Utility Fund Days of Working Capital



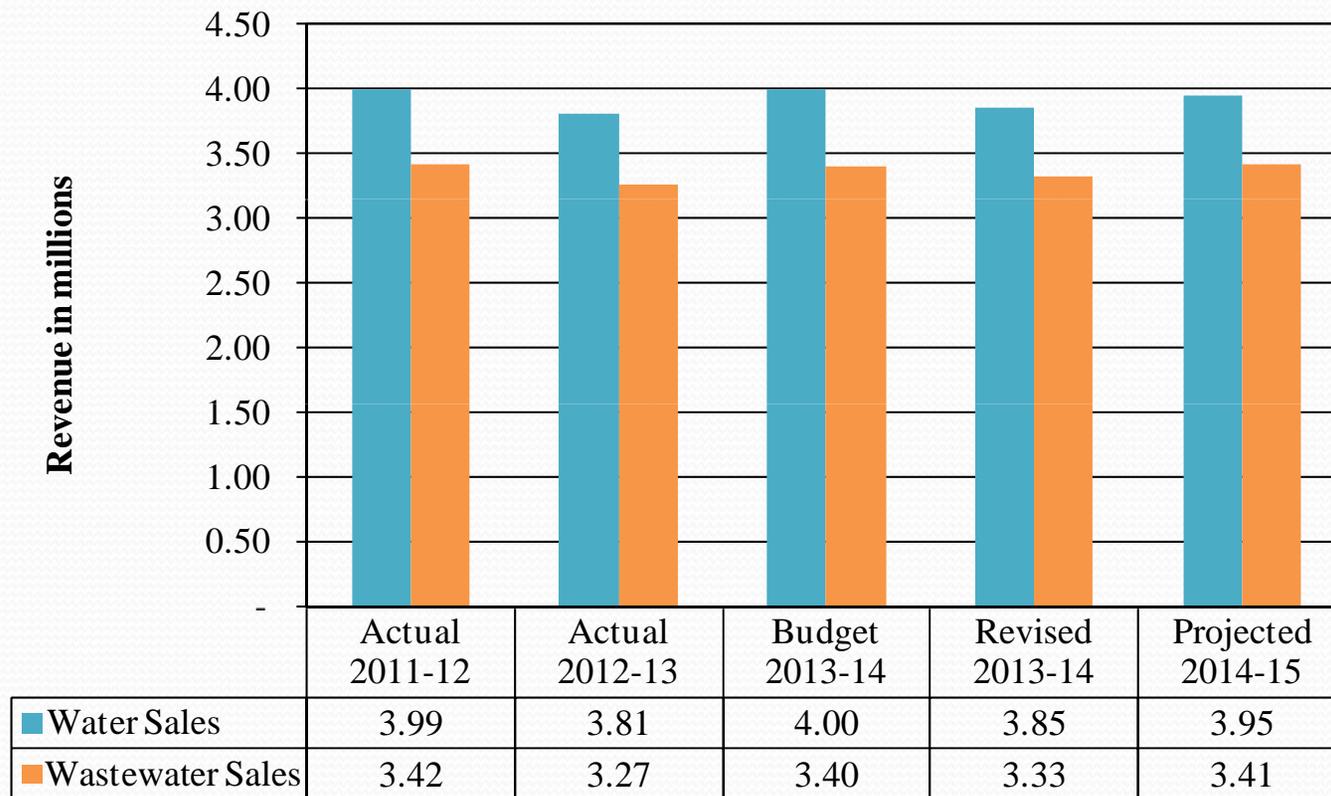


Utility Fund Comparison Revenues vs. Expenses





Water & Sewer Sales Trends



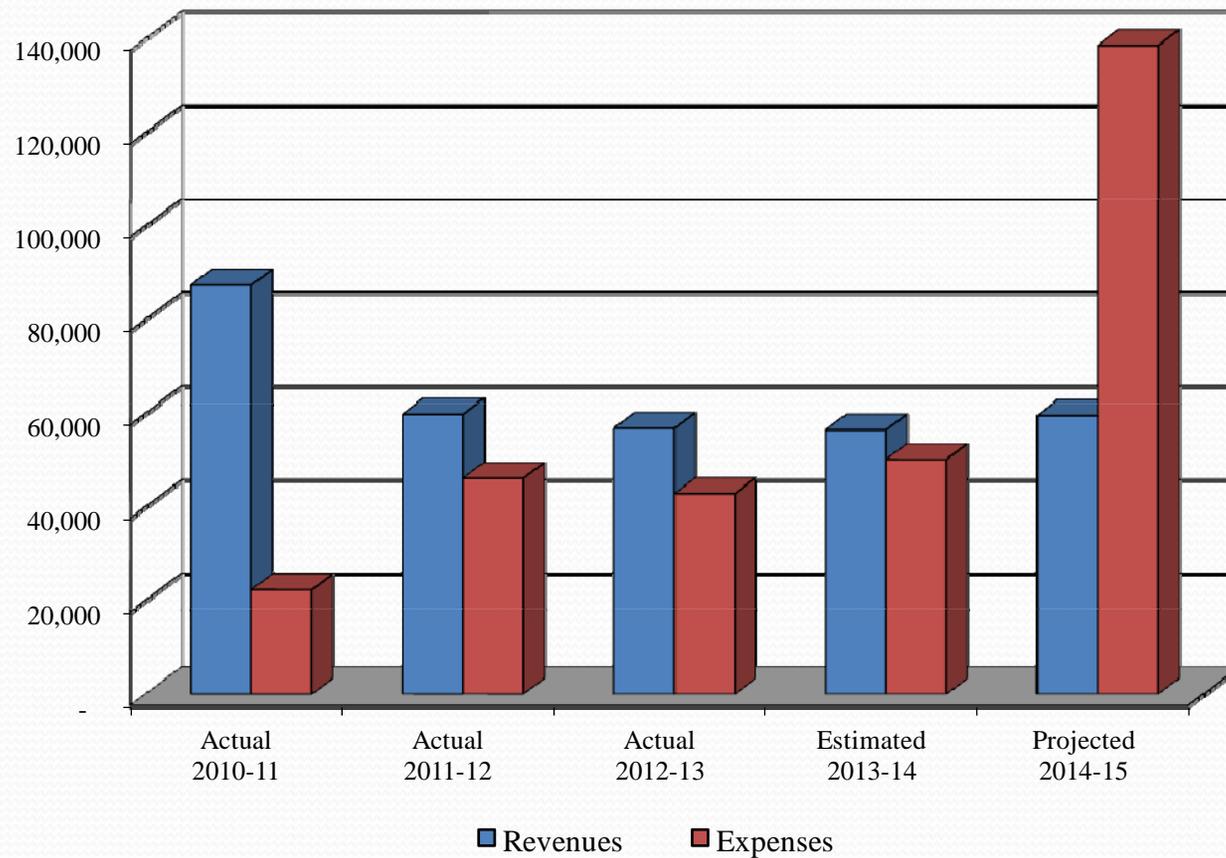


Other Enterprise Funds

- Airport Fund
- La Porte Area Water Authority

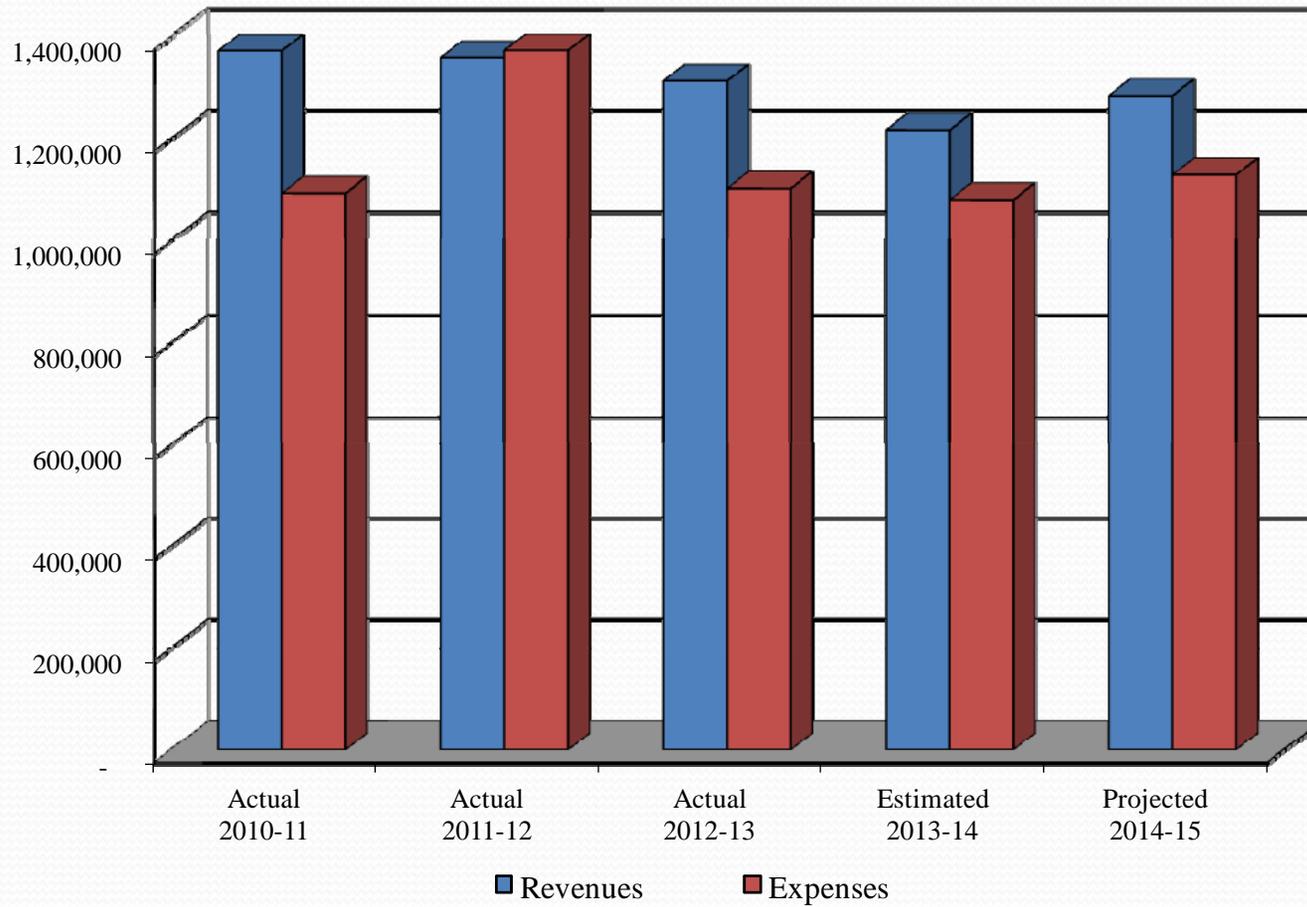


Airport Fund Comparison Revenues vs. Expenses





La Porte Area Water Authority Comparison Revenues vs. Expenses



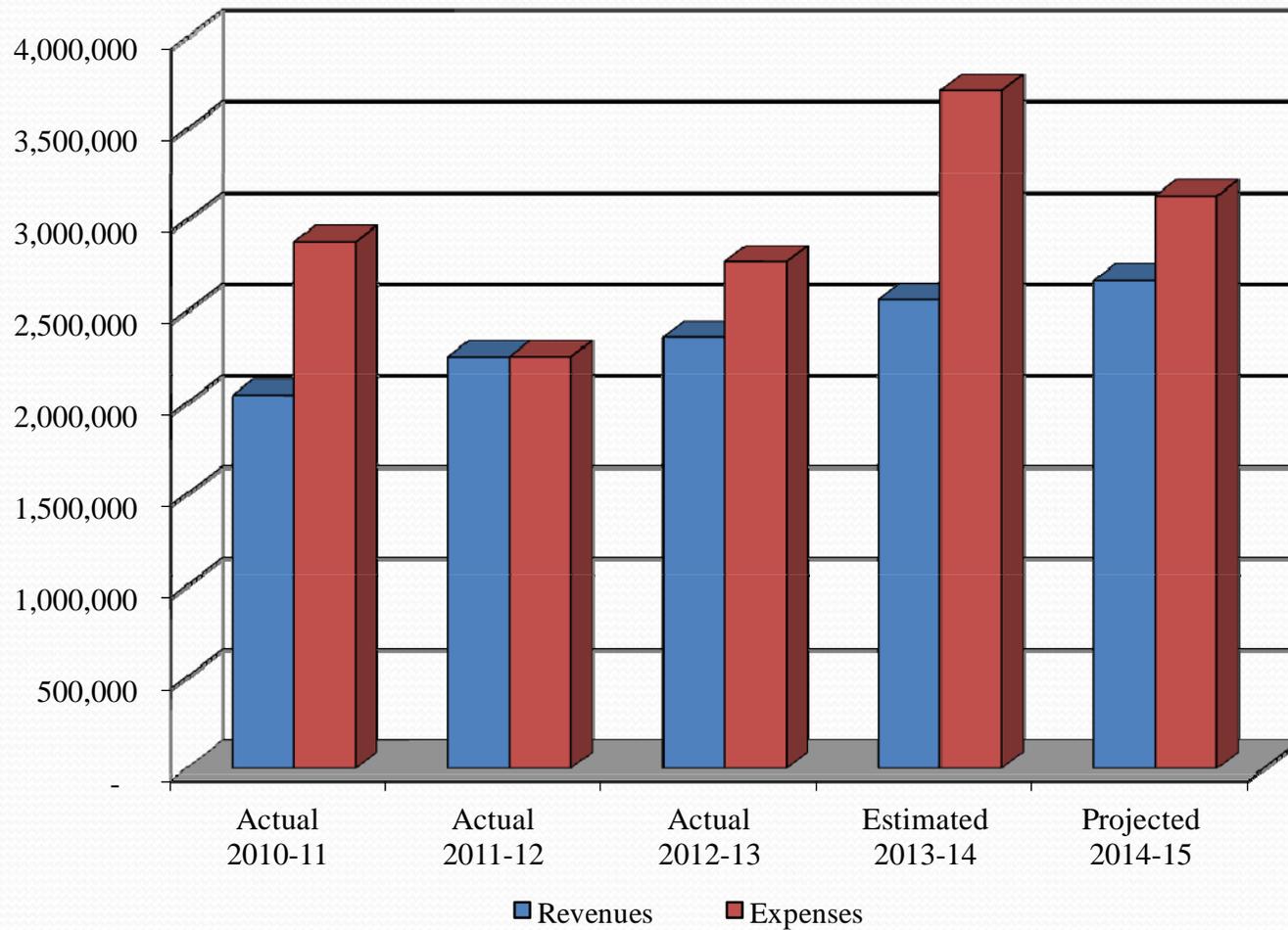


Internal Service Funds

- Motor Pool Fund
 - Maintenance
 - Replacement
- Insurance Fund
 - Employee Health Services
 - Risk Division
- Technology Fund
 - Replacement

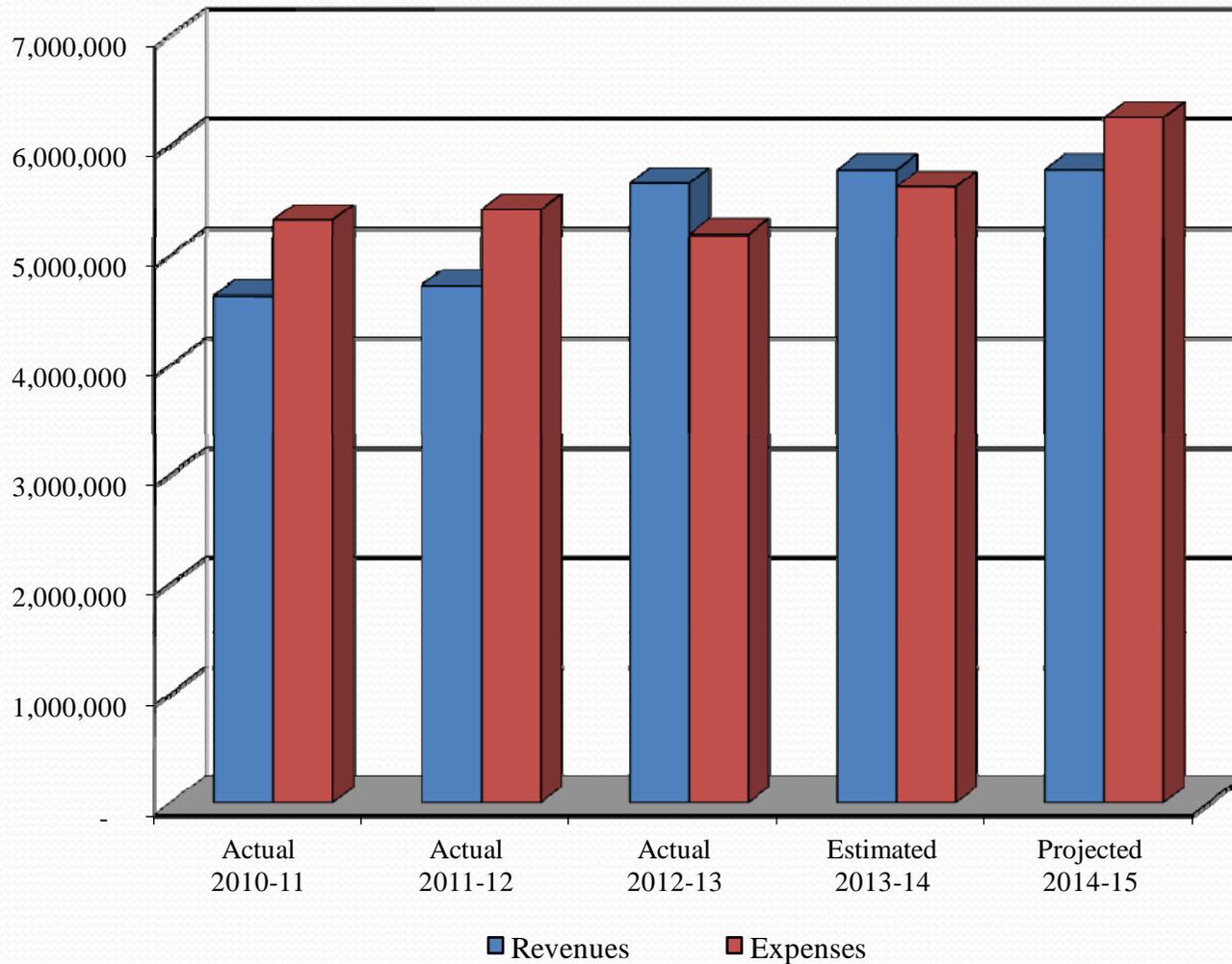


Motor Pool Fund Comparison Revenues vs. Expenses



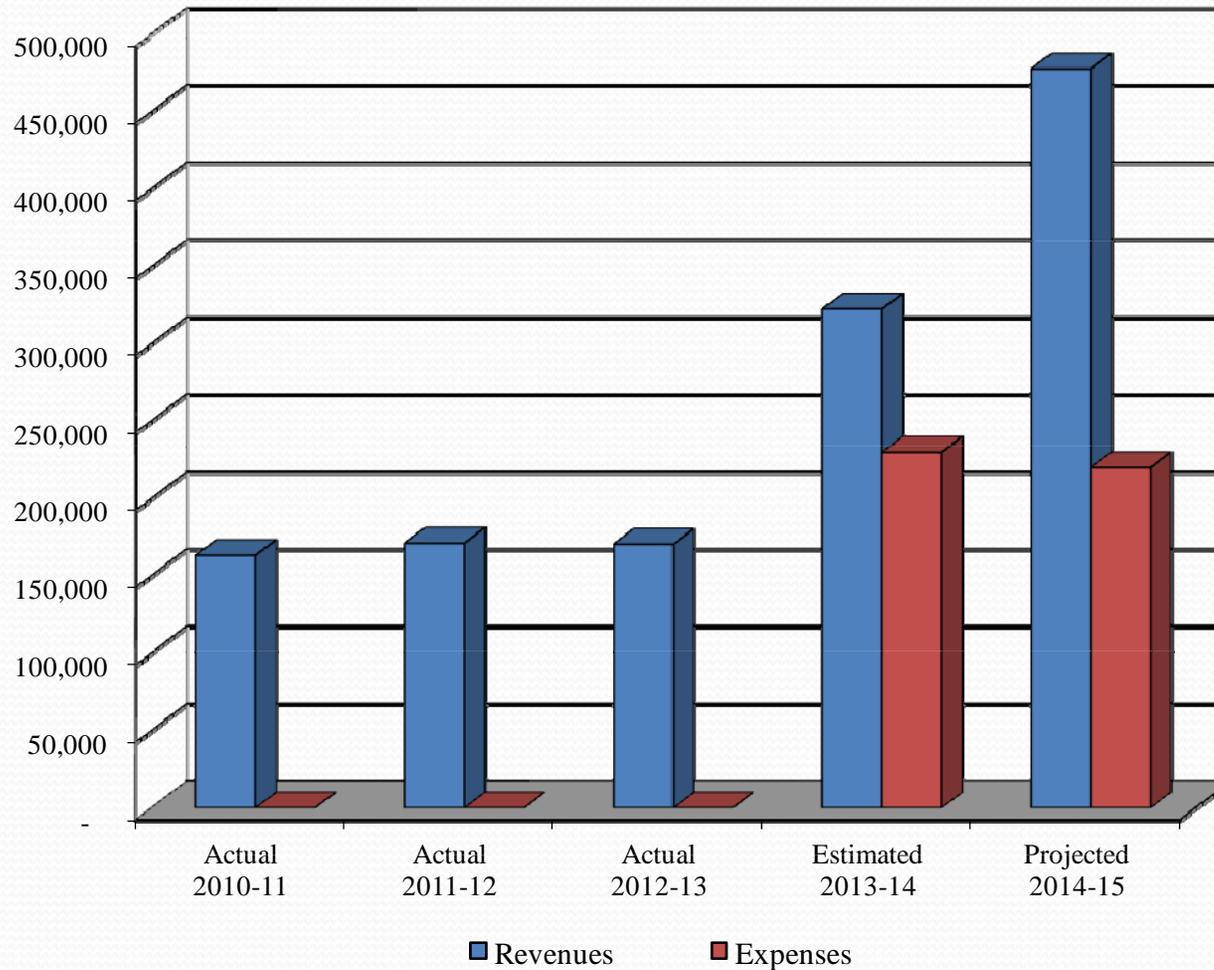


Insurance Fund Comparison Revenues vs. Expenses





Technology Fund Comparison Revenues vs. Expenses



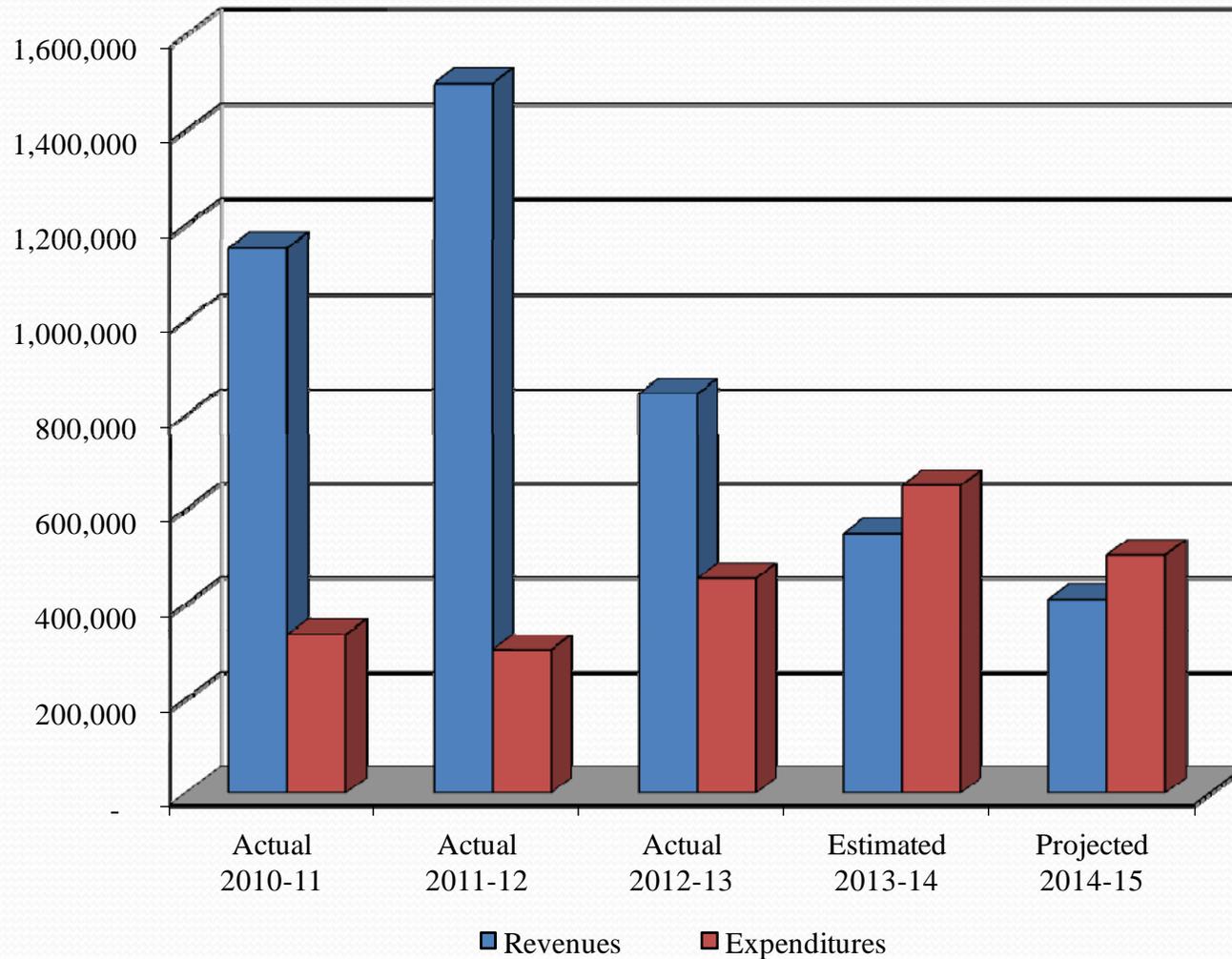


Special Revenue Funds

- Grant Fund
- Street Maintenance Sales Tax Fund
- Emergency Services District Fund
- Hotel/Motel Occupancy Tax
- Economic Development Fund
- TIRZ Fund

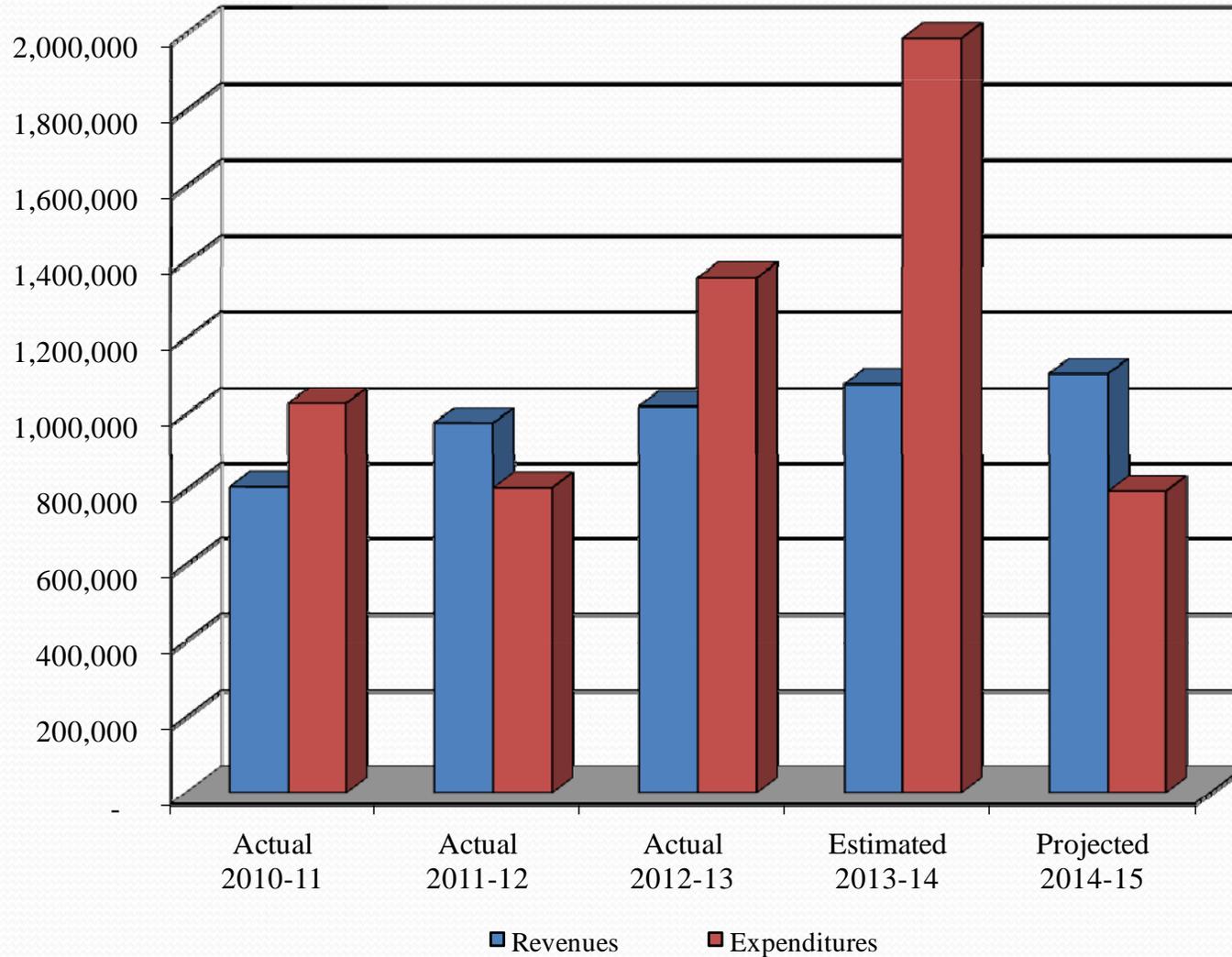


Grant Fund Comparison Revenues vs. Expenditures



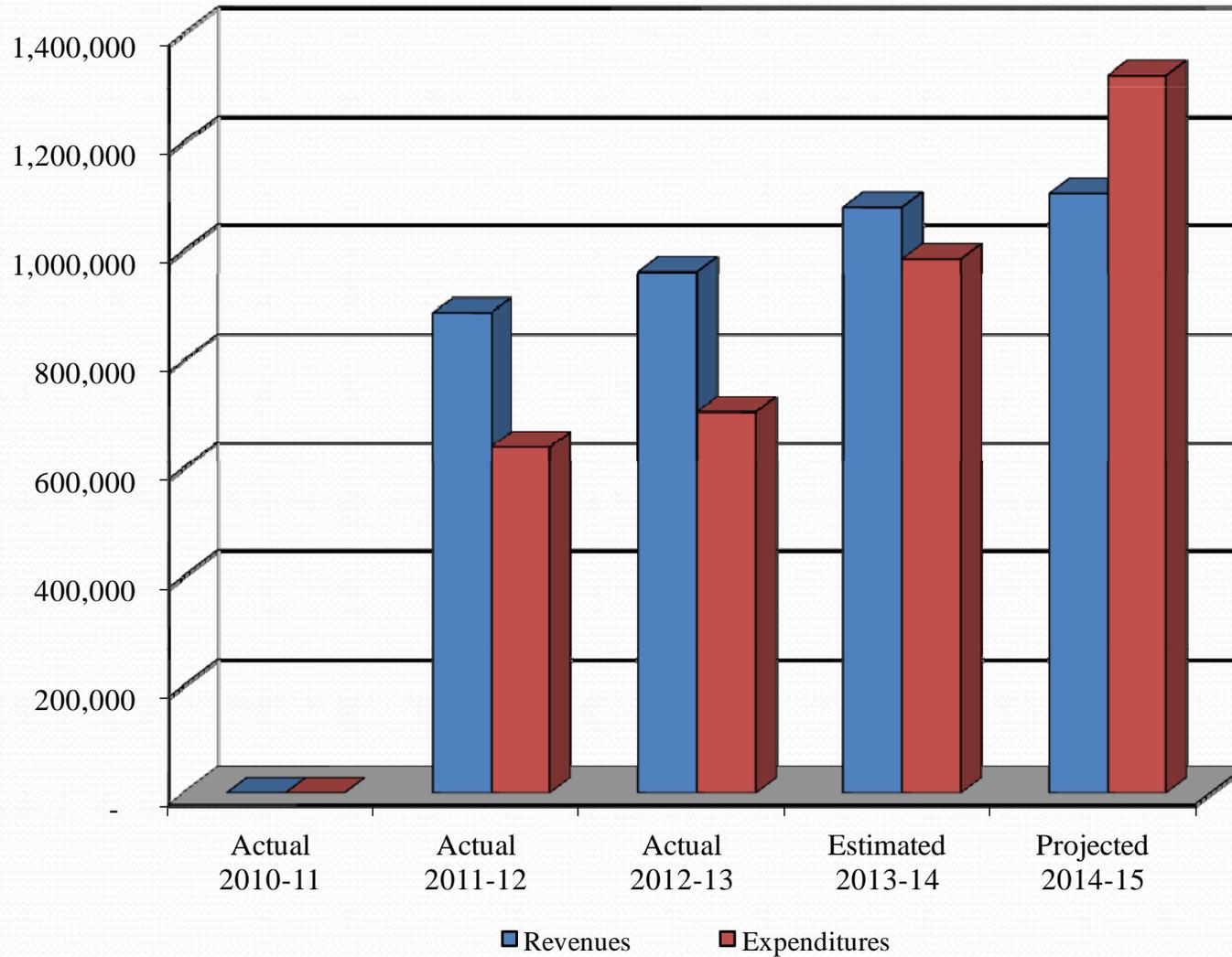


Street Maintenance Sales Tax Fund Comparison Revenues vs. Expenditures



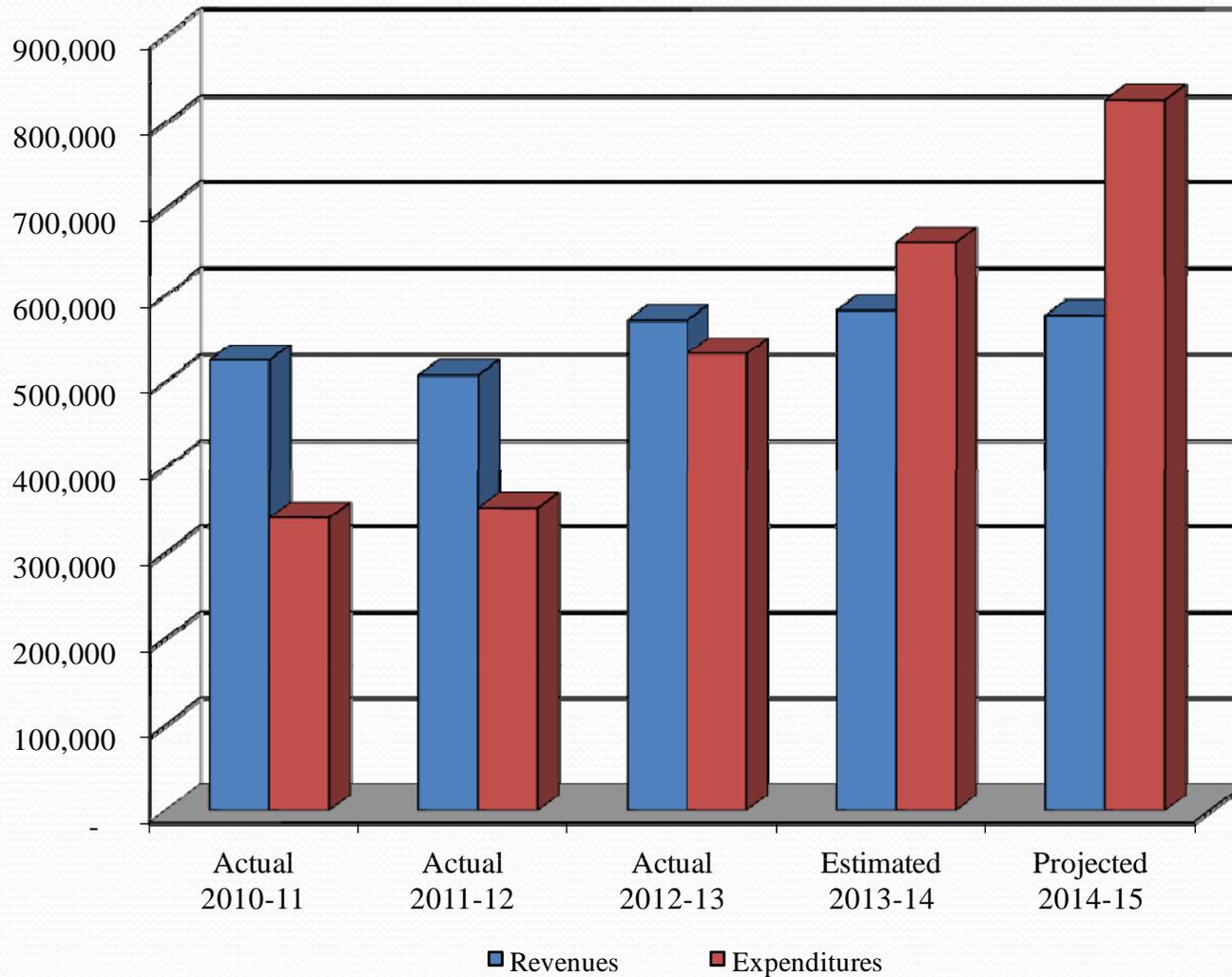


Emergency Services District Fund Comparison Revenues vs. Expenditures



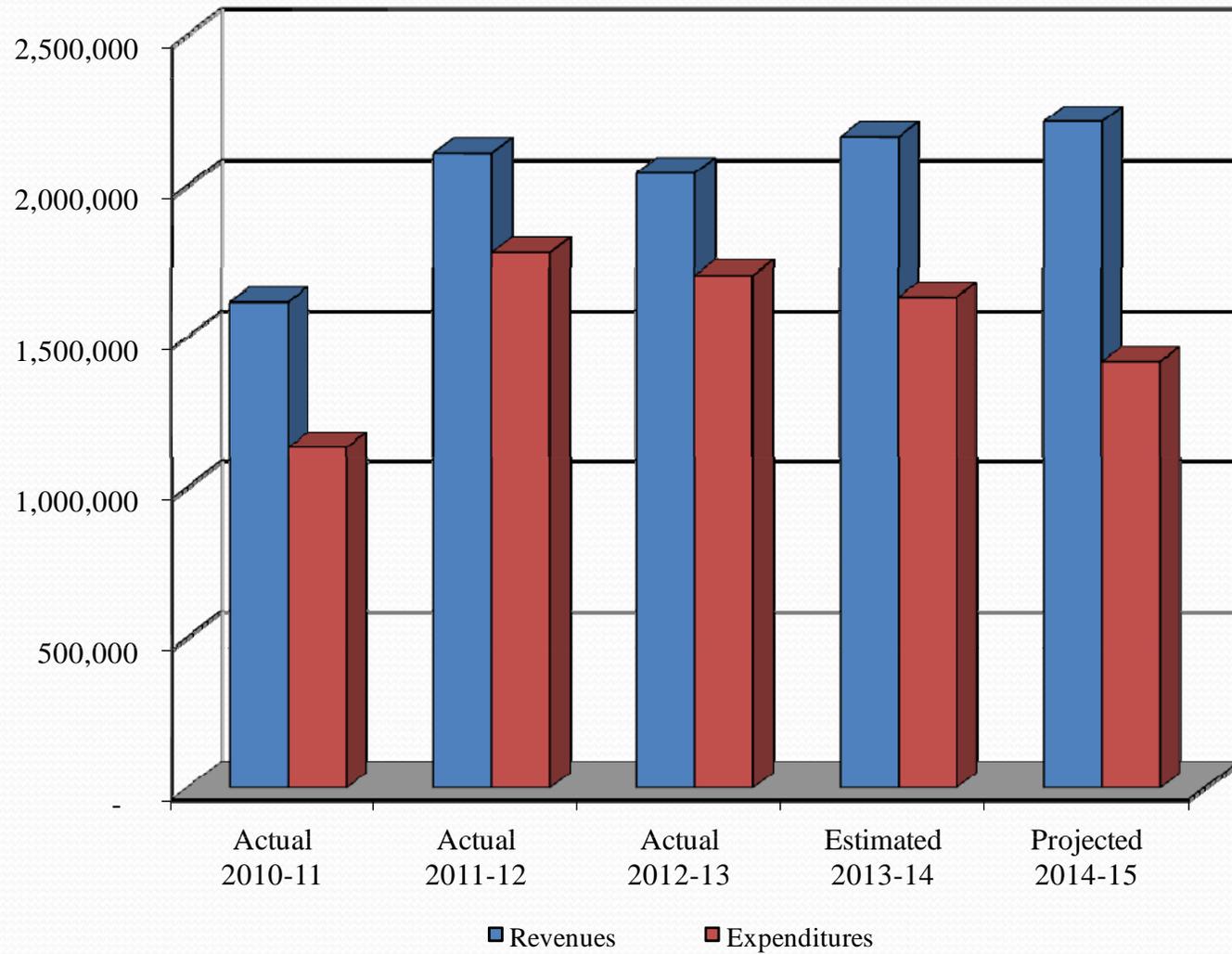


Hotel/Motel Occupancy Tax Fund Comparison Revenues vs. Expenditures





Economic Development Fund Comparison Revenues vs. Expenditures





TIRZ Fund

Fiscal Year 2014-15 Proposed Budget

Estimated Balance 9/30/14:	\$ 655,143
Revenues	2,688,633
Expenditures	<u>2,807,737</u>
Ending Balance 9/30/15:	\$ 536,039



Capital Improvement Projects Summary

(In millions)

	Working Capital 09/30/14	FY 14-15 Revenues	FY 14-15 Expenses	Working Capital 09/30/15
Capital Improvement:				
General CIP Fund	0.75	1.02	1.62	0.15
Utility CIP Fund	0.29	2.10	1.18	1.21
Sewer Rehabilitation	0.30	0.30	0.35	0.25
Drainage Improvement Fund	0.26	0.27	0.24	0.28
2010 C/O Bond Fund	0.28	-	0.28	-
Total Capital Improvement	1.87	3.69	3.66	1.90

*Includes CIP contingencies.



General Fund CIP

Project Name	Project Budget
Northside Spraypark	\$550,000
Fairmont Spraypark	\$550,000
City Hall Security Improvements	\$ 20,000
Playground Renovations	\$ 60,000
Community Cooperation Projects	\$ 20,000
Sidewalk Extension to Main Street	\$140,000
Main Street Decorative Lighting (via Hotel Motel transfer)	\$ 25,000
Historic Schoolhouse Renovation (via Hotel Motel transfer)	\$150,000
Total	\$1,515,000

Utility Fund CIP



Project Name	Project Budget
Lift Station 3 Equipment Replacement	\$ 40,000
In House Water Line Replacement	\$ 45,000
Water Equipment Replacement	\$ 20,000
Wastewater Equipment Replacement	\$ 50,000
Valve Replacement Program (in-house)	\$ 40,000
Lift Pump Replacement at WWTP	\$ 30,000
Aerator Rotor Gear Boxes	\$ 70,000
Water Meter Replacement	\$ 90,000
Replace Clarifier Drive #3	\$ 95,000
Sens Road Utility Relocation	\$160,000
Design Lomax Trunk Sewer/Lift Consolidation	\$465,000
Total	\$1,105,000



Sewer Rehabilitation Fund CIP

Project Name	Project Budget
Sanitary Sewer Rehabilitation	\$ 350,000
Total	\$350,000



Drainage Fund CIP

Project Name	Project Budget
Construct W. D Street Ditch (Hwy 146 to 8 th Street)	\$120,000
Drainage Mission Estates Sanitary Sewer Rehabilitation	\$ 50,000
Drainage Materials for In-House Work	\$ 50,000
TV Inspection of Storm Sewer System	\$ 20,000
Total	\$240,000



Street Maintenance Fund CIP

Project Name	Project Budget
Handicap Ramp/Sidewalk Construction	\$200,000
Concrete Slab Jacking Repair	\$ 30,000
Concrete Street/Inlet Repair	\$150,000
Asphalt Reclamation (Contract/City Crews)	\$ 60,000
Street Materials (City Crew Construction)	\$ 60,000
Fairmont Parkway Corridor Study	\$ 75,000
Study for Future Drainage/CDBG Eligible Projects	\$100,000
Design W. D Street (S. 6 th to S. 3 rd) and 4 th Street (W. B Street to W. D Street)- Phase 1	\$ 70,000
Design FY 16 Resurfacing	\$ 50,000
Total	\$795,000

2010 CO Bonds Fund CIP



Project Name	Project Budget
Construct Catlett/Belfast/Piney Brook/Carlow Street and Utility Improvement	\$250,000
Design W. D Street (S. 6 th to S. 3 rd) and 4 th Street (W. B Street to W. D Street)- Phase 1	\$ 30,000
Total	\$280,000



Proposed Infrastructure Bond Fund CIP

Project Name	Project Budget
Construct Catlett/Belfast/Piney Brook/Carlow Street and Utility Improvement	\$1,750,000
Fairmont Elevated Tank Interior Re-Coating	\$ 140,000
Construct Scotchmoss (Phase 2)	\$1,100,000
Total	\$2,990,000



Debt Service Summary

(In millions)

	Working Capital 09/30/14	FY 14-15 Revenues	FY 14-15 Expenses	Working Capital 09/30/15
Debt Service:				
General	2.75	4.23	4.36	2.62
Utility	0.29	0.28	0.28	0.29
La Porte Area Water Authority	-	0.69	0.69	-
Total Debt Service	<u>3.03</u>	<u>5.20</u>	<u>5.33</u>	<u>2.90</u>

Questions?



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>September 8, 2014</u>	Appropriation
Requested By: <u>M. Dolby</u>	Source of Funds: <u>N/A</u>
Department: <u>Finance</u>	Account Number:
Report: <input checked="" type="radio"/> Resolution: <input type="radio"/> Ordinance: <input type="radio"/>	Amount Budgeted:
Other: <input type="radio"/>	Amount Requested:
	Budgeted Item: <input type="radio"/> YES <input type="radio"/> NO

Attachments :

- 1. Ordinance**
- 2. Public Hearing Notice**

SUMMARY & RECOMMENDATIONS

The City Council held budget workshops on August 11 through August 12, 2014 to discuss proposed budgets for the fiscal year beginning October 1, 2014 and ending September 30, 2015.

The Summary of Funds, which is shown below, represents the result of the workshops held with City Council. All changes made by Council were incorporated into the various budgets.

	Revised 2014	Proposed 2015
General Fund	\$ 47,343,582	\$ 42,524,058
Grant Fund	717,954	502,678
Street Maintenance Sales Tax Fund	1,985,356	795,000
Emergency Services District Sales Tax Fund	984,442	1,322,638
Hotel/Motel Occupancy Tax	685,508	826,039
Economic Development Corporation	1,630,528	1,418,611
Tax Increment Reinvestment Zone	2,910,409	2,807,737
Utility	7,901,605	8,056,291
Airport	60,114	138,496
La Porte Area Water Authority	1,080,171	1,129,481
Motor Pool	3,708,892	3,130,099
Insurance Fund	5,614,649	6,247,649
Technology Fund	230,000	220,000
General Capital Improvement	7,280,876	1,615,000
Utility Capital Improvement	1,162,975	1,175,000
Sewer Rehabilitation Capital Improvement	350,000	350,000
Drainage Improvement Fund	531,280	240,000
2010 Certificates of Obligation Bond Fund	1,507,119	280,000
General Debt Service	3,857,885	4,358,723
Utility Debt Service	287,044	277,226
La Porte Area Water Authority Debt Service	688,650	691,838
Total of All Funds	\$90,519,039	\$78,106,564

There is no change in the Tax Rate, which has remained constant for the last twenty-six years.

Action Required of Council:

Consider approval or other action of an Ordinance approving Fiscal Year 2014-15 Proposed Budget.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 14-_____

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

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

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

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

SECTION 1: That the Budget for the City of La Porte, Texas, now before the said City Council for consideration, a complete copy of which is on file with the City Secretary and incorporated hereto by reference, is hereby adopted as the Budget for the said City of La Porte, Texas, for the period of October 1, 2014, through September 30, 2015.

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

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

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

PASSED AND APPROVED this the 8th day of September, 2014.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Clark T. Askins, Assistant City Attorney

PUBLIC NOTICES

Legal and Public Notices:

editor@bayareaobserver.com

Call 281-907-3140

UNNECESSARY

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of La Porte will hold a Public Hearing on the 8th day of September 2014, in the Council Chambers of the City Hall, 604 West Fairmont Parkway, La Porte, Texas, beginning at 6:00 P.M. The purpose of this hearing is to provide citizens the opportunity to comment on the overall budget.

This budget will raise more total property taxes than last year's budget by \$1,129,059.00, or 7.07%. It is unknown at this time the amount of tax revenue to be raised from new property added to the tax roll this year.

The City of La Porte, must, by Charter requirement, adopt its fiscal budget by September 30, 2014. Copies of the adopted budget will be available for public inspection and copying at the office of the City Secretary, City Hall, 604 West Fairmont Parkway, La Porte, Texas, and the La Porte Community Library, 600 South Broadway, La Porte, Texas, during normal business hours. Copies will also be made available on the City's website.

CITY OF LA PORTE

Patrice Fogarty, TRMC, MMC
City Secretary

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NOTICE OF 2014 TAX YEAR PROPOSED PROPERTY TAX RATE FOR CITY OF SHOREACRES

The City of Shoreacres is unable to complete 2014 proposed property tax rates notices required under Texas Local Government Code Sec. 140.010 since it has not received certified values from the Harris County Appraisal District. Once the City of Shoreacres receives certified values from the Harris County Appraisal District this form will be completed and republished.

A tax rate of \$ (will be available when republished) per \$100 valuation has been proposed by the governing body of City of Shoreacres.

PROPOSED TAX RATE	\$ _____	per \$100
PRECEDING YEAR'S TAX RATE	\$0.844381	per \$100
EFFECTIVE TAX RATE	\$ _____	per \$100

The effective tax rate is the total tax rate needed to raise the same amount of property tax revenue for City of Shoreacres from the same properties in both the 2013 tax year and the 2014 tax year.

YOUR TAXES OWED UNDER ANY OF THE ABOVE RATES
CAN BE CALCULATED AS FOLLOWS:

property tax amount= (rate) x (taxable value of your property)/100

For assistance or detailed information about tax calculations, please contact:

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 8, 2014

Appropriation

Requested By: M. Dolby

Source of Funds:

Department: Finance

Account Number:

Report: Resolution: Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item: YES NO

Attachments :

SUMMARY & RECOMMENDATIONS

House Bill 3195, passed by the Texas Legislature in 2007, amends Section 102.007 of the Texas Local Government Code to require that the Council must take a separate vote to ratify increased property tax revenues that are reflected in the budget. The FY 2014-15 budget is projected to raise more property tax revenues than in FY 2013-14; therefore, the Council is required to take a separate vote to ratify the property tax revenue increase. The projected increase in revenues from property taxes is reflected in the budget as presented.

The budget for FY 2014-15 includes projected revenues from property taxes that are greater than the revenues from property taxes in the FY 2013-2014 budget by \$1,129,059.00 and of that amount \$191,576.32 is tax revenue to be raised from new property added to the tax roll this year.

Action Required of Council:

Request Council to vote on ratification of property tax revenue increase.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 8, 2014

Appropriation

Requested By: M. Dolby

Source of Funds:

Department: Finance

Account Number:

Report: Resolution: Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item: YES NO

Attachments :

1. Resolution

2. Certification from HCAD

SUMMARY & RECOMMENDATIONS

On August 27, 2014, the City of La Porte received the Certified Appraisal Roll from the Harris County Appraisal District.

Section 26.04 of the State Property Tax Code requires the submission of the Appraisal Roll to the Governing Body.

The 2014 Certified Tax Roll for the City of La Porte, as received from the Harris County Appraisal District (HCAD), shows a total appraised value of \$2,971,999,556 and a total taxable value of \$2,432,195,832.

Action Required of Council:

Consider approval or other action of Resolution for acceptance of the appraisal roll.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

RESOLUTION NO. 14-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS, ADOPTING THE 2014 APPRAISAL ROLL OF THE HARRIS COUNTY APPRAISAL DISTRICT.

WHEREAS, the Harris County Appraisal District has submitted to the City Council of the City of La Porte, for approval, the 2014 tax appraisal roll; and

WHEREAS, the City Council is of the opinion that the 2014 appraisal roll with the amounts shown therein should be adopted;

WHEREAS, the Harris County Appraisal District has certified to the City Council that there was situated in the City of La Porte, as of January 1, 2014, property with a total appraised value of \$2,971,999,556.00 and a total taxable value of \$2,432,195,832.00.

WHEREAS, new personal property added to the appraisal roll had a total taxable value of \$26,982,580.00 as of January 1, 2014;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, THAT:

Section 1. the 2014 taxable roll in the amount of \$2,432,195,832.00, as submitted by the Harris County Appraisal District is hereby adopted;

Section 2. the City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the offices of City of La Porte for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this resolution 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.

PASSED AND APPROVED this the 8th day of September, 2014.

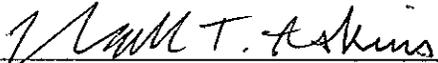
CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Clark T. Askins, Assistant City Attorney

071

Mailing Address:
Office of the Chief Appraiser
P.O. Box 920975
Houston, TX 77292-0975



Harris County Appraisal District
13013 Northwest Fwy, Houston, Texas
Information Center: (713)957-7800

August 29, 2014

Ms Katherine Powell
Assessor Collector
City of La Porte
604 W. Fairmont Pkwy
La Porte TX 77571

RECEIVED
AUG 27 2014
La Porte Tax Office

Dear Ms. Powell:

On August 15, 2014, the Appraisal Review Board of Harris County approved the 2014 appraisal records under Sec. 41.12, Tax Code. Accordingly, I am certifying this year's appraisal roll to each taxing unit.

Approved & Certified Accounts

Accounts on your certified roll include accounts on which no protest was filed, as well as accounts for which the ARB has completed the protest process.

Uncertified Accounts

We have also included a report listing accounts that are still under protest and those which we believe to be taxable in your jurisdiction but which are not yet included on your certified roll. Estimated values for these properties are summarized in the enclosed reports. Final certified values for these properties will be provided on later supplemental rolls.

Other Information

Also included in your certification packet is a sheet titled "WHERE TO FIND." This sheet notes where to find information you will need to calculate your effective and rollback tax rates. The certified residential homestead report includes a summary of average residential values in your unit, which is information required for your tax rate hearing notices.

Please review the homestead exemption data in your printouts to ensure that we used the most current information on your exemption rates. Also, remember that homestead exemptions may be claimed up to one year after the delinquency date for the taxes on the homestead. This means that your tax base will be reduced by late applications filed during this extended application period.

Additional value loss may result from provisions in the Tax Code that allow for district court, SOAH, or arbitration appeal of ARB decisions; late protests; and corrections.

Sincerely,

A handwritten signature in cursive script that reads "Sands L. Stiefer".

Sands L. Stiefer, RPA
Chief Appraiser

Enclosures

HARRIS COUNTY APPRAISAL DISTRICT
HOUSTON, TEXAS

THE STATE OF TEXAS, }
COUNTY OF HARRIS. }

2014
CERTIFICATION OF APPRAISAL ROLL AND
LISTING OF PROPERTIES UNDER SECS. 26.01(c) AND (d)
FOR
City of Laporte

Pursuant to Section 26.01(a), Texas Tax Code, I hereby certify the 2014 appraisal roll of properties taxable by City of Laporte. The roll is delivered in printed and electronic forms.

The total appraised value now on the appraisal roll for this unit is: \$2,971,999,556

The taxable value now on the appraisal roll for this unit is: \$2,432,195,832

As required by Section 26.01(c), Texas Tax Code, I have included with your roll a listing of those properties which are taxable by the unit but which are under protest and are therefore not included in the appraisal roll values approved by the appraisal review board and certified above. My estimate of the total taxable value which will be assigned to such properties if the owners' claims are upheld by the appraisal review board is: \$168,400,167

Pursuant to Section 26.01(d), Texas Tax code, the estimated value of taxable property not under protest and not yet included on the certified appraisal roll, after hearing loss, is \$102,912,185

Signed this 29th day of August, 2014



Sands L. Stiefer

Sands L. Stiefer, RPA
Chief Appraiser

ASSESSOR'S ACKNOWLEDGEMENT

As tax assessor/collector of the above-named taxing unit, I hereby acknowledge receipt of the certified 2014 appraisal roll on this the _____ day of _____, 2014

071 CITY OF LAPORTE
TAX YEAR: 2014

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
CERTIFIED ROLL 00

LAST UPDATED: 08/15/2014
DELV DATE: 08/29/2014

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
A1 Real, Residential, Single-Family	9,340	2,423.6610	1,164,777,229	1,147,087,867	0	301,061,689	846,026,178
A2 Real, Residential, Mobile Homes	83	18.9035	2,670,255	2,645,858	0	422,303	2,223,555
B1 Real, Residential, Multi-Family	21	67.8171	48,577,585	48,546,008	0	50,126	48,495,882
B2 Real, Residential, Two-Family	55	10.0559	5,390,605	5,390,605	0	39,307	5,351,298
B3 Real, Residential, Three-Family	0	0.0000	0	0	0	0	0
B4 Real, Residential, Four- or More-Family	0	0.0000	0	0	0	0	0
C1 Real, Vacant Lots/Tracts	1,004	262.0330	16,707,919	15,891,760	0	296,524	15,595,236
C2 Real, Vacant Commercial	472	476.4360	35,928,565	35,924,089	0	18,442	35,905,647
C3 Real, Vacant	7	3.6460	141,406	141,406	0	0	141,406
D1 Real, Qualified Agricultural Land	37	290.6959	9,224,912	0	172,581	0	172,581
D2 Real, Unqualified Agricultural Land	51	828.6976	21,848,906	21,848,906	0	0	21,848,906
E1 Real, Farm & Ranch Improved	2	1.8360	600,322	590,898	0	238,179	352,719
F1 Real, Commercial	553	1,002.0671	462,010,264	460,626,819	0	173,271	460,453,548
F2 Real, Industrial	57	748.2417	367,860,428	367,860,428	0	3,747,251	364,113,177
G1 Oil and Mineral Gas Reserves	0	0.0000	0	0	0	0	0
G2 Real Property Other Mineral Reserves	0	0.0000	0	0	0	0	0
H1 Tangible, Vehicles	0	0.0000	0	0	0	0	0
H2 Tangible, Goods In Transit	0	0.0000	0	0	0	0	0
I1 Real, Banks	0	0.0000	0	0	0	0	0
J1 Real & Tangible Personal, Utility Water	0	0.0000	0	0	0	0	0

071 CITY OF LAPORTE
TAX YEAR: 2014

HARRIS COUNTY APPRAISAL DISTRICT
PROPERTY USE CATEGORY RECAP
CERTIFIED ROLL 00

LAST UPDATED: 08/15/2014
DELV DATE: 08/29/2014

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
J2 Gas Companies	1	0.0000	2,385,530	2,385,530	0	0	2,385,530
J3 Electric Companies	27	95.9102	21,387,025	21,387,025	0	0	21,387,025
J4 Telephone Companies	5	1.1478	3,867,881	3,867,881	0	450	3,867,431
J5 Railroads	25	162.2530	5,106,750	5,106,750	0	0	5,106,750
J6 Pipelines	139	4.4358	18,065,440	18,065,440	0	209,732	17,855,708
J7 Major Cable Television Systems	2	0.0000	5,342,700	5,342,700	0	0	5,342,700
L1 Tangible, Commercial	734	0.0000	177,415,273	177,415,273	0	750,941	176,664,332
L2 Tangible, Industrial	249	0.0000	393,237,823	393,237,823	0	1,499,423	391,738,400
M1 Tangible, Nonbusiness Watercraft	0	0.0000	0	0	0	0	0
M2 Tangible, Nonbusiness Aircraft	0	0.0000	0	0	0	0	0
M3 Tangible, Mobile Homes	471	0.0000	5,364,904	5,364,317	0	889,592	4,474,725
M4 Tangible, Miscellaneous	0	0.0000	0	0	0	0	0
N1 Intangibles	0	0.0000	0	0	0	0	0
O1 Inventory	0	0.0000	0	0	0	0	0
O2 Inventory	9	0.0000	1,300,327	1,300,327	0	0	1,300,327
S1 Dealer Inventory	18	0.0000	1,392,771	1,392,771	0	0	1,392,771
U0 Unknown	0	0.0000	0	0	0	0	0
XA Public Property for Housing Indigent Persons	0	0.0000	0	0	0	0	0
XB Income Producing Tangible Personal Property Valued Under \$500	0	0.0000	0	0	0	0	0
XC Mineral Interest Property Valued Under \$500	0	0.0000	0	0	0	0	0

071 CITY OF LAPORTE
 TAX YEAR: 2014

HARRIS COUNTY APPRAISAL DISTRICT
 PROPERTY USE CATEGORY RECAP
 CERTIFIED ROLL 00

LAST UPDATED: 08/15/2014
 DELV DATE: 08/29/2014

PROPERTY USE CATEGORY	UNITS	ACREAGE	MARKET	APPRAISED	PRODUCTIVITY	EXEMPTIONS	TAXABLE VALUE
XD Improving Property for Housing w/ Volunteer Labor	3	0.0000	52,516	52,516	0	52,516	0
XE Community Housing Development Organizations	0	0.0000	0	0	0	0	0
XF Assisting Ambulatory Health Care Centers	0	0.0000	0	0	0	0	0
XG Primarily Performing Charitable Functions	2	2.0088	624,731	624,731	0	624,731	0
XH Developing Model Colonia Subdivisions	0	0.0000	0	0	0	0	0
XI Youth Spiritual, Mental and Physical Development	0	0.0000	0	0	0	0	0
XJ Private Schools	0	0.0000	0	0	0	0	0
XL Economic Development Services to Local Community	0	0.0000	0	0	0	0	0
XM Marine Cargo Containers	0	0.0000	0	0	0	0	0
XN Motor Vehicles Leased for Personal Use	0	0.0000	0	0	0	0	0
XO Motor Vehicles for Income Production and Personal Use	0	0.0000	0	0	0	0	0
XP Offshore Drilling Equipment Not In Use	0	0.0000	0	0	0	0	0
XQ Intracoastal Waterway Dredge Disposal Site	0	0.0000	0	0	0	0	0
XR Nonprofit Water or Wastewater Corporations	0	0.0000	0	0	0	0	0
XS Raw Cocoa and Green Coffee held in Harris County	0	0.0000	0	0	0	0	0
XT Limitation on Taxes in Certain Municipalities	0	0.0000	0	0	0	0	0
XU Miscellaneous Exemptions	0	0.0000	0	0	0	0	0
XV Other Exempt (Incl Public, Religious, Charitable)	915	1,790.6967	229,729,247	229,729,247	0	229,729,247	0
JURISDICTION TOTALS:	14,282	8,190.5431	\$3,001,011,314	\$2,971,826,975	\$172,581	\$539,803,724	\$2,432,195,832

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: September 8, 2014

Appropriation

Requested By: M. Dolby

Source of Funds:

Department: Finance

Account Number:

Report: Resolution: Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item: YES NO

Attachments :

1. Ordinance

2. Effective Tax Rate Calculation

SUMMARY & RECOMMENDATIONS

The Fiscal Year 2014-15 Budget was built around a tax rate of .71 cents per hundred dollar valuation.

A breakdown of the tax rate is as follows:

General Fund = .605 cents per hundred dollar valuation

Debt Service = .105 cents per hundred dollar valuation

The tax rate of .71 cents is the same rate that has been adopted for the last twenty-six years.

The Effective Tax Rate = 0.71 cents per hundred dollar valuation, which is the maximum rate without advertisements and a public hearing.

Action Required of Council:

Approve Ordinance establishing the tax rate for Fiscal Year 2014-15 at 71 cents per hundred dollar valuation.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 14-_____

AN ORDINANCE LEVYING TAXES UPON TAXABLE PROPERTY LOCATED WITHIN AND SUBJECT TO TAXATION IN THE CITY OF LA PORTE, TEXAS; MAKING APPROPRIATIONS FOR SUPPORT, MAINTENANCE, AND IMPROVEMENT OF THE CITY GOVERNMENT OF SAID CITY OF LA PORTE; FINDING THAT ALL REQUIRED NOTICES HAVE BEEN PUBLISHED AND ALL REQUIRED HEARINGS HELD; 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

Section 1. That there is hereby levied for the fiscal year beginning October 1, 2014, and ending September 30, 2015, on all real property situated and all personal property owned within the taxable limits of the said City of La Porte, on the first day of January, 2014, except so much as may be exempt under the constitution and laws of the United States, this State, and the City of La Porte, the following taxes:

- (1) An Ad Valorem Tax of and at the rate of sixty and five tenths cents (\$.605) on the one hundred dollars (\$100.00) cash value thereof, estimated in lawful currency of the United States for the current expenses for the support, maintenance, and improvement of the City Government of said City of La Porte; and
- (2) An Ad Valorem Tax of and at the rate of ten and five tenths cents (\$.105) on the one hundred dollars (\$100.00) cash value thereof, estimated in lawful currency of the United States, to pay current interest on and provide one year's sinking fund and to pay all of the Principal and Interest accruing on all outstanding general obligation bonds and certificates of obligation lawfully issued by the City of La Porte.

That this provides the sum of total Ad Valorem tax at the rate of seventy-one cents (\$.71) on the one hundred dollars (\$100.00) cash value thereof, estimated in lawful currency of the United States.

Section 2. All property upon which a rate of taxation is hereinabove levied shall be assessed on a ratio of one hundred percent (100%) of the estimated market value thereof.

Section 3. That the sums hereinafter accruing and collected from the hereinabove taxes so levied be and the same are hereby appropriated for the support, maintenance, and improvement of the City Government of the City of La Porte.

Section 4. The City Council officially finds, determines, recites and declares that all notices required by law have been published, and that a public hearing as required by law was duly called and held, and that all matters prerequisite to the establishment and levy of an ad valorem tax have been accomplished, all as required by the laws of the State of Texas, and the Home Rule Charter of the City of La Porte.

Section 5. If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, and it is hereby declared to be the intention of this City Council to have passed each section, sentence, phrase, or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase, or clause, or part thereof, may be declared invalid.

Section 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 7. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place, and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required.

Section 8. This Ordinance shall be in effect from and after its passage and approval.

PASSED AND APPROVED this the 8th day of September, 2014.

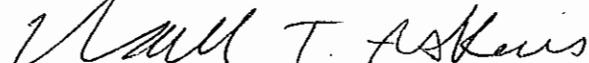
CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Clark T. Askins, Assistant City Attorney

2014 Property Tax Rates in City of La Porte

This notice concerns the 2014 property tax rates for City of La Porte. It presents information about three tax rates. Last year's tax rate is the actual tax rate the taxing unit used to determine property taxes last year. This year's *effective* tax rate would impose the same total taxes as last year if you compare properties taxed in both years. This year's *rollback* tax rate is the highest tax rate the taxing unit can set before taxpayers start rollback procedures. In each case these rates are found by dividing the total amount of taxes by the tax base (the total value of taxable property) with adjustments as required by state law. The rates are given per \$100 of property value.

Last year's tax rate:

Last year's operating taxes	\$15,937,812
Last year's debt taxes	\$2,491,906
Last year's total taxes	\$18,429,718
Last year's tax base	\$2,595,734,930
Last year's total tax rate	\$0.710/\$100

This year's effective tax rate:

Last year's adjusted taxes (after subtracting taxes on lost property)	\$17,779,044
÷ This year's adjusted tax base (after subtracting value of new property)	\$2,503,960,636
= This year's effective tax rate (Maximum rate unless unit publishes notices and holds hearings.)	\$0.710/\$100

This year's rollback tax rate:

Last year's adjusted operating taxes (after subtracting taxes on lost property and adjusting for any transferred function, tax increment financing, state criminal justice mandate, and/or enhanced indigent healthcare expenditures)	\$15,901,455
÷ This year's adjusted tax base	\$2,503,960,636
= This year's effective operating rate	\$0.635/\$100
x 1.08 —this year's maximum operating rate	\$0.685/\$100
+ This year's debt rate	\$0.105/\$100
= This year's total rollback rate	\$0.790/\$100

Statement of Increase/Decrease

If City of La Porte adopts a 2014 tax rate equal to the effective tax rate of \$0.710 per \$100 of value, taxes would decrease compared to 2013 taxes by \$-404,728.

Schedule A - Unencumbered Fund Balance

The following estimated balances will be left in the unit's property tax accounts at the end of the fiscal year. These balances are not encumbered by a corresponding debt obligation.

Type of Property Tax Fund	Balance
General Fund	20,867,401
General Debit Service Fund	2,747,099

Schedule B - 2014 Debt Service

The unit plans to pay the following amounts for long-term debts that are secured by property taxes. These amounts will be paid from property tax revenues (or additional sales tax revenues, if applicable).

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
General Obligation Bonds, Series 2002	270,000	17,280	0	287,280
Certificate of Obligation Bonds, Series 2004	325,000	5,850	0	330,850
Certificate of Obligation Bonds, Series 2005	85,000	9,041	0	94,041
General Obligation Bonds, Series 2005	365,000	39,704	0	404,704
General Obligation Bonds, Series 2006	60,000	10,490	0	70,490
Certificate of Obligation Bonds, Series 2006	290,000	37,250	0	327,250
Certificate of Obligation Bonds, Series 2007	330,000	161,632	0	491,632
General Obligation Refunding Bonds, Series 2010	480,000	80,813	0	560,813
Certificate of Obligation Bonds, Series 2010	355,000	190,494	0	545,494
General Obligation Refunding Bonds, Series 2012	80,000	262,220	0	342,220
General Obligation	635,000	268,950	0	903,950

Refunding Bonds, Series
2014

Total required for 2014 debt service	\$4,358,724
- Amount (if any) paid from Schedule A	\$85,000
- Amount (if any) paid from other resources	\$1,603,660
- Excess collections last year	\$0
= Total to be paid from taxes in 2014	\$2,670,064
+ Amount added in anticipation that the unit will collect only 100.00% of its taxes in 2014	\$0
= Total debt levy	\$2,670,064

This notice contains a summary of actual effective and rollback tax rates' calculations. You can inspect a copy of the full calculations at City Hall 604 W Fairmont Parkway, La Porte, TX 77571.

Name of person preparing this notice: Katherine R Powell
Title: Tax Manager
Date Prepared: 08/28/2014

2014 Effective Tax Rate Worksheet

City of La Porte

Date: 08/28/2014 02:08 PM

1. 2013 total taxable value. Enter the amount of 2013 taxable value on the 2013 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-third over-appraisal corrections from these adjustments. This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (will deduct taxes in Line 14).	\$2,580,066,026
2. 2013 tax ceilings. Counties, cities and junior college districts. Enter 2013 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2013 or a prior year for homeowners age 65 or older or disabled, use this step.	\$0
3. Preliminary 2013 adjusted taxable value. Subtract Line 2 from Line 1.	\$2,580,066,026
4. 2013 total adopted tax rate.	\$0.710/\$100
5. 2013 taxable value lost because court appeals of ARB decisions reduced 2013 appraised value. A. Original 2013 ARB Values.	\$99,590,730
B. 2013 values resulting from final court decisions.	\$88,953,761
C. 2013 value loss. Subtract B from A.	\$10,636,969
6. 2013 taxable value, adjusted for court-ordered reductions. Add Line 3 and Line 5C.	\$2,590,702,995
7. 2013 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2013. Enter the 2013 value of property in deannexed territory.	\$0
8. 2013 taxable value lost because property first qualified for an exemption in 2014. Note that lowering the amount or percentage of an existing exemption does not create a new exemption or reduce taxable value. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost to freeport or goods-in-transit exemptions.	
A. Absolute exemptions. Use 2013 market value:	\$126,782
B. Partial exemptions. 2014 exemption amount or 2014 percentage exemption times 2013 value:	\$5,973,076
C. Value loss. Add A and B.	\$6,099,858
9. 2013 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2014. Use only properties that qualified in 2014 for the first time; do not use properties that qualified in 2013.	
A. 2013 market value:	\$10,120
B. 2014 productivity or special appraised value:	\$61
C. Value loss. Subtract B from A.	\$10,059
10. Total adjustments for lost value. Add lines 7, 8C and 9C.	\$6,109,917

11. 2013 adjusted taxable value. Subtract Line 10 from Line 6.	\$2,584,593,078
12. Adjusted 2013 taxes. Multiply Line 4 by line 11 and divide by \$100.	\$18,350,610
13. Taxes refunded for years preceding tax year 2013. Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2013. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2013. This line applies only to tax years preceding tax year 2013.	\$35,727
14. Taxes in tax increment financing (TIF) for tax year 2013. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2014 captured appraised value in Line 16D, enter 0.	\$607,293
15. Adjusted 2013 taxes with refunds and TIF adjustment. Add Lines 12 and 13, subtract Line 14.	\$17,779,044
16. Total 2014 taxable value on the 2014 certified appraisal roll today. This value includes only certified values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 18). These homesteads include homeowners age 65 or older or disabled.	
A. Certified values:	\$2,432,195,832
B. Counties: Include railroad rolling stock values certified by the Comptroller's office:	\$0
C. Pollution control exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control property:	\$0
D. Tax increment financing: Deduct the 2014 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2014 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 21 below.	\$112,006,297
E. Total 2014 value. Add A and B, then subtract C and D.	\$2,320,189,535
17. Total value of properties under protest or not included on certified appraisal roll.	
A. 2014 taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value.	\$168,400,167
B. 2014 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about, but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value.	\$50,141,339
C. Total value under protest or not certified: Add A and B.	\$218,541,506
18. 2014 tax ceilings. Counties, cities and junior colleges enter 2014 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing units adopted the tax ceiling provision in 2013 or a prior year for homeowners age 65 or older or disabled, use this step.	\$0

19. 2014 total taxable value. Add Lines 16E and 17C. Subtract Line 18.	\$2,538,731,041
20. Total 2014 taxable value of properties in territory annexed after Jan. 1, 2013. Include both real and personal property. Enter the 2014 value of property in territory annexed.	\$4,781,508
21. Total 2014 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2013. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2013, and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2014.	\$29,988,897
22. Total adjustments to the 2014 taxable value. Add Lines 20 and 21.	\$34,770,405
23. 2014 adjusted taxable value. Subtract Line 22 from Line 19.	\$2,503,960,636
24. 2014 effective tax rate. Divide Line 15 by Line 23 and multiply by \$100.	\$0.710/\$100
25. COUNTIES ONLY. Add together the effective tax rates for each type of tax the county levies. The total is the 2014 county effective tax rate.	

A county, city or hospital district that adopted the additional sales tax in November 2013 or in May 2014 must adjust its effective tax rate. The Additional Sales Tax Rate Worksheet sets out this adjustment. Do not forget to complete the Additional Sales Tax Rate Worksheet if the taxing unit adopted the additional sales tax on these dates.

2014 Rollback Tax Rate Worksheet City of La Porte

Date: 08/28/2014

26. 2013 maintenance and operations (M&O) tax rate.	\$0.614/\$100
27. 2013 adjusted taxable value. Enter the amount from Line 11.	\$2,584,593,078
28. 2013 M&O taxes.	
A. Multiply Line 26 by Line 27 and divide by \$100.	\$15,869,401
B. Cities, counties and hospital districts with additional sales tax: Amount of additional sales tax collected and spent on M&O expenses in 2013. Enter amount from full year's sales tax revenue spent for M&O in 2013 fiscal year, if any. Other taxing units enter 0. Counties exclude any amount that was spent for economic development grants from the amount of sales tax spent.	\$0
C. Counties: Enter the amount for the state criminal justice mandate. If second or later year, the amount is for increased cost above last year's amount. Other taxing units enter 0.	\$0
D. Transferring function: If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in H below. The taxing unit receiving the function will add this amount in H below. Other taxing units enter 0.	\$0
E. Taxes refunded for years preceding tax year 2013: Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2013. This line applies only to tax years preceding tax year 2013.	\$32,054
F. Enhanced indigent health care expenditures: Enter the increased amount for the current year's enhanced indigent health care expenditures above the preceding tax year's enhanced indigent health care expenditures, less any state assistance.	\$0
G. Taxes in TIF: Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2014 captured appraised value in Line 16D, enter 0.	\$0
H. Adjusted M&O Taxes. Add A, B, C, E and F. For unit with D, subtract if discontinuing function and add if receiving function. Subtract G.	\$15,901,455
29. 2014 adjusted taxable value. Enter Line 23 from the Effective Tax Rate Worksheet.	\$2,503,960,636
30. 2014 effective maintenance and operations rate. Divide Line 28H by Line 29 and multiply by \$100.	\$0.635/\$100
31. 2014 rollback maintenance and operation rate. Multiply Line 30 by 1.08.	\$0.685/\$100
32. Total 2014 debt to be paid with property taxes and additional sales tax revenue. "Debt" means the interest and principal that will be paid on debts that:	

(1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year and (4) are not classified in the taxing unit's budget as M&O expenses	
A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. List the debt in Schedule B: Debt Service.	\$4,358,724
B. Subtract unencumbered fund amount used to reduce total debt.	\$85,000
C. Subtract amount paid from other resources.	
D. Adjusted debt. Subtract B and C from A.	\$1,603,660
	\$2,670,064
33. Certified 2013 excess debt collections. Enter the amount certified by the collector.	\$0
34. Adjusted 2014 debt. Subtract Line 33 from Line 32D.	\$2,670,064
35. Certified 2014 anticipated collection rate. Enter the rate certified by the collector. If the rate is 100 percent or greater, enter 100 percent.	100.00%
36. 2014 debt adjusted for collections. Divide Line 34 by Line 35	\$2,670,064
37. 2014 total taxable value. Enter the amount on Line 19.	\$2,538,731,041
38. 2014 debt tax rate. Divide Line 36 by Line 37 and multiply by \$100.	\$0.105/\$100
39. 2014 rollback tax rate. Add Lines 31 and 38.	\$0.790/\$100
40. COUNTIES ONLY. Add together the rollback tax rates for each type of tax the county levies. The total is the 2014 county rollback tax rate.	

A taxing unit that adopted the additional sales tax must complete the lines for the Additional Sales Tax Rate. A taxing unit seeking additional rollback protection for pollution control expenses completes the Additional Rollback Protection for Pollution Control.

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested:	<u>September 8, 2014</u>	<u>Appropriation</u>
Requested By:	<u>Alex Osmong</u>	Source of Funds: <u>General Fund</u>
Department:	<u>Golf Course</u>	Account Number: <u>00160485512090</u>
Report: <input checked="" type="radio"/>	Resolution: <input type="radio"/> Ordinance: <input type="radio"/>	Amount Budgeted: <u>56,140</u>
Other: <input type="radio"/>		Amount Requested: <u>54,390</u>
		Budgeted Item: <input checked="" type="radio"/> YES <input type="radio"/> NO

Attachments :

1. Purchasing Evaluation/Access Report
2. Bid Tabulation
3. Email from Purchasing Staff

SUMMARY & RECOMMENDATIONS

Sealed Bid #14020 was advertised in the Houston Chronicle Bay Area Edition on April 17th and 24th, 2014. Bids were publicly opened and read April 29, 2014. The City received 3 bids.

The bid was to replace the fleet of 74 electric golf carts. There were 3 payment plans requested by the City. The options are a onetime purchase, a straight lease, and a four year annual equal payment purchase. After reviewing the options, Staff recommends the four annual equal payments as the City has done for the last 3 cart fleets purchased.

Yamaha Golf-Car Company submitted the low bid meeting specifications. It is four equal payments of \$54,390.

City Staff recommends the purchase of 74 electric carts from Yamaha Golf-Car Company for four payments of \$54,390 per year for a total of \$217,560.

Action Required of Council:

Consider approval or other action to award bid #14020 for 74 electric golf carts in the amount of \$217,560 to Yamaha Golf- car Company to be paid in four annual installments of \$54,390.00.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

Access Report

Agency City of La Porte (TX)
Bid Number 14020
Bid Title Electric Golf Cars

Vendor Name	Accessed First Time	Most Recent Access
Club Car LLC	2014-04-28 09:57 AM CDT	2014-04-28 10:08 AM CDT
South Ranger Construction Inc.	2014-04-21 07:41 AM CDT	2014-04-23 04:03 PM CDT
The Blue Book of Building and (2014-04-17 11:43 PM CDT	2014-04-28 11:57 PM CDT
Coastal Cruizers Custom Carts	2014-04-22 01:17 PM CDT	2014-04-22 01:17 PM CDT
Acme Inc	2014-04-18 01:28 AM CDT	2014-04-18 01:28 AM CDT
North America Procurement Co	2014-04-22 10:34 AM CDT	2014-04-22 10:35 AM CDT
Jlm Kodam Inc.	2014-04-18 03:01 AM CDT	2014-04-28 06:05 AM CDT
RICHMOND EQUIPMENT	2014-04-28 09:34 AM CDT	2014-04-28 09:36 AM CDT
Monhar Construction, Inc.	2014-04-18 01:32 AM CDT	2014-04-18 01:32 AM CDT
GOLF CARS OF HOUSTON	2014-04-22 02:45 PM CDT	2014-04-22 02:45 PM CDT
Yamaha Golf-Car Company	2014-04-24 08:29 AM CDT	2014-04-29 01:27 PM CDT
Advanced Starlight Internationa	2014-04-23 03:43 PM CDT	2014-06-16 08:28 PM CDT
E-Z-GO a division of Textron In	2014-04-22 08:56 PM CDT	2014-04-22 08:59 PM CDT
Morgan Construction	2014-06-30 08:33 PM CDT	2014-07-11 02:35 PM CDT
U-Pick U-Pull Auto Parts	2014-05-31 02:17 PM CDT	2014-07-01 02:55 PM CDT

Documents

ost Recent Response Date

#14020 - Electric Golf Cars.pdf

2014-04-29 01:26 PM CDT

#14020 - Electric Golf Cars.pdf

Sealed Bid #14020 - Electric Golf Carts

		Yamaha		EZ Go		EZ Go	
		Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
Section 1	Purchase Price	\$2,770.00	\$204,980.00	\$3,199.00	\$236,726.00	\$4,099.00	\$303,326.00
Section 2	Monthly Lease	\$4,625.00	\$222,000.00	\$2,656.80	\$196,603.20	\$3,656.64	\$270,591.36
Section 3	Annual Payment	\$54,390.00	\$217,560.00	\$3,463.68	\$256,312.32	\$4,438.08	\$328,417.92
Section 4	Trade-in of current fleet	\$96,200.00*		\$66,000.00*		\$66,000.00*	
*Trade in applied in pricing							
		Total Leasing	\$222,000.00	Total Leasing	\$196,603.20	Total Leasing	\$270,591.36
		Total Installment		Total Installment		Total Installment	
		Purchase	\$217,560.00	Purchase	\$256,312.32	Purchase	\$328,417.92

From: Scarborough, Sandie
Sent: Tuesday, August 12, 2014 3:36 PM
To: Osmond, Alex
Cc: Purchasing - Staff
Subject: Re Bid #14020 - Electric Golf Cars
Attachments: AccessReport Sealed Bid 14020.xls

Alex, Sealed Bid #14020 advertised in the Houston Chronicle Bay Area Edition on April 17, 2014 and April 24, 2014. The bid was opened and publicly read in Council Chambers on April 29, 2014 at 2:00 p.m. Central Standard Time.

The bid was advertised in the Houston Chronicle, posted to the City's website, and published on PublicPurchase.com. The Public Purchase access report (attached) shows that 15 vendors viewed the bid with 6 downloading the bid, and 3 responding.

The bid tabulation demonstrates that the installment purchase option (4 annual payments of \$54390 @ 4.2%) proposed by Yamaha is the best value for the City. Finance has reviewed and concurs with this selection.

Alex, we are no longer sending a "bidders list" with the council back-up info.

Thanks!
Sandie

Sandie Scarborough, C.P.M.
City of La Porte Purchasing Division
604 W. Fairmont Parkway La Porte, TX 77571
PH: 281-470-5126 FAX: 281-470-5127
scarboroughs@laportetx.gov



Council Agenda Item September 8, 2014

8. ADMINISTRATIVE REPORTS

- Fiscal Affairs Committee Meeting, Monday, September 22, 2014
- La Porte Development Corporation Board Meeting, Monday, September 22, 2014
- City Council Meeting, Monday, September 22, 2014
- Planning and Zoning Commission Meeting, Thursday, September 25, 2014

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 or existing policies – Councilmembers Kaminski, Zemanek, Leonard, Engelken, Earp, Clausen, Martin, Moser and Mayor Rigby

10. ADJOURN
