



# CITY COUNCIL AGENDA

## NOTICE OF REGULAR MEETING

Tuesday, September 20, 2016

7:00 p.m.

City Hall - Council Chamber

Daniel P. Moore Community Center Complex

1900 Billy G. Webb Drive

Portland, Texas

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

1. CALL TO ORDER: MAYOR KREBS
2. INVOCATION AND PLEDGE: MAYOR KREBS OR DESIGNEE
3. FORMAL ANNOUNCEMENTS, RECOGNITION, PRESENTATIONS AND REPORTS THAT MAY BE DISCUSSED:
  - RECOGNITION OF AQUACATS SWIM TEAM – DIRECTOR OF PARKS AND RECREATION AND AQUATICS SPECIALIST
  - REPORT ON COASTAL BEND BUILDING PERMIT FEES, UTILITY RATES, AND AD VALOREM TAX RATE COMPARISONS – CITY MANAGER
4. CITY COUNCIL COMMENTS CONCERNING ITEMS OF COMMUNITY INTEREST THAT MAY NOT BE DISCUSSED:

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

- Expressions of thanks, congratulations, or condolence
- Information regarding holiday schedules
- Honorary recognition of city officials, employees, or other citizens
- Reminders about upcoming events sponsored by the city or another entity that is scheduled to be attended by a city official or city employee
- Announcements of imminent threats to the public health and safety of the city

**5. CITY MANAGER’S REPORT:**

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

**B. ACTION ITEMS, RESOLUTIONS AND ORDINANCES:**

Members of the audience who wish to (1) comment on issues concerning an agenda item, (2) present questions concerning an agenda item, (3) request assistance concerning an agenda item or (4) propose regulatory changes concerning an agenda item, must comply with the following rules of procedure:

- Persons who wish to speak must fill out and turn in a speaker card before the meeting is convened (The Mayor will notify you when it’s your turn to speak and direct you to the podium)
- Persons who wish to speak must identify themselves and their places of residence
- All comments, requests and proposals must be presented to or through the Mayor
- Persons who wish to speak will be given 4 minutes to do so

**6. MINUTES OF PREVIOUS MEETINGS:** THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS AUGUST 30, 2016 SPECIAL MEETING, AND SEPTEMBER 6, 2016 REGULAR MEETING - MAYOR KREBS AND CITY SECRETARY

**7. SOLID WASTE AND RECYCLING COLLECTION AND DISPOSAL SERVICES PROPOSALS:** THE CITY COUNCIL WILL CONSIDER PROPOSALS FOR THE SOLID WASTE AND RECYCLING COLLECTION AND DISPOSAL SERVICES THAT WERE RECEIVED, OPENED, AND PUBLICLY READ ON AUGUST 25, 2016 – CITY MANAGER AND ASSISTANT CITY MANAGER

**8. RESOLUTION NO. 725 – INTERLOCAL AGREEMENT FOR HEALTH RELATED SERVICES:** THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 725 THAT APPROVES AN INTERLOCAL AGREEMENT FOR HEALTH RELATED SERVICES WITH SAN PATRICIO COUNTY – ASSISTANT CITY MANAGER

**C. CITIZEN COMMENTS, QUESTIONS, REQUESTS AND PROPOSALS NOT APPEARING ON THE AGENDA:**

Members of the audience who wish to (1) comment on issues for which there is no item on this agenda, (2) present questions for which there is no item on this agenda, (3) request assistance for which there is no item on this agenda or (4) propose regulatory changes for which there is no item on this agenda, must comply with the following rules of procedure:

- Persons who wish to speak must fill out and turn in a speaker card before the meeting is convened (The Mayor will notify you when it's your turn to speak and direct you to the podium)
- Persons who wish to speak must identify themselves and their places of residence
- All comments, requests and proposals must be presented to or through the Mayor  
Persons who wish to speak will only be given 4 minutes to do so

Neither the City Council nor the Staff is legally permitted to respond to citizen comments, questions, requests or proposals at the time of the meeting. A member of the City Council or the City Manager may place an item on the agenda of a future City Council workshop or meeting to legally do so. If that is done, the audience member seeking a response will be given advance notice.

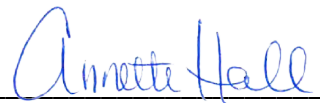
**D. ADJOURNMENT: MAYOR KREBS**

**NOTICE OF ASSISTANCE**

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

**BRAILLE IS NOT AVAILABLE**

**Posted:** September 16, 2016 by 5:00 p.m.  
Portland City Hall

**By:**   
Annette Hall  
City Secretary

**CITY OF PORTLAND  
CITY COUNCIL  
SPECIAL MEETING  
MINUTES  
AUGUST 30, 2016 – 5:30 P.M.**

On this the 30<sup>th</sup> day of August 2016, the Council of the City of Portland convened in a regular meeting session at 5:30 p.m. in the Council Chambers of City Hall, Daniel P. Moore Community Center Complex and notice of regular meeting giving the time, place and date and subject having been posted as described by Section 551 of the Government Code.

**MEMBERS PRESENT:**

David Krebs	Mayor
John Green	Mayor Pro Tem
Ron Jorgensen	Council Member
Cathy Skurow	Council Member
Gary Moore, Sr.	Council Member
Nathan Taggart	Council Member
Bill T. Wilson II	Council Member

**STAFF PRESENT:**

Randy Wright	City Manager
Brian DeLatte	Assistant City Manager
Annette Hall	City Secretary
Mark Cory	Chief of Police
Lyle Lombard	Fire Chief
Katie Griffin	Director of Finance
Ginny Moses	Library Director
Kristin Connor	Director of Parks and Recreation
Terrell Elliott	IT Manager
Lorenzo Lara	Controller
Fred Busmann	IT Technician
Brandon Lemon	Assistant Accountant

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

1. **CALL TO ORDER:** MAYOR KREBS

Mayor Krebs called the meeting to order at 5:30 pm.

2. **ORDINANCE NO. 2141 - AMENDING CURRENT FISCAL YEAR BUDGET:** THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2141 WHICH AMENDS THE 2015-2016 FISCAL YEAR BUDGET – CITY MANAGER AND DIRECTOR OF FINANCE

Finance Director, Katie Griffin, explained that the FY 2015-2016 budget amendments include adjustments to revenues and expenditures based on operational activity during the fiscal year for each budgeted fund. The fund reserve identifies projected changes in fund balances due to changes in revenues and expenditures as well as the use of the draw down of fund balance for identified projects.

Council Member Jorgensen made the motion to approve the first reading of Ordinance No. 2141 which amends the 2015-2016 Fiscal Year Budget, seconded by Council Member Taggart.

The motion passed with the following vote:

Aye: 7 - Mayor Krebs, Mayor Pro Tem Green, Council Member Jorgensen, Council Member Skurow, Council Member Moore, Council Member Taggart and Council Member Wilson

Nay: 0 -

Absent: 0 -

Abstained: 0 -

Mayor Krebs read the following caption:

**ORDINANCE NO. 2141**

**AN ORDINANCE AMENDING AND ADJUSTING ORDINANCE NO. 2119 PASSED ON THE 15th OF SEPTEMBER 2015, ADOPTING THE FUND LEVEL BUDGET FOR THE CITY OF PORTLAND FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016, AND MAKING SUPPLEMENTAL APPROPRIATIONS AND ADJUSTMENTS FOR SAID FISCAL YEAR; REPEALING ALL ORDINANCES IN CONFLICT HERewith, PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE; AND AN EFFECTIVE DATE THEREOF.**

- 3. PUBLIC HEARING ON ADOPTION OF PROPOSED 2016-2017 FISCAL YEAR BUDGET:** THE CITY COUNCIL WILL CONDUCT A PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING THE ADOPTION OF THE PROPOSED 2016-2017 FISCAL YEAR BUDGET – CITY MANAGER AND DIRECTOR OF FINANCE

Mayor Krebs opened the Public Hearing at 5:33 p.m. to solicit comments from citizens and other interested parties concerning the adoption of the proposed 2016-2017 Fiscal Year Budget.

City Manager, Randy Wright, explained that this public hearing gives citizens an opportunity

to comment on the proposed 2016-2017 Fiscal Year Budget. The City Council will also deliberate and consider the first reading to adopt the 2016-2017 Fiscal Year Budget and conduct the required second public hearing on the proposed tax rate that supports the proposed budget.

Each year the city passes a budget. City budgets are funded by a combination of taxes, fines, fund transfers and various fees. The budget is available to the public's view at the library, city hall or available for download at our website. The process of city budgeting is governed by state law and the City's Charter.

The budget must be balanced, which means that our projected expenses must not exceed our anticipated revenues. When the anticipated costs exceed revenues, cities must either reduce expenses or consider increases in some combination of ad valorem taxes and user fees.

This public hearing gives citizens an opportunity to comment on a proposed ad valorem tax rate increase to fund the proposed FY 2016-17 budget.

The City wide budget is made up of seven (7) different operating funds. They include:

- General Fund (largest fund)
- Utility - Water/Wastewater Fund
- Type B Revenue Fund
- Venue Fund
- Restricted Use Fund
- Drainage Fund
- Debt Service Fund

The total budget of all funds includes \$25,854,976 in revenues and \$24,701,814 in expenses. If approved the total budget will contribute \$1,153,162 to the various fund balances. The largest City fund is the General Fund, which funds the general operations of the police, fire, streets and general services for the recreation and leisure services, senior services, library services and general administration.

The General Fund budget includes \$11,699,013 in revenues and \$11,698,685 in expenses. If approved, the budget will contribute \$328 to its fund balance. In order to achieve this, an increase in ad valorem taxes will be required.

The current General Fund budget supports 101.25 employees. The proposed budget includes 3 additional FTE employees (a firefighter, a police officer, addition of one (1) PT employee and the reclassification of one (1) PT to FTE status). The proposed General Fund budget is 1.7% more than last year's amended budget. Combined with debt service, the proposed budget will require an ad valorem tax rate increase to balance.

Mayor Krebs asked for any additional comments from the public. Hearing and seeing none, the Public Hearing was closed at 5:38 p.m.

**4. ORDINANCE NO. 2142 - ADOPTING 2016-2017 FISCAL YEAR BUDGET:** THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2142 WHICH ADOPTS THE 2016-2017 FISCAL YEAR BUDGET – CITY MANAGER AND DIRECTOR OF FINANCE

Director of Finance, Katie Griffin, explained the proposed 2016-2017 budget includes a tax rate increase and an addition of FTE.

City Manager, Randy Wright, explained that the Matrix includes variation of employment of employees and represents a 3 year plan. The Matrix includes employee variations that represent a 3 year plan for implementation.

The City Council, City Manager, Fire Chief and Chief of Police discuss the justification of the position of Fire Engineer and Patrol Officer.

Larry Luehring, a resident at 2006 Oak Ridge, voiced his opinion against an ad valorem tax increase.

Myron Rodrigue, a resident at 100 Palisades Dr., voiced his opinion against an ad valorem tax increase.

David Sutter, a resident at 618 Colonial, voiced his opinion against an ad valorem tax increase.

The City Council, City Manager, Chief of Police and Fire Chief discussed the impact of personnel additions and the following General Fund Tax Rate Matrix.

Budget Request	Budget Cost	Option 1 Requested Staffing	Option 2	Option 3 <sup>4</sup>	Option 4	Option 4A	Option 4B	Option 5 Maintain Current Operations
Patrol Officer	\$71,085	✓	✓	✓	✓	✓		
Patrol Officer	\$71,085	✓	✓					
Police Clerk to F-T	\$23,408	✓	✓	✓		✓	✓	
Fire Engineer	\$79,767	✓	✓	✓				
Fire Engineer	\$79,767	✓	✓					
Fire Engineer	\$79,767	✓						
Maintenance Worker	\$42,768	✓						
Maintenance Tech <sup>1</sup>	\$21,384	✓	✓					
Part-Time Clerk	\$12,954	✓	✓	✓	✓	✓	✓	
Part-Time Clerk	\$12,954	✓						
Total GF Variance		\$494,939	\$359,450	\$187,214	\$84,039	\$107,447	\$36,362	\$0
Tax Rate Increase <sup>2</sup>		\$0.047590	\$0.034563	\$0.018000	\$0.008081	\$0.010331	\$0.003496	\$0.000000
<b>Resulting Tax Rate<sup>3</sup></b>		<b>\$0.603937</b>	<b>\$0.590900</b>	<b>\$0.574337</b>	<b>\$0.564418</b>	<b>\$0.566668</b>	\$0.559833	<b>\$0.556337</b>

Council Member Jorgensen made the motion to adopt Option 3 of the General Fund Tax Rate Matrix, the motion failed due to the lack of a second.

Council Member Jorgensen made the motion to adopt Ordinance No. 2143 which adopts to 2016-2017 Fiscal Year Budget supporting Option 4a of the General Fund Tax Rate Matrix, seconded by Council Member Moore.

The motion passed with the following vote:

Aye: 7 - Mayor Krebs, Mayor Pro Tem Green, Council Member Jorgensen, Council Member Skurow, Council Member Moore, Council Member Taggart and Council Member Wilson

Nay: 0 -

Absent: 0 -

Abstained: 0 -

Mayor Krebs read the following caption:

**ORDINANCE NO. 2142**

**AN ORDINANCE ADOPTING A FUND LEVEL BUDGET FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017, IN ACCORDANCE WITH THE CHARTER OF THE CITY OF PORTLAND, APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR PUBLICATION OF THIS ORDINANCE AND FOR AN EFFECTIVE DATE THEREOF.**

- PUBLIC HEARING ON PROPOSED TAX INCREASE:** THE CITY COUNCIL WILL CONDUCT A PUBLIC HEARING TO SOLICIT COMMENTS FROM CITIZENS AND OTHER INTERESTED PARTIES CONCERNING A PROPOSED INCREASE OF TOTAL TAX REVENUES – CITY MANAGER AND DIRECTOR OF FINANCE

**A tax rate of \$0.574337 per \$100 valuation has been proposed for adoption by the governing body of Portland. This rate exceeds the lower of the effective or rollback tax rate, and state law requires that two public hearings be held by the governing body before adopting the proposed tax rate.**



At 6:26 p.m. Mayor Krebs opened the Public Hearing to solicit comments from citizens and other interested parties concerning a proposed increase of total tax revenues.

City Manager, Randy Wright, presented the following information:

Each year the city passes a budget. City budgets are funded by a combination of taxes, fines, fund transfers and various fees. The budget is available to the public's view at the library, city hall or available for download at our website. The process of city budgeting is governed by state law and the City's Charter.

The budget must be balanced, which means that our projected expenses must not exceed our anticipated revenues. When the anticipated costs exceed revenues, cities must either reduce expenses or consider increases in some combination of ad valorem taxes and user fees.

This public hearing gives citizens an opportunity to comment on a proposed ad valorem tax rate increase to fund the proposed FY 2016-17 budget.

The City wide budget is made up of seven (7) different operating funds. They include:

- General Fund (largest fund)
- Utility - Water/Wastewater Fund
- Type B Revenue Fund
- Venue Fund
- Restricted Use Fund
- Drainage Fund
- Debt Service Fund

The total budget of all funds includes \$25,854,976 in revenues and \$24,701,814 in expenses. If approved the total budget will contribute \$1,153,162 to the various fund balances. The largest City fund is the General Fund, which funds the general operations of the police, fire, streets and general services for the recreation and leisure services, senior services, library services and general administration.

The General Fund budget includes \$11,699,013 in revenues and \$11,698,685 in expenses. If approved, the budget will contribute \$328 to its fund balance. In order to achieve this, an increase in ad valorem taxes will be required.

The current General Fund budget supports 101.25 employees. The proposed budget includes 3 additional FTE employees (a firefighter, a police officer, addition of one (1) PT employee and the reclassification of one (1) PT to FTE status). The proposed General Fund budget is 1.7% more than last year's amended budget. Combined with debt service, the proposed budget will require an ad valorem tax rate increase to balance.

Director of Finance, Katie Griffin presented the following information:

This is the first public hearing of two required public hearings on a proposed tax rate increase.

The FY 2016-17 proposed budget tax rate increase was prepared according to Option 3. Resulting in the following:

<b>2016 Proposed Tax Rate =</b>	<b>\$0.574337 per \$100 valuation</b>
M&O=	\$0.390033
I&S =	\$0.184301
<b>2015 Adopted Tax Rate =</b>	<b>\$0.529645 per \$100 valuation</b>
M&O=	\$0.372033
I&S =	\$0.157612
<b>2016 Effective Tax Rate =</b>	<b>\$0.496115</b>
<b>Rollback Tax Rate =</b>	<b>\$0.585589</b>

Taxes on Average Home Value	<u><b>2015</b></u>	<u><b>2016</b></u>
	\$865	\$963 (\$98 difference)

City Manager, Randy Wright, explained that the City Council has been presented with a proposed FY 2016-2017 budget.

On August 30, 2016 the City Council will:

- Conduct a public hearing on the proposed FY 2016-2017 Budget
- Conduct the second of the two required public hearings on a proposed tax rate increase to support the proposed budget
- Consider the first reading of ordinances to
  - Amend the current FY 2015-2016 budget
  - Adopt the proposed FY 2016-2017 budget
  - Adopt a tax rate for that supports the FY 2016-2017 budget

Myron Rodrigue, a resident at 100 Palisades Dr., voiced his opinion against the proposed tax rate increase.

Larry Luehring, a resident at 2006 Oak Ridge Dr., voiced his opinion against the proposed tax rate increase.

City Manager, Randy Wright, explained that sales tax generated are allocated as follows:

- 1¢ to General Fund
- 1/2¢ to the Type B Fund
- 1/2¢ to the Venue Fund

Mayor Krebs asked for any additional comment from the public. Hearing and seeing none, the Public Hearing was closed at 6:32 p.m.

**6. ORDINANCE NO. 2143 - ADOPTING AD VALOREM TAX RATE: THE CITY COUNCIL WILL CONSIDER THE FIRST READING OF ORDINANCE NO. 2143 WHICH ADOPTS THE AD VALOREM TAX RATE FOR 2016 – CITY MANAGER AND DIRECTOR OF FINANCE**

The City Council and City Manager discussed the proposed ad valorem tax rate of \$0.566668 per \$100 valuation and the Effective Tax Rate (ETR).

Council Member Skurow made the motion to adopt the first reading of Ordinance No. 2143 which sets the maintenance and operation portion of the tax rate at \$0.382364 and the debt rate at \$0.184304 for a total ad valorem tax rate of \$0.566668 per \$100 valuation for FY 2016-2017, seconded by Council Member Jorgensen.

The motion passed with the following vote:

Aye: 7 - Mayor Krebs, Mayor Pro Tem Green, Council Member Jorgensen, Council Member Skurow, Council Member Moore, Council Member Taggart and Council Member Wilson

Nay: 0 -

Absent: 0 -

Abstained: 0 -

Mayor Krebs read the following caption:

**ORDINANCE NO. 2143**

**AN ORDINANCE LEVYING TAXES FOR THE CITY OF PORTLAND, TEXAS FOR THE YEAR 2016, PROVIDING FOR A DATE OF WHICH SUCH TAXES BECOME DELINQUENT; PROVIDING FOR A LIEN ON ALL REAL AND PERSONAL PROPERTY TO SECURE THE PAYMENT OF TAXES DUE THEREON; PROVIDING FOR PENALTY AND INTEREST TO AND EFFECTIVE DATE THEREOF; PROVIDING FOR A 20% COLLECTION FEE; PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.**

**3. ADJOURNMENT: MAYOR**

Mayor Krebs adjourned the special meeting at 6:39 p.m.

**NOTICE OF ASSISTANCE**

If you plan to attend this public meeting and you have a disability that requires special

arrangements to be made, please contact City Secretary Annette Hall (361-777-4513 or [annette.hall@portlandtx.com](mailto:annette.hall@portlandtx.com)) in advance of the meeting. Reasonable accommodations will be made to facilitate your participation. The City Hall is wheelchair accessible and specially marked parking spaces are located in front of its entrance. Special seating will be provided in the Council Chamber during the meeting.

**BRaille IS NOT AVAILABLE**

Approved:

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David Krebs  
Mayor

Attest:

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City Secretary

**CITY OF PORTLAND  
CITY COUNCIL  
REGULAR MEETING  
MINUTES  
SEPTEMBER 6, 2016 – 7:00 P.M.**

On this the 6<sup>th</sup> day of September 2016, the Council of the City of Portland convened in a regular meeting session at 7:00 p.m. in the Council Chambers of City Hall, Daniel P. Moore Community Center Complex and notice of regular meeting giving the time, place and date and subject having been posted as described by Section 551 of the Government Code.

**MEMBERS PRESENT:**

David Krebs	Mayor
John Green	Mayor Pro Tem
Ron Jorgensen	Council Member
Cathy Skurow	Council Member
Gary Moore, Sr.	Council Member
Nathan Taggart	Council Member
Bill T. Wilson II	Council Member

**STAFF PRESENT:**

Randy Wright	City Manager
Brian DeLatte	Assistant City Manager
Mark Cory	Chief of Police
Katie Griffin	Director of Finance
Lyle Lombard	Fire Chief
Ginny Moses	Library Director
Kristin Connor	Director of Parks and Recreation
Terrell Elliott	IT Manager
Fred Bussman	IT Technician
Brandon Lemon	Assistant Accountant
Lorenzo Lara	Controller

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

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

1. **CALL TO ORDER:** MAYOR KREBS

Mayor Krebs called the meeting to order at 7:00 pm.

2. **INVOCATION AND PLEDGE:** MAYOR KREBS OR DESIGNEE

Council Member Taggart gave the invocation and Mayor Krebs led the Pledge of Allegiance.

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

There were none.

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

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

- Expressions of thanks, congratulations, or condolence
- Information regarding holiday schedules
- Honorary recognition of city officials, employees, or other citizens
- Reminders about upcoming events sponsored by the city or other entity that is scheduled to be attended by a city official or city employee
- Announcements involving imminent threats to the public health and safety of the city

Council Member Skurow announced that she and City Manager, Randy Wright attended the August 18, 2016 Coastal Bend Bays & Estuaries Program Meeting, in which they discussed Funding for FY 2017 that included \$2,200,000 in projects.

Council Member Wilson announced that the San Patricio Appraisal Review Board is seeking candidates and applications for anyone interested can be found on their website.

Council Member Jorgensen commented on the fire at Mac’s BBQ and commended the Portland Fire Department. He then announced that the Chamber of Commerce will be hosting the annual Taste of Portland on September 15, 2016 and tickets can be purchased at the new Chamber office.

**5. CITY MANAGER’S REPORT:**

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

- Announced that the Taste of Portland is set for Thursday, September 15, 2016 at 6 p.m. at Northshore Country Club.
- Gave an update on the Voestalpine’s emergency modifications to their dusting system and the site sound monitoring.
- Gave an update on the October 2013 robbery that occurred here at Frost Bank; it was reopened and during the reexamination of the evidence, were able to identify a suspect. He added that during the course of the investigation it lead to

identifying the suspects in the murder of 13- year old, Alex Torres who was shot on Treyway Lane in Corpus Christi in January 2013. After receiving information from Portland detectives, Corpus Christi PD arrested the suspects and both were charged with murder. The Portland Police Department's significant contributions in this case were never reported. In the span of two days, our detective solved a bank robbery and the murder case.

**B. ACTION ITEMS, RESOLUTIONS, AND ORDINANCES:**

Members of the audience who wish to (1) comment on issues concerning an agenda item, (2) present questions concerning an agenda item, (3) request assistance concerning an agenda item or (4) propose regulatory changes concerning an agenda item, must comply with the following rules of procedure:

- Persons who wish to speak must fill out and turn in a speaker card before the meeting is convened (The Mayor will notify you when it's your turn to speak and direct you to the podium)
- Persons who wish to speak must identify themselves and their places of residence
- All comments, requests and proposals must be presented to or through the Mayor
- Persons who wish to speak will be given 4 minutes to do so

There were none.

**6. MINUTES OF PREVIOUS MEETINGS: THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS AUGUST 16, 2016 REGULAR MEETING, AND AUGUST 23, 2016 SPECIAL MEETING - MAYOR KREBS AND CITY SECRETARY**

Council Member Moore made the motion to approve the minutes of the August 16, 2016 regular meeting, and the August 23, 2016 special meeting as presented, seconded by Mayor Pro Tem Green.

The motion passed with the following vote:

Aye: 7 - Mayor Krebs, Mayor Pro Tem Green, Council Member Jorgensen, Council Member Skurow, Council Member Moore, Council Member Taggart and Council Member Wilson

Nay: 0 -

Absent: 0 -

Abstained: 0 -

**7. ORDINANCE NO. 2136—AUTHORIZATION OF SALE OF SURPLUS RIGHT-OF-WAY: THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2136 THAT**

WAS TABLED ON JUNE 21, 2016 THAT AUTHORIZES THE CITY MANAGER TO SELL TO JEFF HOWARD (VIA PROKITESURF, LLC) APPROXIMATELY 0.617 ACRES OF SURPLUS DEDICATED RIGHT-OF-WAY BOUNDED BY RAILROAD AVENUE, FIFTH STREET, SEVENTH STREET, AND THE EASTERN RIGHT-OF-WAY LINE OF THE ABANDONED UNION PACIFIC RAILROAD RIGHT-OF-WAY (PORTLAND TOWNSITE, VOL. 1, PG. 5-A, M.R. S.P.C., TX) – ASSISTANT CITY MANAGER

Assistant City Manager, Brian DeLatte, explained that Ordinance No. 2136 remains unchanged from the first reading. Ordinance No. 2136 authorizes the City Manager to sell to Jeff Howard approximately 0.617 acres of surplus dedicated right-of-way.

Mayor Pro Tem Green made the motion to approved the seconded and final reading of Ordinance No. 2136 that authorizes the City Manager to sell to Jeff Howard approximately 0.617 acres of surplus right-of-way, seconded by Council Member Skurow.

The motion passed with the following vote:

Aye: 7 - Mayor Krebs, Mayor Pro Tem Green, Council Member Jorgensen, Council Member Skurow, Council Member Moore, Council Member Taggart and Council Member Wilson

Nay: 0 -

Absent: 0 -

Abstained: 0 -

Mayor Krebs read the following caption:

**ORDINANCE NO. 2136**

**AN ORDINANCE ABANDONING AND AUTHORIZING THE CITY MANAGER TO SELL APPROXIMATELY 0.617 ACRES OF SURPLUS RIGHT-OF-WAY LOCATED ADJACENT TO THE ABANDONED UNION PACIFIC RAILROAD RIGHT-OF-WAY (PORTLAND TOWNSITE, VOL. 1, PG. 5-A, M.R. S.P.C., TX); AND PROVIDING AND ESTABLISHING AN EFFECTIVE DATE**

8. **ORDINANCE NO. 2137 – REVISION TO SKATE PARK REGULATIONS AND FEES:** THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2137 THAT AMENDS SKATE PARK REGULATIONS AND ELIMINATES SKATE PARK MEMBERSHIP AND DAY FEES—DIRECTOR OF PARKS AND RECREATION

Council Member Jorgensen made motion to approve the second and final reading of Ordinance No. 2137 that amends Skate Park Regulations and eliminates Skate Park Membership and Day Fees, seconded by Council Member Taggart.



The motion passed with the following vote:

Aye: 7 - Mayor Krebs, Mayor Pro Tem Green, Council Member Jorgensen, Council Member Skurow, Council Member Moore, Council Member Taggart and Council Member Wilson

Nay: 0 -

Absent: 0 -

Abstained: 0 -

Mayor Krebs read the following caption:

**ORDINANCE NO. 2137**

**AN ORDINANCE TO AMEND SKATE PARK REGULATIONS AND ELIMINATE PARK MEMBERSHIP AND DAY FEES; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; ESTABLISHING A PENALTY AND SPECIFICALLY NEGATING A REQUIREMENT OF A CULPABLE MENTAL STATE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE**

9. **ORDINANCE NO. 2138 – CREATING A DAYTIME CURFEW FOR MINORS**: THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2138 AMENDING CHAPTER 11-1 OF THE CODE OF ORDINANCES, CREATING A DAYTIME CURFEW FOR MINORS – CHIEF OF POLICE

Council Member Moore made the motion to approve the second and final reading of Ordinance No. 2138 amending Chapter 11-1 of the Code of Ordinances, creating a Daytime Curfew for Minors as amended, seconded by Council Member Jorgensen.

The motion passed with the following vote:

Aye: 7 - Mayor Krebs, Mayor Pro Tem Green, Council Member Jorgensen, Council Member Skurow, Council Member Moore, Council Member Taggart and Council Member Wilson

Nay: 0 -

Absent: 0 -

Abstained: 0 -

Mayor Krebs read the following caption:

**ORDINANCE NO. 2138**

**AN ORDINANCE AMENDING CHAPTER 11, ARTICLE I, SECTION 11-1 OF THE CODE OF ORDINANCES OF THE CITY OF PORTLAND BY ADDING A SUBSECTION 11-1(3) CREATING A DAYTIME CURFEW FOR CERTAIN MINORS, PROVIDING FOR PENALTIES, PROVIDING FOR SEVERANCE; AND PROVIDING FOR PUBLICATION.**

- 10. ORDINANCE NO. 2140 – ELIMINATING SCHOOL ZONES:** THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2140 ELIMINATING SCHOOL ZONES ON BROADWAY BOULEVARD, FULTON PLACE, GHENT PLACE, AND SABINE DRIVE – ASSISTANT CITY MANAGER

Council Member Jorgensen made the motion to approve the second and final reading of Ordinance No. 2138 eliminating School Zones on Broadway Boulevard, Fulton Place, Ghent Place and Sabine Drive, seconded by Council Member Moore.

The motion passed with the following vote:

Aye: 7 - Mayor Krebs, Mayor Pro Tem Green, Council Member Jorgensen, Council Member Skurow, Council Member Moore, Council Member Taggart and Council Member Wilson

Nay: 0 -

Absent: 0 -

Abstained: 0 -

Mayor Krebs read the following caption:

**ORDINANCE NO. 2140**

**AN ORDINANCE ELIMINATING SCHOOL ZONES ON BROADWAY BOULEVARD, FULTON PLACE, GHENT PLACE, AND SABINE DRIVE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; ESTABLISHING A PENALTY AND SPECIFICALLY NEGATING A REQUIREMENT OF A CULPABLE MENTAL STATE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE**

**11. ORDINANCE NO. 2141 - AMENDING CURRENT FISCAL YEAR BUDGET: THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2141 WHICH AMENDS THE 2015-2016 FISCAL YEAR BUDGET – CITY MANAGER AND DIRECTOR OF FINANCE**

Council Member Jorgensen made the motion to approve the second and final reading of Ordinance No. 2141 which amends the 2015-2016 Fiscal Year Budget, seconded by Council Member Moore.

The motion passed with the following vote:

Aye: 7 - Mayor Krebs, Mayor Pro Tem Green, Council Member Jorgensen, Council Member Skurow, Council Member Moore, Council Member Taggart and Council Member Wilson

Nay: 0 -

Absent: 0 -

Abstained: 0 -

Mayor Krebs read the following caption:

**ORDINANCE NO. 2141**

**AN ORDINANCE AMENDING AND ADJUSTING ORDINANCE NO. 2119 PASSED ON THE 15th OF SEPTEMBER 2015, ADOPTING THE FUND LEVEL BUDGET FOR THE CITY OF PORTLAND FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016, AND MAKING SUPPLEMENTAL APPROPRIATIONS AND ADJUSTMENTS FOR SAID FISCAL YEAR; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE; AND AN EFFECTIVE DATE THEREOF.**

**12. ORDINANCE NO. 2142 - ADOPTING 2016-2017 FISCAL YEAR BUDGET: THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2142 WHICH ADOPTS THE 2016-2017 FISCAL YEAR BUDGET – CITY MANAGER AND DIRECTOR OF FINANCE**

Council Member Moore made the motion to approve the second and final reading of Ordinance No. 2142 which adopts the 2016-2017 Fiscal Year Budget, seconded by Council Member Jorgensen.

The motion passed with the following vote:

Aye: 7 - Mayor Krebs, Mayor Pro Tem Green, Council Member Jorgensen, Council Member Skurow, Council Member Moore, Council Member Taggart and Council Member Wilson

Nay: 0 -

Absent: 0 -

Abstained: 0 -

Mayor Krebs read the following caption:

**ORDINANCE NO. 2142**

**AN ORDINANCE ADOPTING A FUND LEVEL BUDGET FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017, IN ACCORDANCE WITH THE CHARTER OF THE CITY OF PORTLAND, APPROPRIATING THE VARIOUS AMOUNTS THEREOF, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR PUBLICATION OF THIS ORDINANCE AND FOR AN EFFECTIVE DATE THEREOF.**

**13. ORDINANCE NO. 2143 - ADOPTING AD VALOREM TAX RATE: THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2143 WHICH ADOPTS THE AD VALOREM TAX RATE FOR 2016 – CITY MANAGER AND DIRECTOR OF FINANCE**

Council Member Taggart made the motion to approve the second and final reading of Ordinance No. 2143 which sets the maintenance and operation portion of the tax rate at \$0.382364 and the debt rate at \$0.184304 for a total ad valorem tax rate of \$0.566668 per \$100 valuation for FY 2016-2017, seconded by Council Member Wilson.

The motion passed with the following vote:

Aye: 7 - Mayor Krebs, Mayor Pro Tem Green, Council Member Jorgensen, Council Member Skurow, Council Member Moore, Council Member Taggart and Council Member Wilson

Nay: 0 -

Absent: 0 -

Abstained: 0 -

Mayor Krebs read the following caption:

**ORDINANCE NO. 2143**

**AN ORDINANCE LEVYING TAXES FOR THE CITY OF PORTLAND, TEXAS FOR THE YEAR 2016, PROVIDING FOR A DATE OF WHICH SUCH TAXES BECOME DELINQUENT; PROVIDING FOR A LIEN ON ALL REAL AND PERSONAL PROPERTY TO SECURE THE PAYMENT OF TAXES DUE THEREON; PROVIDING FOR PENALTY AND INTEREST TO AND EFFECTIVE DATE THEREOF; PROVIDING FOR A 20% COLLECTION FEE; PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.**

- 14. RESOLUTION NO. 724 – STATE BOATING ACCESS GRANT PROGRAM:** THE CITY COUNCIL WILL RECEIVE A REPORT ON THE PHASE 2 BOAT RAMP FEASIBILITY ASSESSMENT AND WILL CONSIDER RESOLUTION NO. 724 THAT AUTHORIZES THE CITY MANAGER TO SUBMIT AN APPLICATION FOR THE STATE BOATING ACCESS GRANT PROGRAM – ASSISTANT CITY MANAGER AND REPRESENTATIVES OF HDR ENGINEERING, INC.

Assistant City Manager, Brian DeLatte, presented the following information:

- August 4, 2015 – The City Council approved the 5-Year Capital Improvement Program, including a boat ramp project in FY 2017-18.
- November 11, 2015 – The City Council engaged HDR to complete Phase 1 of a Boat Ramp Feasibility Study
- June 7, 2016 – The City Council engaged HDR to complete Phase 2 of the assessment to provide conceptual layouts and cost estimates for the project in advance of a grant application submittal

HDR's Phase 2 report contains all of the required documents for submittal of the application. If the City Council approved Resolution No. 724, the City Manager will submit the application ahead of the deadline.

As proposed, the City is seeking TPWD grant funding in the amount of \$500,000. The City's matched is proposed to be \$204,800.

Phillip Blackmar, Coastal Engineer with HDR Engineering presented the following information:

**Portland Boat Ramp Feasibility Study: Phase 2**

**Phase 1 Summary**

- Community input: interviews and local fishing and boating blogs
- Local boat ramp site visits

- Meteorological and oceanographic conditions review
- Site selection: Shell Dock

## Phase 2 Summary

- Nearshore bathymetric survey
- Regulatory requirements review
- Conceptual design
- Conceptual opinion of probable cost

### Project Location: Shell Dock

### Shell Dock: Existing Condition

### Bathymetric Survey

### Bathymetric Survey (Approach Channel)

### Reconnaissance Jurisdictional Boundary Investigation

### Conceptual Boat Ramp Layout

#### Amenities:

- Covered Fish Cleaning Table
- Picnic Tables
- Dock space for loading and unloading boats
- Trash Bins
- Screen for Restroom Area

### Project Location Map

### Budget Summary (Flexible Pavement)

Table C-1. Project budget summary for flexible pavement parking lot construction.

Professional Services	
1. Geotechnical Investigation	\$15,000
2. Topographic Survey	\$5,000
3. Habitat Delineation	\$10,000
4. Permitting	\$20,000
5. Preliminary & Final Design	\$50,000
6. Bidding Assistance	\$7,000
7. Construction Administration Support	\$30,000
<b>Total:</b>	<b>\$137,000</b>
<i>TPWD Access Grant Limit (12% of Construction Cost)*:</i>	<i>\$68,136</i>
Construction	
1. Parking Lot	\$264,000
2. Boat Ramp	\$90,000
3. Docks	\$81,000
4. Fish Cleaning Station	\$9,000
5. Picnic Tables at Sitting Area	\$4,000
6. Trash Receptacles (4) Heavy Duty - 55gal	\$3,000
7. Screen for Portable Toilet	\$4,000
8. Water Distribution Piping	\$55,000
9. Electrical Service and Lighting	\$55,000
10. Project Signage	\$2,800
<b>Sub-Total:</b>	<b>\$567,800</b>
<b>Total Project:</b>	<b>\$704,800</b>
<b>Grant Request – TPWD Funding (71%):**:</b>	<b>\$500,000</b>
<b>Sponsor (City) Match (29%):</b>	<b>\$204,800</b>

\* For cost sharing with TPWD, total cost for professional services is typically limited to 12% of the construction cost. For this project, the actual cost for professional services is expected to be greater, as shown.

\*\* TPWD grant request limited to \$500,000.

\*\*\* TPWD grant covers a maximum of 75% of the project cost

\*\*\*\* Cost share values between City and TPWD are based on the opinion of probable construction cost and provisions in the TPWD Grant Application. Actual values may differ based on construction proposals and the final agreement between TPWD and City.

## Budget Summary (Rigid Pavement)

**Table C-1. Project budget summary for flexible pavement parking lot construction.**

<b>Professional Services</b>	
1. Geotechnical Investigation	\$15,000
2. Topographic Survey	\$5,000
3. Habitat Delineation	\$10,000
4. Permitting	\$20,000
5. Preliminary & Final Design	\$50,000
6. Bidding Assistance	\$7,000
7. Construction Administration Support	\$30,000
<b>Total:</b>	<b>\$137,000</b>
<i>TPWD Access Grant Limit (12% of Construction Cost)*:</i> \$68,136	
<b>Construction</b>	
1. Parking Lot	\$264,000
2. Boat Ramp	\$90,000
3. Docks	\$81,000
4. Fish Cleaning Station	\$9,000
5. Picnic Tables at Sitting Area	\$4,000
6. Trash Receptacles (4) Heavy Duty - 55gal	\$3,000
7. Screen for Portable Toilet	\$4,000
8. Water Distribution Piping	\$55,000
9. Electrical Service and Lighting	\$55,000
10. Project Signage	\$2,800
<b>Sub-Total:</b>	<b>\$567,800</b>
<b>Total Project:</b>	<b>\$704,800</b>
<b>Grant Request – TPWD Funding (71%):**:</b>	<b>\$500,000</b>
<b>Sponsor (City) Match (29%):</b>	<b>\$204,800</b>

\* For cost sharing with TPWD, total cost for professional services is typically limited to 12% of the construction cost. For this project, the actual cost for professional services is expected to be greater, as shown.

\*\* TPWD grant request limited to \$500,000.

\*\*\* TPWD grant covers a maximum of 75% of the project cost

\*\*\*\* Cost share values between City and TPWD are based on the opinion of probable construction cost and provisions in the TPWD Grant Application. Actual values may differ based on construction proposals and the final agreement between TPWD and City.

## Summary

- Phase 1 documented project need and determined site location
- Navigation depths confirmed with bathymetric survey
- Permitting should be conducted through USACE Nationwide permit with GLO and TxDOT coordination
- Following documents created for TPWD Grant Application:
  - Location Map
  - Site Plan
  - Budget Summary

The City Council, City Manager and Mr. Blackmar discussed the proposed project, long term maintenance responsibilities and the budget summaries.

Council Member Green made the motion to adopt Resolution No. 724 that authorizes the

City Manager to submit an application for the State Boating Access Grant, seconded by Council Member Taggart.

The motion passed with the following vote:

Aye: 7 - Mayor Krebs, Mayor Pro Tem Green, Council Member Jorgensen, Council Member Skurow, Council Member Moore, Council Member Taggart and Council Member Wilson

Nay: 0 -

Absent: 0 -

Abstained: 0 -

**15. BIDS FOR THE POLICE DEPARTMENT AIR CONDITIONING UPGRADE: THE CITY COUNCIL WILL CONSIDER BIDS FOR THE POLICE DEPARTMENT AIR CONDITIONING UPGRADE THAT WERE RECEIVED, OPENED, AND PUBLICLY READ ON AUGUST 15, 2016 – ASSISTANT CITY MANAGER**

Assistant City Manager, Brian DeLatte presented the following information:

Bids were opened for the Police Department Air Conditioning Upgrade on August 15, 2016. The upgrade will improve the effectiveness of the air conditioning system in the rack room that houses the City's 911 system server and other critical infrastructure. Following the published scoring criteria, City Staff recommends awarding the contract to Malek, Inc., in the amount of \$100,795.00.

On August 15, 2016, bids were opened and publicly read:

<b>Contractor</b>	<b>Bid</b>
<b>Malek, Inc.</b>	\$100,795.00
<b>Division 16 Construction Corporation</b>	\$115,729.00

The project engineer, Stridde, Callins & Associates, Inc., has reviewed Malek's qualifications and experience record and recommends awarding the contract to Malek.

Council Member Wilson made the motion to award the bid for the Police Department Air Conditioning Upgrade project to Malek, Inc., in the amount of \$100,795.00, seconded by Council Member Moore.

The motion passed with the following vote:



Aye: 7 - Mayor Krebs, Mayor Pro Tem Green, Council Member Jorgensen, Council Member Skurow, Council Member Moore, Council Member Taggart and Council Member Wilson

Nay: 0 -

Absent: 0 -

Abstained: 0 -

**C. CITIZEN COMMENTS, QUESTIONS, REQUESTS, AND PROPOSALS NOT APPEARING ON THE AGENDA:**

**Members of the audience who wish to (1) comment on issues for which there is no item on this agenda, (2) present questions for which there is no item on this agenda, (3) request assistance for which there is no item on this agenda or (4) propose regulatory changes for which there is no item on this agenda, must comply with the following rules of procedure:**

- Persons who wish to speak must fill out and turn in a speaker card before the meeting is convened (The Mayor will notify you when it's your turn to speak and direct you to the podium)
- Persons who wish to speak must identify themselves and their places of residence
- All comments, requests and proposals must be presented to or through the Mayor
- Persons who wish to speak will only be given 4 minutes to do so

Neither the City Council nor the Staff is legally permitted to respond to citizen comments, questions, requests, or proposals at the time of the meeting. A member of the City Council or the City Manager may place an item on the agenda of a future City Council workshop or meeting to legally do so. If that is done, the audience member seeking a response will be given advance notice.

There were none.

**D. ADJOURNMENT: MAYOR**

Mayor Krebs adjourned the meeting at 7:53 p.m.

**NOTICE OF ASSISTANCE**

If you plan to attend this public meeting and you have a disability that requires special arrangements to be made, please contact City Secretary Annette Hall (361-777-4513 or [annette.hall@portlandtx.com](mailto:annette.hall@portlandtx.com)) in advance of the meeting. Reasonable accommodations will be made to facilitate your participation. The City Hall is wheelchair accessible and

specially marked parking spaces are located in front of its entrance. Special seating will be provided in the Council Chamber during the meeting.

**BRaille IS NOT AVAILABLE**

Approved:

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David Krebs  
Mayor

Attest:

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City Secretary

<b>AGENDA TITLE</b>	<b><u>SOLID WASTE AND RECYCLING COLLECTION AND DISPOSAL SERVICES PROPOSALS</u></b> THE CITY COUNCIL WILL CONSIDER PROPOSALS FOR THE SOLID WASTE AND RECYCLING COLLECTION AND DISPOSAL SERVICES THAT WERE RECEIVED, OPENED, AND PUBLICLY READ ON AUGUST 25, 2016
<b>MEETING DATE</b>	9/20/2016
<b>DEPARTMENT</b>	Administration
<b>SUBMITTED BY</b>	Brian DeLatte, P.E., Assistant City Manager

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**EXECUTIVE SUMMARY**

Proposals were opened on August 25, 2016, for the Solid Waste and Recycling Collection and Disposal Services. Two contractors submitted responsive proposals for the contract. City Staff evaluated the proposals in accordance with the scoring criteria identified in the Request for Proposal (RFP) and determined that Republic Services provided the best proposal. However, given that Republic's bid for the residential services significantly increased the cost to our residents, City Staff recommends rejecting all bids. The City would then proceed with direct contract negotiations with Republic to establish final contract pricing.

**PRIOR ACTIONS OR REVIEWS**

- July 19, 2016—The City Council authorized City Staff to issue a Request for Proposals for Solid Waste Collection and Disposal Services.

**DETAILS / STAFF ANALYSIS**

The City last received competitive bids on solid waste and recycling services in 1998. The existing contract has previously been renewed without competitive bidding as allowed by Texas Local Government Code Section 252.022(a)(2). Under the existing contract, services include residential, commercial, and brush/bulky disposal and collections, as well as an exclusive franchise for roll-off containers.

Proposals were received from:

1. Dawson's Recycling and Disposal
2. BFI Waste Services of Texas, LP, d/b/a Allied Waste Services of Corpus Christi//Republic Services of Corpus Christi
3. Progressive Waste (Considered a non-responsive proposal)
4. Killian Calderon Disposal (Considered a non-responsive proposal)

The proposals were evaluated as follows:

	Dawson's			Republic Services		
	Residential	Comm.	Roll-Off	Residential	Comm.	Roll-Off
<b>Pricing (40%)</b>	--	--	30.22*	40	40	40
<b>Experience and Performance History (30%)</b>	--	--	22	25	28	25
<b>Method of Approach (20%)</b>	--	--	18	15	18	18
<b>Financial Capacity (10%)</b>	--	--	8	10	10	10
<b>Total Score</b>	--	--	78.22	90	96	93

\* Note: Dawson's bid included additional fees above and beyond what was proposed in the RFP. The fees are penalties assessed to nonconforming businesses for no access, blocked boxes, or dry runs. Given that there is no way to estimate these penalties, it is not included in the evaluation of Dawson's bid. The inclusion would lower the pricing score and widen the margin between the two bids.

After review of the scoring, City Staff has determined that Republic Services has submitted the best proposal for all three services. However, Republic Services' proposal for residential service increased the base rate from \$15.01 to \$19.50. Given that our existing contract with Republic Services is automatically renewable for another five year term with the only increases being due to the Consumer Price Index, City Staff recommends rejecting all bids and negotiating directly with Republic Services on a new five year agreement to begin March 1, 2017.

**ALTERNATIVES CONSIDERED**

None.

**FINANCIAL IMPACT**

N/A.

**ATTACHMENTS**

1. Bid Tab

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**RECOMMENDED ACTION**

Adopt a motion that rejects all bids for the Solid Waste and Recycling Collection and Disposal Services.



Recycling, 2 YD, 6x	2
Recycling, 3 YD, 1x	2
Recycling, 3 YD, 2x	2
Recycling, 3 YD, 3x	2
Recycling, 3 YD, 4x	2
Recycling, 3 YD, 5x	2
Recycling, 3 YD, 6x	2
Recycling, 4 YD, 1x	2
Recycling, 4 YD, 2x	2
Recycling, 4 YD, 3x	2
Recycling, 4 YD, 4x	2
Recycling, 4 YD, 5x	2
Recycling, 4 YD, 6x	2
Recycling, 6 YD, 1x	2
Recycling, 6 YD, 2x	2
Recycling, 6 YD, 3x	2
Recycling, 6 YD, 4x	2
Recycling, 6 YD, 5x	2
Recycling, 6 YD, 6x	2
Recycling, 8 YD, 1x	2
Recycling, 8 YD, 2x	2
Recycling, 8 YD, 3x	2
Recycling, 8 YD, 4x	2
Recycling, 8 YD, 5x	2
Recycling, 8 YD, 6x	2
Recycling, 10 YD, 1x	2
Recycling, 10 YD, 2x	2
Recycling, 10 YD, 3x	2
Recycling, 10 YD, 4x	2
Recycling, 10 YD, 5x	2
Recycling, 10 YD, 6x	2

<b>Total Item B</b>
---------------------

**ITEM C**

Roll-Off, 20CY	25
Roll-Off, 30CY	25
Roll-Off, 40CY	25
Delivery Charge, ea.	10
Rental Fee, per mo.	69
Rental Fee, per day	60
Disposal, Type I, Ton	100
Disposal, Type IV, CY	100

<b>Total Item C</b>
---------------------

3 Year Term Modification
7 Year Term Modification

Item A&B Bundled
Item A&C Bundled
Item B&C Bundled
Item A,B,&C Bundled

	N/A			N/A
	N/A			N/A
	N/A			N/A
	N/A			N/A
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	N/A			N/A
	N/A			N/A
	N/A			N/A
	N/A			N/A
	N/A			N/A
	\$57.70	\$115.40		N/A
	\$121.16	\$242.32		N/A
	N/A			N/A
	N/A			N/A
	N/A			N/A
	N/A			N/A
	N/A			N/A
	N/A			N/A
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	N/A			N/A

	<b>\$47,732.69</b>			<b>\$0.00</b>
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	\$199.00	\$4,975.00	\$379.69	\$9,492.25
	\$199.00	\$4,975.00	\$440.58	\$11,014.50
	\$199.00	\$4,975.00	\$440.58	\$11,014.50
	\$75.00	\$750.00	\$50.00	\$500.00
	\$90.00	\$6,210.00	\$0.00	\$0.00
	\$3.00	\$180.00	\$7.00	\$420.00
	\$30.00	\$3,000.00	\$0.00	\$0.00
	\$10.00	\$1,000.00	\$0.00	\$0.00

	<b>\$26,065.00</b>			<b>\$32,441.25</b>
--	--------------------	--	--	--------------------

	N/A		5.00%	
	N/A		N/A	

	N/A		N/A	
	N/A		N/A	
	N/A		N/A	
	N/A		N/A	



## CITY COUNCIL ACTION ITEM

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**AGENDA TITLE**      **RESOLUTION NO. 725 – INTERLOCAL AGREEMENT FOR HEALTH RELATED SERVICES**

THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 725 THAT APPROVES AN INTERLOCAL AGREEMENT FOR HEALTH RELATED SERVICES WITH SAN PATRICIO COUNTY

**MEETING DATE**      9/20/2016

**DEPARTMENT**      Administration

**SUBMITTED BY**      Brian DeLatte, P.E.

---

**EXECUTIVE SUMMARY**

The San Patricio County Environmental Health Department has provided health related services to the City of Portland since 1996. Resolution No. 725 authorizes the City Manager to execute an interlocal agreement with San Patricio County for health related services.

**PRIOR ACTIONS OR REVIEWS**

City Council has authorized the agreements in 1996, 1999, 2002, 2005, 2008, 2010, and 2013.

**DETAILS / STAFF ANALYSIS**

The interlocal agreement allows San Patricio County to provide health related services within the City of Portland city limits. Services include septic tank inspections, food handler services, and food establishment regulations. The agreement has been reviewed by City Staff and the City Attorney and is identical to agreements previously used. Approval is recommended.

**ALTERNATIVES CONSIDERED**

Without this agreement, additional personnel would be required to provide these services.

**FINANCIAL IMPACT**

N/A.

**ATTACHMENTS**

- Resolution No. 725
  - Interlocal Agreement
- 

**RECOMMENDED ACTION**

Motion to approve Resolution No. 725.

**RESOLUTION NO. 723**

**A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT WITH SAN PATRICIO COUNTY FOR THE PROVISION OF HEALTH RELATED SERVICES**

**WHEREAS**, the Texas Health and Safety Code requires the City of Portland to provide specific health related services; and

**WHEREAS**, such health related services may be provided by city staff, through privatization, or through interlocal agreements; and

**WHEREAS**, the San Patricio County Environmental Health Department has provided these services since 1996; and

**WHEREAS**, the City of Portland is satisfied with the health related services being provided and wishes to extend their provision;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, TEXAS:**

**Section 1.** The City Manager shall take the necessary actions to execute the Interlocal Agreement with San Patricio County for the provision of health related services.

**Section 2.** The copy of the Interlocal Agreement is attached hereto and incorporated herein for all intents and purposes.

**PASSED and APPROVED** this 20<sup>th</sup> day of September, 2016.

**EXECUTED UPON APPROVAL**

By: \_\_\_\_\_  
**David Krebs**  
**Mayor**

**ATTEST:**

By: \_\_\_\_\_  
**Annette Hall**  
**City Secretary**



THE STATE OF TEXAS §

§ KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF SAN PATRICIO §

This agreement made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the \_\_\_\_\_ (herein called "CITY") and the County of San Patricio, a Political Subdivision of the State of Texas (herein called "COUNTY") each acting herein by and through its duly authorized officials;

WITNESSETH:

WHEREAS, Section 121.003(b), Texas Health & Safety Code, authorizes Interlocal Cooperation Agreement in accordance with Article 791.001 et seq. VTCA Government Code between Cities and Counties to provide health related services and;

WHEREAS, the CITY and COUNTY desire to enter into an agreement to allow the County to provide the health related services and to charge recipients of the services for said services (by establishing a permitting and fee system where appropriate).

NOW THEREFORE, said parties agree and covenant upon the terms and conditions as follows:

1. CITY agrees to authorize the COUNTY to act as its authorized representative in regulating and enforcing the Texas Food Establishment Rules, On-Site Sewage Facilities Rules Compilation.
2. CITY agrees to pay the COUNTY the sum of \$0.00 per month for such services. The first payment shall be due and payable on the first day of each month thereafter as long as this agreement is in effect.
3. COUNTY agrees to charge recipients of the services in an amount authorized by the Commissioners Court of said County and to be responsible for the collection of said charges (and issuance of said permits). COUNTY agrees to give CITY ninety (90) days advance notice of any change in fees.
4. This agreement may be terminated before the expiration date by either party hereto by giving a thirty (30) days written notice of cancellation.
5. The Interlocal Agreement will be effective beginning JANUARY 1, 2017 and will expire December 31<sup>st</sup>.

EXECUTED in duplicate originals by the parties hereto on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

CITY OF \_\_\_\_\_

\_\_\_\_\_  
Mayor

ATTEST:

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

COUNTY OF SAN PATRICIO

\_\_\_\_\_  
County Judge

Approval Date: \_\_\_\_\_ 20\_\_\_\_

ATTEST:

\_\_\_\_\_  
County Clerk