



CITY COUNCIL AGENDA

NOTICE OF REGULAR MEETING

Tuesday, October 16, 2018

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 SKUROW
2. **ROLL CALL:** CITY SECRETARY
3. **INVOCATION AND PLEDGE:** MAYOR SKUROW OR DESIGNEE
4. **FORMAL ANNOUNCEMENTS, RECOGNITION, PRESENTATIONS AND REPORTS THAT MAY BE DISCUSSED:**
 - SWEARING IN AND BADGING CEREMONY OF FIRE CHIEF JEFF MORRIS – CITY MANAGER AND MAYOR
 - PRESENTATION OF SYNTHETIC TURF COUNCIL'S 2018 SPORTS PROJECT OF THE YEAR AWARD – CITY MANAGER
 - REPORT ON BOOKAPALOOZA – CHILDREN'S LIBRARIAN
5. **CITY COUNCIL COMMENTS CONCERNING ITEMS OF COMMUNITY INTEREST THAT MAY NOT BE DISCUSSED:**

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

- Expressions of thanks, congratulations, or condolence
- Information regarding holiday schedules
- Honorary recognition of city officials, employees, or other citizens
- Reminders about upcoming events sponsored by the city or another entity that is

scheduled to be attended by a city official or city employee

- Announcements of imminent threats to the public health and safety of the city

6. CITY MANAGER'S REPORT:

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

7. Members of the audience who wish to (1) comment on issues concerning an agenda item, (2) present questions or request assistance, (3) propose regulatory changes, 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

B. ACTION ITEMS, RESOLUTIONS AND ORDINANCES:

8. MINUTES OF PREVIOUS MEETINGS: THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS OCTOBER 2, 2018 WORKSHOP AND OCTOBER 2, 2018 REGULAR MEETING — MAYOR SKUROW AND CITY SECRETARY

9. COMMUNITY CENTER EXPANSION AND REHABILITATION FINAL DESIGN: THE CITY COUNCIL WILL RECEIVE AND DISCUSS A PRESENTATION ON THE FINAL DESIGN FOR THE COMMUNITY CENTER EXPANSION AND REHABILITATION AND WILL CONSIDER APPROVING THE PROJECT'S GUARANTEED MAXIMUM PRICE AND AUTHORIZING THE NOTICE TO PROCEED—CITY MANAGER, ASSISTANT CITY MANAGER, CONSULTING ARCHITECT, AND CONSTRUCTION MANAGER

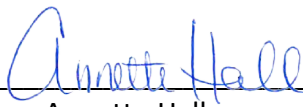
C. ADJOURNMENT: MAYOR SKUROW

NOTICE OF ASSISTANCE

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

BRAILLE IS NOT AVAILABLE

Posted: October 12, 2018 by 5:00 p.m.
Portland City Hall
Electronically at www.portlandtx.com

By: 
Annette Hall
City Secretary

**CITY OF PORTLAND
CITY COUNCIL
WORKSHOP
MINUTES
OCTOBER 2, 2018 – 5:30 P.M.**

On this the 2nd day of October 2018, the Council of the City of Portland convened in a workshop session at 5:30 p.m. in the Council Chambers of City Hall, Daniel P. Moore Community Center Complex and notice of workshop giving the time, place and date and subject having been posted as described by Section 551 of the Government Code.

MEMBERS PRESENT:

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

MEMBERS ABSENT:

John Sutton	Council Member
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STAFF PRESENT:

Randy Wright	City Manager
Brian DeLatte	Assistant City Manager
Annette Hall	City Secretary

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

1. CALL TO ORDER: MAYOR SKUROW

Mayor Skurow called the workshop to order at 5:30 pm.

2. ROLL CALL: CITY SECRETARY

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

- Council Member Sutton is excused this evening.
- There have been no affidavits filed for abstention.

3. **EXECUTIVE SESSION:** THE CITY COUNCIL WILL CONDUCT AN EXECUTIVE SESSION ACCORDING TO GOVERNMENT CODE §551.074 – DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE (BOARDS AND COMMISSIONS MEMBERS) – CITY COUNCIL

At 5:31 p.m. Mayor Skurow announced that the City Council will conduct an Executive Session according to Government Code §551.074 – deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee (Boards and Commissions Members) – City Council

Mayor Skurow reconvened the workshop at 6:56 p.m.

4. **ADJOURNMENT:** MAYOR SKUROW

Mayor Skurow adjourned the workshop at 6:56 p.m.

NOTICE OF ASSISTANCE

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BRAILLE IS NOT AVAILABLE

Approved:

Cathy Skurow
Mayor

Attest:

City Secretary

**CITY OF PORTLAND
CITY COUNCIL
REGULAR MEETING
MINUTES
OCTOBER 2, 2018 – 7:00 P.M.**

On this the 2nd day of October 2018, 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.

COUNCIL MEMBERS PRESENT:

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

COUNCIL MEMBERS ABSENT:

John G. Sutton Jr.	Council Member
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EXECUTIVE STAFF PRESENT:

Randy Wright	City Manager
Brian DeLatte	Assistant City Manager
Aldilia Martin	Director of Finance
Mark Cory	Chief of Police
Dan Willott	Interim Fire Chief
Terrell Elliott	IT Manager
Kristin Connor	Director of Parks and Recreation
Fred Morris	Director of Public Works
Ginny Moses	Library Director
Matt Rogers	Sports Director

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

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

1. CALL TO ORDER: MAYOR SKUROW

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

2. **ROLL CALL:** CITY SECRETARY

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

- Council Member Sutton is excused this evening.
- There have been no affidavits filed for abstention.

3. **INVOCATION AND PLEDGE:** MAYOR SKUROW OR DESIGNEE

Council Member Wilson gave the invocation and Council Member Yardley led the Pledge of Allegiance.

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

There were none.

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

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

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

Council Member Bethel gave an update on the following meeting he attended as an appointed City Council Representative:

- Gregory-Portland ISD School meeting

Council Member Moore thanked the applicants that applied to serve on the city's boards and commissions.

Council Member Wilson gave an update on the following meeting he attended as an appointed City Council Representative:

- Portland Chamber of Commerce Board of Directors meeting

Mayor Pro Tem Green gave an update on the following meeting he attended as an appointed City Council Representative:

- Port of Corpus Christi Board of Directors meeting.

6. CITY MANAGER'S REPORT:

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

- Announced that Republic Services is three weeks behind on bulky trash pickup.
- Director of Parks and Recreation Kristin Connor gave an update on the following upcoming events:
 - Adopt A Beach - Saturday, October 6, 2018 (Sunset Lake)
 - Farmers Market and Can It– Saturday, October 6, 2018 (Joe Burke Pavilion)
 - Boo Bash – Saturday, October 13, 2018 (Municipal Park)
 - Boo Bash – Triathlon, October 20, 2018

B. ACTION ITEMS, RESOLUTION AND ORDINANCES:

7. Members of the audience who wish to (1) comment or present questions about an agenda item, (2) present questions or concerns on issues not on the agenda, or (3) propose regulatory or policy changes, may address the city council for up to four (4) minutes. Speakers must comply with the following rules:

- 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)
- All persons must speak from the podium, and must identify themselves and their places of residence
- All comments, requests and proposals must be presented to or through the Mayor
- If you have a petition or other information related to your topic, please present it to the City Secretary. Any electronic media (e.g. CD, DVD, flash drive) that the speaker would like to use while they speak MUST be submitted a minimum of 24 hours prior to the meeting. Please contact the City Secretary at (361) 777-4513 to coordinate.
- The Texas Open Meetings Act prohibits the City Council from responding to or discussing your comments. The Mayor or City Council may:
 1. Make a statement of factual information
 2. Recite an existing policy in response to a question, or
 3. Advise the speaker that a subject will be placed on the agenda at a future meeting.
- It is the policy of the City Council that citizens shall have the right to be heard, and that no Council member, staff member, or member of the audience may berate, embarrass, accuse, or show personal disrespect for a member of the City Council,

There were none.

8. MINUTES OF PREVIOUS MEETINGS: THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS SEPTEMBER 18, 2018 WORKSHOP AND SEPTEMBER 18, 2018 REGULAR MEETING — MAYOR SKUROW AND CITY SECRETARY

Mayor Pro Tem Green made the motion to accept the minutes of the September 18, 2018 workshop and September 18, 2018 regular meeting, seconded by Council Member Wilson.

The motion passed with the following vote:

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

9. ORDINANCE NO. 2179—ABANDONMENT AND SALE OF SURPLUS RIGHT-OF-WAY: THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2179 THAT ABANDONS AND AUTHORIZES THE CITY MANAGER TO SELL APPROXIMATELY 0.103 ACRES OF SURPLUS ALLEY OUT OF BLOCK 5, TIER “B”, CITY OF PORTLAND, BETWEEN ELM STREET AND MARKET STREET – ASSISTANT CITY MANAGER

Assistant City Manager Brian DeLatte explained that Ordinance No. 2179 remains unchanged from its first reading on September 18, 2018.

Council Member Moore made the motion to approve the second and final reading of Ordinance No. 2179 that abandons and authorizes the City Manager to sell approximately 0.103 acres of surplus alley out of Block 5, Tier “B”, City of Portland, between Elm Street and Market Street, seconded by Council Member Bethel.

The motion passed with the following vote:

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

City Secretary Annette Hall read the following caption:

ORDINANCE NO. 2179

AN ORDINANCE ABANDONING AND AUTHORIZING THE CITY MANAGER TO SELL APPROXIMATELY 0.103 ACRES OF SURPLUS ALLEY OUT OF BLOCK 5, TIER “B”, CITY OF PORTLAND, BETWEEN ELM STREET AND MARKET STREET; AND PROVIDING AND ESTABLISHING AN EFFECTIVE DATE

10. ORDINANCE NO. 2180—SPECIAL USE PERMIT REQUEST: THE CITY COUNCIL WILL CONSIDER THE SECOND AND FINAL READING OF ORDINANCE NO. 2180 THAT APPROVES A SPECIAL USE PERMIT REQUEST FROM ZJZ HOLDINGS, LLC, TO CONSTRUCT A HOTEL ON LOT 5, BLOCK 1, ZJZ HOSPITALITY TRACTS (GENERALLY LOCATED 675 FEET SOUTHWEST OF THE INTERSECTION OF THE US 181 SOUTHBOUND FRONTAGE ROAD AND BUDDY GANEM DRIVE)—ASSISTANT CITY MANAGER

Assistant City Manager Brian DeLatte explained that Ordinance No. 2180 remains unchanged from its first reading on September 18, 2018.

Council Member Bethel made the motion to approve the second and final reading of Ordinance No. 2180 with the following conditions:

1. ZJZ Holdings, LLC, is permitted to construct a new hotel on Lot 5, Block 1, ZJZ Hospitality Tracts.
2. Approval of the Special Use Permit is void if hotel construction has not commenced within two (2) years of the effective date of this ordinance.

Seconded by Council member Yardley.

The motion passed with the following vote:

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

City Secretary Annette Hall read the following caption:

ORDINANCE NO. 2180

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ZJZ HOLDINGS, LLC, TO CONSTRUCT A HOTEL ON LOT 5, BLOCK 1, ZJZ HOSPITALITY TRACTS (GENERALLY LOCATED 675 FEET SOUTHWEST OF THE INTERSECTION OF THE US 181 SOUTHBOUND FRONTAGE ROAD AND BUDDY GANEM 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; PROVIDING AND ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION

- 11. STARK ROAD ENGINEERING SERVICES PROPOSAL:** THE CITY COUNCIL WILL CONSIDER AN ENGINEERING SERVICES PROPOSAL FROM LJA ENGINEERING, INC., FOR THE DESIGN OF ROADWAY IMPROVEMENTS TO STARK ROAD FROM MOORE AVENUE TO LANG ROAD IN THE NOT-TO-EXCEED AMOUNT OF \$580,163 – ASSISTANT CITY MANAGER

Assistant City Manager Brian DeLatte presented the following information:

Stark Road from Moore Avenue to Lang Road is a two-lane rural street section with increasing traffic counts. The upcoming opening of the new WC Andrews Elementary School and proposed subdivision development in the area will only increase usage and quicken the deterioration of the roadway. The 2019-2023 Capital Improvement Program includes the reconstruction and widening of Stark Road as a “Future Unallocated Project”. To make the project “shovel ready,” City Staff recommends engaging LJA Engineering, Inc., for engineering services on the project and authorizing LJA to commence Phase 1 right-of-way surveying for land acquisition purposes.

August 7, 2018 – The City Council adopted Resolution No. 754 approving the 2019-2023 Capital Improvement Program that identified Stark Road as a Future Unallocated Project

August 31, 2018—The City Council received a presentation from City Staff recommending utilizing up to \$150,000 of Phase 10 Paving Improvements Seal Coats, Overlays, and Reconstruction Project excess funding for preliminary surveying and design.

Because the reconstruction of Stark Road will require right-of-way acquisition, planning and design will take longer than typical street reconstruction projects. City Staff has requested that LJA split its proposal into three phases: (1) Land Acquisition Surveying; (2) Design and Construction Administration; and (3) Additional Services. The rationale is to expedite the right-of-way acquisition because of its inherent scheduling uncertainties. Obtaining the necessary right-of-way and making the project “shovel ready” can be accomplished independently of identifying the funding sources for construction.

The project’s proposed timeline is as follows:

Task	Target Completion
Notice to Proceed for Phase 1 Surveying	October 2, 2018
Phase 1 Surveying	November 16, 2018
City Council authorization of land acquisition and preliminary design	December 4, 2018
Preliminary Engineering Report presented to City Council	February 19, 2019

Final Engineering Report presented to City Council	April 2, 2019
Final Construction Documents (“Shovel Ready”)	No earlier than August 1, 2019

The fees required for the Phase 1 surveying are allocated from the Phase 10 Paving Improvements Seal Coats, Overlays, and Reconstruction Project \$150,000 excess funding. An additional \$250,000, as well as any land acquisition costs, are required to complete the construction documents and make the project “shovel ready”.

Construction of the project is estimated to cost \$5,000,000. A proportional assessment on the development of Fox Landing is anticipated. The Gregory-Portland Independent School District Superintendent has informed the City Manager that G-PISD would participate with its proportional share due to the traffic generated by the adjacent WC Andrews Elementary School. The remainder of the construction costs would be borne through a combination of an ad valorem tax increase and/or developer impact fees.

Donnie Rehmet and Jeff Coym with LJA were present.

The City Council, City Manager, Assistant City Manager and Mr. Coym discussed the proposal, project timing, impact fees and funding options.

Council Member Wilson made the motion Adopt a motion to:

- (1) approve LJA Engineering, Inc.’s Engineering Services Proposal for the Roadway Improvements to Stark Road from Moore Avenue to Lang Road in the not-to-exceed amount of \$580,163.00;
- (2) to authorize the City Manager to execute all necessary contract documents; and
- (3) to authorize LJA Engineering, Inc., to proceed with Phase 1 right-of-way surveying

Seconded by Council Member Yardley.

The motion passed with the following vote:

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

12. EXECUTIVE SESSION: THE CITY COUNCIL WILL CONDUCT AN EXECUTIVE SESSION ACCORDING TO GOVERNMENT CODE §551.074 – DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF A PUBLIC OFFICER OR EMPLOYEE (BOARDS AND COMMISSIONS MEMBERS) – CITY COUNCIL

At 7:30 p.m. Mayor Skurow announced that the City Council will conduct an Executive Session according to Government Code §551.074 – deliberate the appointment,

employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee (boards and commissions members).

Mayor Skurow reconvened the regular meeting at 8:16 p.m.

13. APPOINTMENTS TO CITY BOARDS AND COMMISSIONS: THE CITY COUNCIL WILL CONSIDER APPOINTMENTS TO THE PLANNING & ZONING COMMISSION, (ZONING) BOARD OF ADJUSTMENT, AND THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS – MAYOR SKUROW AND CITY MANAGER

Mayor Pro Tem Green made the motion to make the following boards and commissions appointments:

Planning and Zoning Commission (2 year terms)

- Craig Forsythe
- Pete Stricker
- Jerry Browning

(Zoning) Board of Adjustment (2 year terms)

- Joanne Tauferner
- Sage Nicol
- RJ Alfaro - Alternate Member
- Clark Smith - Alternate Member

Construction Board of Adjustment and Appeals (3 year terms)

- Anastasia Hinojosa
- Benjamin Downs
- Sage Nicol - Alternate Member (2 year term expires 2020)

Seconded by Council Member Wilson.

The motion passed with the following vote:

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

C. ADJOURNMENT: MAYOR SKUROW

Mayor Skurow adjourned the meeting at 8:19 p.m.

NOTICE OF ASSISTANCE

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BRAILLE IS NOT AVAILABLE

Approved:

Cathy Skurow, Mayor

Attest:

City Secretary