



CITY COUNCIL AGENDA

NOTICE OF REGULAR MEETING

Tuesday, September 5, 2017

7:00 p.m.

City Hall - Council Chamber

Daniel P. Moore Community Center Complex

1900 Billy G. Webb Drive

Portland, Texas

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:**
 - HURRICANE HARVEY UPDATE – 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.

6. 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, staff, or member of the public at any City Council meeting.

7. MINUTES OF PREVIOUS MEETING: THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS AUGUST 15, 2017 REGULAR MEETING – MAYOR KREBS AND CITY SECRETARY

8. DECLARATION OF LOCAL DISASTER: THE CITY COUNCIL WILL CONSIDER A DECLARATION OF LOCAL DISASTER BY PROCLAMATION OF THE MAYOR OF THE CITY OF PORTLAND, TEXAS – MAYOR KREBS

9. ORDER WAIVING THE CITY CHARTER PROCEDURAL REQUIREMENT THE CITY COUNCIL WILL CONSIDER AN ORDER WAIVING THE CITY CHARTER PROCEDURAL REQUIREMENTS FOR ADOPTING THE BUDGET BY SEPTEMBER 15, 2017; ORDERING A CITY COUNCIL MEETING FOR SEPTEMBER 19, 2017 TO ADOPT THE FISCAL YEAR 2017-2018 BUDGET – MAYOR KREBS AND CITY MANAGER

10. ADJOURNMENT: MAYOR KREBS

NOTICE OF ASSISTANCE

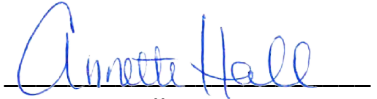
If you plan to attend this public meeting and you have a disability that requires special arrangements to be made, please contact City Secretary, Annette Hall (361) 777-4513 or

annette.hall@portlandtx.com 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 1, 2017 by 5:00 p.m.
Portland City Hall
Electronically at www.portlandtx.com

By:



Annette Hall
City Secretary

**CITY OF PORTLAND
CITY COUNCIL
REGULAR MEETING
MINUTES
AUGUST 15, 2017 – 7:00 P.M.**

On this the 15th day of August 2017, 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
Ron Jorgensen	Mayor Pro Tem
Cathy Skurow	Council Member
Gary Moore Sr.	Council Member
John Green	Council Member
John G. Sutton Jr.	Council Member

MEMBERS ABSENT:

Bill T. Wilson II	Council Member
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STAFF PRESENT:

Randy Wright	City Manager
Brian DeLatte	Assistant City Manager
Annette Hall	City Secretary
Katie Griffin	Director of Finance
Mark Cory	Chief of Police
Lyle Lombard	Fire Chief
Mona Gandy	Director of Marketing & Communications
Ginny Moses	Library Director
Terrell Elliott	IT Manager
Drew Schell	IT Technician
Brandon Lemon	Assistant Accountant

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

Mayor Krebs gave the invocation and led the Pledge of Allegiance.

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

- PROCLAMATION DECLARING "REVEREND MONSIGNOR MARK CHAMBERLIN DAY"
– MAYOR KREBS

Mayor Krebs read and presented Father Mark with a signed proclamation declaring "Reverend Monsignor Mark Chamberlin Day".

- PRESENTATION ON SOLID WASTE AND RECYCLING BY REPUBLIC SERVICES –
REPUBLIC SERVICES REPRESENTATIVE

Republic Services representative Mike Reeves gave a presentation on solid waste and recycling.

- PRESENTATION ON TEXAS AMATEUR ATHLETIC FEDERATION (TAAF) SUMMER
PROGRAM – DIRECTOR OF PARKS AND RECREATION

Aquatics Specialist, Sheri Gagliano, introduced the 2017 Aquacats Swim Team and presented each of them with a certificate for their participation in the Texas Amateur Athletes Federation competition held in McAllen. Twenty-four (24) of the participants for qualified for state, five (5) qualified for Nationals,

She added that Colton Converse a Portland resident received a Gold Medal in the Summer Archery Competition in Edinburg.

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

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- Expressions of thanks, congratulations, or condolence
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Council Member Skurow commented on the following:

- Congratulated Father Mark on his accomplishments while serving at Our Lady of Mt. Carmel Church.
- Announced that the Coastal Bend Bays & Estuaries Program received the Gulf Guardian Award for their Nueces Bay Marsh Restoration Project.

Project highlights include:

- 160 acres of marsh created
- \$5.3 million project , 10-year effort
- This last year 240 volunteers, 720 hours and 10,000 Spartina plugs
- Completed through the oversight of Executive Director, Ray Allen, and Senior Project Manager Rosario Martinez.

Council Member Green expressed heartfelt thoughts to Father Mark on his retirement.

Council Member Moore commented on the following:

- The City has been notified by the Coastal Bend Bays & Estuaries of full funding for the shell dock boat ramp.
- Attended the Port of Corpus Christi meeting where they announced that they are the No. 1 Port of in and out export of oil.
- National Guard is assisting the City of Robstown tear down dilapidated houses

Council Member Sutton commented on the following:

- Wished Father Mark good luck on his retirement.
- Congratulated the swimmers for their participation in the TAAF Summer Program.

Council Member Jorgensen commented on the following:

- Congratulated Father Mark on his retirement.
- Staff did a great job on this year's budget.

Mayor Krebs expressed his gratitude to Father Mark while serving at Our Lady of Mt. Carmel Church and wished him the best of luck on his retirement. He then commented on the following:

- School starts on August 17th and asked everyone to be mindful of children while driving in school zones.
- TML Region 11 Meeting will be held on August 31st in Beeville
- Re-educating the public on brush and recycling

5. **CITY MANAGER'S REPORT:**

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

- Presented a legislative update that included:
 - Revenue Cap Bill
 - Annexation
 - Tree Ordinance Regulation
 - Cell Phone Use
 - Bathroom Bill
- Announced that Budget Public Hearings will be held on August 22nd and August 29th and copies of the proposed budget are available for viewing in the City Secretary's, Bell-Whittington Library and on the City's website.

6. **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:**

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Gary Torno, a resident at 1105 Stark Road, voiced his opinion in opposition of the City's proposed tax rate increase.

Jimmy Moore, a resident at 211 Carmel Drive, voiced his opinion in opposition of the City's proposed tax rate increase.

Matt Presley, a resident at 2101 St. Charles Drive, voiced his opinion in opposition of the City's proposed tax rate increase.

7. MINUTES OF PREVIOUS MEETING: THE CITY COUNCIL WILL CONSIDER THE MINUTES OF ITS AUGUST 1, 2017 REGULAR MEETING – MAYOR KREBS AND CITY SECRETARY

Council Member Moore made the motion to approve the minutes of the August 1, 2017 regular meeting, seconded by Council Member Green.

The motion passed with the following vote:

Aye: 6 - Mayor Krebs, Mayor Pro Tem Jorgensen, Council Member Skurow, Council Member Moore, Council Member Green, and Council Member Sutton

Nay: 0 -

Absent: 1 - Council Member Wilson

Abstained: 0 -

8. INFILTRATION AND INFLOW STUDY AGREEMENT: THE CITY COUNCIL WILL CONSIDER ENGAGING LJA ENGINEERING, INC., TO COMPLETE AN INFILTRATION AND INFLOW STUDY IN THE NOT-TO-EXCEED AMOUNT OF \$329,995.00 – ASSISTANT CITY MANAGER

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

The wastewater treatment plant processes wastewater that is collected through sanitary sewer lines and pumped by lift stations to the plant. Stormwater and groundwater are major contributors of increased flows at the plant. These artificial increases add

operating costs and would require the plant to undertake a major upgrade sooner than if the stormwater and groundwater were prevented from entering the system.

An infiltration and inflow study accomplishes several tasks in pursuit of reducing flows to the plant:

- All manholes are inspected
- Smoke testing is performed on collections lines
- Lines in which problems occur are cleaned and CCTV'd

Data obtained from manhole inspections, smoke testing, and CCTV will allow us to develop a plan for future wastewater line replacement projects.

Given that repairs in Basins 3 and 6 were completed during the last study, our consultant LJA Engineering, Inc., is recommending completing the I&I study on the remaining basins, excluding the Bay Ridge, northern North Shore, and Doyle Addition subdivisions. These subdivisions are recommended to be excluded from the study due to their relatively new age and likelihood that smoke testing would not result in recommended repairs at this time. It would be recommended to smoke test these lines after completion of rehabilitation projects associated with this proposed study.

He added that Mr. Rehmet was present to answer questions.

The City Council, City Manager, Assistant City Manager, and Mr. Rehmet discussed the scope of the project and keeping public informed on the project.

Council Member Green made the motion to authorize the City Manager to execute an agreement with LJA Engineering, Inc., to complete an infiltration and inflow study in the not-to-exceed amount of \$329,995.00, seconded by Council Member Sutton.

The motion passed with the following vote:

Aye: 6 - Mayor Krebs, Mayor Pro Tem Jorgensen, Council Member Skurow, Council Member Moore, Council Member Green, and Council Member Sutton

Nay: 0 -

Absent: 1 - Council Member Wilson

Abstained: 0 -

Mayor Krebs announced that Item No. 10 would be discussed before Item No. 9.

10. RESOLUTION NO. 736 – AUTHORIZING THE REDEMPTION OF THE CITY'S OUTSTANDING TAX NOTE, SERIES 2016: THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 736 AUTHORIZING THE REDEMPTION OF THE CITY'S OUTSTANDING TAX NOTE, SERIES 2016, AND APPROVING ALL INSTRUMENTS AND PROCEDURES RELATED THERETO – DIRECTOR OF FINANCE

Director of Finance, Katie Griffin presented the following information:

Budgeted Capital Projects for FY 2016-2017 included constructing improvements to the City's Animal Control Department Facilities and its Public Works Department Facilities funded using reserves in the General and Water/Waste Water funds. To lessen the impact on the General Fund reserves, Tax Note, Series 2016, was issued in December 2016 for \$650,000. Acquiring the tax note provided a strategic financing tool to leverage existing fund balances at a low interest rate of 1.74% with the intent to pay the note in full by September 30, 2017, preventing any impact on the 2017 Effective Tax Rate calculations.

On November 15, 2016, the City Council approved the Financing Plan for the Issuance of Tax Note, Series 2016, authorizing staff and consultants to proceed with document preparation. On December 6, 2017, the City Council authorized the sale of \$650,000 in Tax Notes.

During the November 15th City Council meeting, discussion took place discussing issuance of a short term tax note in order to reduce existing Debt Service Fund balance reserves while making available General Fund balance reserves for the repayment of Sales and Use taxes to the State and Public Works facility improvements. With the assistance of the City's Financial Advisor, Victor Quiroga of Frost Investment Service, Series 2016 Tax Note was issued in early December 2016 as a one-year tax note, callable at any time. The sale of the note provided \$637,500 for facility improvements with issuance costs of \$12,500.

The sale of Tax Notes to fund facility improvements is consistent with the Council's operating vision to allocate sufficient resources to improve and maintain existing facilities thereby protecting the public's investments in its assets. The repayment plan for these notes exceeds the City's practice of tying the term of debt to the useful life of an asset.

Victor Quiroga Consulting Financial Advisor with Frost Banking Investment presented and reviewed the following information:

**CITY OF PORTLAND, TEXAS
Redemption Resolution for the
\$650,000 Tax Notes, Series 2016
August 15, 2017**

\$650,000 Tax Notes, Series 2016 –Original
Repayment Schedule

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
8/15/2017			\$7,320.08	\$7,320.08	
9/30/2017					\$7,320.08
2/15/2018	\$650,000	1.74%	\$5,655.00	\$655,655.00	
9/30/2018					\$655,655.00
Total:	\$650,000		\$12,975.08	\$662,975.08	\$662,975.08

THE TAX NOTES ARE CALLABLE AT ANYTIME

Summary of Redemption Resolution

- The \$650,000 TaxNotes, Series2016wereissuedDecember2016.
- Sold with a one year repayment term and callable at anytime.
- The original final payment of \$655,655 was scheduled for February 15, 2018 (Principal=\$650,000; Interest=\$5,655).
- For a nearly payoff of the Notes, or any financing in general, Council is required to approve a "Redemption Resolution".
- Based on action this evening, the Notes will be redeemed on September 1, 2017, saving the City \$5,152.33 in interest cost.

Council Member Jorgensen made the motion to approve Resolution No. 736 approving the defeasance of the City of Portland, Tax Note, Series 2016, seconded by Council Member Moore.

The motion passed with the following vote:

Aye: 6 - Mayor Krebs, Mayor Pro Tem Jorgensen, Council Member Skurow, Council Member Moore, Council Member Green, and Council Member Sutton

Nay: 0 -

Absent: 1 - Council Member Wilson

Abstained: 0 -

9. RESOLUTION NO. 735 - CAPITAL IMPROVEMENT PROGRAM (CIP): THE CITY COUNCIL WILL CONSIDER RESOLUTION NO. 735 ADOPTING A 5-YEAR CAPITAL IMPROVEMENT PROGRAM – CITY MANAGER

Council Member Jorgensen made the motion to approve Resolution No. 735 adopting the Five-Year Capital Improvement Program, seconded by Council Member Moore.

The motion passed with the following vote:

Aye: 6 - Mayor Krebs, Mayor Pro Tem Jorgensen, Council Member Skurow, Council Member Moore, Council Member Green, and Council Member Sutton

Nay: 0 -

Absent: 1 - Council Member Wilson

Abstained: 0 -

11. ADJOURNMENT: MAYOR KREBS

Mayor Krebs adjourned the meeting 8:27 p.m.

NOTICE OF ASSISTANCE

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BRAILLE IS NOT AVAILABLE

Approved:

David Krebs, Mayor

Attest:

City Secretary

**DECLARATION OF LOCAL DISASTER
BY
PROCLAMATION OF THE MAYOR OF THE CITY OF PORTLAND, TEXAS**

WHEREAS, due to the damage and destruction caused by Hurricane Harvey which presents an imminent threat of widespread or severe damage, injury, or loss of life and property resulting from Hurricane Harvey and other public calamity resulting there from, which requires emergency action; and,

WHEREAS, the Mayor of the City of Portland, Texas has determined that extraordinary measures must be taken to prevent and to alleviate the suffering of people and to protect or rehabilitate property; and,

WHEREAS, the City of Portland, Texas's Emergency Management Plan should be activated;

NOW THEREFORE, I, PRESIDING OFFICER OF THE CITY COUNCIL OF THE CITY OF PORTLAND, TEXAS HEREBY PROCLAIM AND DECLARE:

SECTION 1. That a state of disaster is declared for the City of Portland, Texas.

SECTION 2. That this declaration of local disaster shall be in effect for seven days from this date unless earlier terminated.

SECTION 3. That this declaration activates the recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of all aid and assistance as deemed necessary or desirable by those administering such plans, and activates the preparedness and response aspects of such plans as provided therein.

SECTION 4. That this declaration shall be filed promptly with the City Secretary, and shall be given prompt and general publicity.

SECTION 5. That this proclamation shall take effect immediately from and after its issuance.

SO DECLARED AND ORDERED this the 5th day of September 2017.

David Krebs
Mayor, City of Portland, Texas

ATTEST:

Annette Hall
City Secretary

ORDER WAIVING THE CITY CHARTER PROCEDURAL REQUIREMENT FOR ADOPTING THE BUDGET BY SEPTEMBER 15, 2017; ORDERING A CITY COUNCIL MEETING FOR SEPTEMBER 19, 2017 TO ADOPT THE FISCAL YEAR 2017-2018 BUDGET

ORDERED BY THE MAYOR OF THE CITY OF PORTLAND, TEXAS

WHEREAS, due to Hurricane Harvey which has created widespread and severe property damage of such severity and magnitude in the City of Portland, Texas, the City must take continued action to save lives, prevent injuries, protect property, public health, the environment and public safety; and,

WHEREAS, the City Charter, Section 5.08 requires that the City Council shall approve and adopt the City budget on or before the 15th day of September; and,

WHEREAS, despite good faith efforts, it is impossible to meet this deadline due to the impact of Hurricane Harvey and the resulting disaster; and,

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor hereby WAIVES the seven (7) day budget adoption procedural requirement and ORDERS a Council Meeting on September 19, 2017 to adopt the Fiscal Year 2017-2018 budget;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR OF THE CITY OF PORTLAND, TEXAS:

SECTION 1. A State of Emergency and Declaration of Local Disaster has been declared for the City of Portland, Texas pursuant to Chapter 418 of the Texas Government Code (the Texas Disaster Act) and the City of Portland City Charter, Sections 1.02 and 2.10.

SECTION 2. Pursuant to the Texas Disaster Act and The City Charter the Mayor hereby temporarily waives the City Charter, Section 5.08 requires that the City Council shall approve and adopt the City budget on or before the 15th day of September due the impossibility of meeting this deadline due to the impact of Hurricane Harvey and the resulting disaster.

SECTION 3. The City of Portland hereby shall adopt the fiscal year 2017-2018 budget on September 19, 2017.

SECTION 4. That this declaration shall take effect IMMEDIATELY and will remain in full force and effect until further notice by the Mayor.

SECTION 5. That this declaration shall be filed promptly with the City Secretary, and shall be given prompt and general publicity.

SO DECLARED AND ORDERED this the 5th day of September, 2017.

ATTEST:

ANNETTE HALL
CITY SECRETARY

DAVID KREBS
MAYOR, CITY OF PORTLAND

APPROVED AS TO FORM:
