

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



DARYL LEONARD
Councilmember District 3
KRISTIN MARTIN
Councilmember District 4
JAY MARTIN
Mayor Pro-Tem
Councilmember District 5
MIKE CLAUSEN
Councilmember District 6

CITY COUNCIL MEETING AGENDA

Notice is hereby given of a Regular Meeting of the La Porte City Council to be held October 26, 2015, beginning at 6:00 PM in the City Hall Council Chambers, 604 W. Fairmont Parkway, La Porte, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

1. **CALL TO ORDER**
2. **INVOCATION** – The invocation will be given by Dee Spears, Fairmont Park Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led Councilmember Kristin Martin.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)
5. **CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
 - (a) Consider approval or other action regarding the minutes of the City Council meeting held on October 12, 2015 - P. Fogarty
 - (b) Consider approval or other action regarding a Resolution appointing one representative and one alternate to the H-GAC 2016 General Assembly and Board of Directors - P. Fogarty
 - (c) Consider approval or other action authorizing the City Manager to execute an agreement with Bayside Terrace Civic Club for a Community Cooperation Project - T. Leach
 - (d) Consider approval or other action regarding an amendment to the bus service agreement between Harris County and the City of La Porte for local bus service for the period beginning November 1, 2015 and ending October 31, 2016 - T. Leach
 - (e) Consider approval or other action regarding Vehicle Replacements for Fiscal Year 2015-2016 - D. Mick
 - (f) Consider approval or other action regarding a Resolution authorizing the sale of Lots 20-25, Block 83, Town of La Porte and the waiver of a portion of City liens on the property - M. Dolby
 - (g) Consider approval or other action regarding an Ordinance amending the City of La Porte Fiscal Year 2014-2015 Budget - M. Dolby
6. **PUBLIC HEARINGS AND ASSOCIATED ORDINANCES**
 - (a) Public hearing to receive comments regarding condemnation of substandard buildings consisting of 4 multi-family apartment buildings and 1 laundromat building, all located at 330 Bayside Dr., La Porte; and consider approval or other action of an Ordinance regarding condemnation of substandard buildings consisting of 4 multi-family apartment buildings and 1 laundromat building, all located at 330 Bayside Dr., La Porte - R. Davidson

- (b) Public hearing to receive comments regarding the recommendation by the Planning and Zoning Commission to approve an Ordinance amending Section 106-801 (Tree Preservation), Section 106-802 (Tree Replacement), and Section 106-803 (Tree Fund) of the City's Code of Ordinances; and consider approval or other action of an Ordinance amending Sections 106-801, 106-802, and 106-803 of the City's Code of Ordinances - E. Ensey

7. AUTHORIZATIONS

- (a) Consider approval or other action authorizing the Mayor to execute Tax Resale Deeds conveying all rights, title, and interest of the taxing entities in six properties described as Lots 3-4, Block 106; Lots 14-16 Block 86; Lots 13-14, Block 80; Lots 22-24, Block 67, Town of La Porte; and Lots 13-14, Block 71; and Lots 5-6, Block 60 Bay Front Addition to Town of La Porte, to the City of La Porte; and approve an Ordinance authorizing the Mayor to execute a Special Warranty Deed to convey said properties from the City of La Porte to the Bay Area Habitat for Humanity-Houston, Inc.- T. Tietjens
- (b) Consider approval or other action of an Ordinance renaming N. 5th Street to Dr. Martin Luther King, Jr., Drive - C. Alexander

8. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding appointments to various City of La Porte boards, committees and commissions - P. Fogarty

9. ADMINISTRATIVE REPORTS

- La Porte Development Corporation Board Meeting, Wednesday, October 28, 2015

10. COUNCIL COMMENTS regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies – Councilmembers K. Martin, Kaminski, Zemanek, Leonard, Engelken, Earp, Clausen, J. Martin and Mayor Rigby

11. ADJOURN

The City Council reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code (the Texas open meetings laws).

In compliance with the Americans with Disabilities Act, the City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meeting. Please contact Patrice Fogarty, City Secretary, at 281.470.5019.

CERTIFICATION

I certify that a copy of the October 26, 2015, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on October 20, 2015.

Patrice Fogarty



**Council Agenda Item
October 26, 2015**

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2. **INVOCATION** – The invocation will be given by Dee Spears, Fairmont Park Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led Councilmember Kristin Martin.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)



Council Agenda Item October 26, 2015

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MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LA PORTE OCTOBER 12, 2015

The City Council of the City of La Porte met in a regular meeting on **Monday October 12, 2015**, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at **6:00 p.m.** to consider the following items of business:

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

2. **INVOCATION** – The invocation was given by Windell Gill, First Baptist Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Jay Martin.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
(a) Proclamation – Domestic Violence Awareness and Prevention Month – Mayor Rigby

Mayor Rigby presented the Domestic Violence Awareness and Prevention Month proclamation to Legal Advocate for Bay Area Turning Point Melissa Prentice.

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

Norma Winter, 11604 Flintlock, addressed Council with an issues she's experienced for over a year with her medical insurance and Medicare coverage after her retirement from the City of La Porte.

Vicki Campise, 1902 Roscoe, addressed Council regarding security cameras and parking accommodations specifically for visitors only on Main Street.

Susan Rector, 330 Bayside Dr., addressed Council requesting item 7b be postponed until the November or December Council meeting.

6. **CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
 - (a) Consider approval or other action regarding the minutes of the City Council Meeting held on September 28, 2015 – P. Fogarty

- (b) Consider approval or other action regarding change in City Council meeting dates for the month of November and December due to holiday schedule – P. Fogarty
- (c) Consider approval or other action adopting an Ordinance repealing Ordinance No. 2015-3591 concerning condemnation of structures located at 204 N. Forrest – R. Davidson
- (d) Consider approval or other action regarding a Resolution adopting and affirming the City of La Porte, Texas Investment Policy – S. Wolny
- (e) Consider approval or other action regarding an Ordinance vacating, abandoning, and closing the northernmost 125' of the alley in Block 72, Town of La Porte, and authorizing the City Manager to execute a deed to the adjacent owner for the subject alley - T. Tietjens
- (f) Consider approval or other action regarding a Resolution authorizing the sale of tax delinquent properties consisting of Lots 11-12, Block 988; Lot 17, Block 987; Lot 13, Block 988; Lot 3, Block 12; Lots 17-22, Block 84 and Lots 9-10, Block 11, Town of La Porte - K. Powell
- (g) Consider approval or other action regarding a Resolution authorizing the sale of tax delinquent properties consisting of Lots 23-26, Block 34, Bayfront to La Porte – K. Powell

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2015-3604: AN ORDINANCE REPEALING ORDINANCE 2015-3591, CONCERNING CONDEMNATION OF BOTH THE ACCESSORY STORAGE BUILDING AND THE PRIMARY DWELLING LOCATED AT BLK 5, LOT 8, SYLVAN BEACH FIRST SUBDIVISION, LA PORTE, HARRIS COUNTY, TEXAS MORE COMMONLY KNOWN AS 204 N. FORREST AVE.; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2015-3605: AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF THE ALLEY IN BLOCK 72, TOWN OF LA PORTE AND AUTHORIZING THE EXECUTION AND DELIVERY OF A DEED TO THE ADJOINING LANDOWNER, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

Councilmember Clausen moved to approve Consent Agenda pursuant to staff recommendations. Councilmember Martin seconded. **MOTION PASSED.**

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

7. AUTHORIZATIONS

- (a) Consider approval or other action authorizing a Banking Service Agreement with Amegy Bank for a 5-year term beginning November 1, 2015, and on a month-to-month basis thereafter – S. Wolny

Treasurer Shelley Wolny presented a summary.

Councilmember Zemanek moved to authorize a Banking Service Agreement with Amegy Bank for a 5-year term beginning November 1, 2015, and on a month-to-month basis thereafter. Councilmember Engelken seconded. **MOTION PASSED.**

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

- (b) Consider approval or other action authorizing a public hearing date of October 26, 2015 to receive information regarding Dangerous Building Inspection Board investigation and report on Windsail Bay Apartments – R. Davidson

Deputy Building Official R. J. Davidson presented a summary and advised problems have been reported to management of the apartment complex for months, and nothing has been resolved; he requested a public hearing date of October 26, 2015.

Councilmember Martin commented the complex is a health hazard, and he does not see a need to postpone the public hearing.

Councilmember Clausen asked how many units are occupied. Deputy Building Official R. J. Davidson responded that his best guess is 5-6 units. Mr. Davidson also advised water has been turned off since September 22, 2015.

Councilmember J. Martin moved to authorize a public hearing date of October 26, 2015, to receive information regarding Dangerous Building Inspection Board investigation and report on Windsail Bay Apartments. Councilmember K. Martin seconded. **MOTION PASSED.**

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

8. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding appointments to various City of La Porte boards, committees and commissions – P. Fogarty

City Secretary Patrice Fogarty presented a summary.

Councilmember Kristin Martin advised that she spoke with Nettie Warren regarding the Zoning Board of Adjustment, and she is interested in moving up to Position 5.

Mayor Rigby mentioned there is a vacancy on the La Porte Area Water Authority with Dennis Steger declining reappointment, and the Building Codes Appeals Board with Lin Pfeiffer declining reappointment. An item to address these vacancies can be brought to the next Council meeting, along with the vacancy in the Alternate 2 position on the Zoning Board of Adjustment if Nettie Warren moves to Position 5 and Doug Martin moves to Alternate 1.

Councilmember Kristin Martin moved to reappoint all citizens listed as desiring an additional term on various City of La Porte boards, committees and commissions and to move from Nettie Warren from Alternate 1 to Position 5 on the Zoning Board of Adjustment and Doug Martin from Alternate 2 to Alternate 1 on the Zoning Board of Adjustment. Councilmember Jay Martin seconded. **MOTION PASSED.**

Ayes: Mayor Rigby, Councilmembers J. Martin, Clausen, Earp, K. Martin, Leonard, Zemanek and Engelken

Nays: None
Absent: Councilmember Kaminski

9. REPORTS

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

Councilmember Engelken provided a report of the La Porte Development Corporation Board’s meeting held on September 30, 2015.

10. ADMINISTRATIVE REPORTS

City Manager Corby Alexander advised Council the City Manager’s Office and the Human Resources Department is aware of Ms. Winter’s issues and are working with her to obtain a resolution.

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

Councilmember K. Martin congratulated Melissa Prentice and the Bay Area Turning Point for receiving the proclamation and advised Ms. Campise she would like to see the City help with her concerns on Main Street; Councilmember Zemanek requested a status on replacing the dead tree at Five Points, requested a tax report on the property on Spencer and Sens which was removed from AG status; Councilmember Engelken wished everyone a safe trip home; and Mayor Rigby requested City Manager Corby Alexander visit with Staff on the suggestions made by Ms. Campise regarding Main Street.

12. **EXECUTIVE SESSION** The City reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code, including, but not limited to, the following:

Texas Government Code, Section 551.072 – For the purpose of deliberating the purchase, exchange, lease or value of real property: Meet with City Manager and City Attorney to discuss a Joint Ordinance and Boundary Adjustment Agreement and Joint Ordinance and Revenue Sharing Agreement with the City of Morgan’s Point regarding a 4.42 acre tract of land currently.

Texas Government Code, Section 551.071 (2) – Consultation with City Attorney: Meet with City Attorney to discuss Join Ordinance and Boundary Adjustment Agreement and Joint Ordinance and Revenue Sharing Agreement with the City of Morgan’s Point regarding a 4.42 acre tract of land currently within the City of La Porte’s corporate boundary and proposed to be annexed within the City of Morgan’s Point corporate boundary.

Texas Government Code, Section 551.074 – Personnel Matter: Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, unless the officer or employee requests a public hearing: City Manager Corby Alexander.

City Council recessed the regular Council meeting to convene an executive session at 6:57 p.m. regarding the items listed above.

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

Council reconvened into the regular Council meeting at 7:43 p.m.

Regarding Texas Government Code, Section 551.072 – For the purpose of deliberating the purchase, exchange, lease or value of real property: Meet with City Manager and City Attorney to discuss a Joint Ordinance and Boundary Adjustment Agreement and Joint Ordinance and Revenue Sharing Agreement with the City of Morgan’s Point regarding a 4.42 acre tract of land currently.

Councilmember Earp moved to decline the exchange of property with the City of Morgan’s Point. Councilmember Zemanek seconded. **MOTION PASSED.**

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

Regarding Texas Government Code, Section 551.074 – Personnel Matter: Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, unless the officer or employee requests a public hearing: City Manager Corby Alexander.

No action was taken.

- 14. ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 7:45 p.m. Councilmember Zemanek seconded. Motion passed unanimously.

Patrice Fogarty, City Secretary

Passed and approved on October 26, 2015.

Mayor Louis R. Rigby

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: October 26, 2015 Appropriation
Requested By: Patrice Fogarty Source of Funds: N/A
Department: City Secretary's Office Account Number:
Report: Resolution: Ordinance: Amount Budgeted:
Other: Amount Requested:
Budgeted Item: YES NO

Attachments :

1. Resolution

SUMMARY & RECOMMENDATIONS

According to H-GAC's bylaws, the City is authorized to select one councilmember as a representative and one as an alternate to the H-GAC General Assembly and Board of Directors. H-GAC's bylaws stipulate that the representative is also the General Assembly delegate; and as such, is also designated to serve on H-GAC's Board of Directors.

The 2016 designated representatives begin their terms of office the first of January.

The 2015 representative is Chuck Engelken, and the alternate is Jay Martin.

Both have indicated a willingness to serve again should Council name them.

Action Required of Council:

Consider approval or other action of a Resolution appointing one representative and one alternate to the H-GAC 2016 General Assembly and Board of Directors.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

RESOLUTION NO. 2015 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA PORTE,
TEXAS, SELECTING A REPRESENTATIVE AND AN ALTERNATE TO
THE HOUSTON-GALVESTON AREA COUNCIL 2016 GENERAL
ASSEMBLY AND BOARD OF DIRECTORS.

* * * * *

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

Section 1. That the following individuals be and are hereby selected as the representative and alternate of the General Assembly of the Houston-Galveston Area Council for the year 2016:

REPRESENTATIVE: _____

ALTERNATE: _____

Section 2. That the hereinabove named representative and alternate are hereby selected as the representative and alternate to the Board of Directors of the Houston-Galveston Area Council for the year 2016.

Section 3. That the Executive Director of the Houston-Galveston Area Council be notified of the selection of the hereinabove named representative and alternate.

PASSED and ADOPTED this the 26th day of October, 2015.

CITY OF LA PORTE

By: _____
Louis R. Rigby
Mayor

ATTEST:

APPROVED:

Patrice Fogarty
City Secretary



Clark T. Askins
Assistant City Attorney



MEMORANDUM OF AGREEMENT

This Memorandum of Agreement (MOA) is made by and entered into this ____ day of _____, 2015 (the "Effective Date") between the City of La Porte, Texas, a home-rule municipality under the laws of the State of Texas ("the City") and the Bayside Terrace Civic Club, a Texas nonprofit corporation, ("BTCA"), to establish each party's obligations under the Community Cooperation Project, as defined herein.

The terms acceptable to both Parties to begin the Community Cooperation Project are as follows:

The City and BTCA agree that the Community Cooperation Project shall consist of the purchase of lettering and monument accessories, such as lighting and notification arms for the existing neighborhood entryway monument. The words "Bayside Terrace Est. 1942" will be affixed to both sides of the sign face. A decorative sign arm will also be attached to the monument and two signs will be purchased (one for heavy trash notification and another for Civic Club's website). The total estimated cost of the Project is \$3,874.82.

The City's responsibilities for the Improvements are limited to:

- Contributing funding for the project, as outlined herein.

The BTCA's responsibilities for the Improvements will include:

- Procurement and installation of lettering for the sign

The BTCA shall be responsible for the scheduling of work and installation of the Improvements. The City's share of the Project's costs shall be limited to \$2,474.82. The BTCA's share of the Project's costs shall be \$1,400.00.

Upon completion of the Improvements, the neighborhood entryway monument will be owned, operated, and maintained by BTCA.

The City assumes no ongoing maintenance responsibility for the Improvements once completed, and is not responsible for contributing towards the cost of replacement of the Improvements if damaged or destroyed. Furthermore, BTCA agrees to release, indemnify, and hold harmless City from any liability in connection with claims for damages or loss brought against City in relation to the purchase, installation, or condition of the Improvements.

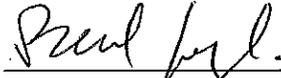
This MOA constitutes the complete understanding between the parties in order to begin the procurement and installation process for the Project.

For the City of La Porte, Texas:

Corby D. Alexander
City Manager

Attest: Patrice Fogarty, City Secretary

For the Bayside Terrace Civic Club:



Bernard LeGrand
President

REQUEST FOR CITY COUNCIL AGENDA ITEM

| | |
|---|--|
| Agenda Date Requested: <u>October 26, 2015</u> | <u>Appropriation</u> |
| Requested By: <u>Traci Leach</u> | Source of Funds: <u>Fund 001 and 038</u> |
| Department: <u>Administration</u> | 001.6061.656.9997 |
| Report: <input checked="" type="radio"/> Resolution: <input type="radio"/> Ordinance: <input type="radio"/> | Account Number: <u>and</u> |
| Other: <input type="radio"/> | 038.6030.565.9997 |
| Attachments : | Amount Budgeted: <u>\$71,000.00</u> |
| 1. Amendment to Agreement | Amount Requested: <u>\$71,000.00</u> |
| 2. Route maps | Budgeted Item: <input checked="" type="radio"/> YES <input type="radio"/> NO |
| 3. Ridership Numbers | |

SUMMARY & RECOMMENDATIONS

For the past five years, the City of La Porte has participated with Harris County Transit Authority (HCTA) to provide regional bus service. In 2013, the City provided closed door service for La Porte residents only to locations within the City, as well as selected sites outside the City such as the Social Security Office, Strawberry Clinic, a connector shuttle to Baytown, and paratransit services. The County administers a federal grant for the cost of providing the service and La Porte provides a match to complete the funding.

La Porte's share of bus service for the upcoming service year, which begins on November 1, 2015, is \$71,000, which is unchanged from last year. The attached amendment extends the term of the agreement the City approved last year and amends the City's contribution amount to \$71,000. All other provisions of the agreement are unchanged.

Staff recommends approving the amendment to the Bus Service Agreement with Harris County Transit Authority for local bus service for the period beginning November 1, 2015 through October 31, 2016.

Action Required of Council:

Consider approval or other action of an amendment to the bus service agreement between Harris County and the City of La Porte for local bus service for the period beginning November 1, 2015 and ending October 31, 2016.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

INTERLOCAL AGREEMENT

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This Interlocal Agreement (“Agreement”) for Fixed Route Bus Service is made and entered into pursuant to Chapter 791 of the Texas Government Code by and between Harris County, Texas, a body corporate and politic under the laws of the State of Texas, hereinafter called the “County,” and the City of La Porte, a home-rule city under the laws of the State of Texas, hereinafter called “La Porte.” The County and La Porte may each be referred to herein as a “Party” or collectively as the “Parties.”

Recitals

Certain portions of eastern Harris County lie outside the jurisdictional boundaries and service area of the Metropolitan Transit Authority of Harris County, Texas. La Porte and the County find that the operation of fixed route bus service as provided for in this Agreement will enhance regional mobility and support transit services within the County and La Porte.

The Parties now desire to enter into this Agreement to establish a new term for the fixed route bus service and to provide for responsibilities and funding of that service.

TERMS:

ARTICLE I. Agreement and Definitions

1.1 Scope of Agreement. County, upon receipt of funding from La Porte and matching federal funds, will provide for the operation of fixed route bus services as described in more detail in Exhibit A.

1.2 Definitions. For the purposes of this Agreement, the following terms shall have the meanings set forth below:

1.2.1 “Fixed Route Bus Service” means services provided on a repetitive, fixed schedule basis along a specific route with vehicles stopping to pick up and deliver passengers to specific locations; each fixed route trip serves the same origins and destinations.

1.2.2 “Complementary Paratransit Services” means service required by the Americans with Disabilities Act (ADA) for individuals with disabilities who are unable to use fixed route transportation systems and are deemed eligible for the service.

1.2.3 “Local Matching Funds” means the financial assistance from local entities that support the operation of the transit system as required by a grant to match the federal contribution. They include, but are not limited to: tax levies; general funds; specified contributions, contributions from city, county, or other municipal government towards the Local Share portion of the transit system budget; and other revenues such as advertising.

ARTICLE 2. La Porte’s Obligations

2.1 La Porte will provide and maintain, in accordance with the requirements set forth herein and make available for use in regard to services hereunder, transit stops at all locations chosen by the County. To be acceptable, each such transit stop must at a minimum have a “transit stop” sign facing both directions, using the graphic shown in Exhibit B to this Agreement. As additional Federal Transit Authority (FTA) capital improvement funds become available, the County may at its sole option, use those funds and Local Matching Funds provided by La Porte to pay for additional transit stop improvements such as connecting sidewalks to stops within ¾ miles, of a stop or shelter bike paths within 3 miles that connect to a stop and / or shelter site pads, park benches and passenger shelters.

2.2 All transit stops will have the following minimum standards:

2.2.1 A firm stable surface;

2.2.2 A minimum clear length of 96 inches measured from the curb or roadway edge and minimum clear width of 60 inches measured parallel to the vehicle roadway;

2.2.3 A maximum slope of 1:50 (2%) for water drainage; and

2.2.4 An accessible route to the streets, sidewalks or pedestrian paths.

2.3 La Porte will provide advertising on La Porte’s Internet Site as well as other media, informing the general public of the availability of transit services in the community. Additionally, La Porte will provide information inserts into its utility bills, but only at such time or intervals as requested by County in writing, and at County’s expense. The design of the information inserts will be provided by the County.

2.4 Within fifteen (15) days of the effective date of this Agreement, La Porte shall send Seventy-One Thousand and No/Dollars (\$71,000.00) to the County in satisfaction of its obligations to provide Local Matching Funds.. Should the County determine that such funds from La Porte are inadequate to pay for all required Local Matching Funds during the term of this Agreement,

the County shall have no obligation to continue providing the services hereunder unless and until La Porte provides the necessary additional funds to the County for such purpose, subject to the same requirements applicable to use of the original contribution. Additional funds shall be provided within forty-five (45) days.

2.5 La Porte shall comply with the Davis-Bacon and Copeland Anti-Kickback Acts codified at 40 USC 3141, et. seq and 18 USC 874 to the extent applicable.

2.6 Nondiscrimination - In accordance with Title VI of the Civil Rights Act, as amended, 42 U.S.C. § 2000d, section 303 of the Age Discrimination Act of 1975, as amended, 42 U.S.C. § 6102, section 202 of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12132, and Federal transit law at 49 U.S.C. § 5332, La Porte agrees that it will not discriminate against any employee or applicant for employment because of race, color, creed, national origin, sex, age, or disability. In addition, La Porte agrees to comply with applicable Federal implementing regulations and other implementing requirements FTA may issue.

2.7 Equal Employment Opportunity - The following equal employment opportunity requirements apply to the underlying contract:

(a) Race, Color, Creed, National Origin, Sex - In accordance with Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e, and Federal transit laws at 49 U.S.C. § 5332, La Porte agrees to comply with all applicable equal employment opportunity requirements of U.S. Department of Labor (U.S. DOL) regulations, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor," 41 C.F.R. Parts 60 et seq., (which implement Executive Order No. 11246, "Equal Employment Opportunity," as amended by Executive Order No. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," 42 U.S.C. § 2000e note), and with any applicable Federal statutes, executive orders, regulations, and Federal policies that may in the future affect activities undertaken in the course of the Project. La Porte agrees to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, national origin, sex, or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. In addition, La Porte agrees to comply with any implementing requirements FTA may issue.

(b) Age - In accordance with section 4 of the Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. § § 623 and Federal transit law at 49 U.S.C. § 5332, La Porte

agrees to refrain from discrimination against present and prospective employees for reason of age. In addition, La Porte agrees to comply with any implementing requirements FTA may issue.

(c) **Disabilities** - In accordance with section 102 of the Americans with Disabilities Act, as amended, 42 U.S.C. § 12112, La Porte agrees that it will comply with the requirements of U.S. Equal Employment Opportunity Commission, "Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act," 29 C.F.R. Part 1630, pertaining to employment of persons with disabilities. In addition, La Porte agrees to comply with any implementing requirements FTA may issue.

2.8 La Porte also agrees to include these requirements in each subcontract financed in whole or in part with Federal assistance provided by FTA, modified only if necessary to identify the affected parties.

ARTICLE 3. County's Obligations

3.1 The County agrees to operate the Fixed Route Bus Service in the City of La Porte and provide necessary transit vehicles through the use of outside contractors. The Director of the County Community Services Department (Director) will, in consultation with the City Council of La Porte, determine the travel routes for such service, and will determine the schedule for operations, and the type and number of transit vehicles to be utilized for the service. The Director may, from time to time, revise the schedule of operation of the service based upon ridership levels and service demands in consultation with the City Council. Any changes in service will be subject to the public input requirements of Title VI, 42 U.S.C. The routes currently in service are depicted on Exhibit "A" to this Agreement. The service hours will be from 7:00 AM until 6:00 PM Monday through Friday excluding County holidays. The County shall have no obligation to obtain sites for or to construct or maintain transit stops for the bus service.

3.2 Fares will be assessed for use of the transit services. The County will collect and retain the fares as follows, provided that the County may enter into agreements as it may deem necessary and proper to provide for bus services to be provided otherwise than by payment of such fees:

| | |
|--|-----------------|
| Adult (12 years and older) | \$1.00 each way |
| Children (2 years to 11 years) | \$.50 each way |
| Seniors (65 and older with identification) | \$.50 each way |
| Disabled (with identification) | \$.50 each way |

| | |
|---|-----------------|
| Medicare recipients (with identification) | \$.50 each way |
| Children under 2 years | FREE |
| Certified ADA Paratransit Passengers | \$2.00 each way |

3.3 Federal Transit Administration (FTA) funds can only be accessed on a reimbursement basis. Notwithstanding any provision of this Agreement that might be construed to the contrary, the County shall not be obligated by this Agreement to expend any funds, but it is understood and agreed that the funds provided by La Porte may only be expended if the County, to the extent that the County at its sole option, expends matching funds for the purpose of seeking FTA reimbursement. La Porte's funding hereunder will be used for payment of the matching contributions required by a local recipient. All FTA reimbursement will be the property of the County.

ARTICLE 4. Independent Parties

4.1 This Agreement is not intended to create and shall not constitute a partnership or joint venture between the Parties. Parties shall have and retain the exclusive right of control over employment, firing, discipline, compensation, insurance, and benefits in accordance with the applicable laws of the State of Texas. La Porte has no authority to bind or otherwise obligate the County orally, in writing or by any act or omission. Nothing contained herein shall establish an agency, employee-employer relationship, partnership, joint enterprise, joint employer, or joint venture relationship by or between the Parties. Nothing in this Agreement will create or be deemed to create a relationship between the Parties to this Agreement, including a relationship in the nature of a third-party beneficiary or fiduciary.

ARTICLE 5. Termination and Default

5.1 Termination by La Porte or the County. La Porte or the County may, terminate this Agreement without cause upon ninety (90) days prior written notice to the other Party.

5.2 Notice of Default.

5.2.1 La Porte or the County shall be deemed in default under this Agreement if La Porte or the County in any material respect fails to perform, observe or comply with any of its covenants, agreements or obligations, or breaches or violates any of the representations contained in this Agreement.

5.2.2 Before any failure of either La Porte or the County shall be deemed to be a breach of this Agreement, the Party claiming such failure shall notify, in writing, the Party alleged to have failed to perform, of the alleged failure and shall demand the Party to cure the default within ninety (90) calendar days. If the allegedly failing Party has not cured the default, that Party will be in default of this Agreement, unless La Porte and the County agree to extend time for cure, and the Agreement may be terminated by the other Party immediately upon notice of the non-defaulting Party's intention to terminate.

ARTICLE 6. Term

6.1 This Agreement shall be for a term beginning upon execution by both Parties and, unless terminated sooner as set forth above, and continue in full force and effect for twelve (12) consecutive months. Any unexpended and unearned surplus funds provided by La Porte remaining upon termination of this Agreement will be refunded to La Porte unless different arrangements are made in an amendment to this Agreement or a new agreement between the Parties in regard to the Fixed Route Bus Service. The County is under no obligation to invest or to account for or pay to La Porte any earnings upon funds provided hereunder by La Porte.

ARTICLE 7. Miscellaneous

7.1 Approvals, Further Documents. Where this Agreement requires approval, consent, permission, agreement or authorization by either Party, such approval, consent, permission, agreement or authorization shall not be unreasonably withheld or delayed. The Parties agree to execute such further documents, agreements, instruments and notices as may be necessary or appropriate to effectuate the purposes of this Agreement.

7.2 Maintenance of Records. The County shall maintain records to show actual time involved in the provision of the transportation services, the cost incurred for the period of time specified, and the level of ridership. The County shall maintain ridership information in a manner consistent with National Transit Database reporting requirements and provide a quarterly report of same to La Porte. To the extent applicable to the transportation service, La Porte and the County shall cooperate in good faith to provide records satisfactory to the federal government or any other regulatory body.

7.3 Audit and Inspection of Records. La Porte and the County shall permit the authorized representatives of La Porte, the County, and the federal government to inspect and audit

all data records of La Porte and the County relating to their performances under this Agreement. La Porte shall keep its books and records available for this purpose for at least five (5) years after this Agreement terminates. In the event any record is needed to support any dispute or legal action, such records shall be maintained for a period of not less than five (5) years following the settlement of any such dispute or legal action.

7.4 Notices. Any notices required or permitted to be given under the terms of this Agreement shall be in writing and shall be deemed to be given as of the time of hand delivery to the addresses set forth below, or five (5) days after deposit in the United States mail, postage prepaid, by registered or certified mail, return receipt requested, addressed as follows,:

TO HARRIS COUNTY:

Harris County, Texas

ATTN: David B. Turkel

Director, Harris County Community Services Department

Developmental Department

8410 Lantern Point Drive

Houston, Texas 77054

TO LA PORTE:

City of La Porte

Attn: Patrice Fogarty, City Secretary

604 W Fairmont Pkwy

La Porte, Texas 77571

A Party may change the address for notices upon at least 10 days written notice under the provision.

7.5 Waiver. The failure of any Party at any time or times to require performance of any provision hereof shall in no manner affect the right at a later time to enforce the same. No waiver of a Party of any condition or breach of any term, covenant, representation or warranty contained herein, in any one or more instances, shall be deemed to be constructed a further or continuing waiver of any such condition or breach or waiver of any other condition or of any breach of any other term, covenant, representation or warranty.

7.6 Entire Agreement. This Agreement contains the entire agreement of the Parties with regard to the matters addressed herein. This Agreement may not be amended, modified,

superseded or canceled, nor may any of the terms, covenants, representations, warranties or conditions be waived except by written instrument executed by the Parties.

7.7 Force Majeure. Neither Party shall be held liable for any loss or damage due to delay or failure in performance of any part of this Agreement from any cause beyond its control that directly impacts its ability to perform, and without its fault or negligence, which causes may include acts of God, acts of civil or military authority, government regulations (except those promulgated by the party seeking the benefit of this provision), embargoes, epidemics, war, terrorist acts, riots, insurrections, fires, explosions, earthquakes, nuclear accidents, floods, strikes, power blackouts, other major environmental disturbances or unusually severe weather conditions.

7.8 Governing Law. This Agreement shall be constructed and enforced in accordance with the laws of the State of Texas. The exclusive forum and venue for any action arising out of, in connection with, or in any way relating to the Agreement is in a state or federal court of competent jurisdiction in Houston, Harris County, Texas.

7.9 Headings. Headings and captions contained herein are inserted for convenience and of reference only, and are not deemed part of or to be used in constructing this Agreement.

7.10 Survival. Each Party shall remain obligated to the other Party under all clauses of this Agreement that expressly or by their nature extend beyond the expiration or termination of this Agreement.

7.11 Current Funds. Each Party paying for the performance of governmental functions or services under this Agreement must make those payments from current revenues available to the paying Party.

7.12 Compliance with Laws. The Parties shall comply with all applicable laws in carrying out its obligations under this Agreement.

7.12 Execution; Multiple Counterparts. The Agreement may be executed in several counterparts. Each counterpart is deemed an original. All counterparts together constitute one and the same instrument. Each Party warrants that the undersigned is a duly authorized representative with the power to execute this Agreement.

HARRIS COUNTY

CITY OF LA PORTE

By: _____
DAVID TURKEL
EXECUTIVE DIRECTOR
Community Services Department

By: _____
Louis R. Rigby
Mayor

APPROVED AS TO FORM:
Vince Ryan, Harris County Attorney

ATTEST

By: _____
Amy Gros
Assistant County Attorney
C.A. File No.: 15GEN1540

By: _____
Patrice Fogarty
City Secretary

ORDER OF COMMISSIONERS COURT

Authorizing Interlocal Agreement With City of La Porte

The Commissioners Court of Harris County, Texas, met in regular session at its regular term at the Harris County Administration Building in the City of Houston, Texas, on _____, with all members present except _____

A quorum was present. Among other business, the following was transacted:

ORDER AUTHORIZING INTERLOCAL AGREEMENT WITH CITY OF LA PORTE FOR FIXED RATE BUS SERVICE

Commissioner _____ introduced an order and moved that Commissioners Court adopt the order. Commissioner _____ seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

| | Yes | No | Abstain |
|---------------------|--------------------------|--------------------------|--------------------------|
| Judge Ed Emmett | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Comm. El Franco Lee | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Comm. Jack Morman | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Comm. Steve Radaack | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Comm. R. Jack Cagle | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order adopted follows:

IT IS ORDERED that:

- The David Turkel, Executive Director of the Community Services Department is authorized to execute on behalf of Harris County an agreement at no cost to the County with the City of La Porte for the County accept Local Matching Funds from La Porte in an amount not to exceed Seventy-One Thousand and No/Dollars (\$ 71,000.00) for fixed route bus service. The Agreement is incorporated by reference and made a part of this order for all intents and purposes as thought set out in full word for word.
- All Harris County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purposes of this order.

EXHIBIT A
Bus Routes

Exhibit B



4 La Porte City



Harris County Community Services Department
www.harriscountytransit.com
713-578-2216



Accessibility

All buses are equipped with lifts for those who are disabled or have difficulty in using the boarding steps. Passengers may request the use of the mobility device lift at any time. When a bus approaches, the driver will align the mobility device lift with the passenger and the driver will provide assistance in boarding.

Special Service

For those individual with disabilities certified as eligible according to the Americans with Disabilities Act (ADA) Harris County Transit provides curb to curb service within $\frac{3}{4}$ of a mile on each side of a bus route. Call 713-578-2216 for details and an application.

KNOW YOUR RIGHTS

Title 49 of the Code of Federal Regulations provides protections against discrimination. Harris County operates its programs without regard to race, color, and national origin. Harris County's TITLE VI Compliance officer is Mr. Levonne Harrell, Title VI Compliance Officer. To view our Title VI Policy please visit <http://www.harriscountytransit.com/TitleVI.htm>. To file a complaint or for information call 713-578-2000.

ROUTE SYSTEM

LA PORTE / BAYTOWN SHUTTLE



Shuttle Bus operates from 7:00 AM until 6:00 PM Monday through Friday, except Harris County holidays. Service is from the La Porte Neighborhood Center to the transfer point at Park and Garth Road in Baytown. Passengers are allowed up to two free transfers to complete their trips. Trip destinations to the HCPHES Clinic in Baytown, Strawberry Clinic and the Social Security offices in Pasadena are available upon request. Please refer to the schedule for those location's service times.



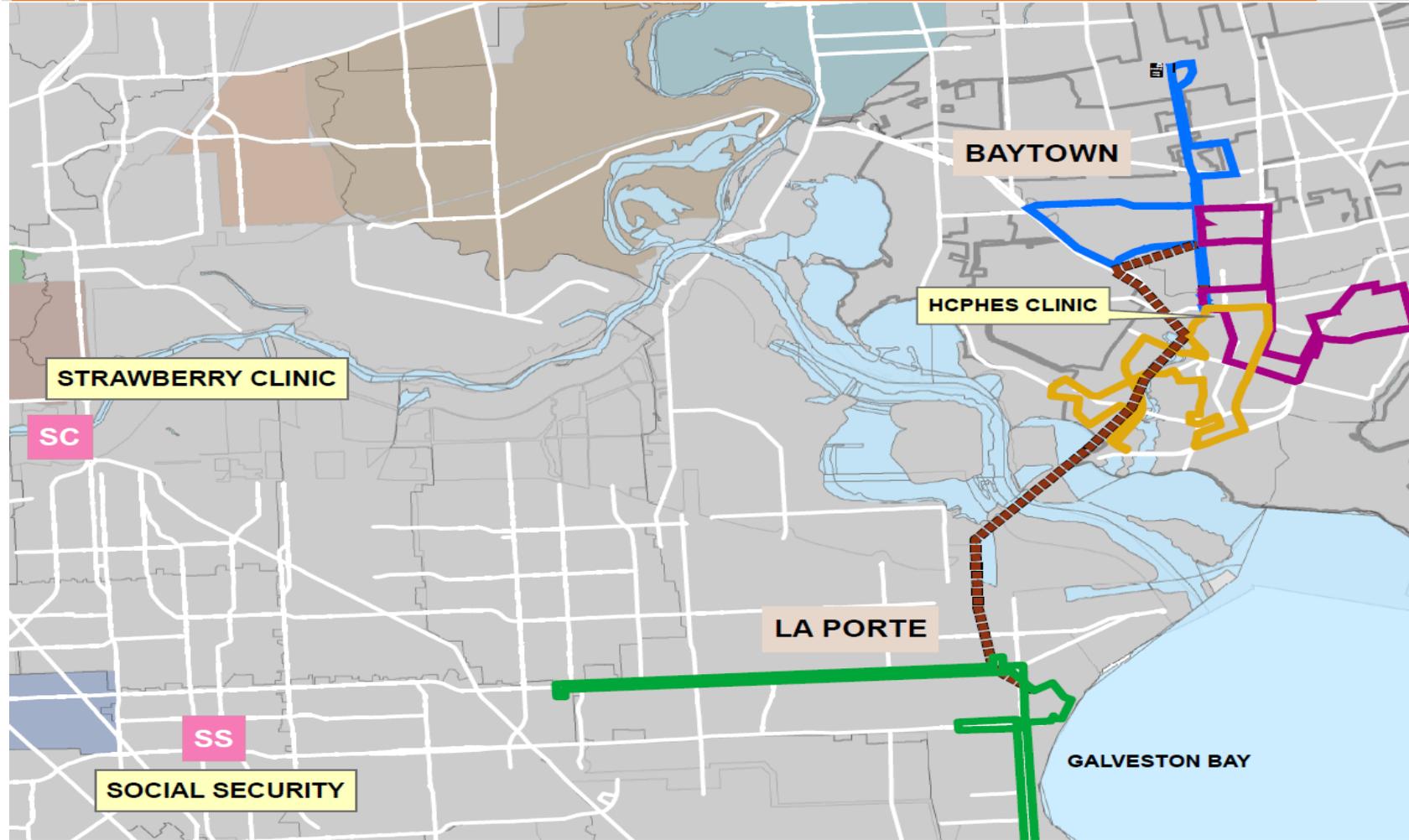
Live Tracking Map

The real-time Gps tracking map show the current locating of all vehicles for the transit agency. The map is optimized for users to easily find the needed vehicle, route, and stop. Route and vehicle icons are color-coordinated for easy identification. View bus locations and arrival information in real-time using our convenient and FREE Ride Systems mobile app available in the iPhone and Android app stores. Or visit: <http://www.harriscounty.prod.ridesystems.net>

La Porte / Baytown Shuttle



Harris County Community Services Department
www.harriscountyttransit.com
713-578-2216



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Live Tracking Map

The real-time Gps tracking map show the current locating of all vehicles for the transit agency. The map is optimized for users to easily find the needed vehicle, route, and stop. Route and vehicle icons are color-coordinated for easy identification. View bus locations and arrival information in real-time using our convenient and FREE Ride Systems mobile app available in the iPhone ad Android app stores. Or visit: <http://www.harriscounty.prod.ridesystems.net>

LA PORTE BUS SERVICE
FISCAL YEAR

| | 2015 | 2014 | 2013 |
|--------------|-------------|-------------|-------------|
| October | 865 | 909 | |
| November | 616 | 702 | 594 |
| December | 662 | 544 | 518 |
| January | 545 | 732 | 482 |
| February | 664 | 648 | 471 |
| March | 874 | 661 | 562 |
| April | 816 | 687 | 703 |
| May | 764 | 678 | 740 |
| June | 488 | 572 | 765 |
| July | 751 | 705 | 654 |
| August | 849 | 726 | 650 |
| September | 954 | 883 | 774 |
| Annual Total | 8848 | 8447 | 6913 |

Action Required by Council:

1. Consider approval or other action to award purchase of five sport utility vehicles to Caldwell Country (\$174,075.00).
2. Consider approval or other action to award purchase of three full size sedans to Dallas Dodge (\$77,754.00).
3. Consider approval or other action to award purchase of police hardware, equipment and installation to Cap Fleet Upfitters (\$66,447.00)

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

**CITY OF LA PORTE
SUMMARY OF VEHICLE REPLACEMENTS
FISCAL YEAR 2015-16**

| Account Number | Amount | Unit | Description |
|-----------------------|---------------------|-------------|---------------------------------|
| 009-5051-522-8050 | \$ 47,394 | 51-20 | 2003 Ford F-350 Crew 4X4 |
| 009-5253-521-8050 | 20,545 | 53-05 | 1998 Radar Trailer |
| 009-5253-521-8050 | 37,987 | 53-10 | 2009 Ford Police Interceptor |
| 009-5253-521-8050 | 37,987 | 53-13 | 2010 Ford Police Interceptor |
| 009-5253-521-8050 | 37,987 | 53-19 | 2010 Ford Police Interceptor |
| 009-5253-521-8050 | 37,987 | 53-20 | 2010 Ford Police Interceptor |
| 009-5253-521-8050 | 37,987 | 53-26 | 2010 Dodge Charger Interceptor |
| 009-5253-521-8050 | 37,987 | 53-32 | 2008 Ford Police Interceptor |
| 009-5253-521-8050 | 37,987 | 53-60 | 2007 Chevy Impala Interceptor |
| 009-5253-521-8050 | 37,987 | 53-67 | 2008 Chevy Impala Interceptor |
| 009-5253-521-8050 | 37,987 | 53-79 | 2011 Ford Police Interceptor |
| 009-6049-551-8050 | 13,095 | 49-09 | 2010 Zero Turn Mower |
| 009-6049-551-8050 | 26,243 | 49-10 | 2010 Tri-Plex Mower |
| 009-6049-551-8050 | 30,124 | 49-30 | 2011 Greens Mower |
| 009-6049-551-8050 | 23,532 | 49-33 | 2003 Ford F150 Pickup |
| 009-5059-522-8050 | 94,789 | 59-34 | 2011 Ford F450 Ambulance |
| 009-7071-531-8050 | 50,733 | 71-09 | 2003 Underground Pipehunter |
| 009-7071-531-8050 | 31,760 | 71-23 | 2003 John Deere 5420 Tractor |
| 009-7071-531-8050 | 44,051 | 71-29 | 2004 Crafcoc Crack Sealer |
| 009-7071-531-8050 | 147,466 | 71-36 | 2001 New Holland Tractor |
| 009-7071-531-8050 | 42,203 | 71-46 | 2004 Chevy 3500 Flatbed Truck |
| 009-7071-531-8050 | 31,760 | 71-76 | 2005 John Deere Tractor |
| 009-7072-532-8050 | 152,168 | 72-42 | 2006 GMC Topkick W/Picker |
| 009-7072-532-8050 | 158,579 | 72-43 | 2006 Sterling LT9500 Rearloader |
| 009-7072-532-8050 | 158,579 | 72-44 | 2006 Sterling LT9500 Rearloader |
| 009-7074-532-8050 | 18,437 | 74-17 | 2005 Ford F150 Pickup |
| 009-7074-532-8050 | 18,437 | 74-20 | 2004 Chevy 150 Pickup |
| 009-7077-533-8050 | 36,816 | 77-55 | 2003 Ford New Holland |
| 009-7077-533-8050 | 13,685 | 77-61 | 2007 Bushhog Mower |
| 009-8080-552-8050 | 38,997 | 80-40 | 2002 John Deere Tractor |
| 009-8081-552-8050 | 18,437 | 81-10 | 2004 Chevy 1500 Pickup |
| 009-7084-533-8050 | 18,437 | 84-22 | 2003 Chevy 1500 Pickup |
| 009-7085-533-8050 | 18,437 | 85-03 | 2004 Chevy 1500 Pickup |
| 009-7085-533-8050 | 35,375 | 85-37 | 2005 Ford F350 W/Utility Body |
| 009-7086-533-8050 | 35,375 | 86-37 | 2005 Ford F350 W/Utility Body |
| | \$ 1,667,337 | | |

QUOTE# 001-PD5X-PATROL

CONTRACT PRICING WORKSHEET

| | | | | | |
|---|--|--------|--|-----------------------|-----------|
| End User: CITY OF LA PORTE | | | Contractor: CALDWELL COUNTRY | | |
| Contact Name: MICHAEL COLLINS GARY RICE -PD | | | CALDWELL COUNTRY | | |
| Email: COLLINSM@LAPORTETX.GOV RICEG@LAPORTETX.GOV | | | Prepared By: Averyt Knapp | | |
| Phone #: | | | Email: aknapp@caldwellcountry.com | | |
| Fax #: | | | Phone #: 800-299-7283 or 979-567-6116 | | |
| Location City & State: LA PORTE, TX | | | Fax #: 979-567-0853 | | |
| Date Prepared: SEPTEMBER 24, 2015 | | | Address: P. O. Box 27, Caldwell, TX 77836 | | |
| Contract Number: BUY BOARD #430-13 | | | Tax ID # 14-1856872 | | |
| Product Description: 2016 CHEVROLET TAHOE PPV CC15706 | | | | | |
| A Base Price: | | | | | \$33,935 |
| B Fleet Quote Option: | | | | | |
| Code | Description | Cost | Code | Description | Cost |
| | KEYED ALIKE 6E2 | \$25. | | | |
| | GM WARRANTY 5YR/100,000 MILES POWERTRAIN @ N/C | INCL | | CALDWELL COUNTRY | |
| | DUAL BATTERIES | INCL | | PO BOX 27 | |
| | HD TRAILER TOW PACKAGE | INCL | | CALDWELL, TEXAS 77836 | |
| | FULL BUCKETS-CLOTH FRONT | INCL | | | |
| | LH SPOTLIGHT | \$490. | | | |
| Subtotal B | | | | | \$515 |
| C Unpublished Options | | | | | |
| Code | Description | Cost | Code | Description | Cost |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| Subtotal C | | | | | |
| D Other Price Adjustments (Installation, Delivery, Etc..) | | | | | |
| Subtotal D FOB CAP-HOUSTON | | | | | \$285 |
| E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D) | | | | | \$34,735 |
| Quantity Ordered | | | | | 5 |
| X | | | | | |
| Subtotal E | | | | | \$173,675 |
| F Non-Equipment Charges (Trade-In, Warranty, Etc..) | | | | | |
| BUY BOARD | | | | | \$400 |

| | |
|-------------------------------|--|
| G. Color of Vehicle: BLACK | INCL |
| | |
| H. Total Purchase Price (E+F) | \$174,075 |
| | |
| Estimated Delivery Date: | UNITS CURRENTLY IN STOCK- IMMEDIATE DELIVERY, IF ORDERED Q1-2016 |



CAP FLEET UP FITTERS

6015 N Shepherd Drive
Houston, TX 77018
832-203-5658 - O
832-203-5663 - F

QUOTE

Date 9/22/2015
Quote # CAPQ7820

Name / Address
CITY OF LA PORTE
604 W FAIRMONT PKWY
LA PORTE, TX 77571

Job :
Project :
Employee ... Mike Urbanovsky

| Part # | Qty | Description | Unit Price | Total |
|----------------|-----|---|------------|----------|
| | | ***** 2 X 2016 DODGE CHARGER ***** (LIGHTBARS) | | |
| | | ***** BUYBOARD CONTRACT #: 430-13 ***** | | |
| 2747ACC | 2 | 47" RX 2700 LED LIGHTBAR | 1,280.23 | 2,560.46 |
| Z3 | 2 | Z3™ Deluxe Remote Siren, 200w Output w/Programable Push Button and Slide Switch Controls. | 662.46 | 1,324.92 |
| C3100U | 2 | 100w Speaker w/Universal Mounting Bracket | 148.54 | 297.08 |
| 5077-2L31 | 2 | 2-LIGHT "LR SERIES" PUSH BUMPER (CODE 3 TRX6), 2015+ CHARGER | 238.67 | 477.34 |
| TRX6RB | 8 | T-Rex (Torus™) Red/Blue with Black Bezel *** 2 X FORWARD FACING AND 2 X 45 DEGREE ON PUSH BUMPER *** | 73.98 | 591.84 |
| L6BKT3 | 4 | BRACKET, LINZ6 | 8.70 | 34.80 |
| QK0494CGR11 | 2 | Full Rear Transport TPO Seat with Center Pull Seat Belt System | 559.30 | 1,118.60 |
| PK1129CGR11SCA | 2 | #10XL Uncoated Polycarbonate | 576.75 | 1,153.50 |
| TK1189CGR11 | 2 | Trunk Tray Aluminum | 267.75 | 535.50 |
| GK10271UHKSSCA | 2 | Single T-Rail Mount Universal, Handcuff Key Override | 224.25 | 448.50 |
| 425-6636 | 2 | Charger 11+ with Dual ABS Cup Holder (14" FP) | 273.00 | 546.00 |
| 425-6358 | 2 | Face Plate - Armrest - 3" | 25.53 | 51.06 |
| 425-6035 | 4 | MIC CLIP W/PLATE | 13.00 | 52.00 |
| 425-2968 | 2 | CIG LIGHTER PLATE | 31.85 | 63.70 |
| C-MD-102 | 2 | SWING ARM WITH MOTION ADAPTER | 211.60 | 423.20 |
| C-HDM-204 | 2 | POLE ONLY; TELESCOPING DEVICE, MOUNTING BASE, HEAVY DUTY MOUNT, SIDE MOUNT, 8.5" HIGH, WITH SHORT H | 113.56 | 227.12 |
| 13203 | 2 | PCTEL- 805-860 MHZ LOW-PROFILE VERTICAL ANTENNA, BLACK | 35.00 | 70.00 |
| 338265 | 2 | 3/4" MOUNT, 25' RG58/U MINI-UHF LOOSE | 33.00 | 66.00 |
| GRAPHICS | 2 | GRAPHICS - WRAP 4 DOORS AND ROOF AND GRAPHICS | 1,225.00 | 2,450.00 |
| LABOR | 2 | REMOVAL OF EQUIPMENT: RADIO, VIDEO, COMPUTER, PRINTER | 250.00 | 500.00 |
| INSTALL | | | | |
| LABOR | 2 | INSTALLATION | 1,100.00 | 2,200.00 |
| SSUPPLY | 1 | SHOP SUPPLIES | 60.00 | 60.00 |
| SHIP | 1 | SHIPPING & HANDLING | 100.00 | 100.00 |

This quote is good for 30 days from date of

Total



TEMPLE LOCATION
4715 S GENERAL BRUCE DRIVE
TEMPLE, TX 76502
254-773-1959

HOUSTON LOCATION
6015 N SHEPHERD DRIVE
HOUSTON, TX 77018
832-203-5658

WWW.CAPFLEETUPFITTEES.COM



CAP FLEET UPFITTERS

6015 N Shepherd Drive
Houston, TX 77018
832-203-5658 - O
832-203-5663 - F

QUOTE

Date 9/22/2015

Quote # CAPQ7820

Name / Address
CITY OF LA PORTE
604 W FAIRMONT PKWY
LA PORTE, TX 77571

Job :

Project :

Employee ... **Mike Urbanovsky**

| Part # | Qty | Description | Unit Price | Total |
|---------|-----|--|------------|----------|
| INSPECT | 1 | ALL CAP FLEET INSTALLATIONS COME WITH AGENCY LIFETIME WARRANTY | 30.00 | 30.00 |
| | | SHOP NUMBERS: | | 2,390.00 |
| | | 53-41 | | |
| | | 53-42 | | |

This quote is good for 30 days from date of

Total \$15,381.62



TEMPLE LOCATION
4715 S GENERAL BRUCE DRIVE
TEMPLE, TX 76502
254-773-1959

HOUSTON LOCATION
6015 N SHEPHERD DRIVE
HOUSTON, TX 77018
832-203-5658

WWW.CAPFLEETUPFITTERS.COM



CAP FLEET UP FITTERS

6015 N Shepherd Drive
Houston, TX 77018
832-203-5658 - O
832-203-5663 - F

QUOTE

Date 9/22/2015
Quote # CAPQ7826

Name / Address
CITY OF LA PORTE
604 W FAIRMONT PKWY
LA PORTE, TX 77571

Job :
Project :
Employee ... Mike Urbanovsky

| Part # | Qty | Description | Unit Price | Total |
|---------------|-----|---|------------|----------|
| | | ***** 1 X 2016 CHARGER ***** (SLICK TOP) | | |
| | | **** BUYBOARD CONTRACT 430-13 **** | | |
| 425-6636 | 1 | Charger 11+ with Dual ABS Cup Holder (14" FP) | 273.00 | 273.00 |
| 425-6358 | 1 | Face Plate - Armrest - 3" | 25.35 | 25.35 |
| 425-6035 | 2 | MIC CLIP W/PLATE | 13.00 | 26.00 |
| 425-2968 | 1 | CIG LIGHTER PLATE | 31.85 | 31.85 |
| C-HDM-204 | 1 | POLE ONLY, TELESCOPING DEVICE, MOUNTING BASE, HEAVY DUTY MOUNT, SIDE MOUNT, 8.5" HIGH, WITH SHORT H | 113.56 | 113.56 |
| C-MD-102 | 1 | SWING ARM WITH MOTION ADAPTER | 211.60 | 211.60 |
| TK1189CGR11 | 1 | Trunk Tray Aluminum | 267.75 | 267.75 |
| 5077-2L31 | 1 | 2-LIGHT "LR SERIES" PUSH BUMPER (CODE 3 TRX6), 2015+ CHARGER | 238.67 | 238.67 |
| TRX6RB | 4 | T-Rex (Torus™) Red/Blue with Black Bezel *** 2 X FORWARD AND 2 X 45 DEGREE ON PUSH BUMPER *** | 73.98 | 295.92 |
| L6BKT3 | 2 | BRACKET, LINZ6 | 8.70 | 17.40 |
| SVFSD-6MC | 1 | SuperVisor Flex™, (6) TR518 Multi-Color Torus™ Modules, Sedan Models | 899.00 | 899.00 |
| Z3 | 1 | Z3™ Deluxe Remote Siren, 200w Output w/Programable Push Button and Slide Switch Controls | 662.46 | 662.46 |
| C3100U | 1 | 100w Speaker w/Universal Mounting Bracket | 148.54 | 148.54 |
| DCLTA6XL6-R/A | 1 | DUAL COLOR 6 HEAD COMMANDER XL6 WITH WARNING AND TRAFFIC PATTERNS | 580.00 | 580.00 |
| FBS-DC | 1 | COMMANDER FLASH BACK SHIELD | 55.72 | 55.72 |
| MBNLB | 2 | (1) "L" STYLE BRACKET FOR COMMANDER XL6/ENFORCER (STX) SERIES | 11.00 | 22.00 |
| 13203 | 1 | PCTEL- 806-860 MHZ LOW PROFILE VERTICAL ANTENNA, BLACK | 35.00 | 35.00 |
| 338265 | 1 | 3/4" MOUNT, 25' RG58/U MINI-UHF LOOSE | 33.00 | 33.00 |
| GRAPHICS | 1 | GRAPHICS - WRAP 4 DOORS AND ROOF WHITE AND GRAPHICS | 1,225.00 | 1,225.00 |
| LABOR | 1 | REMOVAL OF EQUIPMENT: RADIO, VIDEO, COMPUTER, PRINTER | 250.00 | 250.00 |

This quote is good for 30 days from date of

Total



TEMPLE LOCATION
4715 S GENERAL BRUCE DRIVE
TEMPLE, TX 76502
254-773-1959

HOUSTON LOCATION
6015 N SHEPHERD DRIVE
HOUSTON, TX 77018
832-203-5658

WWW.CAPFLEETUPFITERS.COM



CAP FLEET UPFITTERS

6015 N Shepherd Drive
Houston, TX 77018
832-203-5658 - O
832-203-5663 - F

QUOTE

Date 9/22/2015
Quote # CAPQ7826

Name / Address
CITY OF LA PORTE
604 W FAIRMONT PKWY
LA PORTE, TX 77571

Job :
Project :
Employee ... Mike Urbanovsky

| Part # | Qty | Description | Unit Price | Total |
|---------|-----|--|------------|----------|
| INSTALL | | | | |
| LABOR | 1 | INSTALLATION | 1,050.00 | 1,050.00 |
| SSUPPLY | 1 | SHOP SUPPLIES | 60.00 | 60.00 |
| SHIP | 1 | SHIPPING & HANDLING | 100.00 | 100.00 |
| INSPECT | 1 | ALL CAP FLEET INSTALLATIONS COME WITH AGENCY LIFETIME WARRANTY | 30.00 | 30.00 |
| | | | | 1,240.00 |
| | | SHOP NUMBER: 53-40 | | |

This quote is good for 30 days from date of

Total **\$6,651.82**



TEMPLE LOCATION
4715 S GENERAL BRUCE DRIVE
TEMPLE, TX 76502
254-773-1959

HOUSTON LOCATION
6015 N SHEPHERD DRIVE
HOUSTON, TX 77018
832-203-5658

WWW.CAPFLEETUPFITTERS.COM



6015 N Shepherd Drive
Houston, TX 77018
832-203-5658 - O
832-203-5663 - F

QUOTE

Date 9/30/2015

Quote # CAPQ7950

Name / Address
CITY OF LA PORTE
604 W FAIRMONT PKWY
LA PORTE, TX 77571

Job :

Project :

Employee ... Mike Urbanovsky

| Part # | Qty | Description | Unit Price | Total |
|-----------------|-----|--|------------|----------|
| | | ***** 4 X 2016 CHEVROLET TAHOE PPV ***** | | |
| | | ***** BUYBOARD CONTRACT#: 430-13 ***** | | |
| 2752TXSPL2TD | 4 | 52" RX2700 LED LIGHTBAR | 1,378.85 | 5,515.40 |
| Z3 | 4 | Z3™ Deluxe Remote Siren, 200w Output w/Programable Push Button and Slide Switch Controls. | 662.46 | 2,649.84 |
| C3100U | 4 | 100w Speaker w/Universal Mounting Bracket | 148.54 | 594.16 |
| 920-10TH | 4 | Plug-In Headlight Flasher for Tahoe (2011-2014 & 2015+) (Police Package Wiring) | 54.00 | 216.00 |
| V(X609) | 8 | VERTEX SUPER-LED SPLIT-RED/BLU *** HEADLIGHTS *** | 63.10 | 504.80 |
| MR6FMKIT | 8 | *GROMMET FOR MR6 Flush Mount KIT | 10.20 | 81.60 |
| MR6FM-RB | 8 | MR6 Red/Blue LED Surface Mount or Flush Mount (Grommet* sold separately) | 73.60 | 588.80 |
| MR6FM-RB | 8 | *** BOTTOM OF CARGO DOOR *** MR6 Red/Blue LED Surface Mount or Flush Mount (Grommet* sold separately) | 73.60 | 588.80 |
| WK0514TAH15 | 4 | *** EACH SIDE OF REAR LICENSE PLATE *** Window Barrier VS Steel Vertical | 156.75 | 627.00 |
| DK0598TAH15 | 4 | Door Panel VS Aluminum-Replaces OEM | 119.25 | 477.00 |
| 5165-2L31 | 4 | 2-LIGHT "LR SERIES" PUSH BUMPER (CODE 3 TRX6), 2015+ TAHOE | 313.34 | 1,253.36 |
| TRX6RB | 16 | T-Rex (Torus™) Red/Blue with Black Bezel *** 2 X FORWARD FACING AND 2 X 45 DEGREE ON PUSH BUMPER *** | 73.98 | 1,183.68 |
| L6BKT3 | 8 | BRACKET, LIN26 | 8.70 | 69.60 |
| QK0494TAH15 | 4 | Full Rear Transport TPO Seat with Center Pull Seat Belts | 599.25 | 2,397.00 |
| PK1155TAH15SCA | 4 | #10XL Uncoated Polycarbonate | 608.30 | 2,433.20 |
| PK0123TAH152ND | 4 | #12VS 2ND Vinyl Coated Expanded Metal Partition Stock Seat (Others Available) | 299.25 | 1,197.00 |
| GK102710HKSVSCA | 4 | Single T-Rail Mount Universal, Handcuff Key Override | 224.25 | 897.00 |
| 425-6268 | 4 | TAHOE 15+ WITH LOCKING LID (20" FP/28"FLP) | 487.50 | 1,950.00 |
| 425-3704 | 4 | DUAL ABS COP HOLDER | 33.80 | 135.20 |
| 425-6260 | 4 | ARM REST - UPPER STRUCTURE | 40.95 | 163.80 |

This quote is good for 30 days from date of

Total



TEMPLE LOCATION
4715 S GENERAL BRUCE DRIVE
TEMPLE, TX 76502
254-773-1959

HOUSTON LOCATION
6015 N SHEPHERD DRIVE
HOUSTON, TX 77018
832-203-5658

WWW.CAPFLEETUPFITTERS.COM



6015 N Shepherd Drive
Houston, TX 77018
832-203-5658 - O
832-203-5663 - F

QUOTE

Date 9/30/2015

Quote # CAPQ7950

Name / Address
CITY OF LA PORTE
604 W FAIRMONT PKWY
LA PORTE, TX 77571

Job :

Project :

Employee ... Mike Urbanovsky

| Part # | Qty | Description | Unit Price | Total |
|-----------|-----|---|------------|----------|
| 425-6035 | 8 | MIC CLIP W/PLATE | 13.00 | 104.00 |
| 425-2968 | 4 | 3 12V POWER OUTLET 2" PLATE | 39.20 | 156.80 |
| C-HDM-204 | 4 | POLE ONLY, TELESCOPING DEVICE, MOUNTING BASE, HEAVY DUTY MOUNT, SIDE MOUNT, 8.5' HIGH, WITH SHORT H SWING ARM WITH MOTION ADAPTER | 113.56 | 454.24 |
| C-MD-102 | 4 | PCTEL 806-860 MHZ LOW PROFILE VERTICAL ANTENNA, BLACK | 211.60 | 846.40 |
| 13203 | 4 | 3/4" MOUNT, 25' RG58/U MINI-UHF LOOSE | 35.00 | 140.00 |
| 338265 | 4 | GRAPHICS - WRAP 4 DOORS AND ROOF WHITE AND GRAPHICS | 33.00 | 132.00 |
| LABOR | 4 | REMOVAL OF EQUIPMENT: RADIO, VIDEO, COMPUTER, PRINTER | 1,225.00 | 4,900.00 |
| INSTALL | | | 250.00 | 1,000.00 |
| LABOR | 4 | INSTALLATION | 1,150.00 | 4,600.00 |
| SSUPPLY | 4 | SHOP SUPPLIES | 60.00 | 240.00 |
| CT-CAPH | 4 | CAP FLEET WIRING HARNESS | 130.00 | 520.00 |
| SHIP | 4 | SHIPPING & HANDLING | 100.00 | 400.00 |
| INSPECT | 4 | ALL CAP FLEET INSTALLATIONS COME WITH AGENCY LIFETIME WARRANTY | 30.00 | 120.00 |
| | | | | 5,880.00 |
| | | SHOP NUMBERS: | | |
| | | 53-30 | | |
| | | 53-31 | | |
| | | 53-38 | | |
| | | 53-44 | | |

This quote is good for 30 days from date of

Total **\$37,136.68**



TEMPLE LOCATION
4715 S GENERAL BRUCE DRIVE
TEMPLE, TX 76502
254-773-1959

HOUSTON LOCATION
6015 N SHEPHERD DRIVE
HOUSTON, TX 77018
832-203-5658

WWW.CAPFLEETUPFITTERS.COM



CAP FLEET UP FITTERS

6015 N Shepherd Drive
Houston, TX 77018
832-203-5658 - O
832-203-5663 - F

QUOTE

Date 9/30/2015

Quote # CAPQ7951

Name / Address
CITY OF LA PORTE
604 W FAIRMONT PKWY
LA PORTE, TX 77571

Job :

Project :

Employee ... Mike Urbanovsky

| Part # | Qty | Description | Unit Price | Total |
|--------------|-----|--|------------|----------|
| | | ***** 1 X 2016 CHEVROLET TAHOE PPV ***** | | |
| | | ***** BUYBOARD CONTRACT#: 430-13 ***** | | |
| 2752TXSPL2TD | 1 | 52" RX2700 LED LIGHTBAR | 1,378.85 | 1,378.85 |
| Z3 | 1 | Z3™ Deluxe Remote Siren, 200w Output w/Programable Push Button and Slide Switch Controls. | 662.46 | 662.46 |
| C3100U | 1 | 100w Speaker w/Universal Mounting Bracket | 148.54 | 148.54 |
| 920-10TH | 1 | Plug-In Headlight Flasher for Tahoe (2011-2014 & 2015+) (Police Package Wiring) | 54.00 | 54.00 |
| VTX609J | 2 | VERTEX SUPER LED SPLIT RED/BLU *** HEADLIGHTS *** | 63.10 | 126.20 |
| MR6FMKIT | 2 | *GROMMET FOR MR6 Flush Mount KIT | 10.20 | 20.40 |
| MR6FM-RB | 2 | MR6 Red/Blue LED Surface Mount or Flush Mount (Grommet* sold separately) | 73.60 | 147.20 |
| MR6FM-RB | 2 | *** BOTTOM OF CARGO DOOR *** MR6 Red/Blue LED Surface Mount or Flush Mount (Grommet* sold separately) | 73.60 | 147.20 |
| 5165-2L31 | 1 | *** EACH SIDE OF REAR LICENSE PLATE *** 2-LIGHT "LR SERIES" PUSH BUMPER (CODE 3 TRX6), 2015+ TAHOE | 313.34 | 313.34 |
| TRX6RB | 4 | T-Rex (Torus™) Red/Blue with Black Bezel *** 2 X FORWARD FACING AND 2 X 45 DEGREE ON PUSH BUMPER *** | 73.98 | 295.92 |
| L6BK13 | 2 | BRACKET, LINZ6 | 8.70 | 17.40 |
| 425-6268 | 1 | TAHOE 15+ WITH LOCKING LID (20" FP/28"FLP) | 487.50 | 487.50 |
| 425-3704 | 1 | DUAL ABS CUP HOLDER | 33.80 | 33.80 |
| 425-6260 | 1 | ARM REST - UPPER STRUCTURE | 40.95 | 40.95 |
| 425-6035 | 2 | MIC CLIP W/PLATE | 13.00 | 26.00 |
| 425-2968 | 1 | 3 12V POWER OUTLET 2" PLATE | 39.20 | 39.20 |
| C-HDM-204 | 1 | POLE ONLY, TELESCOPING DEVICE, MOUNTING BASE, HEAVY DUTY MOUNT, SIDE MOUNT, 8.5" HIGH, WITH SHORT H | 113.56 | 113.56 |
| C-MD-102 | 1 | SWING ARM WITH MOTION ADAPTER | 211.60 | 211.60 |
| 13203 | 1 | PCTEL- 806-860 MHZ LOW PROFILE VERTICAL ANTENNA, BLACK | 35.00 | 35.00 |

This quote is good for 30 days from date of

Total



TEMPLE LOCATION
4715 S GENERAL BRUCE DRIVE
TEMPLE, TX 76502
254-773-1959

HOUSTON LOCATION
6015 N SHEPHERD DRIVE
HOUSTON, TX 77018
832-203-5658

WWW.CAPFLEETUPFITTEES.COM



CAP FLEET UP FITTERS

6015 N Shepherd Drive
Houston, TX 77018
832-203-5658 - O
832-203-5663 - F

QUOTE

Date 9/30/2015
Quote # CAPQ7951

Name / Address
CITY OF LA PORTE
604 W FAIRMONT PKWY
LA PORTE, TX 77571

Job :
Project :
Employee ... Mike Urbanovsky

| Part # | Qty | Description | Unit Price | Total |
|----------|-----|--|------------|----------|
| 338265 | 1 | 3/4" MOUNT, 25' RG58/U MINI-UHF LOOSE | 33.00 | 33.00 |
| GRAPHICS | 1 | GRAPHICS - WRAP 4 DOORS AND ROOF WHITE AND GRAPHICS | 1,225.00 | 1,225.00 |
| LABOR | 1 | REMOVAL OF EQUIPMENT: RADIO, VIDEO, COMPUTER, PRINTER | 250.00 | 250.00 |
| INSTALL | | | | |
| LABOR | 1 | INSTALLATION | 1,150.00 | 1,150.00 |
| SSUPPLY | 1 | SHOP SUPPLIES | 60.00 | 60.00 |
| CT-CAPH | 1 | CAP FLEET WIRING HARNESS | 130.00 | 130.00 |
| SHIP | 1 | SHIPPING & HANDLING | 100.00 | 100.00 |
| INSPECT | 1 | ALL CAP FLEET INSTALLATIONS COME WITH AGENCY LIFETIME WARRANTY | 30.00 | 30.00 |
| | | | | 1,470.00 |
| | | SHOP NUMBER: 53-42 | | |

This quote is good for 30 days from date of

Total \$7,277.12



TEMPLE LOCATION
4715 S GENERAL BRUCE DRIVE
TEMPLE, TX 76502
254-773-1959

HOUSTON LOCATION
6015 N SHEPHERD DRIVE
HOUSTON, TX 77018
832-203-5658

WWW.CAPFLEETUPFITERS.COM

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: October 26, 2015

Appropriation

Requested By: Michael G. Dolby, CPA

Source of Funds:

Department: Finance

Account Number:

Report: Resolution: Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item: YES NO

Attachments :

1. Resolution
2. Exhibit A (Deed, Bid Sheets, Lien and Map Survey)

SUMMARY & RECOMMENDATIONS

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

P275 – Lots 20, 21, 22, 23, 24 & 25 Block 83 Town of La Porte – Offer \$80,000.00

(Adjudged Value \$118,018.00; Taxes+Cost \$103,277.63)

Staff is requesting the City waive \$23,277.63 in mowing liens, allowing the property to be sold at the offer price of \$80,000.00

Action Required of Council:

Consider approval or other action of the Resolution authorizing the sale on the property listed above and the waiver of a portion of the City Liens on the property to sell the property for the offer amount.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

RESOLUTION 15- .

RESOLUTION AUTHORIZING THE RESALE OF CERTAIN PROPERTY

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

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

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

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

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

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

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

Section 2. That the City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the offices of City of La Porte for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this resolution and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED this the 26th day of October 2015.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED:

Patrice Fogarty, City Secretary

Clark Askins, City Attorney

EXHIBIT A

TAX RESALE PROPERTY TO BE SOLD

TRACT 1: Resale Property P275
Legal Description: Lots 20, 21, 22, 23, 24 & 25 Block 83 Town of La Porte
HCAD #023-205-083-0020
Offer Amount: \$80,000.00

Notice of confidentiality rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your social security number or your driver's license number
(Language pursuant section 11.008 of the Texas Property Code)

THE STATE OF TEXAS

§

TAX RESALE DEED

§

COUNTY OF HARRIS

§

KNOW ALL MEN BY THESE PRESENTS that the CITY OF LA PORTE, TRUSTEE, for the use and benefit of itself, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT, and the SAN JACINTO COMMUNITY COLLEGE DISTRICT, acting by and through its duly elected officials ("GRANTOR") as authorized by Section 34.05, Texas Property Tax Code, for and in consideration of the sum of TEN DOLLARS AND 00/100 (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, in hand paid by NETTIE WARREN ("GRANTEE") the receipt of which is hereby acknowledged and confessed, has conveyed and quitclaimed and by these presents do convey and quitclaim unto said Grantee all right, title and interest of the CITY OF LA PORTE, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT, and the SAN JACINTO COMMUNITY COLLEGE DISTRICT in the property herein conveyed, acquired by tax foreclosure sale heretofore held, in Cause No. 2011-74447, styled *La Porte Independent School District vs. William B. Stewart, Jr.* said property being described as:

LOTS 20, 21, 22, 23, 24, & 25, OF BLOCK 83, OF THE TOWN OF LA PORTE, A SUBDIVISION IN HARRIS COUNTY, TEXAS AS SHOWN ON THE MAP OR PLAT THEREOF RECORDED IN VOLUME 83, PAGE 345 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS. (ACCOUNT NUMBER 0232050830020)

This conveyance is made and accepted subject to the following matters to the extent that the same are in effect at this time: any and all rights of redemption, restrictions, covenants, conditions, easements, encumbrances and outstanding mineral interests, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said NETTIE WARREN, her heirs and assigns forever, so that neither the CITY OF LA PORTE, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT, and the SAN JACINTO COMMUNITY COLLEGE DISTRICT nor any person claiming under it shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

Grantee accepts the property in "AS IS, WHERE IS" condition and subject to any environmental conditions that might have or still exist on said property, and subject to any title defects and deficiencies, and

subject to the right of redemption, if any, provided under the Texas Property Tax Code. Grantee acknowledges and agrees that this conveyance is expressly made without warranty.

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

IN TESTIMONY WHEREOF, CITY OF LA PORTE, TRUSTEE, for the use and benefit of itself, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT, and the SAN JACINTO COMMUNITY COLLEGE DISTRICT has caused these presents to be executed this _____ day of _____ 2015.

CITY OF LA PORTE, TRUSTEE

LOUIS R. RIGBY, MAYOR,
CITY OF LA PORTE

ACCEPTED:

NETTIE WARREN

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015.

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

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015.

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

After Recording
Return To: Nettie Warren
 212 North Third Street
 La Porte, TX 77571
Resale Property P275

SUMMARY OF FORECLOSURE ACTIVITY

| | | | |
|--------------------------------|---|--------------------------|-----------------------|
| HCAD ACCOUNT NO: | 023-205-083-0020 | Property Struck off for: | Value |
| CAUSE NO: | 2011-74447 | | + Post Judgment Taxes |
| PLAINTIFF(S): | City of La Porte & La Porte Independent School District | | |
| JUDGMENT AGAINST: | Felton George Bernard, Heir of Buster Fraizier | | |
| JUDGMENT DATE: | January 29, 2014 | STRUCK OFF DATE: | June 3, 2014 |
| ORDER OF SALE: | March 24, 2014 | | |
| DEED RECORDED DATE: | June 27, 2014 | STRUCK OFF TO: | La Porte ISD |
| CONSTABLE: | Phil Sandlin, Constable Precinct No 8 | | |
| PROPERTY ADDRESS: | 321 North First Street | | |
| LEGAL DESCRIPTION: | Lots 20-25 Block 83 Town of La Porte | | |
| ADJUDGED VALUE (IN JUDGMENT): | \$ 118,018.00 | | |
| SQUARE FOOTAGE: | 18,750 | | |

SUMMARY OF SALE ACTIVITY

| | | | |
|--------------------|---------------|--------------------|--|
| BIDDER: | Nettie Warren | BIDDER'S ADDRESS: | 212 North Third Street La Porte, TX 77571 |
| AMOUNT OF BID: | \$80,000.00 | | |
| AMOUNT OF DEPOSIT: | \$8,000.00 | | |
| AMOUNT DUE: | \$72,000.00 | BIDDER'S PHONE NO: | 832-414-0033 |

PRORATED PERCENTAGED OF TAXES DUE TO EACH JURISDICTION BASED UPON JUDGMENT

| JUDGMENT TO | COUNTY, ET AL. | % | SCHOOL | % | CITY | % | TOTAL |
|-------------|----------------|--------|-------------|--------|-------------|--------|-------------|
| AMOUNT DUE | \$17,837.60 | 25.38% | \$17,278.77 | 24.59% | \$35,157.41 | 50.03% | \$70,273.78 |

ASSOCIATED COSTS ON ORIGINAL AND SEALED BID SALES

| AMOUNT OF BID | COURT COST | CONSTABLE/ PUBLICATION FEE (TISD) | AD LITEM FEE | RESEARCH FEE & DEED RECORDING FEE, MISC FEES | ESTIMATED AMOUNT TO BE PRORATED TO TAXES |
|---------------|------------|--------------------------------------|--------------|---|--|
| \$80,000.00 | \$2,309.85 | \$575.00 | \$2,500.00 | \$27,619.00 | \$46,996.15 |

PRORATED TAX AMOUNTS TO EACH JURISDICTION

| OWED TO | COUNTY | % | SCHOOL | % | CITY | % | TOTAL |
|-----------------|-------------|--------|-------------|--------|-------------|--------|-------------|
| PRORATED AMOUNT | \$11,929.04 | 25.38% | \$11,555.32 | 24.59% | \$23,511.80 | 50.03% | \$46,996.15 |

| | | | |
|---------------------------------|--------------------|------------------|------------|
| Amount of Bid: | \$80,000.00 | | |
| Costs: | | | |
| -District Clerk | \$2,274.85 | | |
| -Tax Master | \$35.00 | Kristen Brauchle | |
| -Constable Fee | \$400.00 | | |
| -Publication | \$175.00 | | |
| -Abstract Fee | \$450.00 | | Waive Lien |
| -Cost | \$26,349.00 | Lien | 23,277.63 |
| -Survey | \$750.00 | | |
| -Advertising Fee/Deed Recording | \$70.00 | | |
| -Ad Litem Fee | \$2,500.00 | Steve Shellist | |
| Total: | \$46,996.15 | | |

| Taxing Jurisdictions: | Amount in Judgment: | % | Amount Received | |
|-----------------------|---------------------|---------|--------------------|---|
| La Porte ISD | \$35,157.41 | 50.03% | \$23,511.80 | |
| City of La Porte | \$17,278.77 | 24.59% | \$11,555.32 | 0 |
| Harris County | \$17,837.60 | 25.38% | \$11,929.04 | 0 |
| San Jacinto CCD | \$0.00 | 0.00% | \$0.00 | |
| State of Texas | \$0.00 | 0.00% | \$0.00 | |
| | <u>\$70,273.78</u> | 100.00% | <u>\$46,996.15</u> | |

Costs + Taxes \$103,277.63
 Adjudged Value \$ 118,018.00



FOR: Tax Roll Owner Frazier Buster
HCAD # 023-205-083-0020
Legal: Lts 20 Thru 25 Blk 83
La Porte

Customer # 149

Address: 321 N 1st St
Payoff Date 10/1/2015
0.1000

| File No. | Date | Amount | Good Thru Payoff Date | Annum Interest | Days Outstan ding | Total of Interest | Admin Fee | Total Due |
|----------|----------|--------|--------------------------|----------------|-------------------------|----------------------|--------------|-------------|
| L890000 | 10/14/88 | 42.50 | 10/1/2015 | 0.01164 | 9848 | 114.67 | 105.00 | \$ 262.17 |
| L890000 | 10/14/88 | 32.00 | 10/1/2015 | 0.00877 | 9848 | 86.34 | 105.00 | \$ 223.34 |
| L890000 | 10/14/88 | 44.00 | 10/1/2015 | 0.01205 | 9848 | 118.72 | 105.00 | \$ 267.72 |
| L890000 | 10/14/88 | 35.00 | 10/1/2015 | 0.00959 | 9848 | 94.43 | 105.00 | \$ 234.43 |
| L890000 | 10/14/88 | 44.00 | 10/1/2015 | 0.01205 | 9848 | 118.72 | 105.00 | \$ 267.72 |
| L890000 | 10/14/88 | 32.00 | 10/1/2015 | 0.00877 | 9848 | 86.34 | 105.00 | \$ 223.34 |
| M018619 | 01/23/89 | 32.00 | 10/1/2015 | 0.00877 | 9747 | 85.45 | 105.00 | \$ 222.45 |
| M334038 | 09/25/89 | 30.50 | 10/1/2015 | 0.00836 | 9502 | 79.40 | 105.00 | \$ 214.90 |
| M334038 | 09/25/89 | 136.62 | 10/1/2015 | 0.03743 | 9502 | 355.66 | 105.00 | \$ 597.28 |
| M754732 | 08/02/90 | 30.50 | 10/1/2015 | 0.00836 | 9191 | 76.80 | 105.00 | \$ 212.30 |
| N805059 | 08/10/92 | 25.00 | 10/1/2015 | 0.00685 | 8452 | 57.89 | 105.00 | \$ 187.89 |
| N805059 | 08/10/92 | 280.00 | 10/1/2015 | 0.07671 | 8452 | 648.37 | 105.00 | \$ 1,033.37 |
| N805059 | 08/10/92 | 27.50 | 10/1/2015 | 0.00753 | 8452 | 63.68 | 105.00 | \$ 196.18 |
| P317939 | 07/06/93 | 27.50 | 10/1/2015 | 0.00753 | 8122 | 61.19 | 105.00 | \$ 193.69 |
| P976604 | 07/26/94 | 210.00 | 10/1/2015 | 0.05753 | 7737 | 445.14 | 105.00 | \$ 760.14 |
| R157671 | 11/21/94 | 210.00 | 10/1/2015 | 0.05753 | 7619 | 438.35 | 105.00 | \$ 753.35 |
| R267421 | 02/13/95 | 210.00 | 10/1/2015 | 0.05753 | 7535 | 433.52 | 105.00 | \$ 748.52 |



FOR: Tax Roll Owner Frazier Buster
MCAD # 023-205-083-0020
Legal: Lts 20 Thru 25 Blk 83
La Porte
Address: 321 N 1st St
Payoff Date 10/1/2015
0.1000

Customer # 149

| File No. | Date | Amount | Good Thru Payoff Date | Annun Interest | Days Outstan ding | Total of Interest | Admin Fee | Total Due |
|----------|----------|--------|--------------------------|----------------|-------------------------|----------------------|--------------|-------------|
| R494142 | 07/24/95 | 210.00 | 10/1/2015 | 0.05753 | 7374 | 424.26 | 105.00 | \$ 739.26 |
| S097241 | 09/03/96 | 210.00 | 10/1/2015 | 0.05753 | 6967 | 400.84 | 105.00 | \$ 715.84 |
| V121599 | 06/20/01 | 210.00 | 10/1/2015 | 0.05753 | 5216 | 300.10 | 105.00 | \$ 615.10 |
| T959442 | 09/10/99 | 210.00 | 10/1/2015 | 0.05753 | 5865 | 337.44 | 105.00 | \$ 652.44 |
| V361671 | 10/16/01 | 210.00 | 10/1/2015 | 0.05753 | 5098 | 293.31 | 105.00 | \$ 608.31 |
| V619456 | 02/25/02 | 210.00 | 10/1/2015 | 0.05753 | 4966 | 285.72 | 105.00 | \$ 600.72 |
| C268560 | 03/16/66 | 97.00 | 10/1/2015 | 0.02658 | 18096 | 480.91 | 105.00 | \$ 682.91 |
| C666852 | 03/01/68 | 37.00 | 10/1/2015 | 0.01014 | 17380 | 176.18 | 105.00 | \$ 318.18 |
| F395222 | 12/05/77 | 27.50 | 10/1/2015 | 0.00753 | 13814 | 104.08 | 105.00 | \$ 236.58 |
| H779902 | 01/17/83 | 57.75 | 10/1/2015 | 0.01582 | 11945 | 188.99 | 105.00 | \$ 351.74 |
| L890000 | 10/14/88 | 70.58 | 10/1/2015 | 0.01934 | 9848 | 190.43 | 105.00 | \$ 366.01 |
| L890000 | 10/14/88 | 360.32 | 10/1/2015 | 0.09872 | 9848 | 972.17 | 105.00 | \$ 1,437.49 |
| M754732 | 08/02/90 | 139.82 | 10/1/2015 | 0.03831 | 9191 | 352.08 | 105.00 | \$ 596.90 |
| R738171 | 01/08/96 | 210.00 | 10/1/2015 | 0.05753 | 7206 | 414.59 | 105.00 | \$ 729.59 |
| X552363 | 04/22/04 | 210.00 | 10/1/2015 | 0.05753 | 4179 | 240.44 | 105.00 | \$ 555.44 |
| X806785 | 07/30/04 | 210.00 | 10/1/2015 | 0.05753 | 4080 | 234.74 | 105.00 | \$ 549.74 |
| X806786 | 07/30/04 | 210.00 | 10/1/2015 | 0.05753 | 4080 | 234.74 | 105.00 | \$ 549.74 |



FOR: Tax Roll Owner Frazier Buster
HCAD # 023-205-083-0020
Legal: Lts 20 Thru 25 Blk 83
La Porte
Address: 321 N 1st St

Customer # 149

Payoff Date 10/1/2015
0.1000

| File No. | Date | Amount | Good Thru Payoff Date | Annual Interest | Days Outstand ing | Total of Interest | Admin Fee | Total Due |
|-------------|----------|--------|--------------------------|-----------------|-------------------------|----------------------|--------------|-----------|
| Y844890 | 10/24/05 | 210.00 | 10/1/2015 | 0.05753 | 3629 | 208.79 | 105.00 | \$ 523.79 |
| X600278 | 05/11/04 | 210.00 | 10/1/2015 | 0.05753 | 4160 | 239.34 | 105.00 | \$ 554.34 |
| X965833 | 10/05/04 | 210.00 | 10/1/2015 | 0.05753 | 4013 | 230.88 | 105.00 | \$ 545.88 |
| 20070689629 | 11/20/07 | 210.00 | 10/1/2015 | 0.05753 | 2872 | 165.24 | 105.00 | \$ 480.24 |
| 20080074442 | 02/14/08 | 140.00 | 10/1/2015 | 0.03836 | 2786 | 106.86 | 105.00 | \$ 351.86 |
| 20080074443 | 02/14/08 | 140.00 | 10/1/2015 | 0.03836 | 2786 | 106.86 | 105.00 | \$ 351.86 |
| 20080074441 | 02/14/08 | 210.00 | 10/1/2015 | 0.05753 | 2786 | 160.29 | 105.00 | \$ 475.29 |
| 20080074447 | 02/14/08 | 175.00 | 10/1/2015 | 0.04795 | 2786 | 133.58 | 105.00 | \$ 413.58 |
| 20080074448 | 02/14/08 | 195.00 | 10/1/2015 | 0.05342 | 2786 | 148.84 | 105.00 | \$ 448.84 |
| 20080224707 | 05/05/08 | 140.00 | 10/1/2015 | 0.03836 | 2705 | 103.75 | 105.00 | \$ 348.75 |
| 20080433078 | 08/18/08 | 234.00 | 10/1/2015 | 0.06411 | 2600 | 166.68 | 105.00 | \$ 505.68 |
| 20090082545 | 02/27/09 | 250.00 | 10/1/2015 | 0.06849 | 2407 | 164.86 | 105.00 | \$ 519.86 |
| 20090083070 | 02/27/09 | 250.00 | 10/1/2015 | 0.06849 | 2407 | 164.86 | 105.00 | \$ 519.86 |
| 20090323069 | 07/20/09 | 500.00 | 10/1/2015 | 0.13699 | 2264 | 310.14 | 105.00 | \$ 915.14 |
| 20100044215 | 02/03/10 | 210.00 | 10/1/2015 | 0.05753 | 2066 | 118.87 | 105.00 | \$ 433.87 |
| 20100163178 | 04/23/10 | 260.00 | 10/1/2015 | 0.07123 | 1987 | 141.54 | 105.00 | \$ 506.54 |
| 20110077615 | 02/24/11 | 224.00 | 10/1/2015 | 0.06137 | 1680 | 103.10 | 105.00 | \$ 432.10 |



FOR: Tax Roll Owner Frazier Buster
HCAD # 023-205-083-0020
Legal: Lts 20 Thru 25 Blk 83
La Porte
Address: 321 N 1st St
Payoff Date 10/1/2015
0.1000

Customer # 149

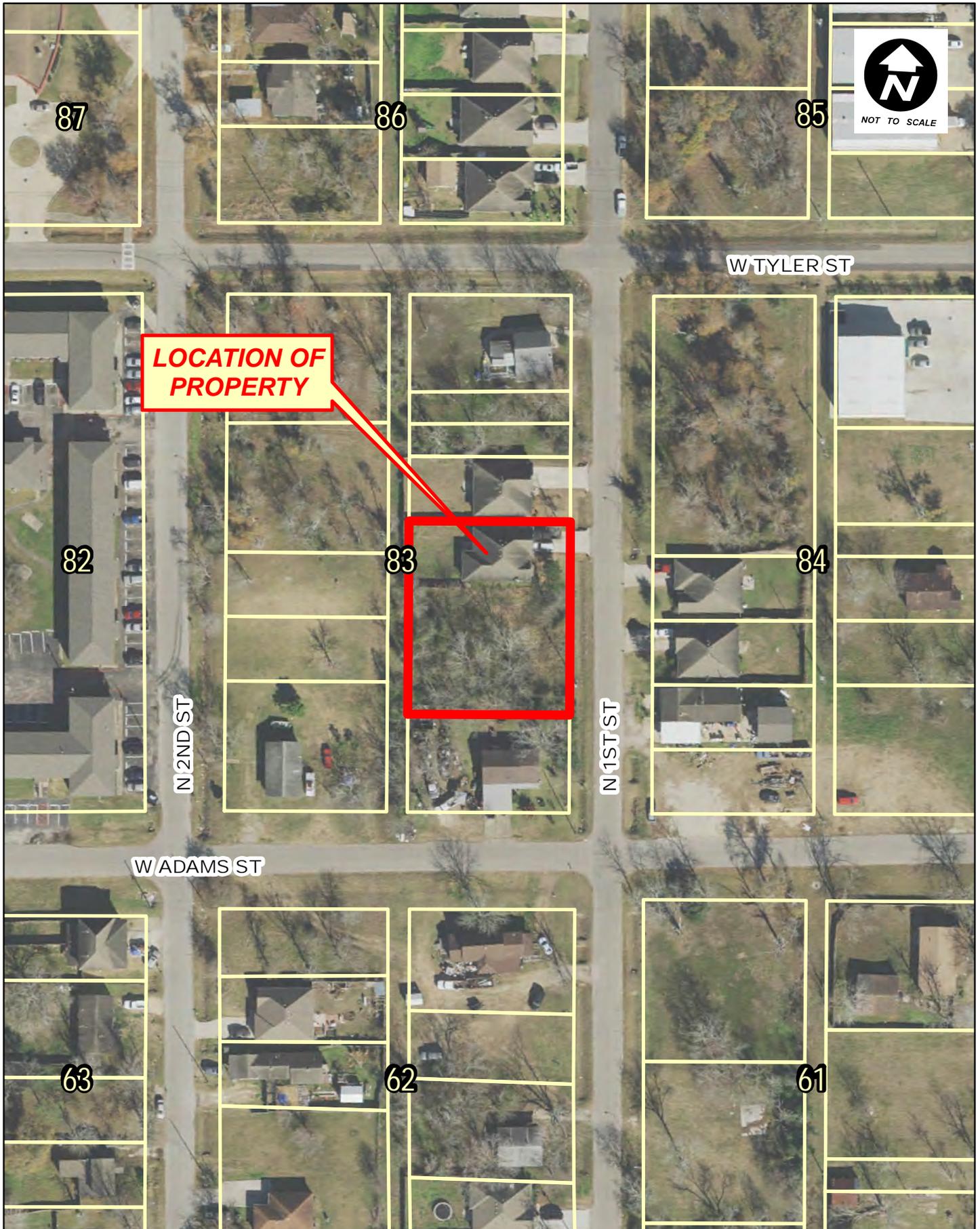
| File No. | Date | Amount | Good Thru Payoff Date | Annun Interest | Days Outstan ding | Total of Interest | Admin Fee | Total Due |
|---------------|----------|-----------------|--------------------------|----------------|-------------------------|----------------------|------------------|----------------------------|
| 20110077615 | 02/24/11 | 210.00 | 10/1/2015 | 0.05753 | 1680 | 96.66 | 105.00 | \$ 411.66 |
| 20110140479 | 04/07/11 | 174.00 | 10/1/2015 | 0.04767 | 1638 | 78.09 | 105.00 | \$ 357.09 |
| 20110428246 | 10/11/11 | 174.00 | 10/1/2015 | 0.04767 | 1451 | 69.17 | 105.00 | \$ 348.17 |
| TOTALS | | 8,665.09 | | | | 12,014.09 | 5,670.00 | 26,349.18 |
| | | | | | | | TOTAL DUE | <u>\$ 26,349.18</u> |

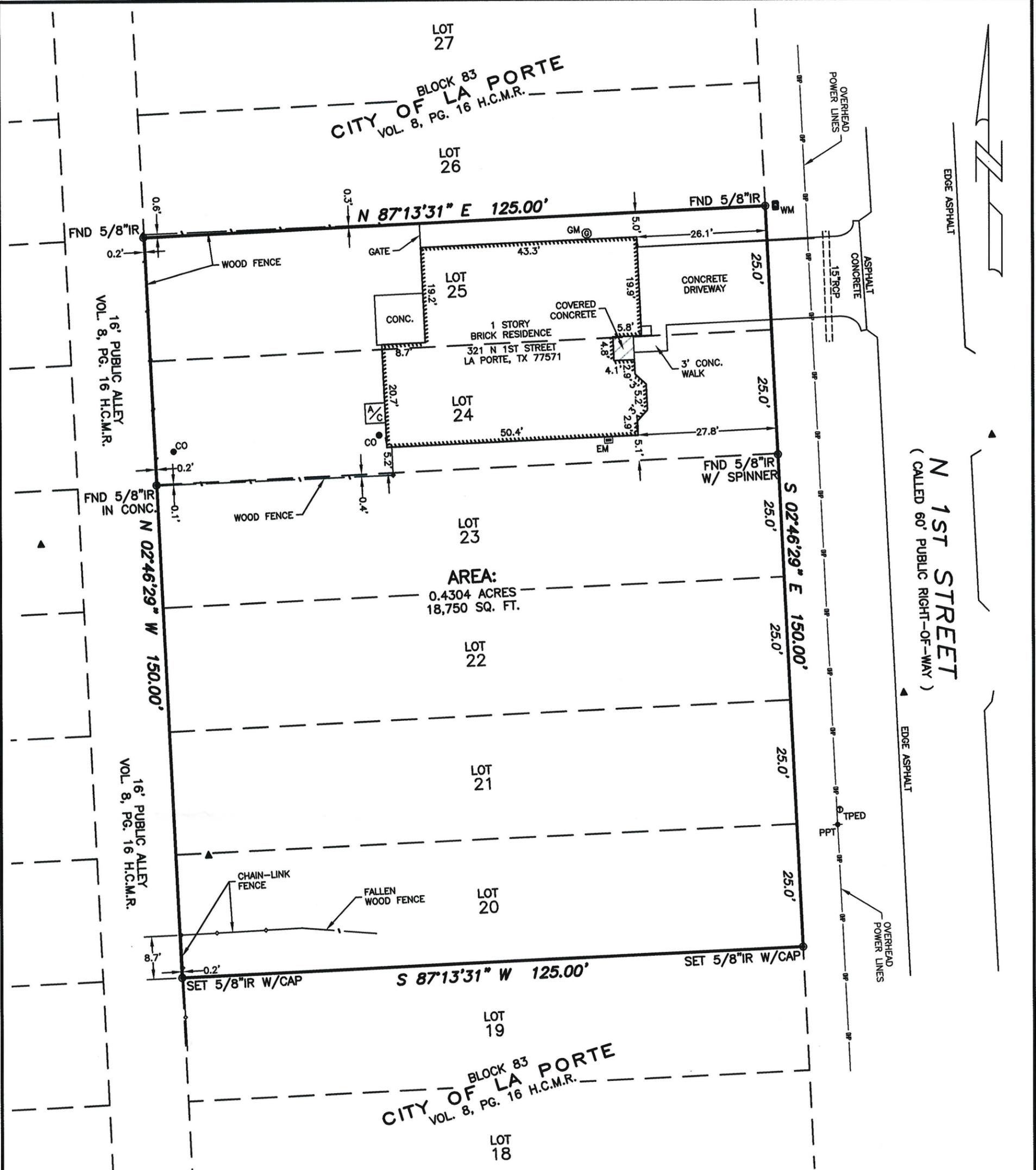
Regular Mail / Overnight
City of La Porte
Attn: Accounting Division
604 W. Fairmont Parkway
La Porte, Texas 77571

If you have any questions,
please call Lisa Emanuel 281-
470-5042 or Email @

AREA MAP

HCAD PARCEL NO. 023-205-083-0020





AREA:
0.4304 ACRES
18,750 SQ. FT.

FLOOD ZONE DESIGNATIONS:

- ZONE "AE" (FLOODWAY)
- ZONE "AE"
- ZONE "X SHADED"
- ZONE "X"

LEGEND:

- WM - WATER METER
- GV - GAS VALVE
- WV - WATER VALVE
- EBOX - ELECTRIC BOX
- EM - ELECTRIC METER
- PP - POWER POLE
- FH - FIRE HYDRANT
- MH - MAN HOLE
- CONC. - CONCRETE
- GI - GRATE INLET
- TR - TOP OF RIM
- FL - FLOW LINE
- RCP - REINFORCED CONCRETE PIPE
- S - STORM SEWER LINE
- SS - SANITARY SEWER LINE
- W - WATER LINE
- GV - GAS VALVE
- OHP - OVERHEAD POWER LINE
- TC - TOP OF CURB
- G - GUTTER
- A/C - AIR CONDITIONING UNIT
- IR - IRON ROD
- CM - CONTROL MONUMENT
- H.C.M.R. - HARRIS COUNTY MAP RECORDS
- H.C.D.R. - HARRIS COUNTY DEED RECORDS
- H.C.C.F. - HARRIS COUNTY CLERK'S FILE
- T.X.S.P.C. - TEXAS STATE PLANE COORDINATE SYSTEM

GENERAL SURVEYORS NOTES:

1. THE BEARINGS AND COORDINATES SHOWN HEREON WERE OBTAINED FROM GPS OBSERVATIONS AND ARE REFERENCED TO NAD83 HORIZONTAL PROJECTION ZONE TEXAS SOUTH CENTRAL 4204.
2. ALL INFORMATION REGARDING RECORDED EASEMENTS, BUILDING LINES AND ANY OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO THE TRACT SHOWN HEREON WAS NOT ABSTRACTED.
3. WETLAND AREAS, FAULT LINES, TOXIC WASTE AREAS OR OTHER ENVIRONMENTAL ISSUES WERE NOT DETERMINED ON THIS SURVEY. SUCH MATTERS SHOULD BE DIRECTED BY THE CLIENT TO THE APPROPRIATE AUTHORITIES OR AN EXPERT CONSULTANT.
4. THIS SURVEY DEPICTS THE FOOTPRINT OF ALL BUILDINGS. PROTRUSIONS SUCH AS EAVES, OVERHANGS, WINDOW LEDGES, ETC. ARE NOT SHOWN.
5. SUBJECT TO THE CITY ORDINANCES NOW IN FORCE IN THE CITY OF LA PORTE, HARRIS COUNTY, TEXAS.

F.E.M.A. FLOOD ZONE STATEMENT:

I HAVE EXAMINED THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48201C0945 L, DATED JUNE 18th 2007 AND HAVE DETERMINED THAT THE TRACT HEREBY SURVEYED LIES WHOLLY WITHIN ZONE "X" OR AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

BASE FLOOD ELEVATION: N/A

NOTE: THIS STATEMENT WAS OBTAINED FROM THE FEMA FLOOD MAP SERVICE CENTER. THIS MAP IS FOR USE IN ADMINISTERING THE NATIONAL FLOOD INSURANCE PROGRAM. IT DOES NOT NECESSARILY IDENTIFY ALL AREAS SUBJECT TO FLOODING UNDER SPECIFIC CONDITIONS.



| PROPERTY INFORMATION | | | | DRAWING INFORMATION | | | | | |
|--|---|------------------|-----------|---------------------|------------------|------------------|------|---|--|
| LOT(s) | BLOCK | SUBDIVISION | | SCALE | 1" = 20' | | | | |
| 20 THRU 25 | 83 | CITY OF LA PORTE | | PAPER SIZE | 11"x17" PORTRAIT | | | | |
| PLAT RECORDING | VOL. 8, PG. 16 H.C.M.R. | SURVEY | J. HUNTER | PROJECT No. | 15-183 | | | | |
| OWNER(s) | CITY OF LA PORTE CAUSE NO 2011-74447 | | COUNTY | HARRIS | FIELD DATA | DRAFTING | | | |
| ADDRESS | 321 N 1ST STREET, LA PORTE, TEXAS 77571 | | STATE | TEXAS | CREW | MG | BY | | |
| I, KEVIN K. KOLB, HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND UNDER MY SUPERVISION ON 8-9-2015 AND 9-23-2015, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A BOUNDARY SURVEY. WITNESS MY HAND AND SEAL THIS THE 21ST DAY OF AUGUST, 2015. REVISED ON 9-23-2015 - RECOVERED ADDITIONAL RODS AND ADDED SOUTHERN FENCE. | | | | DATE | | 8-9-15 9-23-15 | DATE | 8-20-15 9-23-15 | |
| | | | | DATE | | 8-9-15 9-23-15 | | DATE | |
| KEVIN K. KOLB REGISTERED PROFESSIONAL LAND SURVEYOR, TEXAS REGISTRATION NO. 5269 | | | | | | | | TOTAL SURVEYORS, INC. 4301 CENTER STREET, DEER PARK, TEXAS PHONE: 281.479.8719 TOTALSURVEYORS.COM T.B.P.L.S. FIRM REGISTRATION No. 10075300 | |
| | | | | | | | | | |

REQUEST FOR CITY COUNCIL AGENDA ITEM

| |
|---|
| Agenda Date Requested: <u>October 26, 2015</u> |
| Requested By: <u>Michael Dolby, CPA</u> |
| Department: <u>Finance</u> |
| Report: <u> </u> Resolution: <u> </u> Ordinance: <u>XX</u> |

| | |
|-----------------------------|------------------|
| <u>Appropriation</u> | |
| Source of Funds: | <u>N/A</u> |
| Account Number: | <u>N/A</u> |
| Amount Budgeted: | <u>N/A</u> |
| Amount Requested: | <u>N/A</u> |
| Budgeted Item: | YES NO |

Exhibits: Ordinance

Exhibits: Excerpt from FY 2015 Adopted Budget & Amended Budget (Exhibit A & B)

Exhibits: Explanations / Backup for Amendment

SUMMARY & RECOMMENDATION

The City Council adopted the Fiscal Year 2014-15 Budget on September 8, 2014.

The Summary of Funds, which is shown below, represents the amendments which council previously approved to the FY 2014-15 Budget. (*denotes funds with current changes)

| | Original Budget | Previously Amended Budget | Proposed Amended Budget |
|--|------------------|---------------------------|-------------------------|
| General Fund | \$ 42,524,058 | \$ 44,380,886 | \$ 44,380,886 |
| Grant Fund | 502,678 | 1,144,334 | 1,149,334 |
| Street Maintenance Sales Tax Fund | 795,000 | 795,000 | 795,000 |
| Emergency Services District Sales Tax Fund | 1,322,638 | 1,390,917 | 1,390,917 |
| Hotel/Motel Occupancy Tax | 826,039 | 833,589 | 833,589 |
| Economic Development Corporation | 1,418,611 | 1,518,611 | 1,518,611 |
| Tax Increment Reinvestment Zone | 2,807,737 | 2,807,737 | 2,807,737 |
| Utility | 8,056,291 | 8,133,236 | 8,133,236 |
| Airport | 47,496 | 78,082 | 78,082 |
| La Porte Area Water Authority | 1,129,481 | 1,129,481 | 1,423,245 |
| Motor Pool | 3,130,099 | 3,177,768 | 3,177,768 |
| Insurance Fund | 6,247,649 | 6,247,649 | 6,247,649 |
| Technology Fund | 220,000 | 269,600 | 269,600 |
| General Capital Improvement | 1,615,000 | 1,790,000 | 1,790,000 |
| Utility Capital Improvement | 1,175,000 | 1,375,000 | 1,375,000 |
| Sewer Rehabilitation Capital Improvement | 350,000 | 350,000 | 350,000 |
| Drainage Improvement Fund | 240,000 | 240,000 | 240,000 |
| 2006 Certificates of Obligation Bond Fund | - | - | 250,000 |
| 2010 Certificates of Obligation Bond Fund | 280,000 | 280,000 | 280,000 |
| General Debt Service | 4,358,723 | 4,358,723 | 4,358,723 |
| Utility Debt Service | 277,226 | 277,226 | 277,226 |
| La Porte Area Water Authority Debt Service | 691,838 | 691,838 | 691,838 |
| Total of All Funds | \$78,015,564 | \$81,269,677 | \$81,818,441 |

Action Required by Council:

Adopt Ordinance Amending Fiscal Year 2014-15 Budget for the following items:

- A. \$5,000 in the Grant Fund for water fountains at the Pecan Park walking path. Park Zone 4 money will be used to fund the water fountain.
- B. \$250,000 in the 2006 Certificates of Obligation Bond Fund for a transfer to the Debt Service Fund for the loan repayment from the TIRZ for the trunkline sewer.
- C. \$293,764 in the La Porte Area Water Authority Fund for the payment to reimburse the City of Houston for the LPAWA share of the final 2007-2011 Southeast Water Purification Plant expansion project cost.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE

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

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

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

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

SECTION 1: That the Budget for the City of La Porte, Texas, now before the said City Council for consideration, a complete copy of which is on file with the City Secretary and a summary of which is attached hereto by reference as Exhibit "A", is hereby amended as reflected on the amended budget summary document, attached hereto by reference as Exhibit "B", as the Budget for the said City of La Porte, Texas, for the period of October 1, 2014, through September 30, 2015.

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

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

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

PASSED AND APPROVED this the 26th day of October, 2015.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Clark Askins, Assistant City Attorney

EXHIBIT A
(ORIGINAL BUDGET)

City of La Porte
Consolidated Summary of All Funds

| | FY 14-15 Revenues | FY 14-15 Expenses |
|-------------------------------|----------------------|----------------------|
| Governmental Fund Types: | | |
| General Fund | \$ 41,057,475 | \$ 42,524,058 |
| Grant Fund | 409,287 | 502,678 |
| Street Maintenance Sales Tax | 1,105,715 | 795,000 |
| Emergency Services District | 1,104,815 | 1,322,638 |
| Hotel/Motel Occupancy Tax | 576,500 | 826,039 |
| Economic Development Corporat | 2,213,130 | 1,418,611 |
| Tax Increment Reinvestment | <u>2,688,633</u> | <u>2,807,737</u> |
| Total Governmental Types | 49,155,555 | 50,196,761 |
| Enterprise: | | |
| Utility | 8,079,000 | 8,056,291 |
| Airport | 59,500 | 47,496 |
| La Porte Area Water Authority | <u>1,284,359</u> | <u>1,129,481</u> |
| Total Enterprise | 9,422,859 | 9,233,268 |
| Internal Service | | |
| Motor Pool | 2,668,048 | 3,130,099 |
| Insurance Fund | 5,781,791 | 6,247,649 |
| Technology Fund | <u>477,688</u> | <u>220,000</u> |
| Total Internal Service | 8,927,527 | 9,597,748 |
| Capital Improvement: | | |
| General | 1,020,000 | 1,615,000 |
| Utility | 2,100,500 | 1,175,000 |
| Sewer Rehabilitation | 300,500 | 350,000 |
| Drainage Improvement Fund | 267,750 | 240,000 |
| 2010 C/O Bond Fund | <u>-</u> | <u>280,000</u> |
| Total Capital Improvement | 3,688,750 | 3,660,000 |
| Debt Service: | | |
| General | 4,228,560 | 4,358,723 |
| Utility | 277,726 | 277,226 |
| La Porte Area Water Authority | <u>691,838</u> | <u>691,838</u> |
| Total Debt Service | 5,198,124 | 5,327,787 |
| Total All Funds | \$ 76,392,815 | \$ 78,015,564 |

EXHIBIT B
(AMENDED BUDGET)

City of La Porte
Consolidated Summary of All Funds

| | FY 14-15 Revenues | FY 14-15 Expenses |
|-------------------------------|----------------------|----------------------|
| Governmental Fund Types: | | |
| General Fund | \$ 41,057,475 | \$ 44,380,886 |
| Grant Fund | 1,011,947 | 1,149,334 |
| Street Maintenance Sales Tax | 1,105,715 | 795,000 |
| Emergency Services District | 1,104,815 | 1,390,917 |
| Hotel/Motel Occupancy Tax | 579,050 | 833,589 |
| Economic Development Corporat | 2,388,130 | 1,518,611 |
| Tax Increment Reinvestment | 2,688,633 | 2,807,737 |
| | <hr/> | <hr/> |
| Total Governmental Types | 49,935,765 | 52,876,074 |
| Enterprise: | | |
| Utility | 8,148,161 | 8,133,236 |
| Airport | 60,086 | 78,082 |
| La Porte Area Water Authority | 1,284,359 | 1,423,245 |
| | <hr/> | <hr/> |
| Total Enterprise | 9,492,606 | 9,634,563 |
| Internal Service | | |
| Motor Pool | 2,684,011 | 3,177,768 |
| Insurance Fund | 5,781,791 | 6,247,649 |
| Technology Fund | 477,688 | 269,600 |
| | <hr/> | <hr/> |
| Total Internal Service | 8,943,490 | 9,695,017 |
| Capital Improvement: | | |
| General | 1,020,000 | 1,790,000 |
| Utility | 2,100,500 | 1,375,000 |
| Sewer Rehabilitation | 300,500 | 350,000 |
| Drainage Improvement Fund | 267,750 | 240,000 |
| 2006 C/O Bond Fund | 250,000 | 250,000 |
| 2010 C/O Bond Fund | - | 280,000 |
| | <hr/> | <hr/> |
| Total Capital Improvement | 3,938,750 | 4,285,000 |
| Debt Service: | | |
| General | 5,832,377 | 4,358,723 |
| Utility | 277,726 | 277,226 |
| La Porte Area Water Authority | 691,838 | 691,838 |
| | <hr/> | <hr/> |
| Total Debt Service | 6,801,941 | 5,327,787 |
| | | |
| Total All Funds | \$ 79,112,552 | \$ 81,818,441 |

Wolny, Shelley

From: Leach, Traci
Sent: Tuesday, August 04, 2015 1:29 PM
To: Wolny, Shelley
Cc: Alexander, Corby; Epting, Rosalyn; Dolby, Michael; Osmond, Alex
Subject: Budget Amendments

Shelley:

Please include the following item in the next quarterly budget amendment:

\$5,000 for water fountain at Pecan Park walking path: We would like to fund this with funds in Park Zone 4. Right now, staff is moving forward with the project, as directed, and will be fronting the funds from the parks maintenance budget until we get this through the amendment process.

A

June 47

CITY OF LA PORTE, TX
*** CUSTOMER RECEIPT ***

Batch ID: LAPOLME 7/31/15 87 Receipt no: 132706

| Customer | Location | Type | SvcCd | Description | Amount |
|----------|----------|------|-------|---------------------------|-------------|
| 1905 | 144427 | AR | | ACCTS RECEIVABLE PAYMENTS | \$250000.00 |

LA PORTE REDEVELOPME LP RDVLP AUTH-LOAN REPAY
 Trans number: 2981147
 LA PORTE REDEVELOPMENT AUTH.
 PO BOX 22167
 HOUSTON, TX 77227
 LOAN REPAYMENT INV#16135

Tender detail
 CK Ref#: 172 \$250000.00
 Total tendered: \$250000.00
 Total payment: \$250000.00

Trans date: 7/31/15 Time: 13:40:58

THANK YOU FOR YOUR PROMPT PAYMENT

LA PORTE REDEVELOPMENT AUTHORITY
OPERATING ACCOUNT

172

P.O. BOX 22167
HOUSTON, TX 77227

DATE July 29, 2015

35-1125/1130
89

PAY TO THE ORDER OF City of La Porte \$ 250,000.00

Two hundred fifty thousand and no/100-----DOLLARS

AmegyBank of Texas
Amegy Bank N.A.
P.O. Box 27459
Houston, Texas 77227-7459
713-235-8810 / www.amegybank.com

Gregory Paul Centore
Michael Marshall

FOR INV 16135

⑈000172⑈ ⑆113011258⑆ ⑈0003692175⑈

B

INVOICE



CITY OF LA PORTE
604 W FAIRMONT PARKWAY
LA PORTE, TX 77571

(281) 471-5020

TO: LA PORTE REDEVELOPMENT AUTHORITY
ATTN: DAVID HAWES
PO BOX 22167
HOUSTON, TX 77227

INVOICE NO: 16135
DATE: 7/27/15

CUSTOMER NO: 1905/144427

TYPE: MS - MISCELLANEOUS

| QUANTITY | DESCRIPTION | UNIT PRICE | EXTENDED PRICE |
|----------|---|------------|----------------|
| 1.00 | LOAN REPAYMENT REDEVELOPMENT AUTHORITY | 250,000.00 | 250,000.00 |

172

DATE July 29, 2015

TO: City of La Porte

INV 16135
FOR trunkline reimbursement

| | | | |
|------------------|---------|----|---------|
| TOTAL | | | |
| THIS CHECK | 250,000 | 00 | |
| OTHER TRANS. +/- | | | ,000.00 |
| BALANCE | | | |

TAX DEDUCTIBLE

PLEASE DETACH AND SEND THIS COPY WITH REMITTANCE

DATE: 7/27/15 DUE DATE: 8/17/15
CUSTOMER NO: 1905/144427

NAME: LA PORTE REDEVELOPMENT AUTHORITY
TYPE: MS - MISCELLANEOUS

REMIT AND MAKE CHECK PAYABLE TO:
CITY OF LA PORTE
ATTN: ACCOUNTING DIVISION
604 WEST FAIRMONT PARKWAY
LA PORTE TX 77571

(281) 471-5020

INVOICE NO: 16135
TERMS: NET 20 DAYS

AMOUNT: \$250,000.00

**City of La Porte
Loan Amortization Schedule
La Porte Redevelopment Authority**

Principal \$662,000
Interest Prime + 1% compounded semi annually
Date of loan 5/24/2006

| | Principal Balance | Prime +1% | Interest | Payments | Ending Balance | | |
|------------------------|----------------------|-----------|--------------|--------------|-------------------|--------------|------|
| 5/24/2006 | 662,000.00 | 9.00% | - | - | 662,000.00 | | |
| 11/24/2006 | 662,000.00 | 9.25% | 31,880.29 | - | 693,880.29 | | |
| 5/24/2007 | 662,000.00 | 9.25% | 32,004.04 | - | 725,884.33 | 63,884.33 | 2007 |
| 11/24/2007 | 662,000.00 | 8.50% | 32,774.17 | - | 758,658.50 | | |
| 5/24/2008 | 662,000.00 | 6.00% | 26,776.48 | - | 785,434.98 | 59,550.65 | 2008 |
| 11/24/2008 | 662,000.00 | 5.00% | 22,691.55 | - | 808,126.53 | | |
| 5/18/2009 | 662,000.00 | 4.25% | 17,374.72 | - | 825,501.25 | 40,066.27 | 2009 |
| 11/24/2009 | 662,000.00 | 4.25% | 17,589.96 | - | 843,091.21 | | |
| 5/24/2010 | 662,000.00 | 4.25% | 17,866.60 | - | 860,957.81 | 35,456.56 | 2010 |
| 11/24/2010 | 662,000.00 | 4.25% | 18,345.48 | - | 879,303.29 | | |
| 5/24/2011 | 662,000.00 | 4.25% | 18,634.00 | - | 897,937.29 | 36,979.48 | 2011 |
| 11/24/2011 | 662,000.00 | 4.25% | 19,224.04 | - | 917,161.33 | | |
| 5/24/2012 | 662,000.00 | 4.25% | 19,543.07 | - | 936,704.40 | 38,767.11 | 2012 |
| 11/24/2012 | 662,000.00 | 4.25% | 20,054.02 | - | 956,758.42 | | |
| 2/6/2013 | 662,000.00 | 4.25% | 8,355.25 | - | 965,113.67 | (91,692.36) | 2013 |
| 2/6/2013 | 662,000.00 | 4.25% | (130,500.00) | - | 834,613.67 | | |
| 5/24/2013 | 662,000.00 | 4.25% | 10,398.37 | - | 845,012.04 | (92,784.19) | 2014 |
| 11/24/2013 | 662,000.00 | 4.25% | 18,090.96 | - | 863,103.00 | | |
| 5/24/2014 | 662,000.00 | 4.25% | 19,624.85 | - | 882,727.85 | 33,546.27 | 2015 |
| 6/11/2014 | 662,000.00 | 4.25% | (130,500.00) | - | 752,227.85 | (123,774.12) | |
| 6/30/2015 | 662,000.00 | 4.25% | 33,546.27 | - | 785,774.12 | | |
| 7/29/2015 | | | | 250,000.00 | 535,774.12 | | |
| 7/29/2015 | (126,225.88) | | (123,774.12) | (250,000.00) | 535,774.12 | | |
| 7/29/2015 | 535,774.12 | | | | 535,774.12 | | |
| Total Accrued Interest | | | | | | | |

The payment of \$46,974.16 was administrative fees

As per Virginia with McCall Gibson (e-mail 2.27.2013) the \$130,500 payment is interest.

047 2006 CERTIF OF OBLIGATION

| | DEBITS | CREDITS |
|--|------------|------------|
| ----- | | |
| ASSETS | | |
| 101.01-00 POOLED CASH / POOLED CASH | 250,135.52 | |
| 103.09-02 TEX POOL - CERTIF OF OBLI / 2005 C OF O'S | .00 | |
| 103.09-03 TEX POOL - CERTIF OF OBLI / 2006 C OF O'S | .00 | |
| 113.00-00 RECEIVABLES / ACCRUED INTEREST | .05 | |
| 114.33-00 OTHER / MISCELLANEOUS | .00 | |
| 122.01-39 DUE FROM DEBT SERVICE FD / DUE FROM TIRZ FUND 39 | 661,999.84 | |
| TOTAL ASSETS | | 912,135.41 |
| LIABILITIES | | |
| 202.00-00 PAYABLES / ACCOUNTS PAYABLE | | .00 |
| 202.13-06 FINANCE / ACCOUNTS PAYABLE ACCRUAL | | .00 |
| 212.02-00 CURR LIAB PAY-REST ASSETS / ACCRUED INTEREST | | .00 |
| 213.37-00 DEFERRED REVENUES / DEFERRED REVENUE | | .00 |
| 218.02-01 DUE TO OTHER FUNDS / DUE TO GENERAL FUND | | .00 |
| 223.00-00 MISCELLANEOUS / RETAINAGE PAYABLE | | .00 |
| 224.00-00 MISCELLANEOUS / ARBITRAGE REBATE | | .00 |
| TOTAL LIABILITIES | | ===== |
| | | .00 |
| FUND EQUITY | | |
| 345.00-00 ENCUMBRANCES / RESERVE FOR ENCUMBRANCES | | .00 |
| 349.00-00 ENCUMBRANCES / PRIOR YR RES FOR ENCUMB | | .00 |
| 371.02-01 UNRESERVED / DESIGNATED FOR CONSTRUCT | 662,104.17 | |
| 371.02-02 UNRESERVED / UNDESIGNATED | | .00 |
| FUND BALANCE | 250,031.24 | |
| TOTAL FUND EQUITY | | ===== |
| | | 912,135.41 |
| TOTAL LIABILITIES AND FUND EQUITY | | 912,135.41 |

File Edit Commands Help
SUNGARD PUBLIC SECTOR
 NavLine

047-0000-410.01-00

- Account miscellane
- Budget miscellane
- Transactions
- Detail by date
- Detail by code
- Detail by year & p
- Pending by date
- Pending by code
- Pending by year
- Procurement car

Print

Cancel

Exit

Previous acc...

Next account

2014

2015

Account activi...

Pending trans...

Images

Budget alloca...

P card accou...

Account information

Q MISCELLANEOUS / MISCELLANEOUS REVENUE

Fiscal year: 2015 Cr

Estimated revenue: .00

Total receipts: 250,000.00

Q Unrealized revenue: 250,000.00

Account Balance by Period

| Q | Month | Receipts | Unrealized |
|------|-----------|------------|------------|
| Q 05 | March | .00 | .00 |
| Q 07 | April | .00 | .00 |
| Q 08 | May | .00 | .00 |
| Q 09 | June | .00 | .00 |
| Q 10 | July | 250,000.00 | 250,000.00 |
| Q 11 | August | .00 | 250,000.00 |
| Q 12 | September | .00 | 250,000.00 |

Segment/Balance Details

| | | |
|----------------|-----|---------------------------|
| Fund | 047 | 2006 CERTIF OF OBLIGATION |
| Department | 00 | |
| Division | 00 | |
| Activity basic | 41 | REVENUES |
| Sub activity | 0 | MISCELLANEOUS |
| Element | 01 | MISCELLANEOUS REVENUE |
| Object | 00 | |

Project Data

Project Entry Optional

Payment Information

| Vendor | (* indicates pending) | Total |
|--------|-----------------------|-------|
| | | |

Summary

| | |
|------------------------------|------------|
| Estimated revenue - original | .00 |
| Estimated revenue - revised | .00 |
| Actual receipts - current | 250,000.00 |
| Actual receipts - ytd | .00 |
| Unposted receipts | .00 |
| Total receipts | 250,000.00 |
| Unrealized revenue | 250,000.00 |

REQUEST FOR CITY COUNCIL AGENDA ITEM

| | | | |
|--|--|-------------------|---|
| Agenda Date Requested: | September 28, 2015 | Appropriation | |
| Requested By: | D. Mick | Source of Funds: | LPAWA |
| Department: | Public Works | Account Number: | N/A |
| Report: <input checked="" type="radio"/> | Resolution: <input type="radio"/> Ordinance: <input type="radio"/> | Amount Budgeted: | 0.00 |
| Other: <input type="radio"/> | | Amount Requested: | 293,763.82 |
| | | Budgeted Item: | <input type="radio"/> YES <input checked="" type="radio"/> NO |

Attachments :

1. Invoice for the Southeast Water Purification Plant (SEWPP)
2. Back Up Spreadsheet Received September 4, 2015

SUMMARY & RECOMMENDATIONS

In 2007, the City of Houston, acting on behalf of all of the co-participants in the Southeast Water Purification Plant (SEWPP) including the La Porte Area Water Authority (LPAWA), bid a \$168-million project to expand the Southeast Water Purification Plant capacity from 120-million gallons/day to the current plant capacity of \$200-million gallons/day. The final project cost was \$171-million including \$2.85-million in cumulative change orders (1.7%). The majority of the project was constructed over a 2.5 – year period from 2008 – 2010.

While the LPAWA did not purchase additional capacity with the expansion, this \$171-million project also included improvements to the previously existing 120-million gallon/day portion of the plant. The final cost of enhancements to the existing plant that were originally estimated at \$11,457,800 came in at \$15,520,663 for a difference of \$4,062,863. The increase is best attributed to the plant security component cost of the improvements \$4,189,751 higher than the original estimate. The LPAWA share of the increased cost is equal to the invoiced amount.

The LPAWA Board unanimously approved payment of the \$293,763.82 invoice at their September 10, 2015 board meeting.

The projected LPAWA fund balance at the end of FY 2017 is \$1,300,000 after payment of this invoice and the bond debt payments for the member cities planned in FY 2016 and FY 2017.

Action Required of Council:

Consider approval or other action to authorize the City Manager, serving as General Manager of the La Porte Area Water Authority, to reimburse the City of Houston \$293,763.82 for the LPAWA share of the final 2007 – 2011 Southeast Water Purification Plant expansion project cost.



City of Houston
 Public Works & Engineering Department
 Resource Management Division
 Financial Management Branch
 611 Walker, 24th Floor
 Houston, TX 77002

INVOICE

Date: 2/28/2015
 Invoice No.: SEWPP Expansion (LaPorte)

For: South East Water Purification Plant Expansion
 LaPorte Area Water Authority

To: Mr. David Mick
 Director of Public Works
 2963 North 23rd St.
 La Porte, Texas 77571

| DESCRIPTION | LINE No. | DUE DATE | AMOUNT DUE TO/(FROM) COH |
|---|----------|-----------|--------------------------|
| Southeast Water Purification Plant Expansion | | | |
| Additional Contribution Required | 1 | 3/31/2015 | \$ 307,320.00 |
| Interest Earned (7/1/2006 - 2/28/2015) | 2 | | \$ (13,556.18) |
| Please remit payment to: City of Houston Public Works & Engineering Dept Resource Management Division Financial Management Branch 611 Walker, 24th Floor Houston, TX 77002 Attention: Jennifer Nguyen (832)395-2586 | | | |
| Total Amount Due to COH \$ | | | 293,763.82 |

Approved By:
 Assistant Director

Date: 2-28-15

REQUEST FOR CITY COUNCIL AGENDA ITEM

| |
|---|
| Agenda Date Requested: <u>October 26, 2015</u> |
| Requested By: <u>R.J. Davidson</u> |
| Department: <u>Planning</u> |
| Report: <u>X</u> Resolution: <u> </u> Ordinances: <u>X</u> |

| |
|---|
| <u>Budget</u> |
| Source of Funds: <u>General Funds</u> |
| Account Number: <u>001-9092-524-6021</u> |
| Amount Budgeted: <u>\$60,000.00</u> |
| Amount Requested: <u>\$125,000.00</u> |
| Budgeted Item: YES <u> </u> NO <u> </u> |

Exhibits: List of Dangerous Buildings

Exhibits: Building Owner's Notification List

Exhibits: Dangerous Building Inspection Reports

Exhibits Ordinance

SUMMARY & RECOMMENDATION

A regular Council meeting was held on October 12, 2015, to review the findings of the Dangerous Building Inspection Board and an October 26, 2015, public hearing date was granted to receive public input and consider formal action. Subsequent to this meeting, as required by Chapter 82, Article VIII of the Code of Ordinances, a notice was published twice in the Bay Area Observer. Also, certified and regular mail letters (including the inspection report, voluntary consent to demolish form and public notice) were mailed to the building owners.

The purpose of this public hearing is to receive property owner, citizen and staff comments as to why the building(s) should or should not be condemned and demolished. Following the close of the hearing, Council will be asked to consider condemnation of the structure(s).

The Board recommends passage of a condemnation ordinance for the dangerous structure(s) located at 330 Bayside Dr.

The Finance Department has confirmed \$60,000.00 in budgeted funds.

Action Required by Council:

Consider approval or other action of an ordinance condemning a substandard building(s) located at 330 Bayside Dr.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE DECLARING BUILDINGS LOCATED AT SOUTH PORTION OF LOT SEVEN (7), AND ALL OF LOTS EIGHT (8), NINE (9), AND TEN (10), BLOCK 1, REPLAT OF BAYSIDE TERRACE LA PORTE, HARRIS COUNTY, TEXAS, MORE COMMONLY KNOWN AS 330 BAYSIDE DR., SAID BUILDINGS BEING IDENTIFIED AS FOUR (4) MULTIFAMILY APARTMENT BUILDINGS, AND ONE (1) LAUNDROMAT BUILDING, TO BE IN FACT A NUISANCE; ORDERING SUCH BUILDINGS CONDEMNED; FINDING THAT SUZAN RECTOR IS THE RECORD OWNER OF SAID PROPERTY; ORDERING THE SAID OWNER TO ENTIRELY REMOVE OR TEAR DOWN SUCH BUILDINGS; ORDERING THE SAID OWNER TO COMMENCE SAID REMOVAL OR DEMOLITION WITHIN TEN (10) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; AND TO COMPLETE SAID REMOVAL OR DEMOLITION WITHIN FORTY-FIVE (45) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; ORDERING THE DANGEROUS BUILDING INSPECTION BOARD TO PLACE A NOTICE ON SAID BUILDINGS; ORDERING THE CITY SECRETARY TO FORWARD A COPY OF THIS ORDINANCE TO SAID OWNER; PROVIDING FOR THE REMOVAL OF SAID BUILDINGS BY THE CITY OF LA PORTE IF NOT REMOVED BY SAID OWNER IN THE MANNER PROVIDED HEREIN; PROVIDING AN EFFECTIVE DATE HEREOF; AND FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW.

WHEREAS, the City Council of the City of La Porte, passed and approved Section 82-472 of the Code of Ordinances, creating a Dangerous Building Inspection Board (*the Board*) to be composed of the Building Official or his duly authorized representative, the Fire Chief or his duly authorized representative, the Fire Marshal or his duly authorized representative; and

WHEREAS, Section 82-474 (a) provides that:

Whenever it shall come to the attention of the Board or any member thereof, by reason of the carrying out of the necessary duties of such member, or by reason of a complaint of any citizen of the City or of the City Council, that a dangerous building exists, the Board shall make a thorough inspection of such building(s); and

WHEREAS, Section 82-474 (e) provides that:

After the inspection provided for in this Section has been made, with or without the aid of experts, the Board shall report its conclusion in writing to each of the members of the City Council and to the City Attorney. Such report shall state the circumstances and the condition of

the building(s) upon which such conclusion was based. The report shall be filed in all cases no matter what conclusion is stated by the Board; and

WHEREAS, it has heretofore come to the attention of the Board that four (4) multifamily apartment buildings and one (1) laundromat building located at SOUTH PORTION OF LOT SEVEN (7), AND ALL OF LOTS EIGHT (8), NINE (9), AND TEN (10), BLOCK 1, REPLAT OF BAYSIDE TERRACE LA PORTE, HARRIS COUNTY, TEXAS, more particularly described on Exhibit A, attached hereto and incorporated by reference for all purposes, said buildings being collectively situated at 330 BAYSIDE DR., Harris County, Texas, have become dangerous or substandard and thereby a public nuisance, as established in Section 82-473 of the Code of Ordinances of the City of La Porte; and

WHEREAS, said Board has heretofore made and filed its written report, dated SEPTEMBER 23, 2015 finding such multifamily apartment buildings and laundromat building to be in fact dangerous buildings;

WHEREAS, City Council received such report, and ordered notice to the record owner of said property, SUZAN RECTOR, that a hearing as provided in Section 82-477 of said Ordinance would be held at 6:00 PM on OCTOBER 26, 2015, at 604 W. Fairmont Parkway, at the Council Chambers, City Hall, City of La Porte, Texas, at which time the Council would hear further evidence for and against the conclusions of the Board;

WHEREAS, the City of La Porte has heretofore served notice of said hearing upon the said SUZAN RECTOR, by 1) hand delivery to SUZAN RECTOR on OCTOBER 13, 2015; 2) posting a notice on the subject property on SEPTEMBER 24, 2015; and 3) by sending notice by registered mail, return receipt requested, sent to the subject property address, on OCTOBER 13, 2015; a date more than ten (10) days before the date set for said hearing;

WHEREAS, at said date, time, and place, City Council met in regular session to conduct such public hearing, at which time evidence was presented both for and against the conclusions of the Board, at which time the hearing was concluded;

WHEREAS, City Council, after due deliberation, and within fifteen (15) days after the termination of the hearing, is required to make its decision in writing and enter its order; and

WHEREAS, City Council entered its order on OCTOBER 26, 2015 a day which is within fifteen (15) days after the termination of the hearing; NOW THEREFORE:

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

Section 1. This Ordinance contains the Findings of Fact, Conclusions of Law, and orders of the City Council of the City of La Porte, based upon the evidence presented at said hearing.

Section 2. Based on the evidence presented at said hearing, the City Council hereby adopts the attached report of the Board, in full, and incorporates such by reference herein as fully as though set out herein.

Section 3. The City Council hereby finds, determines and declares such buildings, being four (4) multifamily apartment buildings and one (1) laundromat building, to be a public nuisance, and orders such buildings condemned.

Section 4. The City Council hereby finds, determines and declares that SUZAN RECTOR, is the record owner of the property on which the aforementioned multifamily apartment buildings and laundromat building situated, and that as such record owner, the said individual has been duly and legally notified of those proceedings.

Section 5. The City Council hereby orders the said SUZAN RECTOR, to entirely remove or demolish such multifamily apartment buildings and laundromat building, and further orders the said SUZAN RECTOR, to commence such removal within ten (10) days from the

effective date of this Ordinance, and to complete said removal or demolition within forty-five (45) days from the effective date of this ordinance.

Section 6. The City Council hereby orders the Board of the City of La Porte to cause a notice of the dangerous, unsanitary condition of the building to be affixed in one or more conspicuous places on the exterior of the multifamily apartment buildings and laundromat building, which notice or notices shall not be removed or defaced by any person, under penalty of law.

Section 7. The City Council hereby orders the City Secretary to forward a certified copy of this Ordinance, to the record owner of said property (the said SUZAN RECTOR) and to any and all lienholders or mortgagees, by registered mail, return receipt requested; file a copy of this Ordinance in the office of the City Secretary; and, publish in the official newspaper of the city a notice containing: 1) the street address or legal description of the property, 2) the date of the public hearing, 3) a brief statement indicating the results of the hearing, and 4) instructions stating where a complete copy of this Ordinance may be obtained.

Section 8. Should the said SUZAN RECTOR, not comply with the orders contained in this Ordinance relating to the removal or demolition of such multifamily apartment buildings and laundromat building within forty-five (45) days after hereof, then the City of La Porte shall enter upon the said premises with such assistance as it may deem necessary, and cause the said multifamily apartment buildings and laundromat building to be removed or demolished without delay, and the expenses of such procedure shall be charged against the said SUZAN RECTOR, the record owner of said property, and shall thereupon become a valid and enforceable personal obligation of said owner of such premises, and the said City shall carefully compute the cost of such removal or demolition, which cost shall be hereafter assessed against the land occupied by such building, and made lien thereon.

Section 9. The City Council officially finds, determines, and recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by

law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 10. This Ordinance shall take effect and be in force from and after its passage and approval.

PASSED AND APPROVED this the _____ day of _____, 2015.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark T. Askins
Clark T. Askins, Assist. City Attorney

DESCRIPTION of a 0.7854 acre (34,210 square feet) tract of land out of Block 1 of a Replat of Bayside Terrace recorded in Volume 86, Page 18, Map Records, Harris County, Texas, being the south portion of Lot Seven (7) and all of Lots Eight (8), Nine (9), and Ten (10) of said Block 1, described as Tract II in a Substitute Trustee's Deed to Continental Savings Association recorded in Clerk's File No. L518962, and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found at the southwest corner of Reserve 'A' of said Bayside Terrace, at the northeast corner of the intersection of Bayside Drive with Spur 501 (Old State Highway No. 146):

THENCE South 89 degrees 54 minutes 00 seconds East, 295.00 feet along the south line of said Reserve 'A' and the north line of Bayside Drive to a point at the northeast corner of the intersection of Bayside Drive with Falk Court, at the southwest corner of Lot 9, Block 1, for the southwest corner and POINT OF BEGINNING of this tract, from which a found 5/8 inch iron rod bears South 40 degrees East, 0.7 feet:

THENCE North 00 degrees 16 minutes 00 seconds West, 175.07 feet along the east line of Falk Court to an "x" cut in concrete found in a cul-de-sac curve concave northwest for corner:

THENCE along a curve to the left, radius = 50.00 feet, delta = 45 degrees 39 minutes 40 seconds, arc length = 39.85 feet, chord = North 29 degrees 59 minutes 16 seconds East, 38.80 feet to an "x" cut in concrete found at a corner of the Max Goldberg 1.446 acre tract recorded in Clerk's File No. N463341, for the northwest corner of this tract:

THENCE South 89 degrees 49 minutes 03 seconds East, 106.46 feet across Lot 7, and along the common line of this tract and said Goldberg tract to a 5/8 inch iron rod found in a curve concave northeast, for the northeast corner of this tract:

THENCE along a curve to the left, radius = 1870.00 feet, delta = 06 degrees 55 minutes 12 seconds, arc length = 225.86 feet, chord = South 22 degrees 23 minutes 18 seconds East, 227.72 feet to a 5/8 inch iron rod found at the northwest corner of the intersection of Humphreville and Bayside Drive, for the southeast corner of this tract:

THENCE North 89 degrees 54 minutes 00 seconds West, 211.01 feet along the north line of Bayside Drive to the POINT OF BEGINNING containing 0.7854 acres of land.

EXHIBIT A

330 Bayside Dr.
Wind Sail Apartments

- 1) **330 Bayside Dr.**
(Apartment complex in R3 zoning district)
HCAD: 061-057-001-0007
Legal Description: Lots 5,9,10 & S. ½ Lot 7, Block 1 Bayside Terrace
Improvements: \$ 662,252.00 as of October 2015 per HCAD
Taxes Owed: \$ 0
Mowing/Clean-up: \$ 0
Utility Billing: \$ 3,814.07 (60 days past due)

Building Owner's Notification List
330 Bayside Dr.

1) **330 Bayside Dr.**

(Apartment complex located in R3 zoning district)

HCAD: 061-057-001-0007

Legal Description: Lots 8,9,10 & S. ½ Lot 7, Block 1 Bayside Terrace

Tax Roll: Suzan Gayle Rector – 330 Bayside Dr. #25 – La Porte, TX 77571-3836

Actual: 3141 Hwy. 146 S. Apt. 37 - La Porte, TX 77571 (residence)

Deed: Suzan Gayle Rector - 330 Bayside Dr. #25 - La Porte, TX 77571-3836

City of La Porte
DANGEROUS BUILDING INSPECTION FORM

DATE: 9/23/15

STREET ADDRESS: 330 Bayside Dr.

OWNER: Susan Rector

DEED OWNER: Susan Rector

HCAD: 061-057-001-0007

LEGAL: LTS - 8, 9, 10 & S. 1/2 LOT 7, BLOCK I Bayside Terrace/P

OCCUPANCY TYPE: Multi-family ZONING: R3

NON-CONFORMING ISSUES: N/A

FACILITIES AVAILABLE: WATER: Disconnected SEWER: YES/spilling on ground

ELECTRICAL: yes GAS: NO

NUMBER OF DWELLING UNITS: 4 Buildings

VACANT: _____ OCCUPIED: _____

AS REQUIRED IN THE CITY'S CODE OF ORDINANCE, CHAPTER 82; ARTICLE VIII, THE BOARD OF INSPECTIONS MADE AN INSPECTION OF THE AFOREMENTIONED PROPERTY, AND DETERMINED THE BUILDING LOCATED THEREON, IN THEIR OPINION, IS IN FACT A DANGEROUS BUILDING, FOR THE FOLLOWING REASONS:

SEC. 82-473. DECLARATION OF PUBLIC NUISANCE AND HAZARD

- A. Dangerous or substandard buildings or structures. A building or structure shall be considered dangerous or substandard whenever it is determined by the Board, that any or all of the following is applicable:

- X 1: A building that is vacant, and is not up to current building code standards. These vacant buildings can be either open to trespass or boarded up.
- _____ 2: Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the building code for new buildings of similar structure, purpose or location.
- X 3. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- X 4. Whenever the building or structure, or any portion thereof, because of (a) dilapidation, deterioration, or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting the building; (d) the deterioration, decay, or inadequacy of its foundation, or (e) any other cause, is likely to partially or completely collapse.
- X 5. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose of which it is being used.
- _____ 6. Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood, or has become so dilapidated or deteriorated as to become (a) a public nuisance, (b) a harbor for vagrants, or as to (c) enable persons to resort thereto for the purpose of committing unlawful acts.
- X 7. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air, or sanitation facilities, or otherwise, is determined by the Board to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
- _____ 8. Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections, or heating apparatus or other cause, is determined by the Board to be a fire hazard.

B. Dangerous or substandard electrical, plumbing, or mechanical installations. A building or structure shall be considered dangerous or substandard whenever it is determined by the Board, that any or all of the following is applicable:

- _____ 1. Whenever any protective or safety device specified in The Electrical Code and of this title is not provided or is inoperative, defective, dilapidated, or deteriorated so as to threaten to fail or function as originally intended.
- X 2. Whenever any installation or portion thereof because of (a) dilapidation, deterioration, or decay; (b) faulty construction; (c) obsolescence; (d) inadequate maintenance, which in relation to existing use constitutes a hazard to life, health, property or safety. *Plumbing - Raw Sewer in units.*
- _____ 3. Whenever any installation or any portion thereof which is damaged by fire, wind, earthquake, flood or any other cause so as to constitute a potential hazard to life, health, property, or safety.
- _____ 4. Whenever any installation or any portion thereof was constructed, installed, altered or maintained in violation of the Building Code and/or Fire Code so as to constitute a potential hazard to life, health, property or safety.

FINDINGS AND CONCLUSIONS OF THE BOARD OF INSPECTION:

These 4 structures are dangerous structures that
can cause a hazard to life, health, and safety.


BUILDING OFFICIAL'S OFFICE DATE

X  8-24-15
FIRE MARSHAL'S OFFICE DATE

X  9/24/15
FIRE CHIEF'S OFFICE DATE

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: October 26, 2015 Appropriation
Requested By: Eric Ensey Source of Funds: N/A
Department: Planning & Development Account Number:
Report: Resolution: Ordinance: Amount Budgeted:
Other: Amount Requested:
Budgeted Item: YES NO

Attachments :

1. Ordinance - Clean Version
2. Ordinance - Marked Version
3. P&Z Recommendation Letter

SUMMARY & RECOMMENDATIONS

On July 13, 2015, the Planning and Zoning Commission presented an ordinance addressing three items that the City Council directed the Commission to further review and bring back with a recommendation. One of those items related to the city's regulations on tree preservation and mitigation. At the July 13th meeting, the Council requested the issue of tree preservation be returned to the Commission for further discussion. Council's action was based on concern for the impact that these requirements would have on development.

As a result, the Planning and Zoning Commission further discussed the item and is presenting the attached ordinance for consideration. The Commission's consideration included discussions ranging from deleting the tree preservation and mitigation requirements in its entirety to modifications intended to ease the burden on developers.

The Commission's recommendation, as included in the attached ordinance, was intended to 1) exclude mitigation requirements from individual single family detached residential, 2) ease the burden on the development community, and 3) still recognize the importance of trees by maintaining some requirements for mitigation of quality trees removed in the community. The following is a summary of the proposed modifications to Sections 106-801 (Tree preservation), 106-802 (Tree replacement), and 106-803 (Tree fund):

1. An exclusion from these regulations for tree removal on individual single family lots.
2. The quantity of replacement trees has been modified from replacing trees based on a per-caliper inch basis to a one-for-one replacement. This would mean that if one tree is removed from a property, then that tree is replaced with another one on the site.
3. The tree replacement fee is modified in a manner where should the applicant desire to make payment into the tree fund as opposed to planting on site, the replacement cost per tree would be \$250 to cover the planting of a replacement tree elsewhere in the community, up to a maximum of \$2,500 per acre or \$100,000 for the overall project area.
4. Should the applicant desire to mitigate the loss of trees by planting as part of the development, then the Commission is recommending that commercial properties plant 2" caliper replacement

trees and industrial project plant 4" caliper replacement trees.

This item is being presented as a public hearing. Notice of this public hearing was conducted in accordance with Section 106-171 of the city's Code of Ordinances, which required publication in the Bay Area Observer at least 15 days prior to the public hearing. Additionally, notice of public hearing was posted on the city's website and at City Hall.

Action Required of Council:

1. Conduct public hearing.
2. Consider approval or other action on a recommendation by the Planning and Zoning Commission to approve an ordinance amending Section 106-801 (Tree preservation, Section 106-802 (Tree replacement), and Section 106-803 (Tree fund) of the city's Code of Ordinances.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 106 "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, TEXAS BY REVISING REGULATIONS RELATED TO TREE PRESERVATION, TREE REPLACEMENT, AND CONTRIBUTIONS TO TREE FUND; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; CONTAINING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

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

Section 1: That Chapter 106, "Zoning", Article V. "Supplementary District Regulations", Division 4 "Fencing and Landscaping Requirements", Section 106-801 "Tree Preservation", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

"Sec. 106-801. Tree Preservation.

- (a) It is the intent of this section to encourage the preservation of existing trees within the city and to prohibit their unwarranted destruction. The city encourages site planning which furthers the preservation of trees and natural areas by the following methods: To protect trees during construction; to facilitate site design and construction which contributes to the long term viability of existing trees; and to control premature removal of trees; require on-site replacement of trees that must be removed and require off-site replacement of trees that cannot be replaced on-site, either by direct planting as outlined in section 106-802 (Tree replacement) or through a contribution to the tree fund established in section 106-803 (Tree fund) of this chapter. It is the further intent of this section to achieve the following objectives:
- (1) Protect healthy trees and preserve the natural, environmental, and aesthetic qualities of the city to the degree possible.
 - (2) Protect and increase the value of residential and commercial properties within the city.
 - (3) Discourage premature clear-cutting of property.
 - (4) Maintain and enhance a positive image for the attraction of new developments to the city.
- (b) It shall be unlawful for any person to cause or permit the destruction of any healthy, native tree (herein referred to as a "protected tree") within the city if such tree has a trunk which exceeds six inches in diameter (or 18.84-inch circumference) at a point 18 inches above the

natural ground level. Provided, however, it shall not be a violation of this provision if a tree is removed and/or destroyed if the tree is obviously diseased or determined to be diseased by an arborist or in the opinion of the planning director or his designated representative, said tree constitutes a hazard to pedestrian and/or vehicular traffic along any such right-of-way.

- (c) No person, firm or corporation desirous of developing or improving any parcel of property, shall remove or cause the removal of any tree from said property without first obtaining a clearing permit which would allow clearing of buildable areas only.
- (d) The provisions of this section are not applicable to individual single family lots."

Section 2: That Chapter 106, "Zoning", Article V. "Supplementary District Regulations", Division 4 "Fencing and Landscaping Requirements", Section 106-802 "Tree Replacement", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

"Sec. 106-802. Tree Replacement

A tree disposition plan or tree survey must be submitted and approved prior to the removal or destruction of any qualifying protected tree. In the event that it is necessary to remove a protected tree, as a condition of a building permit issuance, applicant shall be required to replace the tree(s) being removed with replacement trees as follows:

- (a) *Replacement trees required.* Tree disposition conditions and tree permit authorizing removal of or damage to protected trees shall normally require replacement by one or more newly planted trees on the same subject site. If this is not feasible, the owner or developer must plant and maintain off-site replacement trees in reasonable proximity to the subject site.
- (b) *Number of Replacement Trees.* For each qualifying protected tree removed from the site, one replacement tree must be planted on the subject site. If this is not feasible, the applicant may, upon approval by the director, plant and maintain off-site replacement trees in accordance with this section, or alternatively, contribute to the city's tree fund.
- (c) *Minimum size.* Replacement trees must normally have a trunk caliper of at least two inches measured six inches from the ground, with the exception of replacement trees installed on properties in any designated industrial zone district, in which case the trunk caliper shall be a minimum of four inches as measured six inches from the ground. The enforcement officer may prescribe a proportionally smaller trunk caliper for certain species of trees, i.e. Crepe Myrtle.
- (d) *Qualified trees.* To be a "qualified tree", a tree must comply with the recommended tree list "native or protected" of the city.

- (e) *Standard of review.* The enforcement officer shall use reasonable best efforts to determine the type and number of replacement trees required in an attempt to minimize undue burden resulting from this section.
- (f) *Trees in street area.* Before authorizing establishment or maintenance of tree or decorative landscaping, such as lighting or a watering system in a street area, the building official must be satisfied that Tex. Trans. Code Chapter 316 has been complied with and also confirms there would be no violation of the provisions relating to visibility triangles and future overhead obstruction.
- (g) *Single Family Lots.* The provisions of this section are not applicable to individual single family lots."

Section 3: That Chapter 106, "Zoning", Article V. "Supplementary District Regulations", Division 4 "Fencing and Landscaping Requirements", Section 106-803 "Tree Fund", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

"Sec. 106-803. Tree fund.

There is hereby established a tree fund, which shall be administered by the director of parks and recreation or his/her designee. All revenues, mitigation fees, and penalties received pursuant to this section, or for the enforcement thereof, and any donations or grant monies received to achieve the purpose of tree preservation or replacement, shall be deposited into the tree fund. Monies in the tree fund may be used to purchase trees required for replacement but may not be used in any manner that will profit the grantee. Tree replacement fee shall be calculated at the rate of \$250.00 per tree. The amount paid to the tree fund shall be applied at a maximum of \$2,500.00 per acre (or fraction thereof) with a maximum total payment of \$100,000.00 per development.

The owner or developer of any lot or tract of land required to replace trees in accordance with this chapter may, as an alternative, and upon approval by the city, pay a prescribed fee/amount into the tree fund in accordance with the following conditions:

- (1) *Residential and non-residential site plans/plats.* Payment to the tree fund must be received by the city prior to the approval of the development site plan and/or final plat approval by the planning and zoning commission.
- (2) *Building permits not requiring site plans/plats.* Payment to the tree fund must be received by the city prior to the issuance of a building permit."

Section 4. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be

Section 5. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

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

Section 7. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, Tx. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 8. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the _____ day of OCTOBER, 2015.

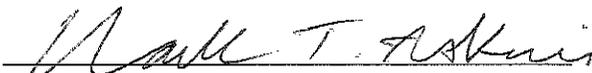
CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Clark Askins, Assistant City Attorney

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 106 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, TEXAS BY REVISING REGULATIONS RELATED TO TREE PRESERVATION, TREE REPLACEMENT, AND CONTRIBUTIONS TO TREE FUND; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; CONTAINING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

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

Section 1: That Chapter 106, “Zoning”, Article V. “Supplementary District Regulations”, Division 4 “Fencing and Landscaping Requirements”, Section 106-801 “Tree Preservation”, of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

“Sec. 106-801. Tree Preservation.

- (a) It is the intent of this section to encourage the preservation of existing trees within the city and to prohibit their unwarranted destruction. The city encourages site planning which furthers the preservation of trees and natural areas by the following methods: To protect trees during construction; to facilitate site design and construction which contributes to the long term viability of existing trees; and to control premature removal of trees; require on-site replacement of trees that must be removed and require off-site replacement of trees that cannot be replaced on-site, either by direct planting **as outlined in section 106-802 (Tree replacement)** or through a contribution to the tree fund established in section 106-803 (Tree fund) of this chapter. It is the further intent of this section to achieve the following objectives:
- (1) Protect healthy trees and preserve the natural, environmental, and aesthetic qualities of the city to the degree possible.
 - (2) Protect and increase the value of residential and commercial properties within the city.
 - (3) Discourage premature clear-cutting of property.
 - (4) Maintain and enhance a positive image for the attraction of new developments to the city.
- (b) It shall be unlawful for any person to cause or permit the destruction of any healthy, native tree **(herein referred to as a “protected tree”)** within the city if such tree has a trunk which exceeds six inches in diameter (or 18.84-inch circumference) at a point 18 inches above the

natural ground level. Provided, however, it shall not be a violation of this provision if a tree is removed and/or destroyed if the tree is obviously diseased or determined to be diseased by an arborist or in the opinion of the planning director or his designated representative, said tree constitutes a hazard to pedestrian and/or vehicular traffic along any such right-of-way.

- (c) No person, firm or corporation desirous of developing or improving any parcel of property, shall remove or cause the removal of any tree from said property without first obtaining a clearing permit which would allow clearing of buildable areas only.
- (d) The provisions of this section are not applicable to individual single family lots.

Section 2: That Chapter 106, “Zoning”, Article V. “Supplementary District Regulations”, Division 4 “Fencing and Landscaping Requirements”, Section 106-802 “Tree Replacement”, of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

Sec. 106-802. Tree Replacement

A tree disposition plan or tree survey must be submitted and approved prior to the removal or destruction of any qualifying protected tree. In the event that it is necessary to remove a protected tree, as a condition of a building permit issuance, applicant shall be required to replace the tree(s) being removed with replacement trees as follows:

- (a) ~~Number of~~ Replacement trees required. Tree disposition conditions and tree permit authorizing removal of or damage to ~~large trees or~~ protected trees shall normally require replacement by one or more newly planted trees on the same subject site. If this is not feasible, the owner or developer must plant and maintain off-site replacement trees in reasonable proximity to the subject site.
- (b) *Number of Replacement Trees.* For each qualifying protected tree removed from the site, one replacement tree must be planted on the subject site. ~~A sufficient number and diameter of replacement trees shall be planted on the subject site in order to equal the total diameter inches, as determined above.~~ If this is not feasible, the applicant may, upon approval by the director, plant and maintain off-site replacement trees in accordance with this section, or alternatively, contribute to the city’s tree fund.
- (c) *Minimum size.* Replacement trees must normally have a trunk caliper of at least two inches measured six inches from the ground, with the exception of replacement trees installed on properties in any designated industrial zone district, in which case the trunk caliper shall be a minimum of four inches as measured six inches from the ground. The enforcement officer may prescribe a proportionally smaller trunk caliper for certain species of trees, i.e. Crepe Myrtle.

- (d) *Qualified trees.* To be a "qualified tree", a tree must comply with the recommended tree list "native or protected" of the city.
- (e) *Standard of review.* The enforcement officer shall use reasonable best efforts to determine the type and number of replacement trees required in an attempt to minimize undue burden resulting from this section.
- (f) *Trees in street area.* Before authorizing establishment or maintenance of tree or decorative landscaping, such as lighting or a watering system in a street area, the building official must be satisfied that Tex. Trans. Code Chapter 316 has been complied with and also confirms there would be no violation of the provisions relating to visibility triangles and future overhead obstruction.
- (g) *Single Family Lots.* The provisions of this section are not applicable to individual single family lots.

Section 3: That Chapter 106, "Zoning", Article V. "Supplementary District Regulations", Division 4 "Fencing and Landscaping Requirements", Section 106-803 "Tree Fund", of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows:

Sec. 106-803. Tree fund.

There is hereby established a tree fund, which shall be administered by the director of parks and recreation or his/her designee. All revenues, mitigation fees, and penalties received pursuant to this section, or for the enforcement thereof, and any donations or grant monies received to achieve the purpose of tree preservation or replacement, shall be deposited into the tree fund. Monies in the tree fund may be used to purchase trees required for replacement but may not be used in any manner that will profit the grantee. Tree replacement fee shall be calculated at the rate of ~~\$250.00 per tree~~ ~~\$50.00 per caliper inch of tree otherwise required or shall be periodically adjusted as the market value of replacement trees warrants.~~ The amount paid to the tree fund shall be applied at a maximum of ~~\$2,500.00~~ ~~\$5,000~~ per acre (or fraction thereof) with a maximum total payment of \$100,000.00 per development.

The owner or developer of any lot or tract of land required to replace trees in accordance with this chapter may, as an alternative, and upon approval by the city, pay a prescribed fee/amount into the tree fund in accordance with the following conditions:

- (1) *Residential and non-residential site plans/plats.* Payment to the tree fund must be received by the city prior to the ~~submission~~ **approval** of the development site plan and/or final plat approval by the planning and zoning commission.
- (2) *Building permits not requiring site plans/plats.* Payment to the tree fund must be received by the city prior to the issuance of a building permit."

Section 4. Any person, as defined in Section 1.07 (27), Texas Penal Code, who shall violate any provision of the ordinance, shall be deemed guilty of a misdemeanor and upon conviction shall be

Section 5. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

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

Section 7. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, Tx. Gov't Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 8. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance.

PASSED AND APPROVED this the _____ day of OCTOBER, 2015.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark Askins, Assistant City Attorney



October 5, 2015

Honorable Mayor Rigby and City Council
City of La Porte

RE: Proposed Ordinance Amending Section 106-801 (Tree preservation), Section 106-802 (Tree replacement), and Section 106-803 (Tree fund)

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a public hearing at the September 17, 2015 meeting to consider approval of an ordinance amending Chapter 106 "Zoning" of the city's Code of Ordinances. The proposed ordinance includes modifications to Section 106-801 (Tree Preservation), Section 106-802 (Tree Replacement), and Section 106-803 (Tree Fund), of the City of La Porte's Code of Ordinances, including:

- 1) Exclusion of individual single family lots from the tree preservation regulations.
- 2) The quantity of replacement trees has been modified from replacing trees based on a per-caliper inch basis to a one-for-one replacement. This would mean that if one tree is removed from a property, then that tree is replaced with another one on the site.
- 3) The tree replacement fee is modified in a manner where should the applicant desire to make payment into the tree fund as opposed to planting on site, the replacement cost per tree would be \$250 to cover the planting of a replacement tree elsewhere in the community, up to a maximum of \$2,500 per acre or \$100,000 for the overall project area.
- 4) Should the applicant desire to mitigate the loss of trees by planting as part of the development, then the Commission is recommending that commercial properties plant 2" caliper replacement trees and industrial project plant 4" caliper replacement trees.

The Commission voted unanimously to recommend approval of the provisions as included in the drafted ordinance presented in the Request for City Council Agenda Item.

Respectfully submitted,

Hal Lawler
Chairman, Planning and Zoning Commission

cc: Tim Tietjens, Director of Planning and Development
Department File

REQUEST FOR CITY COUNCIL AGENDA ITEM

| | | |
|---|--|----------------------|
| Agenda Date Requested: <u>October 26, 2015</u> | | <u>Appropriation</u> |
| Requested By: <u>Tim Tietjens</u> | Source of Funds: <u>General Fund 663 and 611</u> | |
| Department: <u>Planning & Development</u> | Account Number: <u>015.9892.663.1100 & 015.9892.611.1100</u> | |
| Report: <input type="radio"/> Resolution: <input type="radio"/> Ordinance: <input checked="" type="radio"/> | Amount Budgeted: <u>\$15,366.00 and \$63,3373.69</u> | |
| Other: <input type="radio"/> | Amount Requested: <u>\$78,739.69</u> | |
| Attachments : | Budgeted Item: <input checked="" type="radio"/> YES <input type="radio"/> NO | |
| 1. Ordinance | | |
| 2. Tax Resale Deeds | | |
| 3. Area Map | | |
| 4. Special Warranty Deed | | |
| 5. BAHFH Funding Participation Acknowledgement | | |

SUMMARY & RECOMMENDATIONS

In the past, the City has funded CIP Project GEN663-Affordable Homes for the acquisition of buildable lots throughout the City for in-fill housing construction. Lots are identified from the list of delinquent properties that did not sell at sheriff's auction.

Over the years, the City of La Porte has assisted the Bay Area Habitat for Humanity (BAHFH) by donating numerous tax foreclosure properties or other properties owned by the City, for the purpose of providing qualified families meeting specific income requirements the opportunity to fulfill the dream of home ownership.

At this time, the BAHFH has requested the City provide six (6) additional building sites to facilitate construction of six more homes over the next program year. The Habitat for Humanity program utilizes sweat equity of the recipient families and volunteer labor for construction of the homes.

Tonight's action, if approved, would authorize the Mayor to execute Tax Resale Deeds conveying all rights, title, and interest of the taxing entities to the City of La Porte, requiring total expenditures of \$78,739.69 to clear the properties of delinquent taxes, penalties, and interest. In turn, the Mayor would be authorized to execute a Special Warranty Deed to donate the six properties to BAHFH.

If approved, the City would pay off the delinquent taxes in the amount of \$78,739.69. Funding is available in Project GEN663-Affordable Homes (\$15,366-remaining balance), combined with Project GEN611-Northside Housing Project (\$63,373.69). The City's participation would only include up to \$10,000.00 per building site (\$60,000.00). BAHFH has committed to reimbursing the City for the additional amount, which is \$18,739.69.

Action Required of Council:

Consider approval or other action of an ordinance to convey lots held in trust by the City to the Bay Area Habitat for Humanity-Houston, Inc., by authorizing the Mayor to execute Tax Resale Deeds and a Special Warranty Deed for:

Lots 3-4, Block 106; Lots 14-16, Block 86; Lots 13-14, Block 80; Lots 22-24, Block 67, Town of La Porte; and Lots 13-14, Block 71; and Lots 5-6, Block 60 Bay Front Addition to Town of La Porte.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2015-_____

AN ORDINANCE APPROVING AND AUTHORIZING THE DONATION OF LOTS 3 AND 4, BLOCK 106 OF THE TOWN OF LA PORTE; LOTS 14, 15 AND 16, BLOCK 86, OF THE TOWN OF LA PORTE; LOTS 13 AND 14, BLOCK 80, OF THE TOWN OF LA PORTE; LOTS 22, 23, AND 24, BLOCK 67, OF THE TOWN OF LA PORTE; LOTS 13 AND 14, BLOCK 71, OF THE BAY FRONT ADDITION TO THE CITY OF LA PORTE; LOTS 5 AND 6, BLOCK 60, OF THE BAY FRONT ADDITION TO THE TOWN OF LA PORTE, HARRIS COUNTY, TEXAS, TO BAY AREA HABITAT FOR HUMANITY-HOUSTON, INC., A TEXAS NON-PROFIT CORPORATION, FOR THE CONSTRUCTION OF AFFORDABLE HOUSING; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

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

Section 1. The City Council hereby approves and authorizes the contract, agreement or other undertaking described in the title of this ordinance, in substantially the form as shown in the document which is attached hereto and incorporated herein by this reference. The Mayor is hereby authorized to execute such document and all related documents on behalf of the City of La Porte. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

Section 2. All ordinances or parts of ordinances inconsistent with the terms of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 3. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government

Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered, and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

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

PASSED AND APPROVED this the 26th day of October, 2015.

CITY OF LA PORTE

By: _____
Louis R. Rigby, Mayor

ATTEST:

By: _____
Patrice Fogarty, City Secretary

APPROVED:

By: Clark T. Askins
Clark T. Askins, Assistant City Attorney

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

IN TESTIMONY WHEREOF, CITY OF LA PORTE, TRUSTEE, for the use and benefit of itself, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE – HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT and the SAN JACINTO COMMUNITY COLLEGE DISTRICT has caused these presents to be executed this _____ day of _____ 2015.

CITY OF LA PORTE, TRUSTEE

LOUIS R. RIGBY, MAYOR,
CITY OF LA PORTE

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015.

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

After Recording
Return To: City of La Porte
2015 Fall Grant Project
604 W. Fairmont Parkway
La Porte, TX 77571

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

IN TESTIMONY WHEREOF, CITY OF LA PORTE, TRUSTEE, for the use and benefit of itself, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE – HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT and the SAN JACINTO COMMUNITY COLLEGE DISTRICT has caused these presents to be executed this _____ day of _____ 2015.

CITY OF LA PORTE, TRUSTEE

LOUIS R. RIGBY, MAYOR,
CITY OF LA PORTE

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015.

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

After Recording
Return To: City of La Porte
2015 Fall Grant Project
604 W. Fairmont Parkway
La Porte, TX 77571

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

IN TESTIMONY WHEREOF, CITY OF LA PORTE, TRUSTEE, for the use and benefit of itself, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT and the SAN JACINTO COMMUNITY COLLEGE DISTRICT has caused these presents to be executed this _____ day of _____ 2015.

CITY OF LA PORTE, TRUSTEE

LOUIS R. RIGBY, MAYOR,
CITY OF LA PORTE

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015.

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

After Recording

Return To: City of La Porte
2015 Fall Grant Project
604 W. Fairmont Parkway
La Porte, TX 77571

Notice of confidentiality rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your social security number or your driver's license number
(Language pursuant section 11.008 of the Texas Property Code)

THE STATE OF TEXAS
COUNTY OF HARRIS

§
§
§

TAX RESALE DEED

KNOW ALL MEN BY THESE PRESENTS that the CITY OF LA PORTE, TRUSTEE, for the use and benefit of itself, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE – HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT and the SAN JACINTO COMMUNITY COLLEGE DISTRICT, acting by and through its duly elected officials (“GRANTOR”) as authorized by Section 34.05, Texas Property Tax Code, for and in consideration of the sum of TEN DOLLARS AND 00/100 (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, in hand paid by CITY OF LA PORTE (“GRANTEE”) the receipt of which is hereby acknowledged and confessed, has conveyed and quitclaimed and by these presents do convey and quitclaim unto said Grantee all right, title and interest of the CITY OF LA PORTE, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE – HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT and the SAN JACINTO COMMUNITY COLLEGE DISTRICT in the property herein conveyed, acquired by tax foreclosure sale heretofore held, in Cause No. 2012-59349, styled *La Porte Independent School District vs. Idella Price, et al*, said property being described as:

LOTS 22, 23 & 24, IN BLOCK 67, OF TOWN OF LA PORTE, A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN THE DEED RECORDS OF HARRIS COUNTY, TEXAS. (ACCOUNT NUMBER 023-198-067-0022).

This conveyance is made and accepted subject to the following matters to the extent that the same are in effect at this time: any and all rights of redemption, restrictions, covenants, conditions, easements, encumbrances and outstanding mineral interests, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said CITY OF LA PORTE, its successors and assigns forever, so that neither the LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE – HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT and the SAN JACINTO COMMUNITY COLLEGE DISTRICT nor any person claiming under it shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

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

Resale Property P272

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

IN TESTIMONY WHEREOF, CITY OF LA PORTE, TRUSTEE, for the use and benefit of itself, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE – HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT and the SAN JACINTO COMMUNITY COLLEGE DISTRICT has caused these presents to be executed this _____ day of _____ 2015.

CITY OF LA PORTE, TRUSTEE

LOUIS R. RIGBY, MAYOR,
CITY OF LA PORTE

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015.

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

After Recording

Return To: City of La Porte
2015 Fall Grant Project
604 W. Fairmont Parkway
La Porte, TX 77571

subject to the right of redemption, if any, provided under the Texas Property Tax Code. Grantee acknowledges and agrees that this conveyance is expressly made without warranty.

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

IN TESTIMONY WHEREOF, CITY OF LA PORTE, TRUSTEE, for the use and benefit of itself, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE – HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT and the SAN JACINTO COMMUNITY COLLEGE DISTRICT has caused these presents to be executed this _____ day of _____ 2015.

CITY OF LA PORTE, TRUSTEE

LOUIS R. RIGBY, MAYOR,
CITY OF LA PORTE

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015.

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

After Recording
Return To: City of La Porte
2015 Fall Grant Project
604 W. Fairmont Parkway
La Porte, TX 77571

Resale Property P273

subject to the right of redemption, if any, provided under the Texas Property Tax Code. Grantee acknowledges and agrees that this conveyance is expressly made without warranty.

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

IN TESTIMONY WHEREOF, CITY OF LA PORTE, TRUSTEE, for the use and benefit of itself, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE – HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, HARRIS COUNTY FLOOD CONTROL DISTRICT, PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, HARRIS COUNTY HOSPITAL DISTRICT and the SAN JACINTO COMMUNITY COLLEGE DISTRICT has caused these presents to be executed this _____ day of _____ 2015.

CITY OF LA PORTE, TRUSTEE

LOUIS R. RIGBY, MAYOR,
CITY OF LA PORTE

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2015.

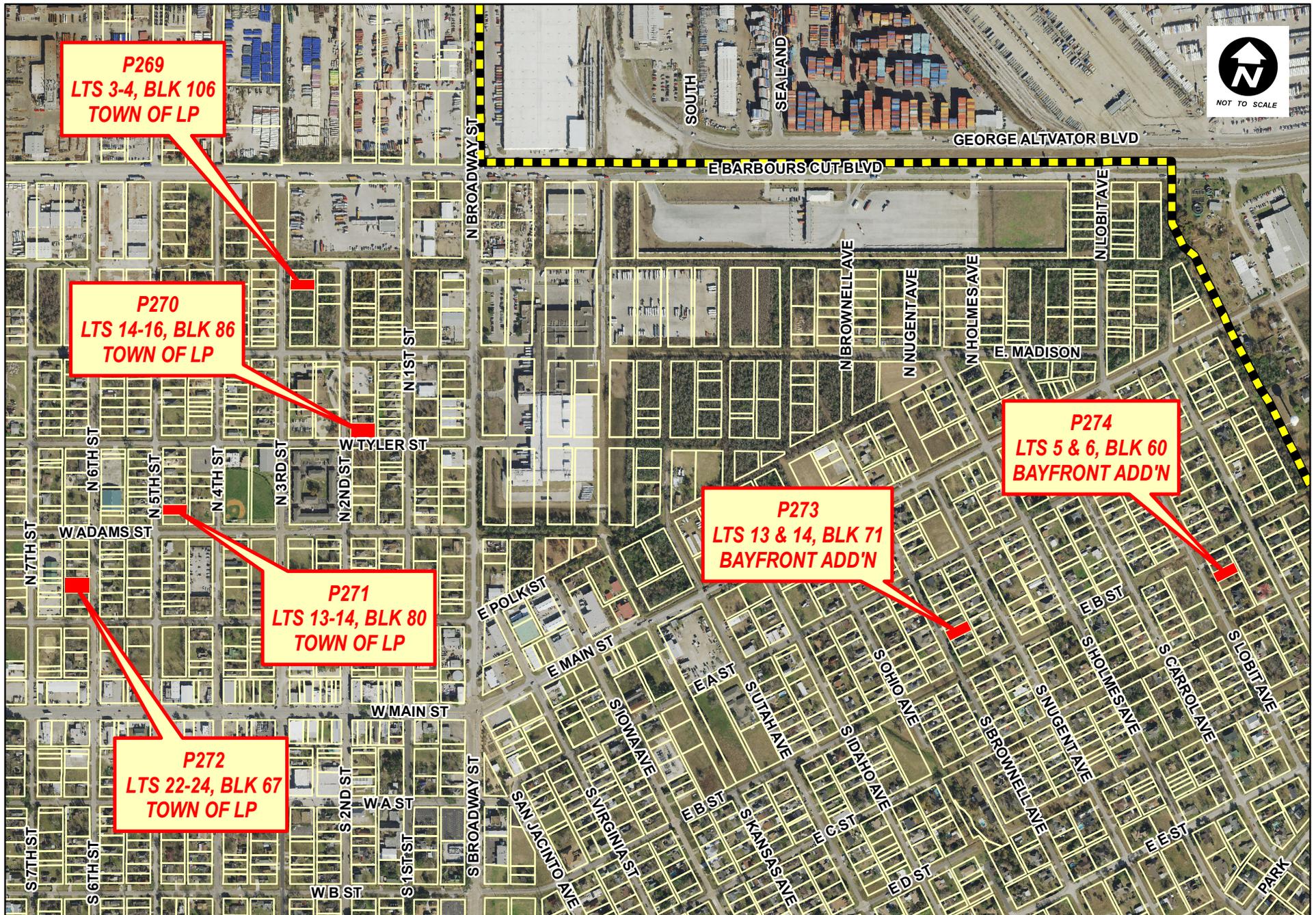
NOTARY PUBLIC, in and for the
STATE OF TEXAS
My Commission Expires: _____

After Recording
Return To: City of La Porte
2015 Fall Grant Project
604 W. Fairmont Parkway
La Porte, TX 77571

Resale Property P274

AREA MAP

FALL 2015 - BAY AREA HABITAT FOR HUMANITY BUILDING SITES



SPECIAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: October 26, 2015

Grantor: CITY OF LA PORTE, TEXAS, a municipal corporation

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

Grantee: BAY AREA HABITAT FOR HUMANITY – HOUSTON, INC.

Mailing Address: P. O. Box 1284, Dickinson, Texas 77539

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

Property (including any improvements):

- Tract 1: Lots 3 and 4, Block 106, of the Town of La Porte, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in the Office of the County Clerk of Harris County, Texas (HCAD Account No. 023-217-006-0003)
- Tract 2: Lots 14, 15, and 16, Block 86, of the Town of La Porte, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in the Office of the County Clerk of Harris County, Texas (HCAD Account No. 023-207-086-0014)
- Tract 3: Lots 13 and 14, Block 80, of the Town of La Porte, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in the Office of the County Clerk of Harris County, Texas (HCAD Account No. 023-204-080-0013)
- Tract 4: Lots 22, 23 and 24, Block 67, of the Town of La Porte, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in the Office of the County Clerk of Harris County, Texas (HCAD Account No. 023-198-067-0022)

Tract 5: Lots 13 and 14, Block 71, of the Bay Front Addition to the Town of La Porte, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in the Office of the County Clerk of Harris County, Texas (HCAD Account No. 006-161-000-0013)

Tract 6: Lots 5 and 6, Block 60, of the Bay Front Addition to the Town of La Porte, a subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 1, Page 27 of the Map Records of Harris County, Texas (HCAD Account No. 006-150-000-0005)

Reservations from and Exception to Conveyance and Warranty: Taxes for the current year are assumed by Grantee. This conveyance is made subject to all and singular the restrictions, conditions, oil, gas, and other mineral reservations, easements, and covenants, if any, application to enforcement against the above described property as reflected by the records of the County Clerk of the aforesaid county.

Grantor for the consideration and subject to the reservation from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim to the or any part thereof, by, through, or under Grantor, but not otherwise, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns may include the plural.

CITY OF LA PORTE, TEXAS

By:

LOUIS R. RIGBY
Mayor

ATTEST:

City Secretary

STATE OF TEXAS §

COUNTY OF HARRIS §

This instrument was acknowledged before me on the _____ day of October, 2015, by LOUIS R. RIGBY, Mayor of the City of La Porte, a municipal corporation.

Notary Public, State of Texas

AFTER RECORDING RETURN TO:
Askins & Askins, P.C.
P.O. Box 1218
La Porte, TX 77572-1218

PREPARED IN THE LAW OFFICE OF:
Askins & Askins, P.C.
P.O. Box 1218
La Porte, TX 77572-1218

Harris, Sharon

From: Courtney Beck <cbeck@bahfh.org>
Sent: Thursday, September 24, 2015 1:46 PM
To: Lee, Peggy
Subject: re: Bay Area Habitat for Humanity Property

Greetings Peggy,

Please use this email as confirmation that Bay Area Habitat for Humanity is willing and able to pay the outstanding \$18,739.69 required for 6 properties to be transferred to BAHFH for the purposes of building affordable housing opportunities in the city of La Porte. We have been and continue to be grateful for such an outstanding partnership between our organization and the City of La Porte!

In Partnership,

Courtney T. Beck
Executive Director
Bay Area Habitat for Humanity
2900 A Dickinson Ave
Dickinson, TX 77550
(O) 281-337-3590
(F) 281-764-8761

"What the poor need is not charity, but capital, not caseworkers but coworkers and what the rich need is a wise, honorable, and just way of divesting themselves of their overabundance." —Clarence Jordan, Spiritual Father of Habitat for Humanity

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: October 26, 2015

Appropriation

Requested By: Corby Alexander

Source of Funds:

Department: Administration

Account Number:

Report: Resolution: Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item: YES NO

Attachments :

1. Ordinance
2. Petition
3. Map

SUMMARY & RECOMMENDATIONS

Pursuant to local ordinance, the La Porte Community Civic Club has circulated a petition to rename a portion on North 5th Street to Dr. Martin Luther King, Jr. Drive. The petition has been signed by 75% of the adjoining property owners along North 5th Street to Barbours Cut.

Action Required of Council:

Consider approval or other action authorizing change of North 5th Street from Main to Barbours Cut to Dr. Martin Luther King, Jr. Drive.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2015-_____

AN ORDINANCE APPROVING AND AUTHORIZING THE RENAMING OF NORTH 5TH STREET TO DR. MARTIN LUTHER KING, JR. DRIVE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

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

Section 1. The City Council hereby approves and authorizes the renaming of North 5th Street, for its entire extent within the corporate limits of the City of La Porte, to Dr. Martin Luther King, Jr. Drive.

Section 2. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 3. This ordinance shall be effective from and after its passage and approval, and it is so ordered.

PASSED AND APPROVED this the 26th day of October, 2015.

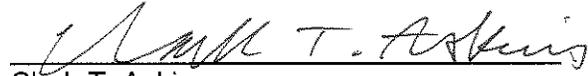
CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby
Mayor

ATTEST:

Patrice Fogarty
City Secretary

APPROVED:



Clark T. Askins
Assistant City Attorney

Petition to Rename N. 5th to Martin Luther King Street

My signature is to show my support for the renaming of North 5TH (between Babours Cut and West Main) to Martin Luther King Street.

Property Address

Owner Signature

| | | |
|----|-----------------------------|--------------------------|
| 1 | Mary H. 305 N. 5th | Mary H. Day |
| 2 | 301 N. 5th | Wesley Day / Mary |
| 3 | 418 N. 5th | Michelle Wagoner |
| 4 | 502 N. 5th | Samantha North |
| 5 | 510 N. 5th St | Daphne Goodfry |
| 6 | 516 N 5th | And. Hill |
| 7 | 326 N 5th | Matthew E. Tom |
| 8 | 146 218 N 5 | Christine Salazar |
| 9 | 222 N 5th | Shirley |
| 10 | 403 N. 5th St | Lavinia M. Bill |
| 11 | 202 N 5th St | Kerrel Kuhl |
| 12 | Sonia G 414 N 5th | Sonia G |
| 13 | 514 N. 5th St LaPorte TX | Walter W. Cooper |
| 14 | 330 North 5th St LaPorte TX | Amantania-Lake |
| 15 | 428 N. 5th St LaPorte TX | John C. |
| 16 | 331 N. 5th St | Ch. Safford |
| 17 | 310 N 5th St | W. J. Safford |
| 18 | 373 N 5th St LaPorte | W. J. Safford |
| 19 | 522 N 5th St LaPorte | Mandy Rayford |
| 20 | 226 N 5th St LaPorte | Maria Medrano |
| 21 | 204 N. 5th St LaPorte TX | Edward A.S. |
| 22 | 206 N 5th St LaPorte, TX | Rebecca Moore |
| 23 | 1008 N 5th LaPorte TX | Ray S. Howard |
| 24 | 429 N 5th LaPorte TX | Sandra Singleton |
| 25 | | |
| 26 | | |
| 27 | | |
| 28 | | |

Petition to Rename N. 5th to Martin Luther King Street

My signature is to show my support for the renaming of North 5TH (between Babours Cut and West Main) to Martin Luther King Street.

Property Address

Owner Signature

| | | |
|----|---------------------------------|----------------------------|
| 1 | Mary H. 305 N. 5th | Mary H. Gray |
| 2 | 301 N. 5th | Weston Gray/Mary |
| 3 | 418 N. 5th | Michelle Waggoner |
| 4 | 502 N. 5th | Stama Norick |
| 5 | 510 N. 5th St. | Daphne Goodfry |
| 6 | 516 N. 5th | Andy [unclear] |
| 7 | 326 N. 5th | Martin & Tom |
| 8 | 416 218 N. 5 | Reserve Salena |
| 9 | 222 N. 5th | Stacy [unclear] |
| 10 | 403 N. 5th St | Lavonne Hi Bill |
| 11 | 202 N. 5th St | Karl Karl |
| 12 | Sonie G 414 N. 5th | Devie G |
| 13 | 514 N. 5th St La Porte TX | Marta W. [unclear] |
| 14 | 330 North 5th St La Porte TX | Ameliana Lake |
| 15 | 428 N. 5th St La Porte TX | [unclear] |
| 16 | 331 N. 5th St | El [unclear] |
| 17 | 310 N. 5th St | [unclear] |
| 18 | 373 N. 5th St La Porte | [unclear] |
| 19 | 532 N. 5th St La Porte | [unclear] |
| 20 | 226 N. 5th St La Porte | Monique [unclear] |
| 21 | 204 N. 5th St La Porte TX | Diana [unclear] |
| 22 | 206 N. 5th St La Porte, TX | Edwina D-S. |
| 23 | 302 N. 5th St La Porte TX 77571 | Hebecca Mann |
| 24 | | Rafael [unclear] |
| 25 | | |
| 26 | | |
| 27 | | |
| 28 | | |

Petition to Rename N. 5th to Martin Luther King Street

My signature is to show my support for the renaming of North 5TH (between Babours Cut and West Main) to Martin Luther King Street.

Property Address

Owner Signature

| | | |
|----|------------------------------|-------------------------|
| 1 | Manly H. 305 N. 5th | Manly H. Hays |
| 2 | 301 N. 5th | Westin Hays / Manly |
| 3 | 418 N. 5th | Michele Waggoner |
| 4 | 502 N. 5th | Stamen North |
| 5 | 500 N. 5th St. | Daphne Goodfrey |
| 6 | 516 N 5th | And. Pitt |
| 7 | 326 N 5th | Martha E. Tomp |
| 8 | 416 218 N 5 | Cecilia Slocum |
| 9 | 222 N 5th | Theresa Hays |
| 10 | 403 N. 5th St | Lavonne M. Bell |
| 11 | 202 N 5th St | Lucy Ann |
| 12 | Donie G 414 N 5th | Donie G |
| 13 | 514 N. 5th St La Porte TX | Walter Walker |
| 14 | 330 North 5th St La Porte TX | Amantia Lake |
| 15 | 428 N. 5th St La Porte TX | John C. |
| 16 | 331 N. 5th St | Ch. Safford |
| 17 | 310 N 5th St | John C. H. Co. |
| 18 | 373 N 5th St La Porte | Marianne Foster |
| 19 | 533 N 5th St La Porte | Marianne Foster |
| 20 | 256 N 5th St La Porte | Marianne Foster |
| 21 | 204 N 5th St La Porte TX | Edw. A. S. |
| 22 | 206 N 5th St La Porte TX | Flbecca Moran |
| 23 | 219 N. 5th Street | Bonnie Dackett |
| 24 | | |
| 25 | | |
| 26 | | |
| 27 | | |
| 28 | | |

Petition to Rename N. 5th to Martin Luther King Street

My signature is to show my support for the renaming of North 5TH (between Babours Cut and West Main) to Martin Luther King Street.

Property Adress

Owner Signature

| Property Adress | Owner Signature |
|-------------------------------------|-------------------------------|
| 1 Mary H. 305 N. 5th | Mary H. Gray |
| 2 301 N. 5th | Walter Gray/Mary |
| 3 418 N. 5th | Michelle Wagener |
| 4 502 N. 5th | Stamir Nantz |
| 5 510 N. 5th St | Daphne Gray (Free) |
| 6 516 N 5th | Andy P.H. |
| 7 326 N 5th | Marta E. Tom |
| 8 418 218 N 5 | Cassius Salinas |
| 9 222 N. 5th | Theresa |
| 10 403 N. 5th St | Lavina M. Bill |
| 11 202 N 5th St | Kevin Paul |
| 12 202 N 5th St | Jessie G |
| 13 514 N. 5th St LA Porte TX | Matthew Walker |
| 14 330 North 5th St LA Porte TX | Amalanga-Lake |
| 15 428 N. 5th St LA Porte TX | John C |
| 16 331 N. 5th St | Col. Jeffrey |
| 17 310 N 5th St | John C |
| 18 373 N 5th St LA Porte | John C. Bill |
| 19 330 N 5th St LA Porte | Maureen R. King |
| 20 226 N 5th St LA Porte | Maureen R. King |
| 21 204 N. 5th St LA Porte TX | Edw. A. S. |
| 22 206 N 5th St LA Porte, TX | Rebecca Mann |
| 23 530 N 5th St LA Porte, TX. | Michelle Botwin memo 100 REP. |
| 24 | |
| 25 | |
| 26 | |
| 27 | |
| 28 | |

Petition to Rename N. 5th to Martin Luther King Street

Property Address

Owner Signature

| Property Address | Owner Signature |
|------------------|----------------------------|
| 1 209 N. 5th St. | Phyllis J. Tucker |
| 2 212 N. 5th St | Pat Wood |
| 3 324 N. 5th St | Carol Ann Crawford |
| 4 316 N. 5th St. | Wanda G. Bell |
| 5 432 N. 5th St. | M.L. Phillips |
| 6 423 N. 5th St | Theresa Henry Rep for ZHBC |
| 7 | |
| 8 | |
| 9 | |
| 10 | |
| 11 | |
| 12 | |
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Petition to Rename N. 5th to Martin Luther King Street

My signature is to show my support for the renaming of North 5TH (between Babours Cut and West Main) to Martin Luther King Street.

Property Adress

Owner Signature

| | | |
|----|----------------------------------|--------------------|
| 1 | May H. 305 N. 5th | May H. Day |
| 2 | 301 N. 5th | Wesley Day / May |
| 3 | 418 N. 5th | Michelle Waggoner |
| 4 | 502 N. 5th | Siama Nemb |
| 5 | 500 N. 5th St. | Daphne Goodfrey |
| 6 | 526 N 5th | And. P.H. |
| 7 | 326 N 5th | Marta E. Tom |
| 8 | 146 218 N 5 | Seasue Salas |
| 9 | 222 N 5th | Theresa |
| 10 | 403 N. 5th St | Lavinia W. Bill |
| 11 | 202 N 5th St | Paul Paul |
| 12 | Sonia G 414 N 5th | Sonia G |
| 13 | 514 N. 5th St La Porte TX | Math W. Ober |
| 14 | 380 North 5th St La Porte TX | Angela Lake |
| 15 | 428 N. 5th St La Porte TX | John C. |
| 16 | 331 N. 5th St | Ed. Duffey |
| 17 | 310 N 5th St | |
| 18 | 373 N 5th St La Porte | Jo. G. G. G. |
| 19 | 522 N 5th St La Porte | William Rowland |
| 20 | 226 N 5th St La Porte | Maria Medina |
| 21 | 204 N 5th St La Porte TX | Ed. G. G. G. |
| 22 | 206 N 5th St La Porte, TX | Rebecca Marie |
| 23 | 201 N. 5th St. La Porte TX | Ken F. L. |
| 24 | | |
| 25 | | |
| 26 | | |
| 27 | | |
| 28 | | |

Petition to Rename N. 5th to Martin Luther King Street

My signature is to show my support for the renaming of North 5TH (between Babours Cut and West Main) to Martin Luther King Street.

Property Address

Owner Signature

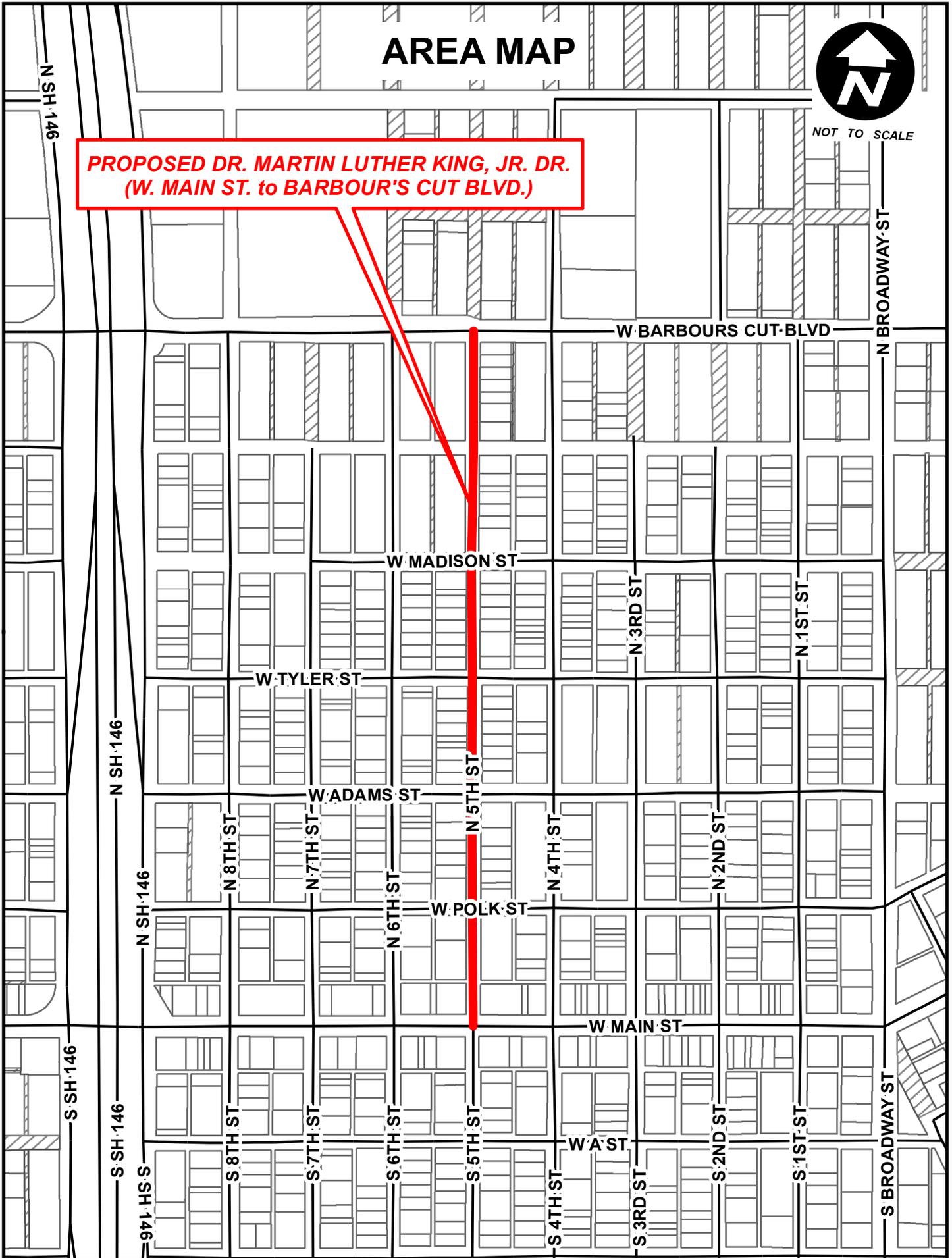
| | | |
|----|-----------------------------|-------------------------|
| 1 | Mary H. 305 N. 5th | Mary H. King |
| 2 | 301 N. 5th | Westis King/Mary |
| 3 | 418 N. 5th | Michelle W. King |
| 4 | 512 N. 5th | Siamese King |
| 5 | 510 N. 5th St | Daphne G. King |
| 6 | 516 N. 5th | Andy King |
| 7 | 326 N. 5th | Matthew E. King |
| 8 | 416 N. 5th | Deborah King |
| 9 | 222 N. 5th | Matthew King |
| 10 | 418 N. 5th St | David M. King |
| 11 | 203 N. 5th St | Kevin King |
| 12 | Done @ 214 N. 5th | Deborah King |
| 13 | 714 N. 5th St LaPorte TX | Maria Walker |
| 14 | 230 North 5th St LaPorte TX | Angela King |
| 15 | 428 N. 5th St LaPorte TX | John King |
| 16 | 331 N. 5th St | Ed King |
| 17 | 310 N. 5th St | John King |
| 18 | 373 N. 5th St LaPorte | John King |
| 19 | 532 N. 5th St LaPorte | Matthew King |
| 20 | 226 N. 5th St LaPorte | Maria King |
| 21 | 204 N. 5th St LaPorte TX | Edwards King |
| 22 | 206 N. 5th St LaPorte TX | Rebecca King |
| 23 | 1008 N. 5th LaPorte TX | Ray King |
| 24 | 429 N. 5th LaPorte TX | Sandra King |
| 25 | 132 N. 5th LaPorte TX | John King |
| 26 | | |
| 27 | | |
| 28 | | |

AREA MAP



NOT TO SCALE

**PROPOSED DR. MARTIN LUTHER KING, JR. DR.
(W. MAIN ST. to BARBOUR'S CUT BLVD.)**



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: October 26, 2015 Appropriation
Requested By: Patrice Fogarty Source of Funds: N/A
Department: City Secretary's Office Account Number:
Report: Resolution: Ordinance: Amount Budgeted:
Other: Amount Requested:
Budgeted Item: YES NO
Attachments :

SUMMARY & RECOMMENDATIONS

The La Porte City Council is authorized to make appointments to boards, commissions and committees. At the October 12, 2015, City Council meeting, most pending appointments were made. However, there are currently three boards with vacancies, as follows. Council requested this item be on the October 26 agenda.

Regarding the **Building Codes Appeals Board**, Lin Pfeiffer declined reappointment. He was in Position 4. This is not a Council District-specific appointment. This appointment will be for a three-year term expiring August 31, 2018, or until successors have been appointed and qualified. This Board shall consist of seven resident electors (registered voters) of the City of La Porte who the Council deems competent to serve on such board by virtue of their experience and training in matters pertaining to building construction. Members may not be employed by the City of La Porte. Current members are: Paul Larson, Mark Follis, J. P. Jackson, Ken Schlather, Terry Bunch, and Tom Campbell.

Regarding the **La Porte Area Water Authority**, Dennis Steger decline reappointment. This is not a Council District-specific appointment. This appointment will be for a two-year term expiring August 31, 2017, or until successors have been appointed and qualified.

Regarding the **Zoning Board of Adjustment** – At the October 12, 2015, meeting, Council appointed Nettie Warren to move from Alternate 1 to Position 5. Council also appointed Doug Martin to move from Alternate 2 to Alternate 1. Therefore, the Alternate 2 position is vacant. This is not a Council District-specific appointment. This appointment will be for a two-year term expiring August 31, 2017, or until successors have been appointed and qualified. The pool of candidates shall include members of the public and cannot include a current councilmember nor a member of the Planning and Zoning Commission. P&Z members are Hal Lawler, Trey Kendrick, Richard Warren, Helen LaCour, Mark Follis, Lou Ann Martin, Les Bird, Wyatt Smith, and Nick Barerra.

Action Required of Council:

Consider making an appointment to the Building Codes Appeals Board, the La Porte Area Water Authority, and the Zoning Board of Adjustment.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date



Council Agenda Item October 26, 2015

9. ADMINISTRATIVE REPORTS

- La Porte Development Corporation Board Meeting, Wednesday, October 28, 2015

10. COUNCIL COMMENTS regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies – Councilmembers K. Martin, Kaminski, Zemanek, Leonard, Engelken, Earp, Clausen, J. Martin and Mayor Rigby

11. ADJOURN
