

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



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

## **CITY COUNCIL MEETING AGENDA**

**Notice is hereby given of a Regular Meeting of the La Porte City Council to be held January 12, 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 Assistant City Attorney Clark Askins.
- 3. PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Councilmember Jay 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 minutes of the special meeting held on December 15, 2014 - P. Fogarty
  - (b)** Consider approval or other action authorizing the Planning Director to execute a Pipeline Permit to Dow Hydrocarbons and Resources, LLC, for the first phase of construction of a 12-inch Ethane Y-Grade pipeline with La Porte - T. Tietjens
  - (c)** Consider approval or other action of a professional service agreement with HDR Engineering, Inc., for on-going GIS Technical Services - T. Tietjens
  - (d)** Consider approval or other action authorizing city staff to accept quotes from Kraftsman Commercial Playgrounds & Water Parks for park equipment at City splash parks and initiating the BuyBoard purchase - R. Epting
  - (e)** Consider approval or other action regarding an Ordinance amending Chapter 70, Traffic and Vehicles of the Code of Ordinances, by adjusting speed limits on Highway 146 frontage roads - K. Adcox
  - (f)** Consider approval or other action utilizing the BuyBoard contract for equipment and installation through CAP Fleet Upfitters - K. Adcox
  - (g)** Consider approval or other action awarding Vehicle Replacements for Fiscal Year 2014-2015 to Austin Freightliner through Texas BuyBoard - D. Mick
  - (h)** Consider approval or other action awarding Bid #15005 for Water and Sewer Supplies - D. Mick
  - (i)** Consider approval or other action awarding Vehicle Replacement for Fiscal Year 2014-2015 to Brookside Equipment through Texas BuyBoard - D. Mick

**6. PUBLIC HEARINGS AND ASSOCIATED ORDINANCES**

- (a) Public Hearing to receive comments regarding recommendations by Planning and Zoning Commission to approve Rezone Request #14-92000004, for the rezoning of property described as 1.6611 acre tract of land located at the southeast corner of Spencer Highway and Underwood from Low Density Residential District(R-1) to General Commercial (GC) - E. Ensey
- (b) Consider approval or other action regarding an Ordinance amending Chapter 106 Zoning of the Code of Ordinances of the City of La Porte by changing the zoning classification from Low Density Residential (R-1) to General Commercial (GC) for a 1.6611 acre tract of land located at the southeast corner of Spencer Highway and Underwood - E. Ensey
- (c) Public Hearing to receive comments regarding condemnation of four (4) substandard buildings - R. Davidson
- (d) Consider approval or other action regarding Ordinances providing for condemnation of substandard buildings located at 500 W. Main and 303 S. Iowa - R. Davidson

**7. AUTHORIZATIONS/ORDINANCES**

- (a) Consider approval or other action regarding an Ordinance adopting the 2015 International Fire Code (IFC) with local amendments as recommended by the Fire Code Review Board and the La Porte Fire Marshal's Office - C. Meekins
- (b) Consider approval or other action regarding an Ordinance renaming the North Side Park, located at the corner of N. 4th and Tyler Streets, to the Martin Luther King, Jr., Park - P. Fogarty
- (c) Consider approval or other action of \$25,000 sponsorship of the 2015 International Federation of Disabled Sailors Blind Sailing World Championship, and consider approval or other action to include the funds in the City's quarterly FY 2015 Budget Amendment - Mayor Louis R. Rigby

**8. DISCUSSION OR OTHER ACTION**

- (a) Discussion or other action regarding proposed Legacy at La Porte Multifamily Development - E. Ensey
- (b) Discussion or other action regarding the surcharge fee component of the City of La Porte Industrial Waste Ordinance - D. Mick

**9. REPORTS**

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

**10. ADMINISTRATIVE REPORTS**

- City Council Meeting, Monday, January 26, 2015
- Fiscal Affairs Committee Meeting, Monday, January 26, 2015

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

**12. 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 January 12, 2015, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on January 6, 2015.

*Patrice Fogarty*



**Council Agenda Item  
January 12, 2015**

1. **CALL TO ORDER**
2. **INVOCATION** – The invocation will be given Assistant City Attorney Clark Askins.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Councilmember Jay Martin.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)

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## Council Agenda Item January 12, 2015

- 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.)*
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  - (c) Consider approval or other action of a professional service agreement with HDR Engineering, Inc., for on-going GIS Technical Services - T. Tietjens
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Councilmember District 6

## **MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF LA PORTE DECEMBER 15, 2014**

The City Council of the City of La Porte met in a special meeting on **Monday, December 15, 2014**, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at **5:00 p.m.** to consider the following items of business:

### **1. CALL TO ORDER**

Mayor Rigby called the meeting to order at 5:00 p.m. Members of Council present: Councilmembers Kaminski, Clausen, Earp, Moser, Leonard, and Engelken. Absent: Councilmembers Zemanek and Martin. Also present were City Secretary Patrice Fogarty, and City Manager Corby Alexander.

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

There were no public comments.

### **3. CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*

- (a)** Consider approval or other action regarding the minutes of the Regular Meeting held on December 8, 2014 – P. Fogarty

Councilmember Clausen moved to approve the minutes, as amended. Councilmember Leonard seconded. **MOTION PASSED.**

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

### **4. AUTHORIZATIONS**

- (a)** Consider authorizing the renewal of the City's Stop Loss Coverage – A. Curry

Councilmember Earp asked how much the City paid for the City's Stop Loss Coverage and how much was paid out by Voya as the Reinsurance provider. Vice-President Lance Pendley with McGriff, Seibels and Williams of Texas, Inc., responded zero claims were paid in 2013 and \$100,000.00 in claims through October for the current year. Councilmember Earp asked how much the City will pay for premiums for 2014. Mr. Pendley responded \$350,000.00. Councilmember Earp questioned the justification of an increase to renew the City's Stop Loss Coverage with Voya. Mr. Pendley responded it is a market increase. Councilmember Earp questioned if the City can request an extension for 30 days

to obtain additional bids. Mr. Pendley advised it can be extended, but the 12-month Stop Loss Agreement will be off from the calendar year plan. Councilmember Earp commented the increase is not justifiable. Councilmember Earp commented he has a problem with not having the opportunity to review the profit margins of the Stop Loss Agreement before being asked to make a decision on the item being presented. Mr. Pendley advised Council the intent was to include the item on the December 8, 2014 agenda; but he had to correct information that was not proper in the spreadsheet. Councilmember Earp commented that in the future, the item needs to be presented before the end of the year.

Councilmember Leonard moved to authorize the renewal of the City's Stop Loss Coverage. Councilmember Moser seconded. **MOTION PASSED.**

Ayes:	Mayor Rigby, Councilmembers Clausen, Leonard, and Moser
Nays:	Councilmembers Earp, Kaminski and Engelken
Absent:	Councilmembers Martin and Zemanek

**5. ADMINISTRATIVE REPORTS**

There were no reports.

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

Councilmembers Clausen reiterated with Councilmember Earp about starting earlier with the Stop Loss Coverage renewal process and wished everyone a Merry Christmas; Councilmember Kaminski commented the Employee Christmas Party was nice and wished everyone a Merry Christmas; Councilmember Engelken reiterated what was said about starting earlier with the renewal process and wished everyone a Merry Christmas; Councilmember Earp commented he deals with insurance a lot in private industry and has changed insurance agents after doing business with them for many years because of increased premiums; he also wished everyone a Merry Christmas; Mayor Rigby commented the motion was to adopt what was presented and not to go back and negotiate something that was already done. Mayor Rigby also added twelve bids were sent out, and only two bids were returned; some responded they could not be competitive. Councilmember Earp advised he understands the process. Mayor Rigby also wished everyone a Merry Christmas and a great 2015.

**7. ADJOURN**

There being no further business, the meeting adjourned at 5:17 p.m.

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Patrice Fogarty, City Secretary

Passed and approved on January 12, 2015.

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Mayor Louis R. Rigby

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: January 12, 2015 Appropriation  
Requested By: T. Tietjens Source of Funds:  
Department: Planning & Development Account Number:  
Report:  Resolution:  Ordinance:  Amount Budgeted:  
Exhibits: Pipeline Permit Amount Requested:  
Other:  Application; Pipeline Permit #14- Budgeted Item:  YES  NO  
37000003; Area Map

### Attachments :

1. Pipeline Permit Application
2. Pipeline Permit # 14-37000003
3. Area Map

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### SUMMARY & RECOMMENDATIONS

Dow Hydrocarbons and Resources, LLC, has made application with the City to construct the first phase of a 12" Ethane Y-Grade Liquids pipeline within La Porte. The overall project will originate at Dow Chemical Company's Union Carbide Plant in Texas City and will terminate at the company's Mont Belvieu facility. The company seeks to permit the 'La Porte' segment of its project in two individual phases. The first of which is the subject of this application. The second phase will be presented to Council at a later date.

Staff's review of the company's first phase construction plan has determined that no existing city utilities or drainage will be affected by the pipeline's construction.

Upon approval of Council, the Director of Planning will execute a construction permit to Dow Hydrocarbons and Resources, LLC, in duplicate originals, one which shall be delivered to the Permittee; and one which shall be retained by the City, as required by ordinance.

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### Action Required of Council:

Consider approval or other action authorizing the Planning Director to execute a Pipeline Permit to Dow Hydrocarbons and Resources, LLC, for the first phase of construction of a 12-inch Ethan Y-Grade liquids pipeline within the city of La Porte.

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**Approved for City Council Agenda**

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**Corby D. Alexander, City Manager**

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**Date**

**City of La Porte, Texas**  
**Pipeline Permit Application**

.....**Information of Owner and Applicant**.....

Company Name: Dow Hydrocarbons and Resources, LLC

Company Address: 1254 Enclave Pkwy, Houston, TX 77077

Phone & Fax Number: (281)966-4088 ph; Email: jhdiel@dow.com

Person Submitting Application: Chico Negual

Title of Person Submitting Application: Permitting Right-of-way Agent – Wood Group Mustang

Phone & Fax Number: (479) 283-7498 ph; (972) 739-6715 fax Email: dnegual@hotmail.com

Acting for Owner as: Permit Agent

Principal Contact for Submittal Information: Jere Dial

Title of Principal Contact: Manager Land and Right-of-way

Phone & Fax Number: (281)966-4068 ph; (281)966-4050 fax Email: jhdiel@dow.com

.....**Information on Twenty-Four Hour Emergency Contacts**.....

Twenty-Four Hour Emergency Contact: Dow Pipeline Company

Title of Twenty-Four Hour Emergency Contact: Dow Pipeline Company 24-Hour Emergency Line

Phone and Fax Number: (800) 223-4412

Other Numbers for Emergency Contact (pager, cellular, etc.): \_\_\_\_\_

Alternate Twenty-Four Hour Emergency Contact: \_\_\_\_\_

Title of Alternate Twenty-Four Hour Emergency Contact: \_\_\_\_\_

Phone and Fax Number: \_\_\_\_\_

Other Numbers for Alternate Contact (pager, cellular, etc.): \_\_\_\_\_

.....**Information on Twenty-Four Hour Emergency Contacts**.....

Size in Diameter: 12-inch Commodity(s): Ethane Y-Grade Liquids

Origin Point: Dow Chemical Company's Union Carbide Plant in Texas City, Galveston County

Destination Point: Dow Chemical Company's Mont Belvieu facility in Mont Belvieu, Chambers County

Normal Operating Pressure: psi Maximum Operation Pressure: 2160 psi

Maximum Allowable Temperature (if applicable): N/A



# City of La Porte Planning and Development Department

Established 1892

Tim Tietjens, Director

January 12, 2015

Dow Hydrocarbons and Resources, LLC  
1254 Enclave Pkwy.  
Houston, TX 77077  
Attn: Mr. Chico Negual/Wood Group Mustang

**RE: Pipeline Transportation Permit (PT-14-37000003)**

Dear Mr. Negual:

Your application for a permit to construct a 12" Ethane Y-Grade Liquids pipeline within the city limits of La Porte has been approved by La Porte City Council. You are hereby authorized to begin your project as governed by regulations set forth in City of La Porte Ordinance 2004-2755 and the conditions stipulated below:

1. Notify City Staff no less than 48 hours prior to commencement of construction.
2. Post copies of this Permit at all public right-of-way crossings.
3. Per Sec. 102-235, Item (k) of La Porte's Code of Ordinances (Ord. 2004-2755): "the Permittee shall, at any time in the future, where such pipeline or portion thereof crosses or is laid within, under or across any street, road or utility right-of-way, drainage way or public way existing or projected at the time the permit is issued, reposition such pipeline (which shall include lowering or raising the pipeline, as well as casing it, if required) at the Permittee's sole expense, when the City reasonably requires such action incidental to public construction or public improvement: construction, maintenance and improvement of streets, water lines, sanitary sewer lines, storm sewers, ditches and public utilities. The City shall give the Permittee prior written notice of the need for repositioning location, and such notice shall be mailed certified mail, return receipt requested, to the Permittee as designated in the application. The Permittee shall have six (6) months to complete such repositioning.
4. Any and all construction materials utilized by the pipeline contractor for access across any and all drainage ditches, drainage paths and/or drainage channels shall be promptly removed by the contractor upon completion of construction at each crossing.
5. Any fill material resulting from construction shall be removed or be subject to a Fill Permit from the City.
6. Prior to an anticipated major rain event, contractor shall remove all construction-related materials and/or fill from any drainage way or roadside ditch as to not impede storm water runoff.

Sincerely,

Tim Tietjens  
Planning Director

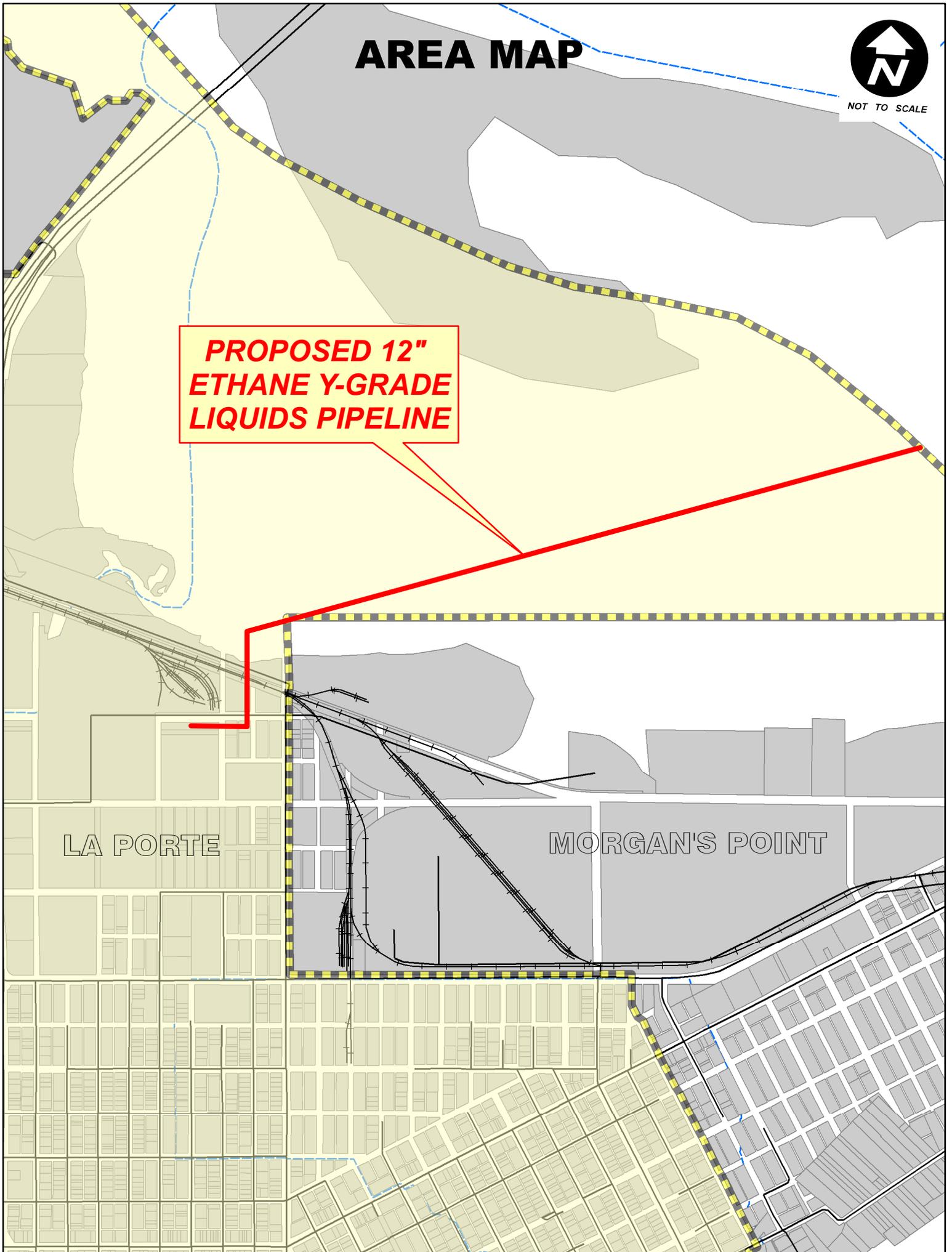
CC: Finance Department; PT-12-37000001 File

# AREA MAP



NOT TO SCALE

**PROPOSED 12"  
ETHANE Y-GRADE  
LIQUIDS PIPELINE**



## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested:	<u>January 12, 2015</u>	<u>Appropriation</u>
Requested By:	<u>T. Tietjens</u>	Source of Funds: <u>General Funds</u>
Department:	<u>Planning &amp; Development</u>	Account Number: <u>00190915195007</u>
Report: <input checked="" type="radio"/>	Resolution: <input type="radio"/> Ordinance: <input type="radio"/>	Amount Budgeted: <u>70,000</u>
Other: <input type="radio"/>		Amount Requested: <u>70,000</u>
<b>Attachments :</b>		Budgeted Item: <input checked="" type="radio"/> YES <input type="radio"/> NO

### 1. Proposal for GIS Technical Services

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#### SUMMARY & RECOMMENDATIONS

The City has utilized the services of HDR Engineering, Inc. for technical support in many of its GIS-related projects.

Planning & Development Staff has identified four priorities for which the technical assistance of HDR will be required in the current budget year:

1. Address Management
2. Subdivision and Easements Feature Class Completion
3. ArcGIS for Server License Installation
4. Technical Support and Training

A detailed description of each of these current priorities is further described in the attached proposal.

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#### Action Required of Council:

Consider approval or other action of a professional services agreement with HDR Engineering, Inc. for on-going GIS technical services.

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**Approved for City Council Agenda**

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**Corby D. Alexander, City Manager**

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**Date**



December 10, 2014

Mr. Brian Sterling, GIS Manager  
City of La Porte  
604 W. Fairmont Parkway  
La Porte, Texas 77571

Re: On-Going GIS Technical Services Proposal  
Fiscal Year FY1415  
City of La Porte

Dear Mr. Sterling:

HDR Engineering Inc. is pleased to offer the City of La Porte (the "Owner") this proposed agreement for GIS Technical Services. Such services would be provided by HDR Engineering, Inc. (the "Engineer") on an on-call basis, as ordered by the Owner. It is anticipated that the Engineer will perform GIS Technical Services for the Owner within the framework of the following four (4) categories:

1. Address Management - These services will consist of the following tasks:
  - a. Perform a comparative analysis of existing site addresses existing contained the following three data sources:
    - 1) Harris County Appraisal District parcels data
    - 2) Exported data from City of La Porte Utility Billing database
    - 3) City of La Porte OSSI Computer Aided Dispatching address database (feature points)
  - b. Research non-matching address numbers from the comparative analysis (item 1.a above) to verify actual existence, location, and necessary changes to allow for matches between the three sources.
  - c. Create a mobile application to be used in gathering individual suite numbers, apartment numbers, etc. to supplement the development of existing and modified address points feature class created as a part of the comparative analysis and research listed above (item 1.a and 1.b above).
  - d. Use consolidated address feature class (created merging data from items 1.a, 1.b, and 1.c above), along with guidance from City Staff, to rectify addresses currently existing in NaviLine database. This step will begin with onsite training from Tax Office Department Head then continue via a remote connection to same to be established by City of La Porte IT Department.
2. Subdivision and Easements Feature Class Completion - These services will consist of the following tasks:
  - a. Complete the creation of a feature class containing all known subdivisions for which a plat is available either through the City of La Porte or the Harris County Clerk's website <http://www.cclerk.hctx.net/applications/websearch/MC.aspx>.

hdrinc.com

4635 Southwest Freeway, Suite 1000  
Houston, TX 77027  
T 713-622-9264 F 713-622-9265  
Texas Registered Engineering Firm F-754

- b. Complete the creation of a feature class containing easements as contained in:
  - 1) Subdivision plats obtained as a part of item 2.a above.
  - 2) Easements granted by separate documents as provided to HDR by the City of La Porte staff containing adequately detailed metes and bounds descriptions to enable the use of COGO tools in ArcGIS software for creation
  - 3) Addition of both feature classes to the City's public and secure online GIS websites complete with linked PDFs of subdivision plats obtained in item 1.a)
3. ArcGIS for Server License Installation – HDR GIS and IT Professionals will assist the City of La Porte IT Department in the remote installation and configuration of an existing City of La Porte ArcGIS for Server license on a virtual server meeting minimum specifications as recommended by HDR to City IT staff.
4. Technical Support and Training - These services will consist of the following tasks:
  - a. Group and/or individual training and technical support on use of the City of La Porte ArcGIS Online subscription account.
  - b. Technical support and training for GIS staff in the use of the ArcGIS for Server software.
  - c. General GIS support (as needed) for technical, data, and troubleshooting issues

The services provided in response to the Owner's request would be identified under a basic job/activity number to be assigned to this agreement at the fee rate cited hereinafter. It is proposed that the fee to be paid for all services provided under this agreement will be computed as described in Attachment "A", which is a part of this letter agreement. We will bill you monthly for services and reimbursable expenses. Actual hourly rates are subject to change by Engineer in the normal conduct of Engineer's Business. Hourly rates, multiplier, salary cost markups and mileage rate are subject to adjustment upward or downward over time and the Engineer reserves the right to offer, at any future date, a revised multiplier rate, salary cost markup and mileage rate as a substitute for those previously in force, such action to be accomplished by an endorsement to this agreement and executed by both parties. However, each General GIS Services request, as described in the preceding paragraphs, shall be carried to completion using the multiplier schedule in effect at its initiation. The amount of this proposed agreement is for a NTE amount of \$70,000.

Services of specialized vendors such as reproduction companies, computer programmers, etc. will be accomplished by subcontract and billed to the Owner at cost plus ten percent (10%) as indicated in Attachment "A" or such services may be contracted for directly by the Owner if desired. If these services are contracted directly by the Owner, the Engineer assumes no responsibility for the adequacy of these services.

The "General Conditions of Agreement Between Owner and Engineer" are attached (Attachment B) and shall be a part of this letter agreement.

Our services will be available immediately upon the Owner's acceptance of this proposed letter agreement. Please indicate Owner acceptance of this letter agreement, by affixing your signature or that of your authorized representative in the space below and returning one copy to our office.

We appreciate the opportunity to serve the City of La Porte and look forward to continuing a successful relationship.

Sincerely,

HDR ENGINEERING, INC.

Proposed and Agreed to:



DAVID WESTON  
Vice President/Department Manager

Accepted By:  
City of La Porte, Texas  
Signature:

Name: Tim Tietjens  
Title: Director of Planning  
Date:

## ATTACHMENT "A"

### FEE BASIS - MULTIPLIER SCHEDULE

The charge for services invoiced on an hourly basis will be the sum equal to 2.35 times salary costs of employees assigned to and working on the Project. The multiplier covers general overhead, professional development and profit.

"Salary Cost" is defined as the cost of actual salaries of engineers, technicians, draftsmen, clerks, etc. for time directly chargeable to the Project, plus thirty percent (30%) for social security contributions, unemployment and payroll taxes, workmen's compensation insurance, retirement benefits, medical and insurance benefits, sick leave, jury duty, vacation and holiday pay applicable thereto. The actual salary rates shall include premium for overtime, when premium rates are actually paid.

"Subcontract Expense" is that incurred by the Engineer in employment of outside firms for services such as computer programming, data acquisition, and similar services. "Direct Non-Labor Expense" is that incurred by the Engineer for supplies, transportation, equipment, travel, communications, copies, prints of maps, postage, subsistence and lodging away from home, and similar non-labor expense will be invoiced at direct invoice cost plus ten percent (10%) service charge. Reimbursable travel in the Engineer's vehicles will be invoiced at the published IRS rate per mile at the time of service.

The range of Labor Rates currently in effect by the Engineer is presented on the following table. This range may change depending upon raises and personnel changes. The fee basis multiplier presented in this Attachment will not change without authorization from the Owner.

#### Labor Rates

Project Manager General	\$190.00 - \$215.00
GIS Manager	\$120.00 - \$135.00
GIS Programmer	\$ 80.00 - \$105.00
GIS Technician	\$ 40.00 - \$ 75.00
GIS Intern	\$ 30.00 - \$ 60.00

**Computer Tech Charge\*** \$3.70 per billable hour

\*HDR's policy is to recover costs incurred from the use of computers and related technology through allocations to External projects. We follow generally accepted accounting principles and comply with Federal Acquisition Regulations (FAR) and Federal Cost Accounting Standards (CAS).

The technology charge is a fixed dollar amount applied to every hour of labor charged to an External Project. This is used to accumulate costs that are incurred in performing services for clients under a contractual agreement.

The cost items are associated with External project production, including, but not limited to the following items: leased personal and laptop computer equipment, servers, software, local and wide-area networks, supplies and support staff.

The technology charge cost pool does not include the following items: plotting, copying and printing, telephone and cell phone charges, faxes, and administrative computer and technology costs.

**"ATTACHMENT B"**  
**GENERAL CONDITIONS OF AGREEMENT**  
**BETWEEN OWNER AND ENGINEER**

**1. COORDINATION WITH THE OWNER:**

The Engineer shall hold periodic conferences with the Owner, or his representatives, to the end that the Project, as it progresses, shall have benefit of the Owner's experience and knowledge of existing needs and facilities, and be consistent with current policies. To implement this coordination, the Owner shall make available to the Engineer, for use in planning the Project, all existing plans, maps, field notes, statistics, computations and other data in Owner's possession relative to existing facilities and to the Project. The Owner shall furnish all legal, accounting and insurance counseling services, and other special consultants. The Engineer shall be entitled to rely on the completeness and accuracy thereof. If the Owner observes, or otherwise becomes aware of any fault or defect in the Project, prompt written notice thereof shall be given by the Owner to the Engineer.

**2. FEES**

For and in consideration of the services to be rendered by the Engineer, the Owner shall pay, and the Engineer shall receive the fees set forth in the attached agreement. Unless otherwise specified, fees shall be paid to the Engineer in accordance with monthly billings based upon work performed and expenses incurred during that month. The Engineer's final payment is due and payable upon completion of the Engineer's services.

**3. OWNERSHIP OF DOCUMENTS**

Electronic GIS files and correspondence prepared by the Engineer shall be and remain the property of the Owner, provided that the Engineer has received full compensation due. The Engineer may retain copies of such electronic files and correspondence.

**4. TERMINATION; SUSPENSION OF WORK**

This Agreement may be terminated by either party by thirty days' written notice.

If the Project is terminated, abandoned or suspended, the Engineer shall be equitably paid for services rendered prior to effective termination notice date and for reasonable termination expenses.

**5. PROFESSIONAL RESPONSIBILITIES**

Services will be performed in accordance with sound and generally accepted principles as expeditiously as is consistent with professional skill and care and the orderly progress of the work. The Engineer shall not be liable for any indirect or consequential loss or damage arising out of the performance of services hereunder, including, but not limited to, loss of profit, or business interruption, unless caused by negligence of the Engineer.

**6. FORCE MAJEURE**

The Engineer shall not be responsible or liable for any loss, damage, or delay caused by force majeure, which shall include riot, insurrection, embargo, fire or explosion, the elements, act of God, epidemic, war, vandalism or sabotage, earthquake, flood, strike, boycott, picketing, act of any government official or agency - civil or military, unavoidable accident, unlawful act of third parties, or any cause, whether or not similar to the foregoing, which loss, damage or delay is beyond the Engineer's reasonable control.

**7. MISCELLANEOUS PROVISIONS**

- A. Unless otherwise specified, this Agreement shall be governed by the law of Harris County, Texas.
- B. The Owner and the Engineer waive all rights against each other and against the employees of the other for damages covered by any property insurance under the Project Construction Specifications.

**8. SUCCESSORS AND ASSIGNMENTS**

The Owner and the Engineer each binds itself and its partners, successors, executors, administrators and assigns to the other party of the Agreement and to the partners, successors, executors, administrators and assigns of such other party, in respect to all covenants of the Agreement. Except as above, neither the Owner nor the Engineer shall assign, sublet, or transfer his interest in the Agreement without the written consent of the other and they further agree that the agreement represents the entire understanding of the Owner and the Engineer and cannot be changed, added to or modified in any way except by an instrument in writing signed by the Owner and by the Engineer. The Owner and Engineer agree to the full performance of the covenants contained herein.

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>January 12, 2015</u>	<u>Appropriation</u>
Requested By: <u>R. Epting</u>	Source of Funds: <u>015</u>
Department: <u>Parks &amp; Recreation</u>	Account Number: <u>015.9892.692.1100/015.9892.691.1100</u>
Report: <input checked="" type="radio"/> Resolution: <input type="radio"/> Ordinance: <input type="radio"/>	Amount Budgeted: <u>1,100,000</u>
Other: <input type="radio"/>	Amount Requested: <u>53,896</u>
<b>Attachments :</b>	Budgeted Item: <input checked="" type="radio"/> YES <input type="radio"/> NO
<b>1. Northside Shade, Picnic Tables &amp; Pads Quote Amount</b>	
<b>2. Northside SplashPark Benches &amp; Pads Quote</b>	
<b>3. Fairmont SplashPark Benches &amp; Pads Quote</b>	
<b>4. Northside SplashPark Draft Site Plan</b>	
<b>5. Fairmont SplashPark Draft Site Plan</b>	

### SUMMARY & RECOMMENDATIONS

Kraftsman Commercial Playgrounds & Water Parks has provided a quote for park equipment at each of the SplashParks that will be located at Fairmont Park and Northside Park. There are two quotes for Northside Park that include 4 picnic tables, 2 shade structures, 2 benches, and concrete work that would be required for each of them. The Fairmont Park quote includes 4 benches and the concrete work that would be required for them. Staff did not request shade structures or picnic tables at Fairmont Park due to the number of mature trees providing shade and picnic tables already located at the park.

The budget for the projects is as follows:

Total Budget	\$1,100,000.00
<b>Previously Approved Items:</b>	
SplashPark Equipment Quotes (Council Approved Nov 2014)	\$697,451.60
Available Balance After SplashPark Equipment	\$402,548.40
<b>Items for Consideration Tonight:</b>	
<b>Fairmont Park</b>	
Benches (4) & Concrete Pads	\$6,468.99
<b>Northside Park</b>	
Benches (2) & Concrete Pads	\$4,453.25
Shade Structures (2), Picnic Tables (4) & Concrete Pads	\$42,973.74
Subtotal for Bench/Shade Structure/Picnic Table Quotes	<b>\$53,895.98</b>
Available Balance After Bench/Shade Structure/Picnic Table	\$348,652.42
<b>Work Still to be Done:</b>	
Available balance for additional work items (additional sidewalks, utility work, landscaping, fencing, etc.)	\$272,652.42
Bathroom (Estimate)	\$65,000.00
10% Project Contingency	\$11,000.00

The equipment that will be purchased from Kraftsman will be a BuyBoard purchase (Contract 423-13).

Staff recommends approval of the park equipment quotes for both of the SplashParks.

### **PROJECT BENEFITS, LIABILITIES, & OPERATING COSTS**

#### **Project Benefits:**

- Increased opportunity for: recreational activities, socialization, and youth exercise.
- Alternative for those individuals that do not swim.

#### **Liabilities of Maintaining the Status Quo:**

- Individuals will continue to use the recreational opportunities that already exist in those areas.

#### **Operating Costs:**

- Increase in chemical, electricity, and water costs in future years. Staff is estimating an expense of approximately \$9,000 per year, per SplashPark. This includes chemicals, electricity, and water.
- Repair and replacement costs that occur outside of the warranty period.

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#### **Action Required of Council:**

Consider approval or other action authorizing staff to accept the quotes from Kraftsman Commercial Playgrounds & Water Parks for park equipment at both SplashParks and initiate the BuyBoard purchase.

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#### **Approved for City Council Agenda**

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**Corby D. Alexander, City Manager**

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**Date**



**Kraftsman**  
 COMMERCIAL PLAYGROUNDS &  
 WATER PARKS  
 19535 Haude Road  
 Spring TX 77388  
 Phone: 281-353-9599  
 Fax: 281-353-2265

**Quote #Q50687**

Date: 10/9/2014  
 Project: 16062  
 By: David Ondrias

**Sold To:** La Porte, City of  
 Mr. Scott Bradley  
 LaPorte Northside Park SplashPark  
 1322 S. Broadway  
 LaPorte TX 77571  
 Phone: 281-470-5141 Fax:  
 Terms:  
 33% down, balance as percentage of completion

**Ship To:** La Porte, City of  
 Mr. Scott Bradley  
 LaPorte Northside Park SplashPark  
 322 N. 4th Street  
 LaPorte TX 77571  
 Main Phone: 281-470-5141 Mobile Phone: 281-204-5293

Qty	Product	Description	Size	Weight	Color	Unit Price	Ext. Price
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**BuyBoard Quote**

Shade Structures and Picnic Tables for SplashPark per Plan

2023	CONC4RB	Concrete Pad, 4" thick concrete pad with, rebar reinforced, broom finish.				9.75	19,724.25
2	BS20158TCG	T Cantilever Shade structures.				3,685.00	7,370.00
4	PIERS30X72	Concrete piers, for pavilion & canopy columns, with anchor bolts set if required, By: Kraftsman	30" x72"			1,087.00	4,348.00
1	F1038	8' Expanded Rectangular Traditional Edge Ada Table - Portable . By: ANOVA		383		945.00	945.00
3	F2003	6' Expanded Rectangular Table Traditional Edge 2 3/8" Od Frame - Portable . By: ANOVA		335		825.00	2,475.00
1	DISCBB	Discount on BuyBoard Purchase, BuyBoard Contract #423-13				-908.00	-908.00
1	BOND1	Performance & Payment Surety Bond, and processing of the bond documentation.				1,293.24	1,293.24

Subtotal:	\$35,247.49
Shipping & Handling:	\$2,016.25
Equipment Subtotal:	\$37,263.74
Tax:	\$0.00
Install:	\$5,710.00
<b>Total:</b>	<b>\$42,973.74</b>



Date:	10/9/2014
Project:	16062
By:	David Ondrias

## Notes

**Subject: Buy Board**

**Date: 10/9/2014**

Proposal is submitted with applicable discounts per Buy Board program to reflect established discounts on Superior Shade Canopies

**Subject: Bonding**

**Date: 10/9/2014**

Fees for completion, performance, and / or payment bonds are included.

**Subject: Building Permits & Engineering Stamps**

**Date: 10/9/2014**

1. Building permits are not provided.  
2. Engineer stamped plans are included.  
Additional charges will apply if these services are provided and / or required for completion of the project.

**Subject: Site Work**

**Date: 10/9/2014**

Site preparation, grading, and fill materials are not included. Site is to be within 1" of final grade by others.

**Subject: Locating for Underground Utilities**

**Date: 10/9/2014**

Kraftsman is responsible for public utility locating:  
Kraftsman will call and arrange for utility locating with the public utilities stake out providers. All Public Utilities, including Phone, Electrical, Gas, Cable, and Fiber Optics are to be staked prior to installation. Kraftsman will arrange with Public Utility Stake Out providers for a date that this is to be completed prior to Kraftsman arriving on site.

Customer is to locate, mark, and provide information for all privately owned utilities that are not marked by the Public Utility providers, for all utility service lines below grade that are privately owned. These will include any and all of the following: electrical, water lines, gas lines, irrigation lines, sewer and storm lines, cable service lines, fiber optic or other IT lines, which are privately owned by the property owner.

Kraftsman is not responsible for any underground utilities which are not marked or located by the owner or public utilities stake out providers. Damages to underground utilities for electrical, water, irrigation, and other listed above will not be repaired by Kraftsman and will be the owners expense and responsibility.

**Subject: Installation**

**Date: 10/9/2014**

Installation quoted includes:  
1. Installation of required foundations as specified in the proposal line items, per standard Kraftsman construction techniques.  
2. Haul off of soil and concrete spoils from project site, or distribution and leveling of any excess soils from excavation, if there is an area approved by customer for filling low areas on the facility  
2. Installation does not include concrete pad or surfacing unless individually listed as a line item in proposal.



**Kraftsman**  
 COMMERCIAL PLAYGROUNDS &  
 WATER PARKS  
 19535 Haude Road  
 Spring TX 77388  
 Phone: 281-353-9599  
 Fax: 281-353-2265

**Quote #Q50687**

Page: 3

Date:	10/9/2014
Project:	16062
By:	David Ondrias

**Subject: Items Not Included**

**Date: 10/9/2014**

1. Finish landscaping, sodding or seeding of disturbed areas.
2. Concrete deck or deck surfacing unless individually listed as line item on proposal.
3. Concrete lead or other concrete deck areas, unless noted as separate line item on proposal.
4. Patching of existing concrete decorative coatings, staining, coloring, or surfacing if any existing concrete deck is removed during excavation for piers.
5. Site amenities, unless included as line-items on this quote.
6. Temporary security fence during construction.
7. Storm Water Control fencing or engineering

**Subject: Insurance Terms**

**Date: 10/9/2014**

Kraftsman will supply a certificate of insurance verifying the limits of coverage. See terms page for details and charges for naming additional insured parties or adding special coverage's if required.

**Subject: Sales Tax**

**Date: 10/9/2014**

Sales tax is not included in prices quoted. Customer is to supply Sales Tax Exemption or Sales Tax Resale certificate at time of acceptance of proposal, or sales tax will be added to final contract and invoicing for the project.

**Subject: Project Completion**

**Date: 10/9/2014**

Shipping date from factory will be approximately 4 to 8 weeks from the date ordered, provided that the following has been completed and approved by the customer:

1. Project product submittals reviewed, approved and returned.
2. Color selection sheet (signed and dated)
3. Physical project address
4. All contact names and phone numbers
5. Exemption certificate (if applicable)
6. Deposit per contract

Allow approximately 4 to 6 weeks for project completion upon delivery from manufacturer, weather permitting.

**Subject: Care, Maintenance, and Warranties of**

**Date: 10/9/2014**

Fabric Shade Canopies are designed to withstand normal wind loads and weather conditions, and will provide years of sun, heat, hail & UV protection with minimal maintenance. Warranties shall be void if damage to or failure to the shade structure is caused by contact with chemical, misuse, vandalism, fireworks or acts of God, including but not limited to, ice, snow or wind in excess of the applicable building code parameters. All fabric tops are warranted for sustained winds up to 76 mph and for gusts of up to 3 seconds duration up to 90 mph with no snow or ice accumulation. Damage caused by flying debris is not covered. Fabric is not warranted where it is installed on a structure that is not engineered or built by the manufacturer.



# Kraftsman

COMMERCIAL PLAYGROUNDS &  
WATER PARKS

19535 Haude Road  
Spring TX 77388  
Phone: 281-353-9599  
Fax: 281-353-2265

## Quote #Q50687

Page: 4

Date:	10/9/2014
Project:	16062
By:	David Ondrias

**Subject: Acts of Nature**

**Date: 10/9/2014**

Fabric Shade Canopy warranties do not cover natural disasters, such as earthquakes, shifts in terrain or tornados. If the structure is installed in an area exposed to hurricanes, removal of the shade fabric is required when a hurricane warning is issued. Structures are warranted for winds up to 145 mph, only if the shade canopy fabric has been removed as per requirements by the manufacturer. Care must be taken during removal of canopies so as not to damage the fabric or connection points and hardware. Contact Kraftsman or the manufacturer of the canopy if there are questions in regards to proper removal and reinstallation processes and procedures.

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Shipping & Handling:



**Kraftsman**  
**COMMERCIAL PLAYGROUNDS &**  
**WATER PARKS**  
 19535 Haude Road  
 Spring TX 77388  
 Phone: 281-353-9599  
 Fax: 281-353-2265

**Quote #Q50687**

Page: 5

Date:	10/9/2014
Project:	16062
By:	David Ondrias

## Terms

*Sold To:* La Porte, City of

*Ship To:* LaPorte Northside Park SplashPark

*Terms:* 33% down, balance as percentage of

### CONDITIONS OF SALE

1. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the contract.
2. No returns of merchandise will be accepted unless previously authorized in writing by Kraftsman. All returns are subject to restocking fee of 25% plus freight charges incurred for return to original shipment origination.
3. Title for all equipment is reserved by Kraftsman Commercial Playgrounds and Water Parks until payment in full is received. The right to enter the property and repossess said equipment is hereby granted to Kraftsman Commercial Playgrounds and Water Parks if payment is not rendered in accordance with the terms above. All payments made prior to repossession under this contract shall be forfeited to Kraftsman Commercial Playgrounds and Water Parks as cost incurred to recover the equipment. Repossession of product does not waive any damages or costs due as awarded by the court.
4. All collections or litigation concerning this contract shall be governed by the laws of the State of Texas, with venue in Harris County.
5. Kraftsman warrants the merchandise on this proposal to be up to the manufacturers published standards as to material and workmanship. See catalogs or attached drawings for specific layouts, warranties, and specifications .
6. Kraftsman reserves the right to review contract for final acceptance by management and to make corrections of clerical errors.
7. A service charge of 1.5% per month will be assessed on all past due amounts.
8. Payments to Kraftsman by credit card will incur a processing fee of 4% for Visa and MasterCard, and 6% for American Express.
9. Installation services include all labor, equipment required to complete the job, and insurance coverage's as required by law. Extra installation charges will incur for abnormal sub surfaces, ie. rock, landfill, etc. Price quoted includes Kraftsman's standard insurance coverages of \$2 million in General Liability & Completed operations, \$1 million in Automobile Liability, \$1 million per occurrence/\$2 aggregate in Workman's Compensation. Any charges by Kraftsman's insurance carrier or agents for adding General Contractor or Owner as additional insured, waivers of subrogation, or changes to standard coverage shall be added to contract charges. No performance bond or labor and material payment bonds shall be provided by Kraftsman, unless listed as individual line item in proposal.
10. Kraftsman Commercial Playgrounds and Water Parks is not liable for damages to underground utilities, and irrigations systems during installation. It is the customers responsibility to locate all underground utilities.
11. Building permits required by local or state authorities & municipalities are not included and are the responsibility of the owner of the property, unless specifically included as a line item in the proposal. If you want Kraftsman to handle required permitting please contact our office and we will provide a quote if not included as a line item within this proposal.
12. This proposal may be withdrawn by Kraftsman if not accepted within thirty (30) days.

*Respectfully Submitted:* \_\_\_\_\_  
 David Ondrias

*Date:* October 9, 2014

### Acceptance of Proposal:

The prices, specification and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. If contract is placed with an attorney for suit or collection through probate, bankruptcy or other legal proceedings, customer agrees to pay all expenses and reasonable attorney fees incurred. Any verbal instructions, agreements, or promises are not valid unless written as part of this contract.

*Authorized Signature:* \_\_\_\_\_

*PO#:*

*Printed Name & Title :* \_\_\_\_\_

*Date of Acceptance:* \_\_\_\_\_

*Authorized Signature:* \_\_\_\_\_

*Printed Name & Title :* \_\_\_\_\_

**WE STRONGLY RECOMMEND A RESILIENT FALL SURFACE BE INSTALLED UNDER ALL PLAY & FITNESS EQUIPMENT**

***Thank You! We Appreciate Your Business!***



**Kraftsman**  
 COMMERCIAL PLAYGROUNDS &  
 WATER PARKS  
 19535 Haude Road  
 Spring TX 77388  
 Phone: 281-353-9599  
 Fax: 281-353-2265

**Quote #Q50786**

Date: 10/31/2014  
 Project: 16651  
 By: David Ondrias

**Sold To:** LaPorte, City of  
 Rosalyn Epting  
 LaPorte Northside Park ANOVA benches & Pads  
 LaPorte TX  
 Phone: Fax:  
 Terms:  
 Net 30 days, w/ approved credit

**Ship To:**  
 LaPorte Northside Park ANOVA benches & Pads  
 322 N. 4th Street  
 LaPorte TX 77571  
 Main Phone: Mobile Phone:

Qty	Product	Description	Size	Weight	Color	Unit Price	Ext. Price
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**BuyBoard Quote**

2	F1027	Foundations Traditional 6' Ultra Expanded Steel Contour Bench Rolled Edge - Portable/Surface Mount by ANOVA		139		625.00	1,250.00
1	DISCBB	Discount on BuyBoard Purchase, BuyBoard Contract #423-13				-62.50	-62.50
250	CONC4RB	Concrete Pad, 4" thick concrete pad with, rebar reinforced, broom finish, minimum 500 sq. ft.				9.75	2,437.50

Subtotal:	\$3,625.00
Shipping & Handling:	\$203.25
Equipment Subtotal:	\$3,828.25
Tax:	\$0.00
Install:	\$625.00
<b>Total:</b>	<b>\$4,453.25</b>



**Kraftsman**  
COMMERCIAL PLAYGROUNDS &  
WATER PARKS  
19535 Haude Road  
Spring TX 77388  
Phone: 281-353-9599  
Fax: 281-353-2265

**Quote #Q50786**

Page: 2

Date:	10/31/2014
Project:	16651
By:	David Ondrias

## Notes

**Subject: Specifications**

**Date: 10/28/2014**

Each ANOVA bench to be installed on a 4X10 concrete pad, located by Owner's Representative, adjacent to SplashDeck.

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Shipping & Handling:



**Kraftsman**  
**COMMERCIAL PLAYGROUNDS &**  
**WATER PARKS**  
 19535 Haude Road  
 Spring TX 77388  
 Phone: 281-353-9599  
 Fax: 281-353-2265

**Quote #Q50786**

Page: 3

Date:	10/31/2014
Project:	16651
By:	David Ondrias

## Terms

*Sold To:* LaPorte, City of

*Ship To:* LaPorte Northside Park ANOVA  
benches & Pads

*Terms:* Net 30 days, w/ approved credit

### CONDITIONS OF SALE

1. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the contract.
2. No returns of merchandise will be accepted unless previously authorized in writing by Kraftsman. All returns are subject to restocking fee of 25% plus freight charges incurred for return to original shipment origination.
3. Title for all equipment is reserved by Kraftsman Commercial Playgrounds and Water Parks until payment in full is received. The right to enter the property and repossess said equipment is hereby granted to Kraftsman Commercial Playgrounds and Water Parks if payment is not rendered in accordance with the terms above. All payments made prior to repossession under this contract shall be forfeited to Kraftsman Commercial Playgrounds and Water Parks as cost incurred to recover the equipment. Repossession of product does not waive any damages or costs due as awarded by the court.
4. All collections or litigation concerning this contract shall be governed by the laws of the State of Texas, with venue in Harris County.
5. Kraftsman warrants the merchandise on this proposal to be up to the manufacturers published standards as to material and workmanship. See catalogs or attached drawings for specific layouts, warranties, and specifications .
6. Kraftsman reserves the right to review contract for final acceptance by management and to make corrections of clerical errors.
7. A service charge of 1.5% per month will be assessed on all past due amounts.
8. Payments to Kraftsman by credit card will incur a processing fee of 4% for Visa and MasterCard, and 6% for American Express.
9. Installation services include all labor, equipment required to complete the job, and insurance coverage's as required by law. Extra installation charges will incur for abnormal sub surfaces, ie. rock, landfill, etc. Price quoted includes Kraftsman's standard insurance coverages of \$2 million in General Liability & Completed operations, \$1 million in Automobile Liability, \$1 million per occurrence/\$2 aggregate in Workman's Compensation. Any charges by Kraftsman's insurance carrier or agents for adding General Contractor or Owner as additional insured, waivers of subrogation, or changes to standard coverage shall be added to contract charges. No performance bond or labor and material payment bonds shall be provided by Kraftsman, unless listed as individual line item in proposal.
10. Kraftsman Commercial Playgrounds and Water Parks is not liable for damages to underground utilities, and irrigations systems during installation. It is the customers responsibility to locate all underground utilities.
11. Building permits required by local or state authorities & municipalities are not included and are the responsibility of the owner of the property, unless specifically included as a line item in the proposal. If you want Kraftsman to handle required permitting please contact our office and we will provide a quote if not included as a line item within this proposal.
12. This proposal may be withdrawn by Kraftsman if not accepted within thirty (30) days.

*Respectfully Submitted:* \_\_\_\_\_  
David Ondrias

*Date:* October 31, 2014

### Acceptance of Proposal:

The prices, specification and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. If contract is placed with an attorney for suit or collection through probate, bankruptcy or other legal proceedings, customer agrees to pay all expenses and reasonable attorney fees incurred. Any verbal instructions, agreements, or promises are not valid unless written as part of this contract.

*Authorized Signature:* \_\_\_\_\_

*PO#:*

*Printed Name & Title :* \_\_\_\_\_

*Date of Acceptance:* \_\_\_\_\_

*Authorized Signature:* \_\_\_\_\_

*Printed Name & Title :* \_\_\_\_\_

**WE STRONGLY RECOMMEND A RESILIENT FALL SURFACE BE INSTALLED UNDER ALL PLAY & FITNESS EQUIPMENT**

***Thank You! We Appreciate Your Business!***



**Kraftsman**  
 COMMERCIAL PLAYGROUNDS &  
 WATER PARKS  
 19535 Haude Road  
 Spring TX 77388  
 Phone: 281-353-9599  
 Fax: 281-353-2265

# Quote #Q50783

Date: 10/31/2014  
 Project: 16649  
 By: David Ondrias

**Sold To:** LaPorte, City of  
 Rosalyn Epting  
 LaPorte Fairmont Park ANOVA Benches & Pads  
 LaPorte TX  
 Phone: Fax:  
 Terms:  
 Net 30 days, w/ approved credit

**Ship To:**  
 LaPorte Fairmont Park ANOVA Benches & Pads  
 3450 Farrington or 10216 Hillridge  
 LaPorte TX 77571  
 Main Phone: Mobile Phone:

Qty	Product	Description	Size	Weight	Color	Unit Price	Ext. Price
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**BuyBoard Quote**

4	F1027	Foundations Traditional 6' Ultra Expanded Steel Contour Bench Rolled Edge - Portable/Surface Mount by ANOVA		139		625.00	2,500.00
1	DISCBB	Discount on BuyBoard Purchase, BuyBoard Contract #423-13				-125.00	-125.00
250	CONC4RB	Concrete Pad, 4" thick concrete pad with, rebar reinforced, broom finish, minimum 500 sq. ft. (one-half of Min. 500 included here and one-half of 500 included on Quote for 2 benches at Northside Park.)				9.75	2,437.50

Subtotal:	\$4,812.50
Shipping & Handling:	\$406.49
Equipment Subtotal:	\$5,218.99
Tax:	\$0.00
Install:	\$1,250.00
<b>Total:</b>	<b>\$6,468.99</b>



**Kraftsman**  
COMMERCIAL PLAYGROUNDS &  
WATER PARKS  
19535 Haude Road  
Spring TX 77388  
Phone: 281-353-9599  
Fax: 281-353-2265

**Quote #Q50783**

Page: 2

Date:	10/31/2014
Project:	16649
By:	David Ondrias

## Notes

**Subject: Specifications**

**Date: 10/28/2014**

Each ANOVA bench to be installed on a 4X10 concrete pad, located by Owner's Representative, adjacent to SplashDeck.

---

Shipping & Handling:



**Kraftsman**  
**COMMERCIAL PLAYGROUNDS &**  
**WATER PARKS**  
 19535 Haude Road  
 Spring TX 77388  
 Phone: 281-353-9599  
 Fax: 281-353-2265

**Quote #Q50783**

Page: 3

Date:	10/31/2014
Project:	16649
By:	David Ondrias

## Terms

*Sold To:* LaPorte, City of

*Ship To:* LaPorte Fairmont Park ANOVA  
Benches & Pads

*Terms:* Net 30 days, w/ approved credit

### CONDITIONS OF SALE

1. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the contract.
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3. Title for all equipment is reserved by Kraftsman Commercial Playgrounds and Water Parks until payment in full is received. The right to enter the property and repossess said equipment is hereby granted to Kraftsman Commercial Playgrounds and Water Parks if payment is not rendered in accordance with the terms above. All payments made prior to repossession under this contract shall be forfeited to Kraftsman Commercial Playgrounds and Water Parks as cost incurred to recover the equipment. Repossession of product does not waive any damages or costs due as awarded by the court.
4. All collections or litigation concerning this contract shall be governed by the laws of the State of Texas, with venue in Harris County.
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7. A service charge of 1.5% per month will be assessed on all past due amounts.
8. Payments to Kraftsman by credit card will incur a processing fee of 4% for Visa and MasterCard, and 6% for American Express.
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10. Kraftsman Commercial Playgrounds and Water Parks is not liable for damages to underground utilities, and irrigations systems during installation. It is the customers responsibility to locate all underground utilities.
11. Building permits required by local or state authorities & municipalities are not included and are the responsibility of the owner of the property, unless specifically included as a line item in the proposal. If you want Kraftsman to handle required permitting please contact our office and we will provide a quote if not included as a line item within this proposal.
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*Respectfully Submitted:* \_\_\_\_\_  
David Ondrias

*Date:* October 31, 2014

### Acceptance of Proposal:

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*Authorized Signature:* \_\_\_\_\_

*PO#:*

*Printed Name & Title :* \_\_\_\_\_

*Date of Acceptance:* \_\_\_\_\_

*Authorized Signature:* \_\_\_\_\_

*Printed Name & Title :* \_\_\_\_\_

**WE STRONGLY RECOMMEND A RESILIENT FALL SURFACE BE INSTALLED UNDER ALL PLAY & FITNESS EQUIPMENT**

***Thank You! We Appreciate Your Business!***

**NOTES:**

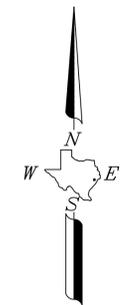
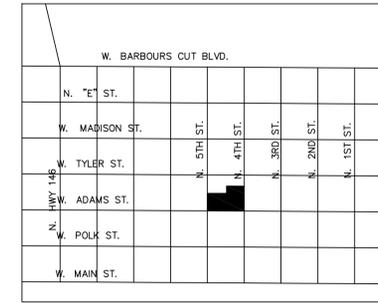
DEVELOPMENT NAME: NORTH SIDE SPLASH PARK  
 DEVELOPMENT TYPE: PARK  
 ZONING: R-1  
 OWNER: CITY OF LA PORTE  
 DEVELOPER: CITY OF LA PORTE  
 LEGAL DESCRIPTION: LA PORTE, HARRIS COUNTY, TEXAS  
 LOTS 11 THRU 14 BLOCK 89  
 LOTS 15 & 16 BLOCK 89  
 LOTS 17 THRU 22 BLOCK 89  
 ADDRESS: 402 5TH ST.  
 LA PORTE, TX 77571  
 ENGINEER: BOB ENG

FLOOD ZONE: X  
 BUILDING SQUARE FOOTAGE: 497 SQ. FT.  
 SPLASH PARK SQUARE FOOTAGE: 2,945 SQ. FT.  
 TYPICAL PARKING SPACE WILL BE 9' WIDE BY 22' LONG  
 PER ADA "FOR 26 SPACES SHALL REQUIRE 2 ACCESSIBLE SPACES".  
 NEW WATER AND SEWER LINES WILL BE CONNECTED TO THE EAST SIDE OF THE BUILDING AND WILL RUN FROM THE WEST SIDE OF THE ALLEY  
 5 TYPICAL BENCHES

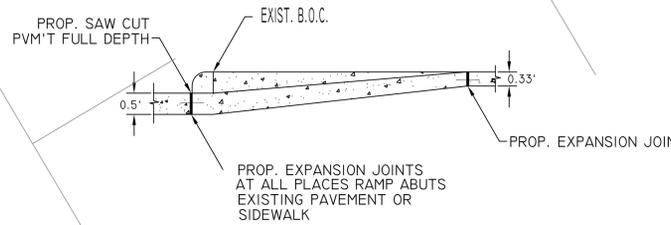
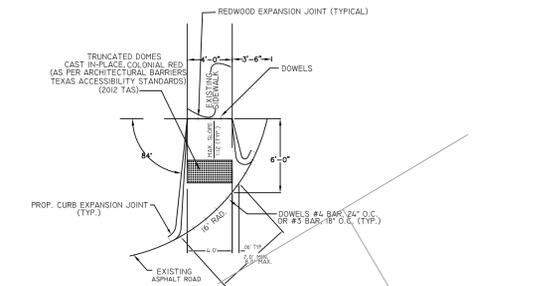
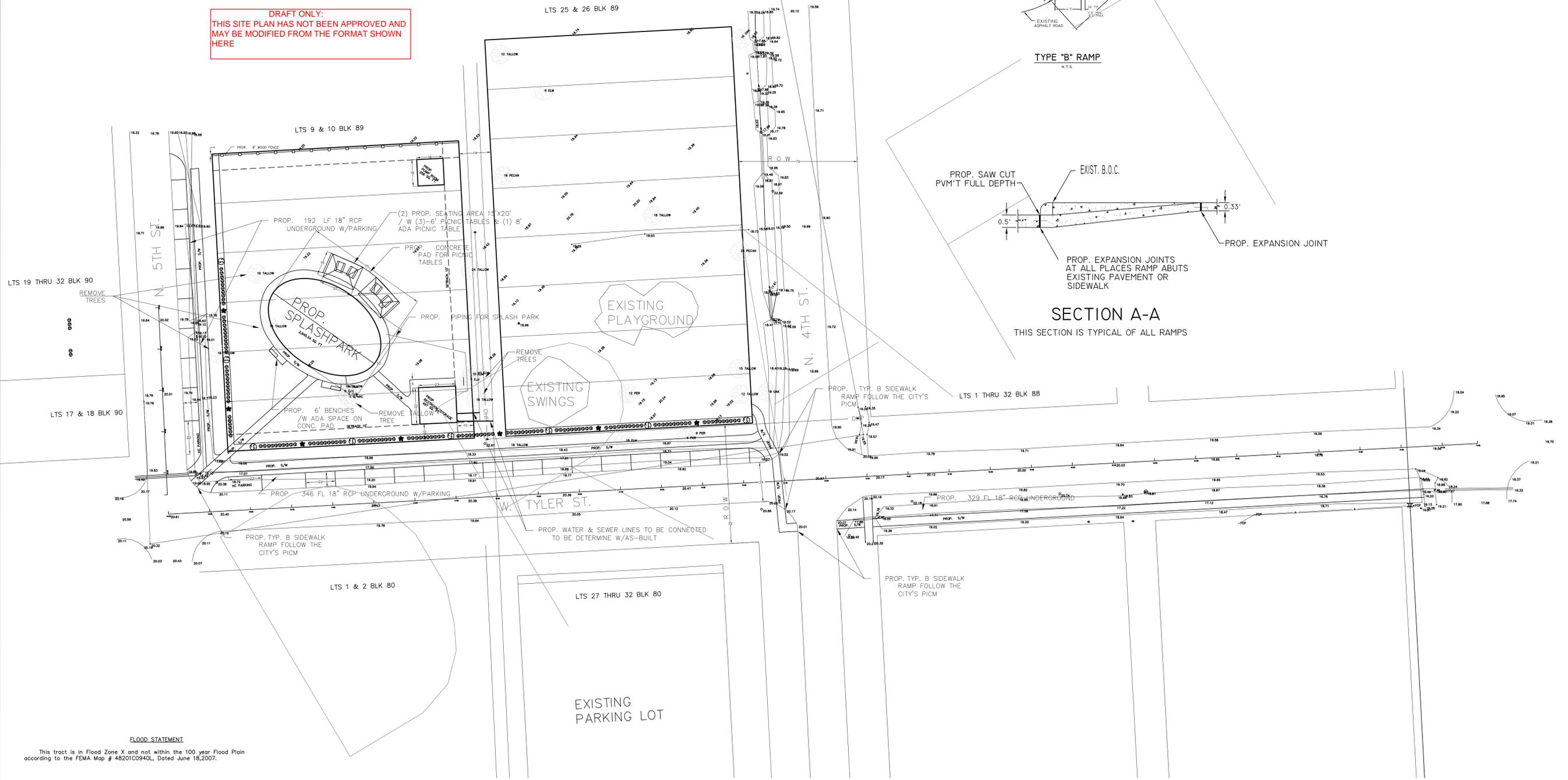
**LANDSCAPING LEGEND**

QTY.	NAME	ITEM	SIZE
8	LIVE OAK		2" CAL. 30' O.C.
7	CREPE MYRTLE		2" CAL. 30' O.C.
70	BURFORD HOLLY		5 GAL. 36" O.C.

**LANDSCAPING NOTE:**  
 SET LIVE OAK EVERY 30' AND CREPE MYRTLE EVERY 30' TO MAKE IT LIVE OAK EVERY OTHER.  
 ALL LANDSCAPING TO BE IRRIGATED WITH AN APPROVED IRRIGATED SYSTEM.



**DRAFT ONLY:**  
 THIS SITE PLAN HAS NOT BEEN APPROVED AND  
 MAY BE MODIFIED FROM THE FORMAT SHOWN  
 HERE



**FLOOD STATEMENT**

This tract is in Flood Zone X and not within the 100 year Flood Plain according to the FEMA Map # 48201C0940L, Dated June 18, 2007.

**SITE PLAN ACCURACY CERTIFICATE**

I, BOB SAMUEL ENG, am registered under the laws of the State of Texas to practice the profession of engineering and hereby certify that above plot or site plan is true and correct; and that all bearings, distances, angles, curve radiuses, and central angles are accurately shown on the plot.



**CITY APPROVING AUTHORITY CERTIFICATE**

This is to certify that the City of La Porte, Texas has approved this site plan and development of NORTHSIDE SPLASH PARK in conformance with the ordinances of the City of La Porte.

Texas License No. 75194

By: Director, Planning Department City Planner, Planning Department City Engineer, Planning Department

CITY OF LA PORTE  
 604 W. FAIRMONT PKWY  
 LA PORTE, TX 77571

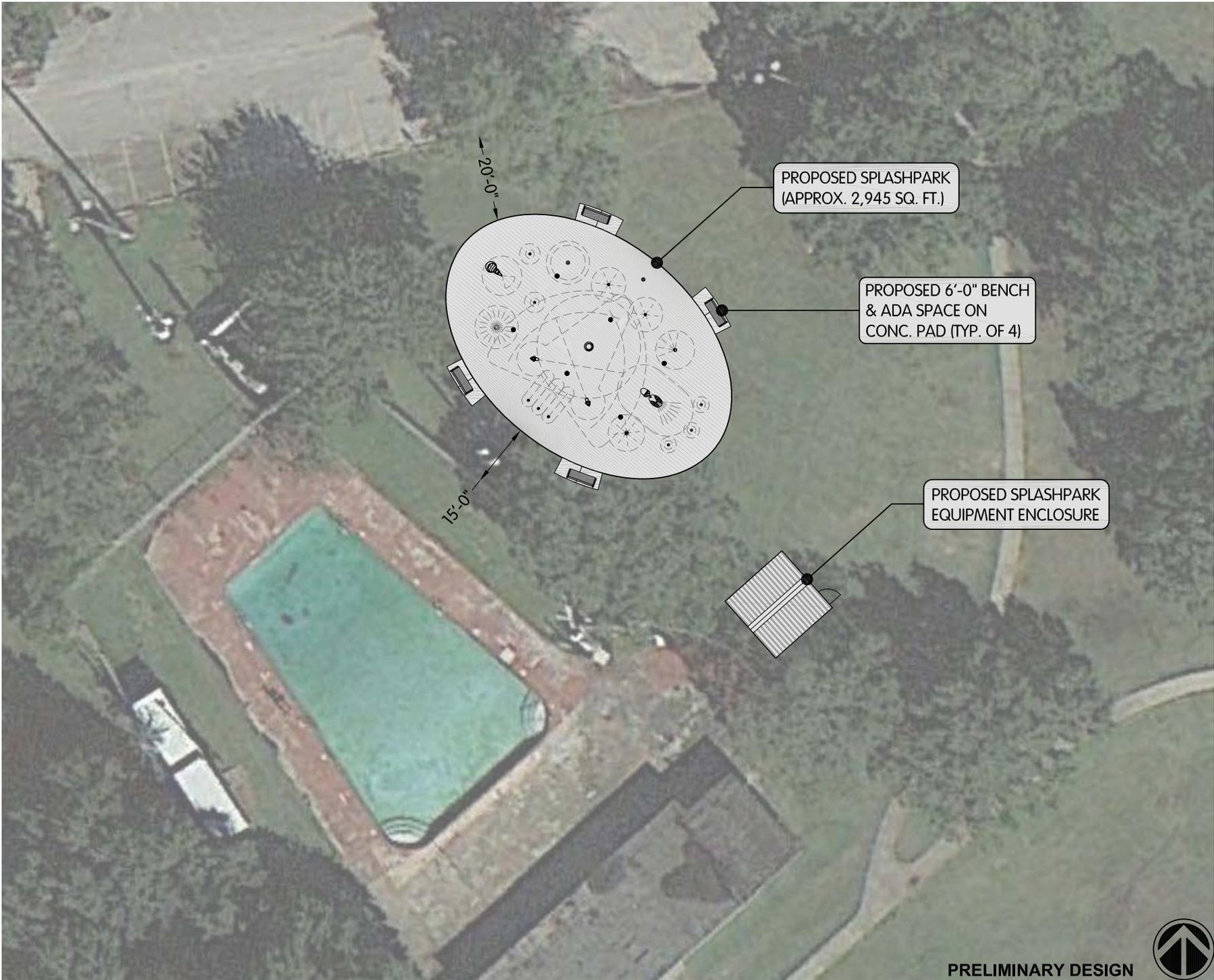


The seal appearing on this document was authorized by BOB SAMUEL ENG P.E. 75194, on

CITY OF LA PORTE  
 402 N. 5TH ST.  
 NORTHSIDE SPLASHPARK SITE PLAN

JOB NO.:  
 DWN: AJN  
 CK'D:  
 APP'D:  
 SCALE: 1"=30'  
 DATE: 9-24-2014  
 SHEET:

1/1



PROPOSED SPLASHPARK  
(APPROX. 2,945 SQ. FT.)

PROPOSED 6'-0" BENCH  
& ADA SPACE ON  
CONC. PAD (TYP. OF 4)

PROPOSED SPLASHPARK  
EQUIPMENT ENCLOSURE

Note: Drawing should not be scaled unless in its original 8" x 11" printed format

**PRELIMINARY DESIGN  
NOT FOR CONSTRUCTION**



www.kppe.com

**KRAFTSMAN**  
COMMERCIAL PLAYGROUNDS  
WATER PARKS  
19535 Haude Rd.  
Spring, TX  
77388

P: 800.451.4869  
F: 281.353.2265

SCALE

1" = 30'

SALES REP

David  
Ondrias

Fairmont Park SplashPark  
La Porte, Texas

SHEET NO.	OPTION	REVISION	DATE	DESIGNER	VIEW	PROJECT NO.
PL-1.0	1	3	10-31-14	KDD	Project Location	16063

IF THIS FILE HAS BEEN TRANSMITTED ELECTRONICALLY, THE ORIGINAL IS IN THE OFFICE OF KRAFTSMAN COMMERCIAL PLAYGROUNDS & WATER PARKS FOR LA PORTE, TEXAS. THE ELECTRONIC DOCUMENT HAS BEEN RELEASED BY KRAFTSMAN FOR A SPECIFIC USE. NO OTHER USE OR REPRODUCTION MAY BE MADE WITHOUT THE WRITTEN CONSENT OF KRAFTSMAN COMMERCIAL PLAYGROUNDS & WATER PARKS EQUIPMENT. ALL REQUIREMENTS OF SERVICE, INCLUDING ORIGINAL DRAWINGS, AND SPECIFICATIONS PREPARED BY KRAFTSMAN COMMERCIAL PLAYGROUNDS & WATER PARKS EQUIPMENT SHALL REMAIN THE PROPERTY OF KRAFTSMAN AND MAY NOT BE USED FOR ANY PURPOSES, NOT SPECIFICALLY AGREED TO IN WRITING BY KRAFTSMAN. ALL REPRODUCTIONS OF THE INSTRUMENTS OF SERVICE SUPPLIED TO THE OWNER MAY BE USED BY THE OWNER FOR ANY PURPOSES RELATED TO THE SUBJECT PROPERTY. IN THE EVENT THAT ANY CHANGES ARE MADE TO THE PLANS AND/OR SPECIFICATIONS BY THE OWNER OR PERSONS OTHER THAN KRAFTSMAN, DAY AND ALL LIABILITY ARISING OUT OF SUCH CHANGES SHALL BE FULL RESPONSIBILITY OF THE OWNER UNLESS OWNER HAS RECEIVED KRAFTSMAN'S WRITTEN CONSENT FOR SUCH CHANGES.

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: January 12, 2015

Appropriation

Requested By: K. Adcox

Source of Funds:

Department: Police

Account Number:

Report:  Resolution:  Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item:  YES  NO

**Attachments :**

- 1. Strikeout Version of Revised Speed Limit Ordinance**
- 2. Clean Version of Revised Speed Limit Ordinance**
- 3. TxDot Report and Recommendation Letter**

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### SUMMARY & RECOMMENDATIONS

Due to ongoing concerns in regard to the speed limits along Highway 146 in La Porte, TXDOT completed a traffic study at the City's request. Based on the results of its study, TXDOT is recommending two speed limit changes along the SH 146 feeder roads.

1. Maintain the speed limit at 35 MPH on La Porte feeder roads to Highway 146, both north and south, from the north city limit of La Porte to Barbours Cut Blvd.; and
2. Increase the speed limit from 35 MPH to 40 MPH from Barbours Cut Blvd., to McCabe Rd.

As such, the listed changes to the La Porte Municipal Code, Chapter 70, Article III, Division 2 (Speed Limits), Section 70-102 and Section 70-103 are recommended.

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**Action Required of Council:**

Consider approval or other action of an ordinance amending Chapter 70 "Traffic and Vehicles" of the Code of Ordinances.

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**Approved for City Council Agenda**

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**Corby D. Alexander, City Manager**

---

**Date**

ORDINANCE NO. 2015 - \_\_\_\_\_

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

Whereas, Sec. 545.356 of the Texas Transportation Code provides that whenever the governing body of a municipality shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the city, taking into consideration the width and condition of the pavement and other circumstances on such portion of the street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

Now Therefore, upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of § 545.356, Texas Transportation Code, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof:

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

**Section 1:** That Chapter 70, "Traffic and Vehicles," Article III, "Operation of Vehicles," Division 2. "Speed Limits", Section 70-102 "Thirty-five mile per hour zones," of the Code of Ordinances, La Porte, Texas, is hereby amended to read as follows:

**"Sec. 70-102. - Thirty-five mile per hour zones.**

The following streets or portions of such streets shall constitute special speed zones, and it shall be unlawful for any person to operate any motor vehicle at a rate of speed in excess of 35 miles per hour in any such zone:

- (1) Along Underwood Road, from a point 2,350 feet south of West Main to a point 650 feet north of West Main, a distance of 3,000 feet, 0.57 miles;
- (2) Along West Main, from a point 925 feet west of Farrington Boulevard to a point 1,125 feet east of Farrington Boulevard, a distance of 2,050 feet, 0.39 miles;

- (3) Along West Main Street, from State Highway 146 to a point 1,900 feet west of South 16th Street, 0.36 miles;
- (4) Along North L Street, from a point 545 feet east of Alvy Lane to the east right-of-way line of Underwood Road, a distance of 7,542 feet, 1.42 miles;
- (5) Along Driftwood Drive from West Main to Fairmont Parkway, a distance of 4,700 feet, 0.89 miles;
- (6) Along Fairmont Parkway, from a point 550 feet west of State Highway 146 to South Broadway, a distance of 4,000 feet, 0.76 miles;
- (7) Along South 16th Street from West Main to a point 1,500 feet south of West Main, a distance of 1,500 feet, 0.28 miles;
- (8) Along East Barbours Cut Boulevard from State Highway 146 to North Broadway, a distance of 3,100 feet, 0.59 miles; and
- (9) Along Park Avenue from San Jacinto to East E Street, a distance of 4,700 feet, 0.89 miles.
- ~~(10) Along SH 146 Frontage Road, northbound, from the north city limit boundary in the City of La Porte to the intersection of McCabe Road, a distance of approximately 4.836 miles.~~
- (10) Along SH 146 one way frontage road, from the north city limit City of La Porte to 400 feet north of Elm Street, a distance of approximately 0.865 miles;
- ~~(11) Along SH 146 Frontage Road, southbound, from the north city limit boundary in the City of La Porte to a point 1928 feet south of the north city limit boundary, a distance of approximately 0.365 miles.~~
- (11) Along SH 146 two way frontage road, from 400 feet north of Elm Street to the intersection of Barbours Cut Blvd, a distance of approximately 0.735 mile;
- ~~(12) Along SH 146 Frontage Road, southbound, from a point 808 feet south of the Union Pacific Railroad boundary in the City of La Porte to the intersection of McCabe Road, a distance of approximately 3.701 miles.~~
- (12) (13) Along Canada Road from Defiance Street to West Main Street, a distance of 1,750 feet, 0.33 miles.”

**Section 2:** That Chapter 70, “Traffic and Vehicles,” Article III, “Operation of Vehicles,” Division 2. “Speed Limits”, Section 70-103 “Forty mile per hour zones,” of the Code of Ordinances, La Porte, Texas, is hereby amended to read as follows:

**“Sec. 70-103. - Forty mile per hour zones.**

The following streets or portions of such streets shall constitute special speed zones, and it shall be unlawful for any person to operate any motor vehicle at a rate of speed in excess of 40 miles per hour in any such zone:

- (1) Along West Main from Luella Boulevard to a point 2,000 feet west of Luella Boulevard, a distance of 2,000 feet, 0.38 miles;
- (2) Along North H Street from Lomax School Road to 26th Street, a distance of 8,300 feet, 1.57 miles;
- (3) Along North L Street, from a point 2,750 feet east of Lomax School Road to 26th Street, a distance of 5,500 feet, 1.04 miles;
- (4) Along North P Street from Underwood Road to 26th Street, a distance of 13,100 feet, 2.48 miles;
- (5) Along 26th Street from State Highway 225 to West Main, a distance of 9,300 feet, 1.76 miles;

- (6) Along North 16th Street from Barbours Cut Boulevard to West Main, a distance of 2,850 feet, 0.54 miles;
- (7) Along South 16th Street, from a point 1,500 feet south of West Main to Fairmont Parkway, a distance of 3,300 feet, 0.63 miles; and
- (8) Along Barbours Cut Boulevard from North 16th Street to State Highway 146, a distance of 2,050 feet, 0.39 miles."
- (9) Along SS 501 from BS 146 D (Wharton Weems Blvd) to Fairfield, a distance of 0.873 miles.
- (10) Along SS 501 from 272 feet north of North Shady Lane to the South City of La Porte Limit, a distance of approximately 0.144 miles.
- (11) Along BS 146 D from 540 feet north of Forest Avenue to 1,596 feet south of Forest Avenue, a distance of 0.200 miles.
- (12) Along SH 146 northbound and southbound frontage roads, from the intersection of Barbours Cut Blvd to the intersection of McCabe road, a distance of approximately 2.966 miles."

**Section 3.** 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 punished by a fine not to exceed TWO HUNDRED DOLLARS (\$200.00).

**Section 4.** 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 5.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

**Section 6.** 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 7.** 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 \_\_\_\_\_, 2015.

CITY OF LA PORTE

By: \_\_\_\_\_  
Louis R. Rigby, Mayor

ATTEST:

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

APPROVED:

\_\_\_\_\_  
Assistant City Attorney

ORDINANCE NO. 2015 - \_\_\_\_\_

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

Whereas, Sec. 545.356 of the Texas Transportation Code provides that whenever the governing body of a municipality shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the city, taking into consideration the width and condition of the pavement and other circumstances on such portion of the street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

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- (3) Along West Main Street, from State Highway 146 to a point 1,900 feet west of South 16th Street, 0.36 miles;
- (4) Along North L Street, from a point 545 feet east of Alvy Lane to the east right-of-way line of Underwood Road, a distance of 7,542 feet, 1.42 miles;
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- (10) Along SH 146 one way frontage road, from the north city limit City of La Porte to 400 feet north of Elm Street, a distance of approximately 0.865 miles;
- (11) Along SH 146 two way frontage road, from 400 feet north of Elm Street to the intersection of Barbours Cut Blvd, a distance of approximately 0.735 mile;
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- (11) Along BS 146 D from 540 feet north of Forest Avenue to 1,596 feet south of Forest Avenue, a distance of 0.200 miles.
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**Section 3.** 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 punished by a fine not to exceed TWO HUNDRED DOLLARS (\$200.00).

**Section 4.** 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.

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**Section 7.** 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 \_\_\_\_\_, 2015.

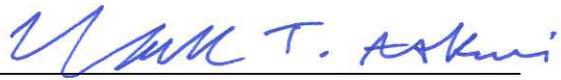
CITY OF LA PORTE

By: \_\_\_\_\_  
Louis R. Rigby, Mayor

ATTEST:

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

APPROVED:

  
\_\_\_\_\_  
Assistant City Attorney



# Texas Department of Transportation

P.O. BOX 1386 | HOUSTON, TEXAS 77251-1386 | (713) 802-5000 | WWW.TXDOT.GOV

September 2, 2014

The Honorable Louis Rigby  
Mayor, City of La Porte  
604 W. Fairmont Pkwy  
La Porte, Texas 77571

RE: Speed Limit Study – Control Section 389-12 & 05 Harris County

Dear Mayor Rigby:

Our office has completed a Speed Zone Study along BS 146 Frontage Road within the City of La Porte.

Attached you will find Speed Zone Strip Map numbered 5763A, 5763B, 5762A and 5475A and a prepared Speed Zone Ordinance suggested by the Texas League of Municipalities containing the recommended zone along BS 146 Frontage Road . If you concur with the recommended zone please furnish this office with a copy of your executed ordinance.

Should you have questions, please contact Boris Klebanskiy, at (713) 802 5380 or Rogelio R. Rubico, P.E., at (713) 802-5182.

Sincerely,

Ugonna U. Ughanze, P.E.  
Director of Transportation Operations  
Houston District

Attachments

cc: David Mick - City of La Porte  
Rogelio R. Rubico, P.E.



# Texas Department of Transportation

P.O. BOX 1386 | HOUSTON, TEXAS 77251-1386 | (713) 802-5000 | WWW.TXDOT.GOV

September 2, 2014

The Honorable Louis Rigby  
Mayor, City of La Porte  
604 W. Fairmont Pkwy  
La Porte, Texas 77571

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Sincerely,

Ugonna U. Ughanze, P.E.  
Director of Transportation Operations  
Houston District

#### Attachments

cc: David Mick - City of La Porte  
Rogelio R. Rubico, P.E.  
bc: Sylvester E. Onwas, P.E.  
Lucio F, Ortiz, P.E.  
Mr. Boris Klebanskiy

SPEED ZONE ORDINANCE # \_\_\_\_\_

AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF § 545.356, TEXAS TRANSPORTATION CODE, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OF PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF LA PORTE, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE NOT TO EXCEED \$200 FOR THE VIOLATION OF THIS ORDINANCE.

WHEREAS, § 545.356, Texas Transportation Code, provides that whenever the governing body of the City shall determine upon the basis of an engineering and traffic investigation that any prima facie speed therein set forth is greater or less than is reasonable or safe under the conditions found to exist at any intersection or other place or upon any part of a street or highway within the City, taking into consideration the width and condition of the pavement and other circumstances on such portion of said street or highway, as well as the usual traffic thereon, said governing body may determine and declare a reasonable and safe prima facie speed limit thereat or thereon by the passage of an Ordinance, which shall be effective when appropriate signs giving notice thereof are erected at such intersection or other place or part of the street or highway;

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

Section 1. Upon the basis of an engineering and traffic investigation heretofore made as authorized by the provisions of § 545.356, Texas Transportation Code, the following prima facie speed limits hereafter indicated for vehicles are hereby determined and declared to be reasonable and safe; and such speed limits are hereby fixed at the rate of speed indicated for vehicles traveling upon the named streets and highways, or parts thereof, described as follows:

Along SH 146 one way frontage road, from the north city limit City of La Porte to 400 feet north of Elm Street, a distance of approximately 0.865 miles, the speed limit shall be 35 MPH.

Along SH 146 two way frontage road, from 400 feet north of Elm Street to the intersection of Barbours Cut Blvd, a distance of approximately 0.735 mile, the speed limit shall be 35 MPH.

Along SH 146 frontage road, from the intersection of Barbours Cut Blvd to the intersection of McCabe road, a distance of approximately 2.966 miles, the speed limit shall be 40 MPH.

Section 2. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not more than Two Hundred Dollars (200).

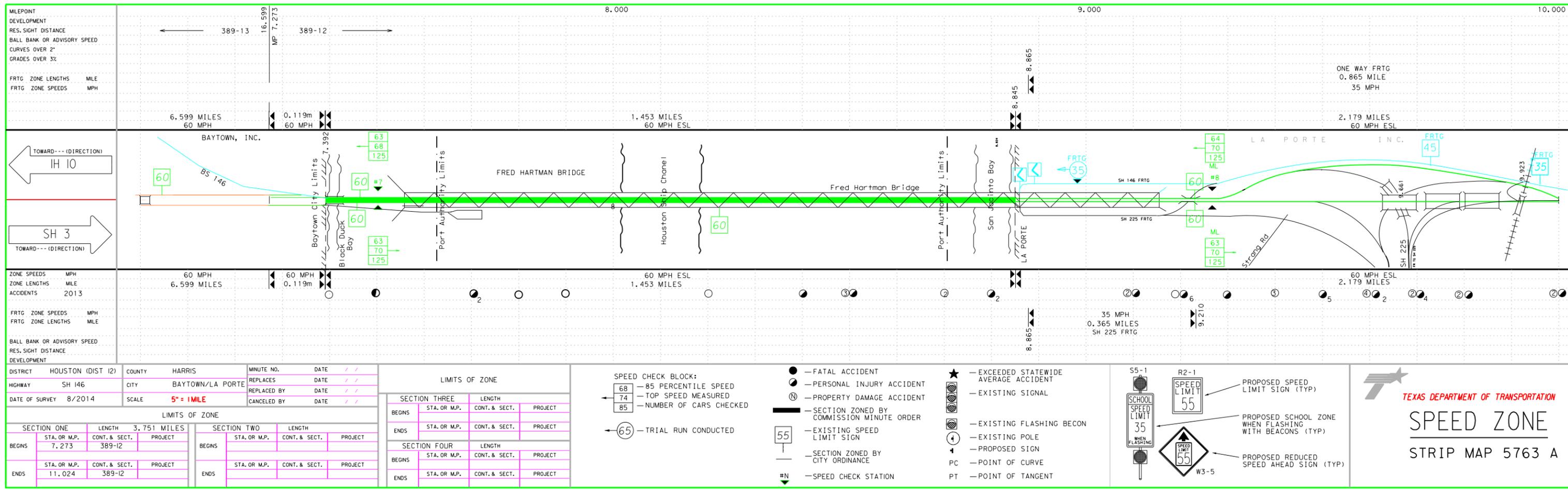
PASSED AND APPROVED THIS \_\_\_\_\_ day of \_\_\_\_\_, 2014

ATTEST:

APPROVED:

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

\_\_\_\_\_  
Mayor



MILEPOINT  
DEVELOPMENT  
RES. SIGHT DISTANCE  
BALL BANK OR ADVISORY SPEED  
CURVES OVER 2"  
GRADES OVER 3%

FRTG ZONE LENGTHS MILE  
FRTG ZONE SPEEDS MPH

TOWARD---(DIRECTION)  
IH 10

TOWARD---(DIRECTION)  
SH 3

ZONE SPEEDS MPH  
ZONE LENGTHS MILE  
ACCIDENTS 2013

FRTG ZONE SPEEDS MPH  
FRTG ZONE LENGTHS MILE

BALL BANK OR ADVISORY SPEED  
RES. SIGHT DISTANCE  
DEVELOPMENT

DISTRICT	HOUSTON (DIST 12)	COUNTY	HARRIS	MINUTE NO.	DATE	//
HIGHWAY	SH 146	CITY	BAYTOWN/LA PORTE	REPLACES	DATE	//
DATE OF SURVEY	8/2014	SCALE	5" = 1 MILE	REPLACED BY	DATE	//
				CANCELED BY	DATE	//

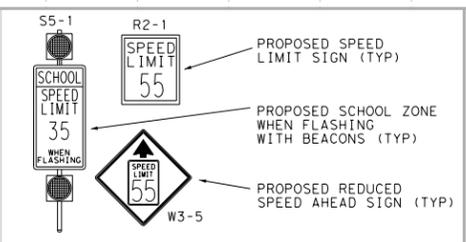
LIMITS OF ZONE							
SECTION ONE			SECTION TWO				
BEGINS	STA. OR M.P.	CONT. & SECT.	PROJECT	BEGINS	STA. OR M.P.	CONT. & SECT.	PROJECT
	7.273	389-12					
ENDS	11.024	389-12		ENDS			

LIMITS OF ZONE			
SECTION THREE		LENGTH	
BEGINS	STA. OR M.P.	CONT. & SECT.	PROJECT
ENDS			
SECTION FOUR		LENGTH	
BEGINS	STA. OR M.P.	CONT. & SECT.	PROJECT
ENDS			

SPEED CHECK BLOCK:  
 68 — 85 PERCENTILE SPEED  
 74 — TOP SPEED MEASURED  
 85 — NUMBER OF CARS CHECKED

65 — TRIAL RUN CONDUCTED

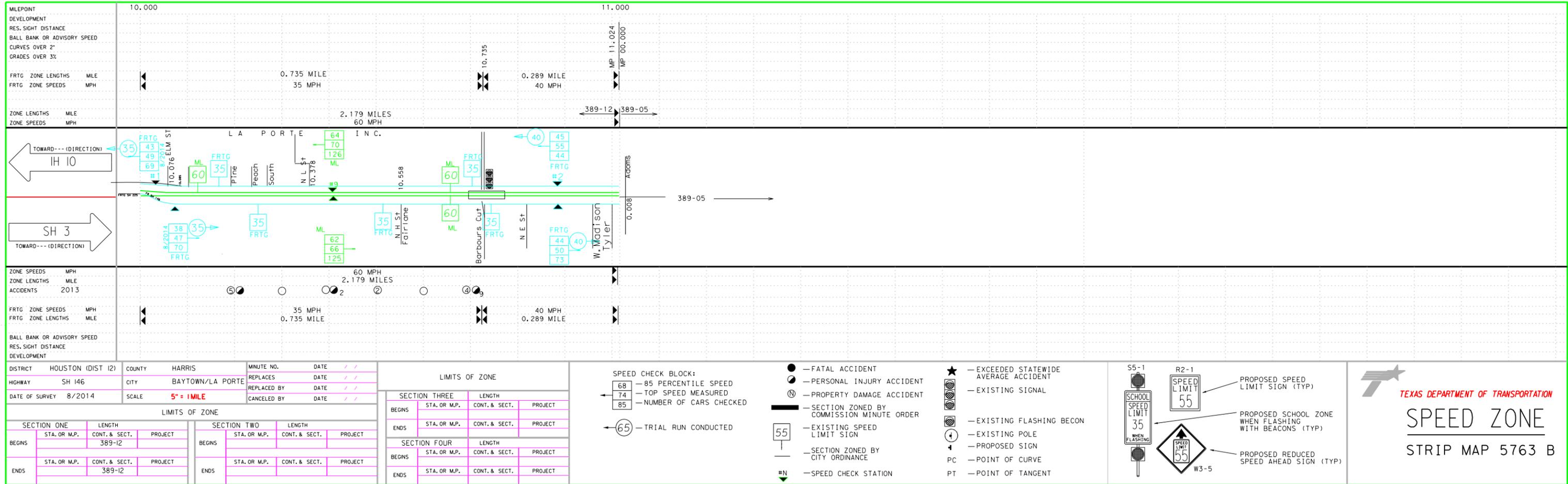
- — FATAL ACCIDENT
- — PERSONAL INJURY ACCIDENT
- ⊖ — PROPERTY DAMAGE ACCIDENT
- Ⓝ — SECTION ZONED BY COMMISSION MINUTE ORDER
- 55 — EXISTING SPEED LIMIT SIGN
- SECTION ZONED BY CITY ORDINANCE
- #N — SPEED CHECK STATION
- ★ — EXCEEDED STATEWIDE AVERAGE ACCIDENT
- ⊖ — EXISTING SIGNAL
- ⊖ — EXISTING FLASHING BECON
- Ⓜ — EXISTING POLE
- Ⓜ — PROPOSED SIGN
- PC — POINT OF CURVE
- PT — POINT OF TANGENT



TEXAS DEPARTMENT OF TRANSPORTATION

# SPEED ZONE

STRIP MAP 5763 A



DISTRICT	HOUSTON (DIST 12)	COUNTY	HARRIS	MINUTE NO.	DATE	///
HIGHWAY	SH 146	CITY	BAYTOWN/LA PORTE	REPLACES	DATE	///
DATE OF SURVEY	8/2014	SCALE	5" = 1 MILE	REPLACED BY	DATE	///
				CANCELED BY	DATE	///

LIMITS OF ZONE					
SECTION ONE			SECTION TWO		
STA. OR M.P.	CONT. & SECT.	PROJECT	STA. OR M.P.	CONT. & SECT.	PROJECT
BEGINS	389-12		BEGINS		
ENDS	389-12		ENDS		

LIMITS OF ZONE					
SECTION THREE			SECTION FOUR		
STA. OR M.P.	CONT. & SECT.	PROJECT	STA. OR M.P.	CONT. & SECT.	PROJECT
BEGINS			BEGINS		
ENDS			ENDS		

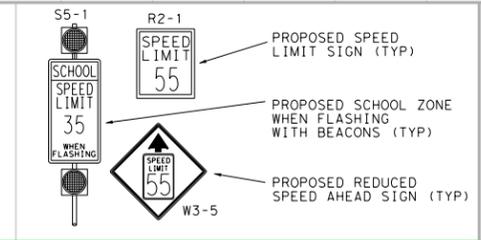
LIMITS OF ZONE					
SECTION THREE			SECTION FOUR		
STA. OR M.P.	CONT. & SECT.	PROJECT	STA. OR M.P.	CONT. & SECT.	PROJECT
BEGINS			BEGINS		
ENDS			ENDS		

SPEED CHECK BLOCK:			
68	85 PERCENTILE SPEED		
74	TOP SPEED MEASURED		
85	NUMBER OF CARS CHECKED		

TRIAL RUN CONDUCTED	
65	

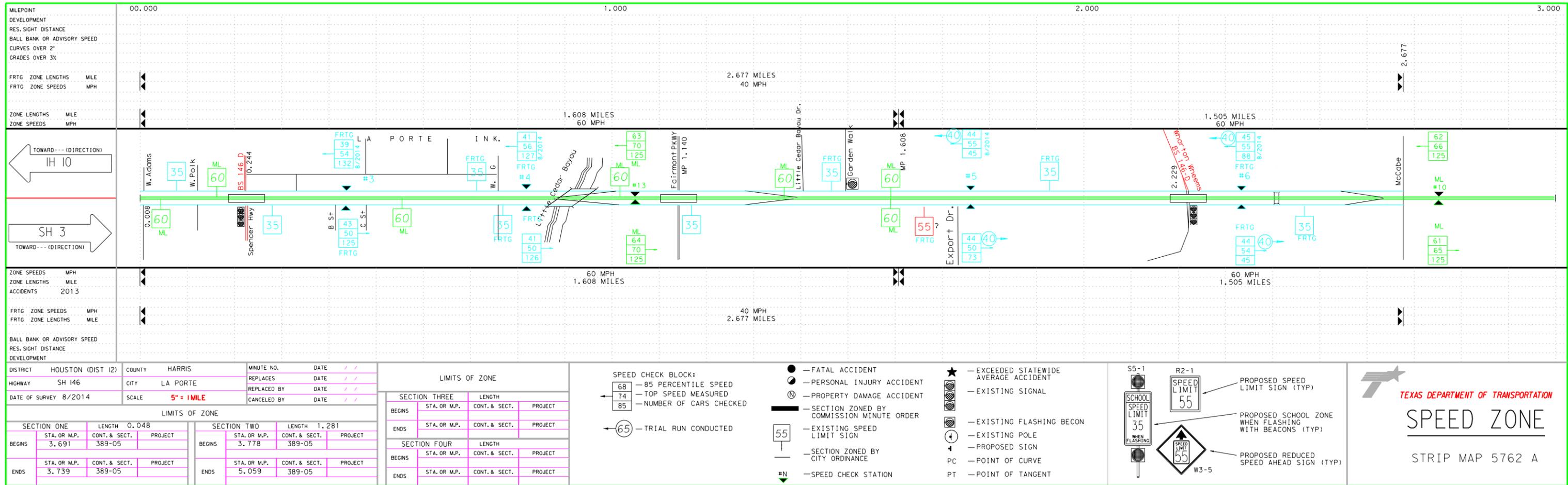
- - FATAL ACCIDENT
- - PERSONAL INJURY ACCIDENT
- ⊙ - PROPERTY DAMAGE ACCIDENT
- ▬ - SECTION ZONED BY COMMISSION MINUTE ORDER
- 55 - EXISTING SPEED LIMIT SIGN
- ▬ - SECTION ZONED BY CITY ORDINANCE
- #N - SPEED CHECK STATION
- ★ - EXCEEDED STATEWIDE AVERAGE ACCIDENT
- ⊙ - EXISTING SIGNAL
- ⊙ - EXISTING FLASHING BECON
- ⊙ - EXISTING POLE
- ⬇ - PROPOSED SIGN
- PC - POINT OF CURVE
- PT - POINT OF TANGENT



TEXAS DEPARTMENT OF TRANSPORTATION

## SPEED ZONE

STRIP MAP 5763 B



MILEPOINT	00.000	1.000	2.000	3.000
DEVELOPMENT				
RES. SIGHT DISTANCE				
BALL BANK OR ADVISORY SPEED				
CURVES OVER 2'				
GRADES OVER 3%				
FRTG ZONE LENGTHS	MILE			
FRTG ZONE SPEEDS	MPH			
ZONE LENGTHS	MILE			
ZONE SPEEDS	MPH			

DISTRICT	HOUSTON (DIST 12)	COUNTY	HARRIS	MINUTE NO.	DATE	///
HIGHWAY	SH 146	CITY	LA PORTE	REPLACES	DATE	///
DATE OF SURVEY	8/2014	SCALE	5" = 1 MILE	REPLACED BY	DATE	///
				CANCELED BY	DATE	///

LIMITS OF ZONE					
SECTION ONE		SECTION TWO		SECTION THREE	
STA. OR M.P.	CONT. & SECT.	STA. OR M.P.	CONT. & SECT.	STA. OR M.P.	CONT. & SECT.
BEGINS 3.691	389-05	BEGINS 3.778	389-05	BEGINS 1.608	60 MPH
ENDS 3.739	389-05	ENDS 5.059	389-05	ENDS 2.677	40 MPH

SECTION THREE		SECTION FOUR	
BEGINS	ENDS	BEGINS	ENDS
1.608	2.677	2.677	3.000

**SPEED CHECK BLOCK:**

- 68 - 85 PERCENTILE SPEED
- 74 - TOP SPEED MEASURED
- 85 - NUMBER OF CARS CHECKED

65 - TRIAL RUN CONDUCTED

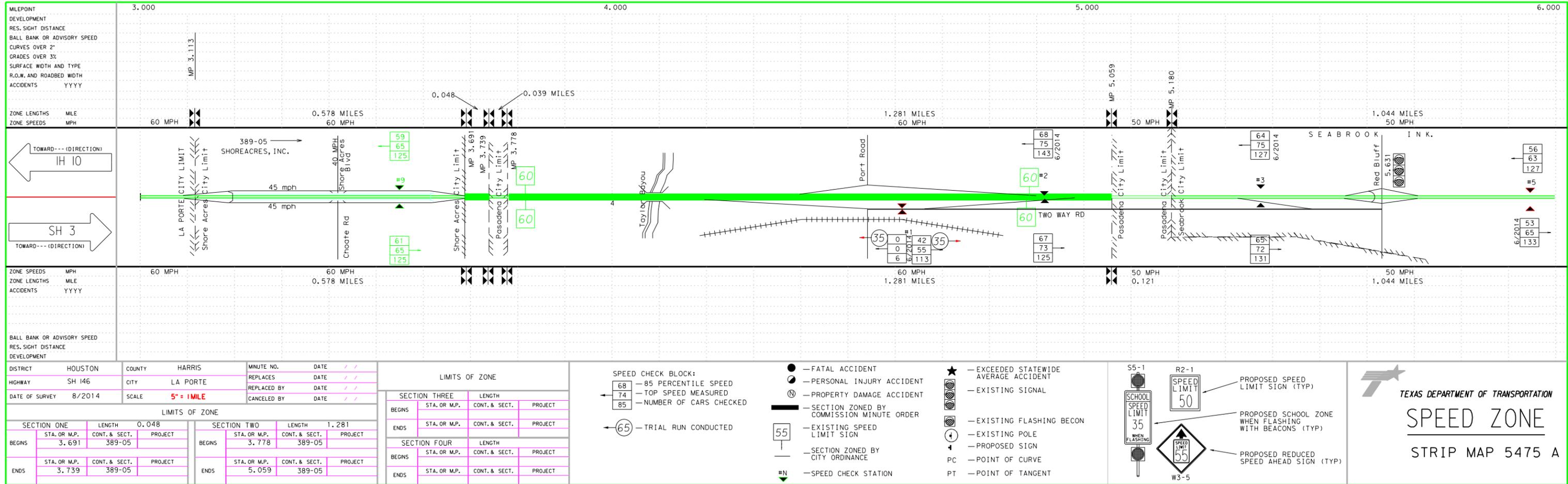
\$FILE\$

9/2/2014 3:20:09 PM

TEXAS DEPARTMENT OF TRANSPORTATION

# SPEED ZONE

STRIP MAP 5762 A



DISTRICT	HOUSTON	COUNTY	HARRIS	MINUTE NO.	DATE
HIGHWAY	SH 146	CITY	LA PORTE	REPLACES	DATE
DATE OF SURVEY	8/2014	SCALE	5" = 1 MILE	REPLACED BY	DATE
				CANCELED BY	DATE

LIMITS OF ZONE							
SECTION ONE		SECTION TWO		SECTION THREE		SECTION FOUR	
STA. OR M.P.	CONT. & SECT.	STA. OR M.P.	CONT. & SECT.	STA. OR M.P.	CONT. & SECT.	STA. OR M.P.	CONT. & SECT.
BEGINS	3.691	BEGINS	3.778	BEGINS	3.691	BEGINS	3.778
ENDS	3.739	ENDS	5.059	ENDS	3.739	ENDS	5.059

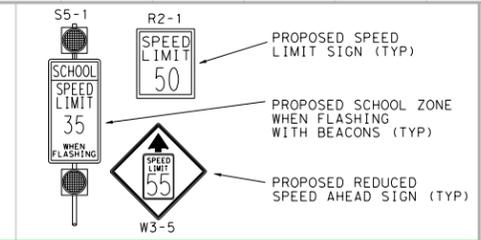
LIMITS OF ZONE			
SECTION THREE	LENGTH		
BEGINS	STA. OR M.P.	CONT. & SECT.	PROJECT
ENDS	STA. OR M.P.	CONT. & SECT.	PROJECT
SECTION FOUR	LENGTH		
BEGINS	STA. OR M.P.	CONT. & SECT.	PROJECT
ENDS	STA. OR M.P.	CONT. & SECT.	PROJECT

**SPEED CHECK BLOCK:**

68	85 PERCENTILE SPEED
74	TOP SPEED MEASURED
85	NUMBER OF CARS CHECKED

65 - TRIAL RUN CONDUCTED

- - FATAL ACCIDENT
- - PERSONAL INJURY ACCIDENT
- ⊗ - PROPERTY DAMAGE ACCIDENT
- ▬ - SECTION ZONED BY COMMISSION MINUTE ORDER
- 55 - EXISTING SPEED LIMIT SIGN
- - SECTION ZONED BY CITY ORDINANCE
- #N - SPEED CHECK STATION
- ★ - EXCEEDED STATEWIDE AVERAGE ACCIDENT
- ⊗ - EXISTING SIGNAL
- ⊗ - EXISTING FLASHING BECON
- ⊕ - EXISTING POLE
- ⬇ - PROPOSED SIGN
- PC - POINT OF CURVE
- PT - POINT OF TANGENT



TEXAS DEPARTMENT OF TRANSPORTATION

# SPEED ZONE

STRIP MAP 5475 A

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested:	<u>January 12, 2015</u>	<u>Appropriation</u>
Requested By:	<u>K. Adcox</u>	Source of Funds: <u>Motor Pool</u>
Department:	<u>Police</u>	Account Number: <u>Various</u>
Report: <input checked="" type="radio"/>	Resolution: <input type="radio"/> Ordinance: <input type="radio"/>	Amount Budgeted: <u>52,927.00</u>
Other: <input type="radio"/>		Amount Requested: <u>52,460.00</u>
<b>Attachments :</b>		Budgeted Item: <input checked="" type="radio"/> YES <input type="radio"/> NO

### 1. Quotes for equipment installation

---

#### SUMMARY & RECOMMENDATIONS

Police vehicle equipment quotes were obtained in order to appropriately equip the nine (9) police units, which were previously approved for purchase by City Council on December 8, 2014. Total equipment packages include items such as emergency lights, sirens, push bumpers, radio and computer mounting equipment, special prisoner seating and cages, weapon racks, custom graphics, etc.

CAP Fleet Upfitters has a current BuyBoard contract, Number 430-13. BuyBoard is a Texas Local Government Purchasing Cooperative that provides public agencies the opportunity to comply with bidding requirements, by utilizing the state bidding process. Agencies that utilize Buy Board contracts also receive a 2% rebate on all purchases and save administrative costs associated with the local bid process.

The amount requested is within the amount budgeted for this project and staff is recommending approval.

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#### **Action Required of Council:**

Consider approval or other action to utilize the BuyBoard contract 430-13 for equipment and installation through CAP Fleet Upfitters.

---

**Approved for City Council Agenda**

---

**Corby D. Alexander, City Manager**

---

**Date**



# CAP Fleet Upfitters

6015 N Shepherd  
Houston, TX 77018

# QUOTE

Quote # CFUQ2732

Date Nov 14, 2014

NAME/ADDRESS

**LA PORTE POLICE DEPARTMENT**  
LT. SWENSON

Phone:

Prepared By  
**Mike Urbanovsky**

O - 832-203-5658

C - 832-943-3311

F -

**Project:**

Qty	Part #	Description	Unit Price	Total
1		QTY 1: 2014 DODGE CHARGER V6 (CID) - SILVER	\$0.00	\$0.00
1	3672L4	V-CON SIREN WITH LIGHT CONTROLS	\$304.59	\$304.59
1	C3100CH	100W SIREN SPEAKER WITH CHARGER BRACKET	\$145.68	\$145.68
1	425-6636	Charger 11+ 15" FP (12"FP, 3" Blank)	\$273.00	\$273.00
1	425-6358	Face Plate - Arm Rest - 3"	\$25.35	\$25.35
1	425-6035	Mic Clip - w/ Plate	\$13.00	\$13.00
1	425-2968	Assembly, 3 12v Power Outlets in 2" Faceplate	\$31.85	\$31.85
1	ESX2VS-RB	ESSEX DUAL RED/BLUE DASH LED	\$170.45	\$170.45
1	ESX2RD-RB	ESSEX DUAL RED/BLUE DECK LED	\$161.33	\$161.33
1	RADIOANT	COAX CABLE & RADIO ANTENNA	\$69.00	\$69.00
1	INSTALL	INSTALLATION	\$695.00	\$695.00
1	SSUPPLY	CAP WIRING HARNESS & SHOP SUPPLIES	\$40.00	\$40.00
1	INSPECT	ALL CAP FLEET INSTALLATIONS COME WITH FULL QUALITY CONTROL INSPECTION		

BUYBOARD CONTRACT: 430-13

QTY 1: 2014 DODGE CHARGER V6 (CID) - SILVER

If you have any questions about this quote, please feel free to contact us directly. Thank you!

SubTotal	\$1,959.25
Shipping & Handling	\$50.00
<b>Total</b>	<b>\$2,009.25</b>

Accepted By: \_\_\_\_\_ PO # \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_



# CAP Fleet Upfitters

6015 N Shepherd  
Houston, TX 77018

# QUOTE

Quote # CFUQ2733

Date Nov 14, 2014

NAME/ADDRESS

LA PORTE POLICE DEPT  
LT. SWENSON

Phone:

Prepared By  
**Mike Urbanovsky**

O - 832-203-5658

C - 832-943-3311

F -

### Project:

Qty	Part #	Description	Unit Price	Total
1		QTY 2: 2015 TAHIE PPV (CID/SWAT) - BLACK	\$0.00	\$0.00
2	3672L4	V-CON SIREN WITH LIGHT CONTROLS	\$304.59	\$609.18
2	C3100TH15	100W SPEAKER WITH TAHOE BRACKET	\$145.68	\$291.36
2	920-10TH	TAHOE HEADLIGHT FLASHER	\$54.00	\$108.00
4	VTX609J	VERTEX SUPER-LED SPLIT RED/BLU	\$58.00	\$232.00
2	ESX2VS-RB	ESSEX DUAL RED/BLUE DASH LED	\$170.45	\$340.90
2	ESX2RD-RB	ESSEX DUAL RED/BLUE DECK LED	\$161.33	\$322.66
2	425-6011	Medium (12" FP)	\$120.25	\$240.50
2	425-6022	'15 TAHOE CONSOLE FLOOR PLATE	\$102.70	\$205.40
2	425-6411	Arm Rest - Adjustable (4.125" x 9" x 11")	\$75.40	\$150.80
2	425-3704	Dual ABS Cup Holder	\$33.80	\$67.60
2	425-6035	Mic Clip - w/ Plate	\$13.00	\$26.00
2	425-2968	Assembly, 3 12v Power Outlets in 2" Faceplate	\$31.85	\$63.70
2	RADIOANT	COAX CABLE & RADIO ANTENNA	\$69.00	\$138.00
2	INSTALL	INSTALLATION	\$650.00	\$1,300.00
2	SSUPPLY	CAP WIRING HARNESS & SHOP SUPPLIES	\$40.00	\$80.00
2	INSPECT	ALL CAP FLEET INSTALLATIONS COME WITH FULL AGENCY LIFETIME WARRANTY		

BUYBOARD CONTRACT: 430-13

QTY 2: 2015 CHEVROLET TAHOE PPV (CID/SWAT) - BLACK

If you have any questions about this quote, please feel free to contact us directly. Thank you!

SubTotal	\$4,236.10
Shipping & Handling	\$75.00
<b>Total</b>	<b>\$4,311.10</b>

Accepted By: \_\_\_\_\_ PO # \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_



# CAP Fleet Upfitters

6015 N Shepherd  
Houston, TX 77018

# QUOTE

Quote # CFUQ2734

Date Nov 14, 2014

NAME/ADDRESS

**LA PORTE POLICE DEPT**  
LT. SWENSON

Phone:

Prepared By  
**Mike Urbanovsky**

O - 832-203-5658

C - 832-943-3311

F -

### Project:

Qty	Part #	Description	Unit Price	Total
1		QTY3: 2015 TAHOE PPV (MARKED PATROL) - BLACK	\$0.00	\$0.00
3	2752/Z3-PKG	52" RX2700 LED LIGHTBAR W/LED ALLEYS AND TAKEDOWNS, MOUNTING KIT, Z3 REMOTE SIREN/LIGHT CONTROL AND 100W SPEAKER W/BRKT	\$2,135.56	\$6,406.68
3	920-10TH	TAHOE HEADLIGHT FLASHER	\$54.00	\$162.00
3	ULF44	UNIVERSAL LED FLASHER 4 OUTLET	\$47.17	\$141.51
6	VTX609J	VERTEX SUPER-LED SPLIT RED/BLU	\$58.00	\$348.00
6	MR6FMKIT	GROMMET MOUNT KIT FOR MR6 LED	\$10.20	\$61.20
6	MR6FM-RB	MR6 SPLIT RED/BLUE LED	\$73.60	\$441.60
6	MR6FM-RB	MR6 SPLIT RED/BLUE SURFACE MOUNT LED	\$73.60	\$441.60
3	WK0514TAH15	Window Barrier VS Steel Vertical	\$146.30	\$438.90
3	DK0598TAH15	Door Panel VS Aluminum	\$119.25	\$357.75
3	5165-2L31	TAHOE PUSH BUMPER W/2 TREX LED CUTOUT	\$307.78	\$923.34
6	TRX6RB	T-REX SPLIT RED/BLUE LED	\$73.98	\$443.88
3	QK0494TAH15	FULL REAR TRANSPORT TPO SEAT WITH CENTER PULL SEAT BELTS	\$559.30	\$1,677.90
3	PK1156TAH15SCA	10XL HORIZONTAL SLIDING WINDOW FRONT PARTITION W/RECESS PANEL AND LOWER EXTENSION PANELS	\$636.30	\$1,908.90
3	PK0123TAH072ND	#12VS 2ND Vinyl Coated Expanded Metal Partition Stock Seat (Others Available)	\$279.30	\$837.90
3	GK10271UHKSUSCA	Single T-Rail Mount Universal, Handcuff Key Override	\$209.30	\$627.90
3	425-6268	TAHOE SPECIFIC CONSOLE W/SIDE STORAGE	\$487.50	\$1,462.50
3	425-3704	Dual ABS Cup Holder	\$33.80	\$101.40
3	425-6260	Arm Rest - Upper Structure (7.75" x 8" x 8")	\$40.95	\$122.85
6	425-6035	Mic Clip - w/ Plate	\$13.00	\$78.00
3	C-HDM-204	8.5" Heavy Duty Telescoping Pole, side mount, short handle	\$113.56	\$340.68
3	C-MD-102	Swing arm with motion adapter	\$211.60	\$634.80
3	C-HDM-401	Heavy duty stability side support arm, Mounts to OEM frame under passenger glove box door	\$43.68	\$131.04
3	RADIOANT	COAX CABLE & RADIO ANTENNA	\$69.00	\$207.00

Qty	Part #	Description	Unit Price	Total
3	GRAPHICS	GRAPHICS AND WRAPS (WRAP FOUR DOORS AND ROOF IN WHITE OF BLACK TAHOE)	\$1,225.00	\$3,675.00
3	INSTALL	INSTALLATION	\$925.00	\$2,775.00
3	SSUPPLY	CAP WIRING HARNESS & SHOP SUPPLIES	\$50.00	\$150.00
3	INSPECT	ALL CAP FLEET INSTALLATIONS COME WITH FULL QUALITY CONTROL INSPECTION		

BUYBOARD CONTRACT: 430-13

QTY 3: 2015 CHEVROLET TAHOE PPV (MARKED PATROL) - BLACK

THIS QUOTATION DOES NOT INCLUDE THE HG2 RUNNER KITS AS REQUESTED AND THE GRAPHICS AND WRAPS ARE QUOTED BASED ON WRAPPING THE FOUR DOORS AND ROOF IN WHITE ON A BLACK VEHICLE AND GRAPHICS.

If you have any questions about this quote, please feel free to contact us directly. Thank you!

SubTotal	\$24,987.33
Shipping & Handling	\$250.00

**Total \$25,237.33**

Accepted By: \_\_\_\_\_ PO # \_\_\_\_\_  
 Title \_\_\_\_\_ Date \_\_\_\_\_



# CAP Fleet Upfitters

6015 N Shepherd  
Houston, TX 77018

# QUOTE

Quote # **CFUQ2735**

Date Nov 14, 2014

Prepared By  
**Mike Urbanovsky**

O - 832-203-5658

C - 832-943-3311

F -

*Traffic/ghost units*

NAME/ADDRESS

**LA PORTE POLICE DEPT**  
LT. SWENSON

Phone:

**Project:**

Qty	Part #	Description	Unit Price	Total
1		QTY 2: 2015 DODGE CHARGER (PATROL) - BLACK	\$0.00	\$0.00
2	425-6636	Charger 11+ 15" FP (12"FP, 3" Blank)	\$201.60	\$403.20
2	425-6358	Face Plate - Arm Rest - 3"	\$25.35	\$50.70
6	425-6035	Mic Clip - w/ Plate	\$13.00	\$78.00
2	425-2968	Assembly, 3 12v Power Outlets in 2" Faceplate	\$31.85	\$63.70
2	C-HDM-204	8.5" Heavy Duty Telescoping Pole, side mount, short handle	\$113.56	\$227.12
2	C-HDM-401	Heavy duty stability side support arm, Mounts to OEM frame under passenger glove box door	\$43.68	\$87.36
2	C-MD-102	Swing arm with motion adapter	\$211.60	\$423.20
2	QK0494CGR11	Full Rear Transport TPO Seat with Center Pull Seat Belts	\$559.30	\$1,118.60
2	PK1126CGR11SCA	#10XL C Coated Polycarbonate With Expanded Metal Window Security Screen	\$587.30	\$1,174.60
2	TK1189CGR11	Trunk Tray Aluminum	\$249.90	\$499.80
2	GK10271UHKSSCA	Single T-Rail Mount Universal, Handcuff Key Override	\$209.30	\$418.60
8	MR6FM-RB	MR6 SPLIT RED/BLUE SURFACE MOUNT LED	\$73.60	\$588.80
2	SV77MCCH	MULTICOLOR SUPERVISOR FRONT INTERIOR WINDSHILED WITH FULL TAKEDOWN OVERRIDE	\$911.00	\$1,822.00
4	MBNLB	(1) "L" style bracket for Commander / Nforcer (STX) series	\$10.50	\$42.00
2	HG22PC72RB	HG2 LIGHTING 2 PC RUNNER KIT	\$749.00	\$1,498.00
2	Z3	REMOTE SIREN / LIGHT CONTROL	\$677.28	\$1,354.56
2	C3100CH	100W SPEAKER W/CHARGER BRACKET	\$145.68	\$291.36
2	DCLTA6XL6-R/A-B/A	6 head color changing Xtreme linear Commander XL6 with warning & traffic patterns (12~24VDC)	\$580.00	\$1,160.00
2	FBS-DC	COMMANDER FLASH BACK SHIELD	\$55.72	\$111.44
2	RADIOANT	COAX CABLE & RADIO ANTENNA	\$69.00	\$138.00
2	GRAPHICS	GRAPHICS (GHOST PATROL GRAPHICS ON BLACK VEHICLE)	\$299.00	\$598.00
2	INSTALL	INSTALLATION	\$1,025.00	\$2,050.00
2	SSUPPLY	CAP WIRING HARNESS & SHOP SUPPLIES	\$60.00	\$120.00
2	INSPECT	ALL CAP FLEET INSTALLATIONS COME WITH FULL AGENCY LIFETIME WARRANTY		

Qty	Part #	Description	Unit Price	Total
-----	--------	-------------	------------	-------

BUYBOARD CONTRACT: 430-13

QTY 2: 2015 DODGE CHARGER (PATROL) - BLACK

THE PART NUMBERS LISTED ON THIS QUOTATION ARE FOR THE CURRENT YEAR MODEL 2014 DODGE CHARGER. THIS VEHICLE IS BEING REDESIGNED FOR 2015 AND PART NUMBERS WILL CHANGE. PART NUMBERS ARE NOT CURRENTLY AVAILABLE FOR THE 2015 DODGE CHARGER.

If you have any questions about this quote, please feel free to contact us directly. Thank you!

SubTotal	\$14,379.04
Shipping & Handling	\$195.00

**Total \$14,574.04**

Accepted By: \_\_\_\_\_ PO # \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

7,287.02  
each



# CAP Fleet Upfitters

6015 N Shepherd  
Houston, TX 77018

# QUOTE

Quote # CFUQ2736

Date Nov 14, 2014

NAME/ADDRESS

**LA PORTE POLICE DEPT**  
LT. SWENSON

Phone:

Prepared By  
**Mike Urbanovsky**

O - 832-203-5658

C - 832-943-3311

F -

**Project:**

Qty	Part #	Description	Unit Price	Total
1		QTY 1: 2014 DODGE CHARGER (SUPPORT SERVICES) - WHITE	\$0.00	\$0.00
1	2747/Z3-PKG	47" RX2700 LED LIGHTBAR W/LED ALLEYS AND TAKEDOWNS, MOUNTING KIT, Z3 REMOTE SIREN / LIGHT CONTROL AND 100W SPEAKER W/BRKT	\$2,059.56	\$2,059.56
1	5076-2L31	GO RHINO PUSH BUMPER W/T-REX LED LIGHT CUTOUTS	\$234.58	\$234.58
2	TRX6RB	T-REX SPLIT 5RED/BLUE SURFACE MOUNT LED	\$73.98	\$147.96
4	VTX609J	VERTEX SUPER-LED SPLIT RED/BLU	\$58.00	\$232.00
1	TK1189CGR11	Trunk Tray Aluminum	\$249.90	\$249.90
1	GK10271UHKSSCA	Single T-Rail Mount Universal , Handcuff Key Override	\$209.30	\$209.30
1	GF1092CGR11	T-Rail Free Standing Mount Kit	\$125.26	\$125.26
1	425-6636	Charger 11+ 15" FP (12"FP, 3" Blank)	\$273.00	\$273.00
2	425-6358	Face Plate - Arm Rest - 3"	\$25.35	\$50.70
2	425-6035	Mic Clip - w/ Plate	\$13.00	\$26.00
1	425-2968	Assembly, 3 12v Power Outlets in 2" Faceplate	\$31.85	\$31.85
1	C-MD-102	Swing arm with motion adapter	\$211.60	\$211.60
1	C-HDM-401	Heavy duty stability side support arm, Mounts to OEM frame under passenger glove box door	\$43.68	\$43.68
1	C-HDM-204	8.5" Heavy Duty Telescoping Pole, side mount, short handle	\$113.56	\$113.56
1	RADIOANT	COAX CABLE & RADIO ANTENNA	\$69.00	\$69.00
1	GRAPHICS	GRAPHICS AND WRAP (WRAP FRONT AND REAR QUARTER PANELS, HOOD , TRUNK, BUMPERS IN BLACK OF WHITE VEHICLE AND GRAPHICS)	\$2,499.00	\$2,499.00
1	INSTALL	INSTALLATION	\$825.00	\$825.00
1	SSUPPLY	CAP WIRING HARNESS & SHOP SUPPLIES	\$45.00	\$45.00
1	INSPECT	ALL CAP FLEET INSTALLATIONS COME WITH FULL QUALITY CONTROL INSPECTION		

Qty	Part #	Description	Unit Price	Total
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BUYBOARD CONTRACT: 430-13

QTY 1: 2014 DODGE CHARGER (SUPPORT SERVICES) - WHITE

GRAPHICS AND WRAPS ARE QUOTED BASED ON WRAPPING FRONT AND REAR QUARTER PANELS, HOOD, TRUNK AND BUMPERS OF BLACK VEHICLE AND GRAPHICS.

If you have any questions about this quote, please feel free to contact us directly. Thank you!

SubTotal	\$7,476.95
Shipping & Handling	\$125.00
<hr/>	

**Total \$7,601.95**

Accepted By: \_\_\_\_\_ PO # \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>January 12, 2015</u>	<u>Appropriation</u>
Requested By: <u>D. Mick</u>	Source of Funds: <u>Motor Pool</u>
Department: <u>Public Works</u>	Account Number: <u>009 Various</u>
Report: <input checked="" type="radio"/> Resolution: <input type="radio"/> Ordinance: <input type="radio"/>	Amount Budgeted: <u>342,702.00</u>
Other: <input type="radio"/>	Amount Requested: <u>327,395</u>
<b>Attachments :</b>	Budgeted Item: <input checked="" type="radio"/> YES <input type="radio"/> NO

1. Summary of Vehicle Replacement
2. Texas BuyBoard Worksheets

### SUMMARY & RECOMMENDATIONS

The FY 2015 budget included funding for the replacement of one six-yard dump truck, one pot hole patch truck and one 25-yard trash truck. However, after consulting with departments, there were two changes to the equipment:

- Replacing 6 yard dump truck with 12-yard dump truck.
- Replacing 25 yard trash truck with 30-yard trash truck.

Competitive quotes were received through Texas Buy Board (Contract 430-13), local government purchasing cooperative and the results are summarized below.

VENDOR	BUDGET ITEM	BUDGETED	BID	USER
	1 – Twelve Yard Dump Truck	109,632.00	93,818.00	PW
Austin Freightliner	1 – Pot Hole Patch Truck	135,915.00	139,903.08	PW
	1 – 30 Yard Trash Truck	97,155.00	93,673.00	PW
	TOTAL	342,702.00	327,394.08	

### Action Required of Council:

Consider approval or other action to award purchase of one twelve yard dump truck, one pot hole patch truck, and one thirty yard trash truck to Austin Freightliner for \$327,394.08.

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**Approved for City Council Agenda**

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**Corby D. Alexander, City Manager**

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**Date**

**CITY OF LA PORTE  
SUMMARY OF VEHICLE REPLACEMENTS  
FISCAL YEAR 2014-15**

<b>Account Number</b>	<b>Amount</b>	<b>Unit</b>	<b>Description</b>
009-5050-522-8050	\$ 31,140	50-01	2005 Ford Explorer
* 009-5051-522-8050	424,730	51-32	1994 KME Fire Pumper
009-5051-522-8050	46,676	51-19	2002 Ford F250 4WD Crewv Cab
009-5059-522-8050	72,500	59-30	2009 F450 AMB Cab & Chasis
009-5253-521-8050	35,125	53-11	2009 Ford Police Interceptor
009-5253-521-8050	35,125	53-16	2010 Ford Police Interceptor
009-5253-521-8050	35,125	53-53	2006 Ford Police Interceptor
009-5256-521-8050	20,796	56-18	2007 Chevy Sedan
009-5256-521-8050	20,796	56-19	2007 Chevy Sedan
009-5256-521-8050	35,125	56-68	2008 Chevy Impala Interceptor
009-5258-521-8050	35,125	58-40	2007 Chevy Sedan
009-6049-551-8050	32,609	49-16	2010 Greens Mower
009-6049-551-8050	28,792	49-42	2009 Three Gang Mower
009-6049-551-8050	28,792	49-43	2009 Three Gang Mower
009-6054-510-8050	34,027	54-01	2006 Ford F250 Pickup
009-6147-515-8050	17,525	47-01	2005 Ford F150 Pickup
009-7070-531-8050	32,319	70-03	2003 Chevy S10 Blazer
009-7071-531-8050	109,631	71-27✓	2001 Freightliner 6YD Dump
009-7071-531-8050	145,664	71-28	1996 Case Wheel Loader
009-7071-531-8050	26,259	71-38	2004 John Deere 5320 Tractor
009-7071-531-8050	135,915	71-49✓	2003 Intl. Pothole Patch Truck
009-7071-531-8050	292,967	71-54	2002 Gradall Excavator
009-7071-531-8050	29,010	71-57	2003 Ford 55 HP Tractor
009-7072-532-8050	97,155	72-04✓	2004 Ford 25YD Trach
009-7077-533-8050	32,206	77-55	2003 75HP Tractor
009-7084-533-8050	17,559	84-23	2006 Chevy Half Ton Pickup
009-8080-552-8050	19,192	80-01	2001 John Deere 790 Tractor
009-8080-552-8050	19,192	80-13	2001 John Deere 790 Tractor
009-8080-552-8050	33,690	80-42	2003 Ford F350 Crew Cap
009-8080-552-8050	17,559	80-54	2006 Ford F150 Pickup
009-8082-551-8050	<u>39,665</u>	82-10	2004 Ford Econoline Van
	<b>\$ 1,981,991</b>		

\* 51-32 unit was ordered in October 2013



7-27

# FREIGHTLINER OF AUSTIN

1701 Smith Rd.  
Austin, Texas 78721

Bus: 512-389-0000  
Fax: 512-389-2663

INV #

BUYER'S ORDER

BUYER'S NAME City of La Porte		TELEPHONE 281-470-5114	
ADDRESS 2963 N. 23rd. St.		CITY La Porte	STATE TX
YEAR 2016	MAKE Freightliner	MODEL/BODY M2-106 Tandem Dump Truck	VIN
		Order	
		ZIP CODE 77571	LICENSE PLATE

**A DOCUMENTARY FEE IS NOT AN OFFICIAL FEE. A DOCUMENTARY FEE IS NOT REQUIRED BY LAW, BUT MAY CHARGED TO BUYER FOR HANDLING DOCUMENTS RELATING TO THE SALE. A DOCUMENTARY FEE MAY NOT EXCEED A REASONABLE AMOUNT AGREED TO BY THE PARTIES. THIS NOTICE IS REQUIRED BY LAW.**

**UN CARGO DOCUMENTAL NO ES UN CALGO OFFICIAL. LA LEY NO EXIGE QUE SE IMPONGA UN CARGO DOCUMENTAL. PERO ESTE PODRIA COBRARSE A LOS COMPRADORES POR EL MANEJO DE LA DOCUMENTACION EN RELACION CON LE VENTA. UN CARGO DOCUMENTAL NO PUEDE EXCEDER UNA CANTIDAD PAZONABLE ACORDADA POR LAS PARTES. ESTA NOTIFICACION SE EXIGE POR LEY.**

MILEAGE:	
SELLING PRICE	\$93,418.00
Buy Board Fee	\$400.00
Selling Price Includes Delivery to La Porte, TX.	
Allow 180 days for delivery, from P.O. issue date.	

**Disclaimer of Warranties**

The above described vehicle sold by Freightliner of Austin is sold as is, without either express or implied warranties of any kind by Freightliner of Austin, including warranties of merchantability or fitness, and Buyer will bear the entire expense of repairing or correcting any defects that presently exist or that may occur in the vehicle, unless a written warranty by, or service contract with Freightliner of Austin covering the describe vehicle is delivered to Buyer in conjunction with or within 90 days following the time of sale, but such vehicle or any of its component parts may be subject to warranty by the manufacturer thereof.

MILEAGE:	YEAR:	MAKE:	MODEL/BODY:	VIN:			
MILEAGE:	YEAR:	MAKE:	MODEL/BODY:	VIN:	TRADE-IN		
PAYOFF TO:					TOTAL	\$93,818.00	
ADDRESS:					(Trade Allowance)		
GOOD UNTIL:					TRADING DIFFERENCE		
QUOTED BY:					SALES TAX	N/A	
SHOW LEIN TO:					DEALER'S INVENTORY TAX	N/A	
ADDRESS:					LICENSE FEE	N/A	
DATED:					Body Type: Dump	DOCUMENTARY FEE	N/A
DRAFT FOR \$					License Wt:	FEDERAL EXCISE TAX	N/A
DRAFT THRU:					State Insp.: D.O.T.	TOTAL SALE PRICE	\$93,818.00
ADDRESS:					License:	PAYOFF ON TRADE	
					Title:	EXT. SERVICE AGREEMENT	
					Transfer:	LESS DEPOSIT	
						Total Balance Due	\$93,818.00

\*\*The Dealer's Inventory Tax charge is intended to reimburse the dealer for ad valorem taxes on its motor vehicle inventory. The charge, which is paid by the Dealer to the county tax assessor-collector, is not a tax imposed on a consumer by the government and is not required to be charged by the dealer to the consumer. The information you see on the window form for this vehicle is part of this contract. Information on the window form overrides any contrary provisions on the contract of sale. La informacion que aparece en la ventanilla de este vehiculo forma parte de este contrato. La informacion contenida en el formulario de la ventanilla anula cualquier prevision que estable contrato vauv aparece en el contrato de venta. If a credit purchase, this is an offer to purchase only. Buyer offers to purchase vehicle on credit terms described herein and no contract relationship is created. This order does not constitute an agreement for the extension of credit. Manufacturer/Distributor reserves the right to change the price of new vehicles to Seller without notice in the event that the price to Seller of the new vehicle ordered hereunder is changed prior to delivery to Buyer. Buyer agrees and accepts that the cash delivered price will be changed accordingly if the Buyer's used vehicle trade-in is not delivered to the Seller until delivery of the new vehicle, the trade-in will be reappraised at that time and Buyer agrees that such reappraised value will determine the allowance, if any, made for the trade-in. Buyer agrees to deliver the original bill of sale and the title to an trade-in along with the delivery of the trade-in and further agrees to execute and all documents necessary or required to transfer legal title and ownership to Seller or its assigns. Buyer warrants the trade-in to be his property and free and clear of all liens and encumbrances except as otherwise noted herein. Buyer further warrants that the trade-in has not been declared rebuilt salvage, reconditioned, nonrepairable, or flood damaged and that the emission systems if not been tampered with and are in the condition as originally manufactured, except for ordinary wear, unless so disclosed. Seller makes no representations, concerning fuel economy of the sale and any information posted on the sale unit or contained in literature relating to the same reflect the results of tests performed, required or prescribed by government agency, upon which Seller relied. It is expressly agreed to and understood by Buyer and Seller that in the event of a non-credit transaction, Seller retains a security interest in the purchased vehicle until such time as Buyer paid the Seller for the vehicle. Buyer agrees to all the above listed charges.

BUYER'S SIGNATURE: \_\_\_\_\_ SELLER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

AUSTIN TRUCK & EQUIPMENT, LTD. DBA FREIGHTLINER OF AUSTIN



11-49

# FREIGHTLINER OF AUSTIN

1701 Smith Rd. (Hwy. 183 So.)  
Austin, Texas 78721

Bus: 512-389-0000  
FAX: 512-389-2663  
Wats: 1-800-395-2005

INV.

PURCHASING NAME <b>CITY OF LA PORTE</b>		TELEPHONE <b>281-471-5020</b>	
ADDRESS <b>604 W. FAIRMONT PARKWAY</b>		CITY <b>LA PORTE</b>	STATE <b>TX</b>
		ZIP CODE <b>77571</b>	

I/We Hereby Purchase from You, Under the Terms and Conditions Specified, the Following:

YEAR	MAKE	MODEL/BODY	VIN	LICENSE PLATE
2016	FREIGHTLINER	M2106	ORDER	

A documentary fee is not an official fee, a documentary fee is not required by law but may be charged to buyers for handling documents and performing services relating to the the closing of a sale. Buyers may avoid payment of the fee to the seller by handling the documents and performing the services relating to the closing of the sale. A documentary fee may not exceed \$50.00. This notice is required by law.

*El cobro documental no es un cobro oficial. El cobro documental no es un requisito bajo la ley, pero se le puede cobrar. Al comprador por el rendimiento de los servicios relacionados con la completacion de la venta y por completar los documentos. El comprador puede evitar el pago al vendedor de este costo si el comprador mismo se encarga de manejar los documentos y de los servicios necesarios para la completacion de la venta. El cobro documental no puede sobrepasar los \$50.00 (U.S.) Este aviso es requerido bajo la ley.*

MILEAGE:	
BUY BOARD CONTRACT #430-13	
CHASSIS SELLING PRICE	69,897.00
PRO PATCH TCM 425-80-DHE	69,606.08
BUY BOARD FEE	400.00

**Disclaimer of Warranties**

Any warranties on the products sold hereby are those made by the factory. The Seller, Freightliner of Austin, hereby expressly disclaims all warranties, either expressed or implied including any implied warranty of merchantability or fitness for a particular purpose, and Freightliner of Austin, neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this vehicle.

CUSTOMER SIGNATURE	
SALESMAN SIGNATURE	KEVIN KRIEG

CONTRACTUAL DISCLOSURE STATEMENT FOR USED VEHICLE ONLY. \*The information you see on the window form for this vehicle is part of this contract. Information on the window form overrides any contrary provisions in the contract of sale.\*

MILEAGE:	TRADE-IN
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YEAR	MAKE	MODEL/BODY	VIN	LICENSE PLATE
------	------	------------	-----	---------------

MILEAGE:	TRADE-IN
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YEAR	MAKE	MODEL/BODY	VIN	LICENSE PLATE
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		TOTAL	139,903.08
PAYOFF TO:		Trade Allowance	N/A
ADDRESS:		Trading Difference	N/A
TELEPHONE: / FAX:		Sales Tax	N/A
GOOD UNTIL:		Vehicle Inventory Tax	N/A
QUOTED BY:		License Fee	N/A
SHOW LIEN TO:		Documentary Fee	N/A
ADDRESS:		Federal Excise Tax	N/A
		TOTAL SALE PRICE	139,903.08
DATED: LIEN-AMOUNT \$		Payoff on Trade	
DRAFT FOR \$		Ext. Service Agreement	
DRAFT THRU:		Less Deposit	
ADDRESS:		Total Balance Due	139,903.08

Full disclosure required by federal regulation 'Z', The Consumer Protection Act and The Texas Consumer Credit Code, will be made prior to consummation of a credit sale. This written order comprises the entire agreement pertaining to this purchase and no other agreement of any kind, verbal understanding or promise whatsoever, will be recognized. It is expressly agreed that the purchaser acquires no right, title or interest in or to the property which he agrees to purchase hereunder until such property is delivered to him/her and either the full price is paid in cash or satisfactory deferred payment agreement is executed by the parties hereto, the terms of which shall thereafter be controlling, and a clear title is furnished to dealer for the used cars or trucks involved, if any. THIS IS NOT A CONDITIONAL SALES CONTRACT, BUT IS A BUYER'S ORDER. All new vehicles carry the standard factory warranty. It is understood there is no guarantee on the above described new or used vehicle other than appears on this Buyer's Order. Mileage, if used vehicle model is not guaranteed and a verbal agreement by the Salesman will not be considered binding on the Seller. It is agreed that neither Freightliner of Austin nor the manufacturer will be liable for failure to effect delivery. This order is not binding on the dealer until approved by an officer of Freightliner of Austin at its office in Austin, Texas



72-04

# FREIGHTLINER OF AUSTIN

1701 Smith Rd.  
Austin, Texas 78721

Bus: 512-389-0000  
Fax: 512-389-2663

INV #:

BUYER'S ORDER

BUYER'S NAME City of La Porte		TELEPHONE 281-470-5114	
ADDRESS 2963 N. 23rd. St.		CITY La Porte	STATE TX
YEAR 2016	MAKE Freightliner	MODEL/BODY M2-106 Trash Dump Truck	VIN Order
		ZIP CODE 77571	LICENSE PLATE

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MILEAGE:	
SELLING PRICE	\$93,273.00
Buy Board Fee	\$400.00
Includes Delivery to La Porte, TX.	
Allow 180 days for delivery, from P.O. issue date.	

**Disclaimer of Warranties**  
The above described vehicle sold by Freightliner of Austin is sold as is, without either express or implied warranties of any kind by Freightliner of Austin, including warranties of merchantability or fitness, and Buyer will bear the entire expense of repairing or correcting any defects that presently exist or that may occur in the vehicle, unless a written warranty by, or service contract with Freightliner of Austin covering the described vehicle is delivered to Buyer in conjunction with or within 90 days following the time of sale, but such vehicle or any of its component parts may be subject to warranty by the manufacturer thereof.

MILEAGE:	YEAR:	MAKE:	MODEL/BODY:	VIN:			
MILEAGE:	YEAR:	MAKE:	MODEL/BODY:	VIN:	TRADE-IN		
					TOTAL	\$93,673.00	
PAYOFF TO:					(Trade Allowance)		
ADDRESS:					TRADING DIFFERENCE		
					SALES TAX	N/A	
GOOD UNTIL:					DEALER'S INVENTORY TAX	N/A	
QUOTED BY:					LICENSE FEE	N/A	
SHOW LEIN TO:					DOCUMENTARY FEE	N/A	
ADDRESS:					FEDERAL EXCISE TAX	N/A	
					State Insp.: D.O.T.	TOTAL SALE PRICE	\$93,673.00
DATED:					License:	PAYOFF ON TRADE	
DRAFT FOR \$					Title:	EXT. SERVICE AGREEMENT	
DRAFT THRU:					Transfer:	LESS DEPOSIT	
ADDRESS:					Total Balance Due	\$93,673.00	

**\*\*The Dealer's Inventory Tax charge is intended to reimburse the dealer for ad valorem taxes on its motor vehicle inventory. The charge, which is paid by the Dealer to the county tax assessor-collector, is not a tax imposed on a consumer by the government and is not required to be charged by the dealer to the consumer. The information you see on the window form for this vehicle is part of this contract. Information on the window form overrides any contrary provisions on the contract of sale. La informacion que aparece en la ventanilla de este vehiculo forma parte de este contrato. La informacion contenida en el formulario de la ventanilla anula cualquier prevision que estable el contrato o cualquier otra informacion que aparezca en el contrato de venta. If a credit purchase, this is an offer to purchase only. Buyer offers to purchase vehicle on credit terms described herein and no contract relationship is created. This order does not constitute an agreement for the extension of credit. Manufacturer/Distributor reserves the right to change the price of new vehicles to Seller without notice in the event that the price to Seller of the new vehicle ordered hereunder is changed prior to delivery to Buyer. Buyer agrees and accepts that the cash delivered price will be changed accordingly if the Buyer's used vehicle trade-in is not delivered to the Seller until delivery of the new vehicle, the trade-in will be reappraised at that time and Buyer agrees that such reappraised value shall determine the allowance, if any, made for the trade-in. Buyer agrees to deliver the original bill of sale and the title to a trade-in along with the delivery of the trade-in and further agrees to execute and all documents necessary or required to transfer legal title and ownership to Seller or its assigns. Buyer warrants the trade-in to be his property and free and clear of all liens and encumbrances except as otherwise noted herein. Buyer further warrants that the trade-in has not been declared rebuilt salvage, reconditioned, nonrepairable, or flood damaged and that the emission systems have not been tampered with and are in the condition as originally manufactured, except for ordinary wear, unless so disclosed. Seller makes no representations, concerning fuel economy of the sale and any information posted on the sale unit or contained in literature relating to the same reflect the results of tests performed, required or prescribed by government agency, upon which Seller relied. If it is expressly agreed to and understood by Buyer and Seller that in the event of a non-credit transaction, Seller retains a security interest in the purchased vehicle until such time as Buyer paid the Seller for the vehicle. Buyer agrees to all the above listed charges.**

BUYER'S SIGNATURE: \_\_\_\_\_ SELLER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_  
**AUSTIN TRUCK & EQUIPMENT, LTD. DBA FREIGHTLINER OF AUSTIN**



and distributed as needed. Funds are available and within budget of the water and sewer divisions' various accounts and CIP projects. Some of the accounts are as follows:

Waste Water Collection 002-7086-532-4013 Sanitary Sewer line repairs \$20,000  
Water Distribution 002-7085-533-4012 Water Line repairs \$40,000  
Capital Improvement Project number UTL 697 Valve Replacement \$40,000  
Capital Improvement Project number UTL 898 In house Water Main Replacement \$45,000

Project Benefits, Liabilities, and Operating Costs:

These items are maintained in the warehouse for water and sewer line leaks and repairs, including commercial and residential. The immediate availability of these items reduces the time that water is shut-off for the citizens and reduces amount of water leaking into roads, alleys, and ditches. If the items are not available, utility crews would have to drive into Houston to purchase the parts, significantly decreasing productivity and efficiency.

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Action Required by Council:

Consider approval or other action authorizing the City Manager to enter into contracts with HD Supply, MDN Enterprises, and Coburn's Supply for the annual supply of water and sewer supplies in the amount of \$86,494.36.

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**Approved for City Council Agenda**

\_\_\_\_\_  
**Corby D. Alexander, City Manager**

\_\_\_\_\_  
**Date**

**BID TABULATION-BID 15005 WATER AND SEWER SUPPLIES**

			COBURN'S		MDN ENTERPRISES		HD SUPPLY	
Section	Description	Qty	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
1. Service Material and Brass (No Lead)	Meter Gasket, Rubber 3/4" x 1/8"	300	No Bid	No Bid	\$0.62	\$186.00	\$0.09	\$27.00
	Meter Gasket, Rubber 1" x 1/8"	20	No Bid	No Bid	\$0.87	\$17.40	\$0.09	\$1.80
	Meter Coupling with gasket, 3/4"	110	No Bid	No Bid	\$6.74	\$741.40	\$6.00	\$660.00
	Meter Gasket, Rubber 1.5"	10	No Bid	No Bid	\$0.91	\$9.10	\$0.56	\$5.60
	Meter Gasket, Rubber 2"	40	No Bid	No Bid	\$1.10	\$44.00	\$0.97	\$38.80
	Meter Coupling with Gasket, 1"	5	No Bid	No Bid	\$10.38	\$51.90	\$8.00	\$40.00
	Curb Stop with lockwing, comp/iron, 3/4"	55	No Bid	No Bid	\$28.52	\$1,568.60	\$28.50	\$1,567.50
	Curb Stop with lockwing, comp/iron, 1"	65	No Bid	No Bid	\$49.34	\$3,207.10	\$51.00	\$3,315.00
	Curb Stop with lockwing, comp/iron, 2"	10	No Bid	No Bid	\$194.94	\$1,949.40	\$191.80	\$1,918.00
	Curb Stop with lockwing, iron/iron, 3/4"	4	No Bid	No Bid	\$24.12	\$96.48	\$24.20	\$96.80
	Curb Stop with lockwing, iron/iron, 1"	2	No Bid	No Bid	\$42.55	\$85.10	\$42.70	\$85.40
	Corporation, cc/compression, 3/4"	2	No Bid	No Bid	\$23.31	\$46.62	\$23.45	\$46.90
	Corporation, cc/compression, 1"	60	No Bid	No Bid	\$35.35	\$2,121.00	\$35.50	\$2,130.00
	Corporation, cc/compression, 2"	15	No Bid	No Bid	\$168.55	\$2,528.25	\$165.90	\$2,488.50
	Tapping Bushing, cc thread, 3/4" x 1"	70	No Bid	No Bid	\$9.02	\$631.40	\$9.05	\$633.50
	3 Part Union, comp/comp 3/4" x 3"	75	No Bid	No Bid	\$13.27	\$995.25	\$13.05	\$978.75
	3 Part Union, comp/comp, 1"	35	No Bid	No Bid	\$14.93	\$522.55	\$14.85	\$519.75
	3 Part Union, comp/comp, 3/4" x 1"	10	No Bid	No Bid	\$15.16	\$151.60	\$15.20	\$152.00
	3 Part Union, comp/comp, 2"	25	No Bid	No Bid	\$67.43	\$1,685.75	\$67.60	\$1,690.00
	Adaptor, male, comp/iron, 3/4"	15	No Bid	No Bid	\$10.72	\$160.80	\$10.70	\$160.50
	Adaptor, male, comp/iron, 1"	2	No Bid	No Bid	\$12.70	\$25.40	\$12.70	\$25.40
	Adaptor, male, comp/iron, 2"	10	No Bid	No Bid	\$50.66	\$506.60	\$50.90	\$509.00
	Adaptor, female, comp/iron, 3/4"	2	No Bid	No Bid	\$11.27	\$22.54	\$11.30	\$22.60
	Adaptor, female, comp/iron, 1"	4	No Bid	No Bid	\$15.29	\$61.16	\$15.30	\$61.20
	Adaptor, female, comp/iron, 1.5"	2	No Bid	No Bid	\$44.47	\$88.94	\$44.60	\$89.20
	Adaptor, female, comp/iron, 2"	5	No Bid	No Bid	\$52.94	\$264.70	\$53.10	\$265.50
	Gate Valve, Brass, 3/4"	2	\$6.58	\$13.16	\$6.93	\$13.86	\$7.00	\$14.00
	Gate Valve, Brass, 1"	2	\$9.54	\$19.08	\$10.38	\$20.76	\$10.40	\$20.80
	Gate Valve, Brass, 1.5"	2	\$21.48	\$42.96	\$18.61	\$37.22	\$18.80	\$37.60
	Gate Valve, Brass, 2"	10	\$31.74	\$317.40	\$28.05	\$280.50	\$28.30	\$283.00

Section	Description	Qty	Unit Price Extended Price		Unit Price Extended Price		Unit Price Extended Price		
			Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	
	Meter Riser with lockwing, 7" x 3/4"	10	No Bid	No Bid	\$68.93	\$689.30	\$65.20	\$652.00	
	Meter Riser with lockwing, 9" x 3/4"	2	No Bid	No Bid	\$69.72	\$139.44	\$66.00	\$132.00	
	U-branch with lockwing, 6-1/2" centers, 3/4" x 1"	35	No Bid	No Bid	\$86.81	\$3,038.35	\$87.40	\$3,059.00	
	Collar, Brass, 3/4"	4	\$2.61	\$10.44	\$2.44	\$9.76	\$2.45	\$9.80	
	Ell, Brass, 90 degree, 3/4"	2	\$3.22	\$6.44	\$3.02	\$6.04	\$3.00	\$6.00	
	Ell, brass, 90 degree, 1"	6	\$4.96	\$29.76	\$4.66	\$27.96	\$4.65	\$27.90	
	Ell, brass, 90 degree, 2"	4	\$16.05	\$64.20	\$15.04	\$60.16	\$15.20	\$60.80	
	Tee, Brass, iron/iron, 3/4" x 3/4"	2	\$3.96	\$7.92	\$3.71	\$7.42	\$3.70	\$7.40	
	Bushing, Brass, 3/4" x 1"	50	\$2.61	\$130.50	\$2.44	\$122.00	\$2.45	\$122.50	
	Bushing, Brass, 3/4" x 1 1/4"	1	\$4.45	\$4.45	\$4.16	\$4.16	\$4.20	\$4.20	
	Bushing, Brass 1" x 2"	10	\$10.11	\$101.10	\$9.49	\$94.90	\$9.55	\$95.50	
	Bushing, Brass, 1 1/2" x 2"	4	\$8.40	\$33.60	\$7.88	\$31.52	\$7.95	\$31.80	
	Nipple, close all thread, 3/4"	5	\$1.46	\$7.30	\$1.35	\$6.75	\$1.35	\$6.75	
	Nipple, Brass 3/4" x 2"	6	\$1.81	\$10.86	\$1.75	\$10.50	\$1.70	\$10.20	
	Nipple, Brass, 3/4" x 4"	6	\$3.17	\$19.02	\$2.96	\$17.76	\$2.95	\$17.70	
Section 1 Cont'd	Nipple, Brass, 3/4" x 6"	6	\$4.62	\$27.72	\$4.32	\$25.92	\$4.35	\$26.10	
	Nipple, close all thread, 1"	2	\$2.34	\$4.68	\$2.01	\$4.02	\$2.00	\$4.00	
	Nipple, Brass 1/2"	5	\$1.11	\$5.55	\$0.96	\$4.80	\$0.95	\$4.75	
	Nipple, Brass, 1" x 2"	8	\$3.08	\$24.64	\$2.48	\$19.84	\$2.50	\$20.00	
	Nipple, Brass, 1" x 4"	5	\$5.06	\$25.30	\$4.34	\$21.70	\$4.35	\$21.75	
	Nipple, Brass, 1" x 6"	8	\$7.45	\$59.60	\$6.40	\$51.20	\$6.40	\$51.20	
	Nipple, Brass, 1 1/2" x 4"	2	\$8.87	\$17.74	\$7.62	\$15.24	\$7.65	\$15.30	
	Nipple, Brass 1-1/2" x 6"	4	\$13.10	\$52.40	\$11.26	\$45.04	\$11.30	\$45.20	
	Nipple, Brass, 2" x 2"	2	\$7.02	\$14.04	\$6.01	\$12.02	\$6.00	\$12.00	
	Nipple, Brass, 2" x 4"	15	\$11.83	\$177.45	\$9.80	\$147.00	\$9.90	\$148.50	
	Nipple, Brass, 2" x 6"	20	\$16.84	\$336.80	\$14.47	\$289.40	\$14.60	\$292.00	
	Reducer, 2" x 2-3/4"	10	\$19.69	\$196.90	\$16.32	\$163.20	\$18.00	\$180.00	
	Reducer, Brass, 2" x 1"	2	\$19.69	\$39.38	\$17.56	\$35.12	\$17.70	\$35.40	
	Reducer, Brass, 2" x 1.5"	2	\$17.78	\$35.56	\$15.58	\$31.16	\$15.70	\$31.40	
	Plug, Brass, 1"	10	\$2.76	\$27.60	\$2.45	\$24.50	\$2.45	\$24.50	
	Plug, Brass, 3/4"	5	\$2.09	\$10.45	\$1.86	\$9.30	\$1.85	\$9.25	
	Tee, Brass, 1" x 1"	5	\$7.78	\$38.90	\$6.94	\$34.70	\$7.00	\$35.00	
	Tee, Brass, 2" x 2"	2	\$24.60	\$49.20	\$21.95	\$43.90	\$22.00	\$44.00	
	Collar, Brass, 1.5"	2	\$9.30	\$18.60	\$8.30	\$16.60	\$8.30	\$16.60	
	Collar, Brass, 1"	2	\$4.39	\$8.78	\$3.91	\$7.82	\$3.95	\$7.90	

Section	Description	Qty	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	
	Collar, Brass, 2"	10	\$15.32	\$153.20	\$13.66	\$136.60	\$13.80	\$138.00	
	Tapping Saddle, PVC 315, 2" x 1"	5	No Bid	No Bid	\$18.53	\$92.65	\$18.80	\$94.00	
	Tapping Saddle, AC 315, 3" x 1"	5	No Bid	No Bid	\$19.00	\$95.00	\$19.20	\$96.00	
	Tapping Saddle, AC 315, 4" x 1"	15	No Bid	No Bid	\$20.33	\$304.95	\$20.60	\$309.00	
	Tapping Saddle, AC 315, 4" x 2"	2	No Bid	No Bid	\$25.37	\$50.74	\$25.70	\$51.40	
	Tapping Saddle, AC315, 6" x 1"	20	No Bid	No Bid	\$23.65	\$473.00	\$24.00	\$480.00	
	Tapping Saddle, AC315 8" x 1"	10	No Bid	No Bid	\$28.08	\$280.80	\$28.50	\$285.00	
	Tapping Saddle, AC315 12" x 1"	4	No Bid	No Bid	\$35.49	\$141.96	\$36.00	\$144.00	
	Tapping Saddle, AC 315, 6" x 2"	10	No Bid	No Bid	\$27.71	\$277.10	\$28.00	\$280.00	
	Tapping Saddle, AC 315, 8" x 2"	1	No Bid	No Bid	\$33.35	\$33.35	\$33.80	\$33.80	
	Tapping Saddle, AC 315, 10" x 2"	10	No Bid	No Bid	\$37.48	\$374.80	\$38.00	\$380.00	
	Tapping Saddle, AC 315, 12" x 2"	2	No Bid	No Bid	\$43.56	\$87.12	\$44.00	\$88.00	
	Tapping Saddle, AC 315, 16" x 2"	2	No Bid	No Bid	\$94.49	\$188.98	\$95.00	\$190.00	
	<b>Section 1 Sub Total</b>			\$2,142.68		\$25,926.93		\$25,721.70	
<b>2. Clamps and Couplings</b>									
(Smith Blair 244)	Redi Clamp, 3/4" x 3"	10	No Bid	No Bid	\$17.74	\$177.40	\$18.00	\$180.00	
	Redi Clamp, 3/4" x 6"	5	No Bid	No Bid	\$37.50	\$187.50	\$36.00	\$180.00	
	Redi Clamp, 1" x 3"	10	No Bid	No Bid	\$18.77	\$187.70	\$19.00	\$190.00	
	Redi Clamp, 1" x 6"	5	No Bid	No Bid	\$37.78	\$188.90	\$38.00	\$190.00	
	Redi Clamp, 1-1/4" x 3"	5	No Bid	No Bid	\$19.13	\$95.65	\$19.00	\$95.00	
	Redi Clamp, 1-1/4" x 6"	2	No Bid	No Bid	\$38.24	\$76.48	\$38.80	\$77.60	
	Redi Clamp, 1-1/2" x 3"	5	No Bid	No Bid	\$19.77	\$98.85	\$20.00	\$100.00	
	Redi Clamp, 1-1/2" x 6"	2	No Bid	No Bid	\$38.98	\$77.96	\$39.00	\$78.00	
(Smith Blair 245)	Redi Clamp, 2" x 3"	6	No Bid	No Bid	\$6.80	\$40.80	\$6.90	\$41.40	
	Redi Clamp, 2" x 6"	2	No Bid	No Bid	\$12.33	\$24.66	\$12.50	\$25.00	
(Smith Blair 226)	FCC 2.35 - 2.63 x 7.5"	70	No Bid	No Bid	\$39.35	\$2,754.50	\$39.90	\$2,793.00	
	FCC 2.35 - 2.63 x 12"	10	No Bid	No Bid	\$69.84	\$698.40	\$70.80	\$708.00	
	FCC 3.46 - 3.70 x 12"	2	No Bid	No Bid	\$77.57	\$155.14	\$78.60	\$157.20	
	FCC 3.73 - 4.00 x 12"	1	No Bid	No Bid	\$79.83	\$79.83	\$81.00	\$81.00	
	FCC 3.96 - 4.25 x 7.5"	35	No Bid	No Bid	\$49.61	\$1,736.35	\$49.80	\$1,743.00	
	FCC 3.96 - 4.25 x 12"	5	No Bid	No Bid	\$84.27	\$421.35	\$84.90	\$424.50	
	FCC 4.45 - 4.73 x 7.5"	2	No Bid	No Bid	\$51.35	\$102.70	\$52.00	\$104.00	
	FCC 4.45 - 4.73 x 12"	2	No Bid	No Bid	\$86.70	\$173.40	\$88.00	\$176.00	
	FCC 4.74 - 5.14 x 7.5"	10	No Bid	No Bid	\$53.15	\$531.50	\$53.80	\$538.00	
	FCC 4.74 - 5.14 x 12"	2	No Bid	No Bid	\$87.10	\$174.20	\$88.40	\$176.80	

Section	Description	Qty	Unit Price Extended Price		Unit Price Extended Price		Unit Price Extended Price		
	FCC 4.95 - 5.35 x 7.5"	15	No Bid	No Bid	\$53.72	\$805.80	\$54.30	\$814.50	
	FCC 4.95 - 5.35 x 12"	2	No Bid	No Bid	\$91.68	\$183.36	\$93.00	\$186.00	
	FCC 6.56 - 6.96 x 7.5"	5	No Bid	No Bid	\$61.38	\$306.90	\$62.20	\$311.00	
	FCC 6.56 - 6.96 x 12"	1	No Bid	No Bid	\$98.88	\$98.88	\$98.30	\$98.30	
	FCC 6.86 - 7.24 x 7.5"	5	No Bid	No Bid	\$62.73	\$313.65	\$63.70	\$318.50	
	FCC 6.86 - 7.24 x 12"	2	No Bid	No Bid	\$100.34	\$200.68	\$101.50	\$203.00	
	FCC 7.05 - 7.45 x 7.5"	55	No Bid	No Bid	\$63.67	\$3,501.85	\$64.60	\$3,553.00	
	FCC 7.05 - 7.45 x 12"	5	No Bid	No Bid	\$101.97	\$509.85	\$103.00	\$515.00	
	FCC 7.45 - 7.85 x 7.5"	1	No Bid	No Bid	\$65.31	\$65.31	\$66.00	\$66.00	
	FCC 8.54 - 8.94 x 10"	1	No Bid	No Bid	\$97.93	\$97.93	\$99.00	\$99.00	
	FCC 8.99 - 9.39 x 7.5"	2	No Bid	No Bid	\$75.04	\$150.08	\$76.00	\$152.00	
	FCC 8.99 - 9.39 x 12"	2	No Bid	No Bid	\$120.16	\$240.32	\$121.00	\$242.00	
	FCC 9.27 - 9.67 x 7.5"	40	No Bid	No Bid	\$76.70	\$3,068.00	\$77.00	\$3,080.00	
	FCC 9.27 - 9.67 x 12"	10	No Bid	No Bid	\$122.80	\$1,228.00	\$122.20	\$1,222.00	
	FCC 11.75 - 12.15 x 7.5"	2	No Bid	No Bid	\$93.28	\$186.56	\$94.70	\$189.40	
	FCC 13.40 - 13.80 x 15"	1	No Bid	No Bid	\$208.93	\$208.93	\$212.00	\$212.00	
	FCC 14.00 - 14.40 x 12.5"	2	No Bid	No Bid	\$172.97	\$345.94	\$172.00	\$344.00	
	FCC 14.38 - 15.13 x 12"	1	No Bid	No Bid	\$391.72	\$391.72	\$389.70	\$389.70	
	FCC 18.46 - 19.20 x 15"	2	No Bid	No Bid	\$444.66	\$889.32	\$442.00	\$884.00	
	FCC 11.04 - 11.44 x 7.5"	2	No Bid	No Bid	\$91.33	\$182.66	\$92.00	\$184.00	
(Smith Blair 411)	Dresser Coupling, 3/4"	7	No Bid	No Bid	\$18.09	\$126.63	\$18.25	\$127.75	
	Dresser Coupling, 1"	24	No Bid	No Bid	\$18.72	\$449.28	\$19.00	\$456.00	
	Dresser Coupling, 1-1/4"	2	No Bid	No Bid	\$19.60	\$39.20	\$19.40	\$38.80	
	Dresser Coupling, 1-1/2"	10	No Bid	No Bid	\$23.40	\$234.00	\$23.70	\$237.00	
	Dresser Coupling, 2"	20	No Bid	No Bid	\$26.52	\$530.40	\$26.90	\$538.00	
	<b>Section 2 Sub Total</b>			No Bid		\$22,338.52		\$22,519.45	
<b>3. Rubber Adaptors, Sewer Fittings, Tubing and Meter Boxes (Fernco)</b>									
	Adaptor, 4" PVC x 4" PVC	30	\$3.18	\$95.40	\$3.10	\$93.00	\$3.15	\$94.50	
	Adaptor, 4" PVC x 4" Clay	10	\$3.18	\$31.80	\$3.10	\$31.00	\$3.15	\$31.50	
	Adaptor, 4" PVC x 4" Concrete	10	\$3.44	\$34.40	\$3.34	\$33.40	\$3.35	\$33.50	
	Adaptor, 6" PVC x 6" PVC	4	\$6.79	\$27.16	\$6.62	\$26.48	\$6.70	\$26.80	
	Adaptor, 6" PVC x 6" Clay	4	\$6.79	\$27.16	\$6.62	\$26.48	\$6.70	\$26.80	

Section	Description	Qty	Unit Price Extended Price		Unit Price Extended Price		Unit Price Extended Price		
			Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	
	Adaptor, 6" PVC x 6" Concrete	3	\$7.51	\$22.53	\$7.32	\$21.96	\$7.40	\$22.20	
	Adaptor, 8" PVC x 8" PVC	2	\$10.44	\$20.88	\$10.18	\$20.36	\$10.30	\$20.60	
	Adaptor, 8" PVC x 8" Clay	20	\$10.44	\$208.80	\$10.18	\$203.60	\$10.30	\$206.00	
	Adaptor, 8" PVC x 8" Concrete	2	\$11.28	\$22.56	\$10.99	\$21.98	\$11.10	\$22.20	
	Adaptor, 10" PVC x 10" PVC	2	\$15.69	\$31.38	\$15.28	\$30.56	\$15.50	\$31.00	
	Adaptor, 10" PVC x 10" Clay	2	\$15.69	\$31.38	\$15.28	\$30.56	\$15.50	\$31.00	
	Adaptor, 10" PVC Concrete	2	\$15.69	\$31.38	\$15.28	\$30.56	\$15.50	\$31.00	
	Adaptor, 12" PVC x 12" Clay	2	\$18.31	\$36.62	\$17.83	\$35.66	\$18.00	\$36.00	
	Adaptor, 12" PVC x 12" Concrete	2	\$18.31	\$36.62	\$17.83	\$35.66	\$18.00	\$36.00	
	Adaptor, 15" PVC x 15" Clay	2	\$33.65	\$67.30	\$32.77	\$65.54	\$33.00	\$66.00	
	Adaptor, 6" Clay x 4" PVC	2	\$7.98	\$15.96	\$7.77	\$15.54	\$7.85	\$15.70	
	Adaptor, 6" Concrete x 4" PVC	2	\$7.98	\$15.96	\$7.77	\$15.54	\$7.85	\$15.70	
	Adaptor, 6" Clay x 6" C.I. Eccentric	2	\$46.30	\$92.60	\$45.10	\$90.20	\$45.80	\$91.60	
	Adaptor, 6" Concrete x 6" C.I. Eccentric	2	\$46.30	\$92.60	\$45.10	\$90.20	\$45.80	\$91.60	
	Adaptor, 8" Clay x 8" C.I. Eccentric	2	\$71.39	\$142.78	\$69.54	\$139.08	\$70.00	\$140.00	
	Adaptor, 8" Concrete x 8" C.I. Eccentric	2	\$95.10	\$190.20	\$92.63	\$185.26	\$94.00	\$188.00	
	Coupling, 4" x 4"	70	\$1.21	\$84.70	\$1.19	\$83.30	\$1.20	\$84.00	
	Coupling, 6" x 6"	5	\$4.42	\$22.10	\$4.30	\$21.50	\$4.40	\$22.00	
	Coupling, 8" x 8"	5	\$13.74	\$68.70	\$13.39	\$66.95	\$14.00	\$70.00	
	Reducer, 6" x 4"	10	\$5.87	\$58.70	\$5.72	\$57.20	\$5.80	\$58.00	
	Reducer, 8" x 6",	4	\$24.82	\$99.28	\$24.18	\$96.72	\$24.60	\$98.40	
	Ell, 45 degree, 6"	2	\$7.18	\$14.36	\$7.00	\$14.00	\$7.10	\$14.20	
	Ell, 90 degree, 6"	2	\$6.68	\$13.36	\$6.51	\$13.02	\$6.60	\$13.20	
	Ell, 45 degree, 8"	2	\$19.61	\$39.22	\$19.10	\$38.20	\$19.40	\$38.80	
	Ell, 90 degree, 8"	2	\$27.69	\$55.38	\$26.98	\$53.96	\$27.40	\$54.80	
	Clean-out, 6" with plug	4	\$18.68	\$74.72	\$11.45	\$45.80	\$18.50	\$74.00	
	Saddle Tee w/ss bands, gaskets, 6" x 4"	10	\$14.24	\$142.40	\$13.94	\$139.40	\$14.10	\$141.00	
	Saddle, Tee w/ss bands, gaskets, 6" x 6"	2	No Bid	No Bid	No Bid	No Bid	\$17.70	\$35.40	
	Saddle Tee w/ss bands, gasketed, 8" x 4"	20	\$17.88	\$357.60	\$17.51	\$350.20	\$20.30	\$406.00	
	Saddle Tee w/ss bands, gaskets, 8" x 6"	2	\$20.48	\$40.96	\$20.06	\$40.12	\$20.30	\$40.60	
	Saddle Tee w/ss bands, gaskets, 10" x 4"	10	\$31.62	\$316.20	\$30.96	\$309.60	\$37.40	\$374.00	
	Saddle Tee w/ss bands, gaskets, 10" x 6"	2	\$37.75	\$75.50	\$36.96	\$73.92	\$37.40	\$74.80	
	Saddle Tee w/ss bands, gaskets, 12" x 4"	4	\$39.22	\$156.88	\$38.40	\$153.60	\$38.80	\$155.20	
	Saddle Tee w/ss bands, gaskets, 12" x 6"	2	\$44.10	\$88.20	\$43.18	\$86.36	\$43.60	\$87.20	
	Saddle Tee w/ss bands, gaskets, 15" x 4"	2	\$41.46	\$82.92	\$40.60	\$81.20	\$41.00	\$82.00	

Section	Description	Qty	Unit Price Extended Price		Unit Price Extended Price		Unit Price Extended Price		
			Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	
	Saddle, Universal, 6"	6	\$34.56	\$207.36	\$36.06	\$216.36	\$40.40	\$242.40	
	Saddle, Universal, 4"	70	\$24.24	\$1,696.80	\$30.59	\$2,141.30	\$30.50	\$2,135.00	
	Double "Y", 6" x 4"	1	\$19.42	\$19.42	\$18.91	\$18.91	\$19.20	\$19.20	
	Double "Y", 8" x 4"	1	\$48.26	\$48.26	\$47.00	\$47.00	\$47.70	\$47.70	
	Tee, Sch 35, 8" x 6"	2	\$27.08	\$54.16	\$26.38	\$52.76	\$26.80	\$53.60	
	Tee, Sch 35, 6" x 4"	2	\$9.79	\$19.58	\$9.54	\$19.08	\$9.70	\$19.40	
	Tee, Sch 35, 6"	2	\$10.01	\$20.02	\$9.74	\$19.48	\$9.90	\$19.80	
	Straps, Stainless Steel, w/flip-up screw	100	\$3.48	\$348.00	\$3.22	\$322.00	\$3.25	\$325.00	
	Coupling, 4"	50	\$3.04	\$152.00	\$2.98	\$149.00	\$3.00	\$150.00	
	Ell, 16 degree, 4"	55	\$5.14	\$282.70	\$5.04	\$277.20	\$5.00	\$275.00	
	Ell, 45 degree, 4"	70	\$5.58	\$390.60	\$5.47	\$382.90	\$5.50	\$385.00	
	Ell, 90 degree, 4"	55	\$9.73	\$535.15	\$9.62	\$529.10	\$9.70	\$533.50	
	Slip Cap 1/2"	30	\$0.13	\$3.90	\$0.14	\$4.20	\$0.13	\$3.90	
	Slip Cap 3/4"	30	\$0.15	\$4.50	\$0.18	\$5.40	\$0.15	\$4.50	
	Slip Cap 1"	30	\$0.24	\$7.20	\$0.29	\$8.70	\$0.23	\$6.90	
	Slip Cap, 4"	30	\$3.28	\$98.40	\$6.17	\$185.10	\$6.20	\$186.00	
	Tee, 4" x 4" x 4"	40	\$7.86	\$314.40	\$12.19	\$487.60	\$12.30	\$492.00	
	Cleanout with plug, 4"	60	\$6.18	\$370.80	\$6.04	\$362.40	\$6.00	\$360.00	
	Plug, only, 4"	40	\$1.98	\$79.20	\$1.94	\$77.60	\$2.00	\$80.00	
	Double "Y", 4" x 4"	2	\$21.39	\$42.78	\$21.17	\$42.34	\$21.00	\$42.00	
	Glue, PVC, quart can Wet and Dry	30	\$9.48	\$284.40	\$17.46	\$523.80	\$13.50	\$405.00	
	Primer, PVC, quart can	30	\$4.80	\$144.00	\$11.14	\$334.20	\$8.00	\$240.00	
	Lubricant, PVC, quart can	15	\$3.86	\$57.90	\$3.15	\$47.25	\$5.50	\$82.50	
	Cement, Talcote, Roof	10	\$50.00	\$500.00	\$43.75	\$437.50	\$50.00	\$500.00	
	Strips, Ramneck	100	\$3.08	\$308.00	\$2.25	\$225.00	\$20.00	\$2,000.00	
	Tee, Sch 40, 6" x 4"	2	\$31.22	\$62.44	\$30.41	\$60.82	\$30.80	\$61.60	
	CTS Service Tubing, 200 PSI, 3/4"	500	\$0.23	\$115.00	\$0.22	\$110.00	\$0.20	\$100.00	
	CTS Service Tubing, 200 PSI, 1"	1200	\$0.34	\$408.00	\$0.33	\$396.00	\$0.30	\$360.00	
	CTS Service Tubing, 200 PSI, 2"	1000	\$1.18	\$1,180.00	\$1.03	\$1,030.00	\$0.97	\$970.00	
	Meter Box, plastic, single with lid	50	\$11.48	\$574.00	\$13.53	\$676.50	\$18.00	\$900.00	
	Meter Box, plastic, dual with lid	10	\$11.48	\$114.80	\$13.53	\$135.30	\$18.00	\$180.00	
	Lids, plastic single	10	\$7.53	\$75.30	\$5.58	\$55.80	\$8.00	\$80.00	
	Meter Box, commercial, jumbo with lid	15	\$21.78	\$326.70	\$24.63	\$369.45	\$26.25	\$393.75	
	Pump, hand, 6ft hose	10	\$24.96	\$249.60	\$32.50	\$325.00	\$28.00	\$280.00	
	<b>Section 3 Sub Total</b>			\$12,162.02		\$13,042.72		\$15,115.05	

Section	Description	Qty	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price		
4. Gate Valves with Gland Restraints East Jordan or Mueller	CI Screw Type, 2"	10	\$237.78	\$2,377.80	\$207.47	\$2,074.70	\$205.00	\$2,050.00		
	MJ Type, 4"	5	\$420.28	\$2,101.40	\$339.78	\$1,698.90	\$386.00	\$1,930.00		
	MJ Type, 6"	10	\$528.74	\$5,287.40	\$433.79	\$4,337.90	\$492.00	\$4,920.00		
	MJ Type, 8"	2	\$823.35	\$1,646.70	\$690.28	\$1,380.56	\$766.00	\$1,532.00		
	<b>Section 4 Sub Total</b>			\$11,413.30		\$9,492.06		\$10,432.00		
5. Ductile Fittings w/gland restraints and Cast Iron Fittings, Miscellaneous	Ell, 45 degree, 4"	2	\$86.06	\$172.12	\$24.17	\$48.34	\$85.00	\$170.00		
	Ell, 45 degree, 6"	2	\$117.50	\$235.00	\$38.75	\$77.50	\$116.00	\$232.00		
	Ell, 45 degree, 8"	2	\$163.62	\$327.24	\$56.67	\$113.34	\$161.00	\$322.00		
	Ell, 90 degree, 4"	2	\$91.81	\$183.62	\$29.17	\$58.34	\$90.80	\$181.60		
	Ell, 90 degree, 6"	2	\$128.03	\$256.06	\$47.92	\$95.84	\$126.00	\$252.00		
	Ell, 90 degree, 8"	2	\$178.94	\$357.88	\$70.00	\$140.00	\$177.00	\$354.00		
	Solid Sleeve, 4" x 7.5"	2	\$79.36	\$158.72	\$18.34	\$36.68	\$78.00	\$156.00		
	Solid Sleeve, 4" x 12"	2	\$87.98	\$175.96	\$25.84	\$51.68	\$87.00	\$174.00		
	Solid Sleeve, 6" x 7.5"	3	\$110.32	\$330.96	\$32.50	\$97.50	\$109.00	\$327.00		
	Solid Sleeve, 6" x 12"	1	\$122.77	\$122.77	\$43.34	\$43.34	\$121.00	\$121.00		
	Solid Sleeve, 8" x 7.5"	2	\$147.34	\$294.68	\$42.50	\$85.00	\$145.00	\$290.00		
	Solid Sleeve, 8" x 12"	3	\$179.89	\$539.67	\$70.84	\$212.52	\$178.00	\$534.00		
	Solid Sleeve, 12" x 7.5"	2	\$279.36	\$558.72	\$114.17	\$228.34	\$238.00	\$476.00		
	Solid Sleeve, 12" x 12"	2	\$310.96	\$621.92	\$114.17	\$228.34	\$269.00	\$538.00		
	Plug, 4"	2	\$43.99	\$87.98	\$12.92	\$25.84	\$15.00	\$30.00		
	Plug w/2" tap, 4"	2	\$57.39	\$114.78	\$24.59	\$49.18	\$27.90	\$55.80		
	Section 5 Cont'd	Plug, 6"	2	\$65.78	\$131.56	\$25.42	\$50.84	\$28.80	\$57.60	
		Plug, w/2" tap, 6"	2	\$79.10	\$158.20	\$37.09	\$74.18	\$42.00	\$84.00	
		Plug, 8"	2	\$91.84	\$183.68	\$37.92	\$75.84	\$43.00	\$86.00	
		Plug, w/2" tap, 8"	2	\$106.23	\$212.46	\$49.59	\$99.18	\$56.30	\$112.60	
		Tee, 4" x 4"	2	\$131.49	\$262.98	\$38.34	\$76.68	\$130.00	\$260.00	
		Tee, 6" x 4"	2	\$176.33	\$352.66	\$64.59	\$129.18	\$174.00	\$348.00	
		Tee, 6" x 6"	2	\$189.42	\$378.84	\$69.59	\$139.18	\$187.00	\$374.00	
	Tee, 8" x 4"	2	\$213.83	\$427.66	\$75.00	\$150.00	\$211.00	\$422.00		
	Tee, 8" x 6"	2	\$234.58	\$469.16	\$86.67	\$173.34	\$232.00	\$464.00		
	Tee, 8" x 8"	2	\$267.45	\$534.90	\$104.17	\$208.34	\$264.00	\$528.00		

Section	Description	Qty	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	
	Tee, 12" x 6"	2	\$378.08	\$756.16	\$140.84	\$281.68	\$335.00	\$670.00	
	Tee, 12" x 8"	2	\$415.74	\$831.48	\$162.50	\$325.00	\$373.00	\$746.00	
	Reducer, MJSEB x PE, 4" x 3"	2	\$53.46	\$106.92	\$22.92	\$45.84	\$54.00	\$108.00	
	Reducer, MJSEB x PE, 6" x 3"	2	\$72.61	\$145.22	\$28.75	\$57.50	\$73.00	\$146.00	
	Reducer, MJSEB x PE, 6" x 4"	2	\$62.18	\$124.36	\$28.75	\$57.50	\$61.50	\$123.00	
	Reducer, MJSEB x PE, 8" x 4"	2	\$104.79	\$209.58	\$48.34	\$96.68	\$83.70	\$167.40	
	Reducer, MJSEB x PE, 8" x 6"	2	\$99.52	\$199.04	\$43.75	\$87.50	\$85.80	\$171.60	
	Reducer, MJLEB x PE, 4" x 3"	2	\$59.79	\$119.58	\$26.67	\$53.34	\$59.00	\$118.00	
	Reducer, MJLEB x PE, 6" x 3"	2	\$80.05	\$160.10	\$43.75	\$87.50	\$79.00	\$158.00	
	Reducer, MJLEB x PE, 6" x 4"	2	\$86.76	\$173.52	\$43.75	\$87.50	\$85.00	\$170.00	
	Reducer, MJLEB x PE, 8" x 4"	2	\$106.22	\$212.44	\$49.59	\$99.18	\$105.00	\$210.00	
	Reducer, MJLEB x PE, 8" x 6"	2	\$95.21	\$190.42	\$40.00	\$80.00	\$94.00	\$188.00	
	Shoe, cleanout, 4"	5	\$64.06	\$320.30	\$45.84	\$229.20	\$48.00	\$240.00	
	Valve Box with lid, 18" x 24"	55	\$26.33	\$1,448.15	\$25.00	\$1,375.00	\$26.00	\$1,430.00	
	Valve Box with lid, 24" x 36"	20	\$36.17	\$723.40	\$34.38	\$687.60	\$35.00	\$700.00	
	Lid only, Valve Box	2	\$8.51	\$17.02	\$6.88	\$13.76	\$9.00	\$18.00	
	Ring, Manhole, 23.5"	4	\$103.22	\$412.88	\$83.13	\$332.52	\$143.00	\$572.00	
	Cover, Manhole with City Logo, 23.5"	2	\$108.38	\$216.76	\$102.67	\$205.34	\$108.00	\$216.00	
	Ring and Cover, Manhole with City Logo, 23.5"	6	\$211.60	\$1,269.60	\$210.47	\$1,262.82	\$250.00	\$1,500.00	
	Ring and Cover, Manhole, 32"	2	\$389.25	\$778.50	\$203.13	\$406.26	\$280.00	\$560.00	
	Plug, push-on, 4"	2	\$19.63	\$39.26	\$17.09	\$34.18	\$19.40	\$38.80	
	Plug, Push-on, 4" with 2" tap	2	\$27.76	\$55.52	\$24.17	\$48.34	\$27.40	\$54.80	
	Plug, Push-on, 6"	2	\$32.08	\$64.16	\$27.92	\$55.84	\$31.70	\$63.40	
	Plug, Push-on, 6" with 2" tap	2	\$45.48	\$90.96	\$39.59	\$79.18	\$45.00	\$90.00	
	Plug, Push-on, 8"	2	\$46.28	\$92.56	\$37.50	\$75.00	\$48.00	\$96.00	
	Plug, Push-on, 8" with 2" tap	2	\$59.76	\$119.52	\$49.17	\$98.34	\$55.00	\$110.00	
	Manhole Riser, Concrete, 3"	15	\$21.50	\$322.50	\$25.00	\$375.00	\$23.00	\$345.00	
	Hydralock for 5-1/4" opening	20	\$197.50	\$3,950.00	\$225.00	\$4,500.00	\$190.00	\$3,800.00	
	T-bolt with nuts (Corten), 3/4" x 4-1/2"	20	\$1.78	\$35.60	\$1.01	\$20.20	\$1.70	\$34.00	
	Eye-bolt with nuts, 3/4" x 4-1/2"	20	\$1.96	\$39.20	\$1.51	\$30.20	\$2.00	\$40.00	
	All thread rods, 5/8" (10'long)	60	\$8.40	\$504.00	\$8.75	\$525.00	\$1.95	\$117.00	
	Nuts, 5/8"	30	\$0.16	\$4.80	\$0.14	\$4.20	\$0.25	\$7.50	
	Stainless Bolts, 5/8 x 3"	40	\$3.78	\$151.20	\$3.42	\$136.80	\$1.88	\$75.20	
	Steel Probing Rod, 4'	10	\$14.96	\$149.60	\$25.00	\$250.00	\$23.00	\$230.00	
	Manhole Hook with flat handle, 24"	10	\$24.50	\$245.00	\$14.15	\$141.50	\$27.00	\$270.00	

Section	Description	Qty	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	
Section 5 Cont'd	EBBA 2000 PV MJ Restraint, 4"	2	\$29.14	\$58.28	\$17.44	\$34.88	\$28.80	\$57.60	
	EBBA 2000 PV MJ Restraint, 6"	2	\$36.49	\$72.98	\$21.10	\$42.20	\$36.00	\$72.00	
	EBBA 2000 PV MJ Restraint, 8"	2	\$49.26	\$98.52	\$31.22	\$62.44	\$48.00	\$96.00	
	<b>Section 5 Sub Total</b>			\$22,159.27		\$15,153.56		\$20,758.90	
<b>6. Transition Couplings, POWERMAX</b>									
	Coupling, 3" PVC - 3" AC	2	No Bid	No Bid	\$69.57	\$139.14	No Bid	No Bid	
	Coupling, 4" C900 - 3" AC	2	No Bid	No Bid	\$69.57	\$139.14	No Bid	No Bid	
	Coupling, 4" C900 - 4" AC	2	No Bid	No Bid	\$84.24	\$168.48	No Bid	No Bid	
	Coupling, 6" C900 - 6" AC	2	No Bid	No Bid	\$119.78	\$239.56	No Bid	No Bid	
	Coupling, 8" C900 - 8" AC	2	No Bid	No Bid	\$140.64	\$281.28	No Bid	No Bid	
	<b>Section 6 Sub Total</b>			No Bid		\$967.60		No Bid	
<b>7. PVC Pipe and Fittings</b>									
	Pipe, C 900, 4" X 20	40	\$2.24	\$89.60	\$2.60	\$104.00	\$2.13	\$85.20	
	Pipe sch 40, 1/2"	10	\$0.16	\$1.60	\$0.28	\$2.80	\$0.23	\$2.30	
	Pipe, sch 40, 3/4"	10	\$0.20	\$2.00	\$0.33	\$3.30	\$0.31	\$3.10	
	Pipe, sch 40 1"	10	\$0.30	\$3.00	\$0.45	\$4.50	\$0.43	\$4.30	
	Pipe, sch 40 , 2"	10	\$0.60	\$6.00	\$0.73	\$7.30	\$0.88	\$8.80	
	Pipe, sch 40, 4"X 20	40	\$2.00	\$80.00	\$2.01	\$80.40	\$2.26	\$90.40	
	Pipe, C900 6"	20	\$4.58	\$91.60	\$4.91	\$98.20	\$4.46	\$89.20	
	Pipe, sch 35, 6" X 14	40	\$2.08	\$83.20	\$2.71	\$108.40	\$2.17	\$86.80	
	Pipe, C900 8"	20	\$7.58	\$151.60	\$8.31	\$166.20	\$7.74	\$154.80	
	Pipe, 8" x 14	20	\$3.58	\$71.60	\$4.16	\$83.20	\$3.91	\$78.20	
	Adaptor, 1/2" PVC, Female	20	\$0.16	\$3.20	\$0.18	\$3.60	\$0.16	\$3.20	
	Adaptor, 3/4" PVC, Female	20	\$0.20	\$4.00	\$0.23	\$4.60	\$0.20	\$4.00	
	Adaptor, 1" PVC, Female	20	\$0.24	\$4.80	\$0.28	\$5.60	\$0.23	\$4.60	
	Adaptor, 1/2" PVC, Male	20	\$0.13	\$2.60	\$0.18	\$3.60	\$0.13	\$2.60	
	Adaptor, 3/4" PVC, Male	20	\$0.14	\$2.80	\$0.23	\$4.60	\$0.14	\$2.80	
	Adaptor, 1" PVC, Male	20	\$0.26	\$5.20	\$0.28	\$5.60	\$0.25	\$5.00	
	Reducer 1 X 1/2	10	\$0.54	\$5.40	\$0.40	\$4.00	\$0.40	\$4.00	
	Reducer 1 X 3/4	10	\$0.39	\$3.90	\$0.45	\$4.50	\$0.40	\$4.00	
	Ell, 45 degree, 1/2"	20	\$0.24	\$4.80	\$0.35	\$7.00	\$0.23	\$4.60	
	Ell, 45 degree, 3/4"	20	\$0.36	\$7.20	\$0.40	\$8.00	\$0.36	\$7.20	
	Ell, 45 degree 1"	20	\$0.43	\$8.60	\$0.47	\$9.40	\$0.43	\$8.60	

Section	Description	Qty	Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price	
	Ell, 90 degree, 1/2 "	20	\$0.14	\$2.80	\$0.20	\$4.00	\$0.14	\$2.80	
	Ell, 90 degree 3/4"	20	\$0.16	\$3.20	\$0.25	\$5.00	\$0.16	\$3.20	
	Ell, 90 degree 1"	20	\$0.28	\$5.60	\$0.31	\$6.20	\$0.23	\$4.60	
	Collar, PVC, 1/2"	20	\$0.10	\$2.00	\$0.13	\$2.60	\$0.11	\$2.20	
	Collar, PVC, 3/4"	20	\$0.13	\$2.60	\$0.18	\$3.60	\$0.13	\$2.60	
	Collar, PVC, 1"	20	\$0.23	\$4.60	\$0.25	\$5.00	\$0.23	\$4.60	
	Slip Bushing 1 X 1/2"	10	\$0.27	\$2.70	\$0.43	\$4.30	\$0.26	\$2.60	
	Slip Bushing 1 X 3/4"	10	\$0.27	\$2.70	\$0.48	\$4.80	\$0.26	\$2.60	
	<b>Section 7 Sub Total</b>			\$658.90		\$754.30		\$678.90	
	<b>GRAND TOTAL</b>			\$58,631.17		\$87,675.69		\$95,226.00	

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested:	<u>January 12, 2015</u>		<u>Appropriation</u>
Requested By:	<u>D. Mick</u>	Source of Funds:	<u>Motor Pool</u>
Department:	<u>Public Works</u>	Account Number:	<u>009 Various</u>
Report: <input checked="" type="radio"/>	Resolution: <input type="radio"/>	Ordinance: <input type="radio"/>	Amount Budgeted: <u>109,385.00</u>
Other: <input type="radio"/>			Amount Requested: <u>78,029.00</u>
<b>Attachments :</b>			Budgeted Item: <input type="radio"/> YES <input type="radio"/> NO

1. Summary of Vehicle Replacement
2. HGAC Worksheet

### SUMMARY & RECOMMENDATIONS

The FY 2015 budget includes funding for the replacement of one greens mower, two three-gang mowers, and one tractor consulting with departments, there are two changes to this equipment replacement schedule:

- Reducing golf course fleet from 2 three-gang mowers to one five-gang mower. The 5-gang unit will cover more ground used to mow fairways, green slopes, and tee slopes using one operator in place of two.
- Parks currently has one Gator ATV truck stationed on the west side of town at Pecan Park in regular use. An ATV is needed on the east side of town requiring pickup and delivery of the ATV truck to the east side of town eliminating Pecan Park.

Competitive quotes were received through H-GAC (Contract GR01-12), local government purchasing cooperative, for replacement of five gang mower, one Greens Mower, and one Gator ATV truck.

VENDOR	BUDGET ITEM	BUDGETED	BID
	Five Gang Mower <sup>1</sup>	57,584.00	54,637.93
	Greens Mower	32,609.00	35,688.17
Brookside Equipment	Gator ATV truck <sup>2</sup>	<u>19,192.00</u>	<u>6,422.25</u>
	Total	109,385.00	96,728.35
	Trade-in allowance		<u>-18,700.00</u>
	Due Brookside		<b>78,028.35</b>

<sup>1</sup> Changing 2 – three-gang mowers to 1 – five gang mower

<sup>2</sup> Changing tractor to Gator ATV truck

**Action Required of Council:**

Consider approval or other action to award purchase of one – five gang mower (\$54,637.93), one greens mower (\$3,422.25), and trade in allowance (-\$18,700.00), to Brookside Equipment.

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**Approved for City Council Agenda**

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**Corby D. Alexander, City Manager**

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**Date**

**CITY OF LA PORTE  
SUMMARY OF VEHICLE REPLACEMENTS  
FISCAL YEAR 2014-15**

<b>Account Number</b>	<b>Amount</b>	<b>Unit</b>	<b>Description</b>
009-5050-522-8050	\$ 31,140	50-01	2005 Ford Explorer
* 009-5051-522-8050	424,730	51-32	1994 KME Fire Pumper
009-5051-522-8050	46,676	51-19	2002 Ford F250 4WD Crew Cab
009-5059-522-8050	72,500	59-30	2009 F450 AMB Cab & Chasis
009-5253-521-8050	35,125	53-11	2009 Ford Police Interceptor
009-5253-521-8050	35,125	53-16	2010 Ford Police Interceptor
009-5253-521-8050	35,125	53-53	2006 Ford Police Interceptor
009-5256-521-8050	20,796	56-18	2007 Chevy Sedan
009-5256-521-8050	20,796	56-19	2007 Chevy Sedan
009-5256-521-8050	35,125	56-68	2008 Chevy Impala Interceptor
009-5258-521-8050	35,125	58-40	2007 Chevy Sedan
009-6049-551-8050	32,609	49-16✓	2010 Greens Mower
009-6049-551-8050	28,792	49-42✓	2009 Three Gang Mower
009-6049-551-8050	28,792	49-43✓	2009 Three Gang Mower
009-6054-510-8050	34,027	54-01	2006 Ford F250 Pickup
009-6147-515-8050	17,525	47-01	2005 Ford F150 Pickup
009-7070-531-8050	32,319	70-03	2003 Chevy S10 Blazer
009-7071-531-8050	109,631	71-27	2001 Freightliner 6YD Dump
009-7071-531-8050	145,664	71-28	1996 Case Wheel Loader
009-7071-531-8050	26,259	71-38	2004 John Deere 5320 Tractor
009-7071-531-8050	135,915	71-49	2003 Intl. Pothole Patch Truck
009-7071-531-8050	292,967	71-54	2002 Gradall Excavator
009-7071-531-8050	29,010	71-57	2003 Ford 55 HP Tractor
009-7072-532-8050	97,155	72-04	2004 Ford 25YD Trach
009-7077-533-8050	32,206	77-55	2003 75HP Tractor
009-7084-533-8050	17,559	84-23	2006 Chevy Half Ton Pickup
009-8080-552-8050	19,192	80-01✓	2001 John Deere 790 Tractor
009-8080-552-8050	19,192	80-13	2001 John Deere 790 Tractor
009-8080-552-8050	33,690	80-42	2003 Ford F350 Crew Cap
009-8080-552-8050	17,559	80-54	2006 Ford F150 Pickup
009-8082-551-8050	<u>39,665</u>	82-10	2004 Ford Econoline Van
	<b>\$ 1,981,991</b>		

\* 51-32 unit was ordered in October 2013



**ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):**

Deere & Company  
2000 John Deere Run  
Cary, NC 27513  
FED ID: 36-2382580;  
DUNS#: 60-7690989

**ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:**

Brookside Equipment Sales  
7707 Mosley  
Houston, TX 77017  
713-943-7100  
gillespie.gregory@brooksideusa.com

**Quote Summary**

**Prepared For:**

City Of Laporte  
Mike Collins  
2963 N 23rd St  
La Porte, TX 77571

**Delivering Dealer:**

Brookside Equipment Sales  
Brant North  
7707 Mosley  
Houston, TX 77017  
Phone: 713-943-7100  
bnorth@brooksideusa.com

**HGAC CONTRACT GR01-12. MAKE P.O. OUT TO: JOHN DEERE CO. 2000 JOHN DEERE RUN. CARY, N.C. 27513. SEND CONFIRMING COPY TO BRANT NORTH FOR ORDER ENTRY PROCEDURES. bnorth@brooksideusa.com**

Quote ID: 10446923  
Created On: 16 October 2014  
Last Modified On: 13 November 2014  
Expiration Date: 19 December 2014

Equipment Summary	Suggested List	Selling Price	Qty	Extended
49.16 49.42 JOHN DEERE 7700A PrecisionCut Fairway Mower Contract: TX HGAC GR01-12 Price Effective Date: October 16, 2014	\$ 72,287.00	\$ 54,637.93 X	1 =	\$ 54,637.93
49.43 JOHN DEERE 2500B PrecisionCut Riding Greens Mower - Diesel Contract: TX HGAC GR01-12 Price Effective Date: October 16, 2014	\$ 47,153.39	\$ 35,668.17 X	1 =	\$ 35,668.17
80.01 JOHN DEERE PR15 - Gator TS (Cayman Turf Tires) Contract: TX HGAC GR01-12 Price Effective Date: November 12, 2014	\$ 7,649.82	\$ 6,422.25 X	1 =	\$ 6,422.25
<b>Equipment Total</b>				<b>\$ 96,728.35</b>
Trade In Summary		Qty	Each	Extended
49.16 2009 JOHN DEERE 2653B TRIM/SURROUND MOWER - TC2653T030082 PayOff		1	\$ 7,500.00	\$ 7,500.00
Total Trade Allowance				\$ 0.00
				\$ 7,500.00

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_



**JOHN DEERE**

**Brookside**  
Equipment Sales, Inc.

**ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):**

Deere & Company  
2000 John Deere Run  
Cary, NC 27513  
FED ID: 36-2382580;  
DUNS#: 60-7690989

**ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:**

Brookside Equipment Sales  
7707 Mosley  
Houston, TX 77017  
713-943-7100  
gillespie.gregory@brooksideusa.com

49-42

2009 JOHN DEERE 2653B TRIM/SURROUND MOWER - TC2653T030083	1	\$ 7,500.00	\$ 7,500.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 7,500.00

49-43

2010 Jacobsen Greens King - 062304	1	\$ 3,700.00	\$ 3,700.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 3,700.00

<b>Trade In Total</b>			<b>\$ 18,700.00</b>
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\* Includes Fees and Non-contract items

**Quote Summary**

Equipment Total	\$ 96,728.35
Trade In	\$ (18,700.00)
<b>SubTotal</b>	<b>\$ 78,028.35</b>
Total	\$ 78,028.35
Down Payment	(0.00)
Rental Applied	(0.00)
<b>Balance Due</b>	<b>\$ 78,028.35</b>

Salesperson : X \_\_\_\_\_

Accepted By : X \_\_\_\_\_

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: January 12, 2015

Appropriation

Requested By: E. Ensey

Source of Funds:

Department: Planning & Development

Account Number:

Report:  Resolution:  Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item:  YES  NO

**Attachments :**

---

### SUMMARY & RECOMMENDATIONS

The applicant (Spencer Shell LLC) seeking to rezone 1.6611 acres of land at the southeast corner of Spencer Highway and Underwood Road from R-1, Low Density Residential, to GC, General Commercial.

The subject site is split-zoned, with a portion of the site zoned R-1 and a portion zoned GC. The portion of the site proposed to be rezoned is approximately 1.6611 acres out of a larger parcel of land that is approximately 2.62 acres which also contains a Shell gas station currently. Should the rezoning be approved, the applicant has indicated that the gas station will be removed to accommodate development of an ALDI grocery store and future pad site.

The Future Land Use Map approved as part of the city's Comprehensive Plan identifies this entire 2.62 acre parcel as a "Commercial" land use. As a result, the proposed rezoning would be consistent with the Future Land Use Map.

The Planning and Zoning Commission conducted a public hearing at the November 17, 2014, meeting concerning this rezoning request. One public hearing notice response was received by the City that originally expressed some concern with the proposal (from the immediately adjacent property to the south owned by Fred Anthony and Robin French, 3203 Canada Road), however the developer has agreed to work with the adjacent party to mitigate the property owners' concerns. The Commission voted unanimously to recommend approval of the rezoning of the subject property from R-1, Low Density Residential, to GC, General Commercial.

Staff concurs with the Planning and Zoning Commission's recommendation to approve Rezone Request #14-92000004. The proposed rezoning is consistent with all applicable zoning regulations and the City's Comprehensive Plan.

---

**Action Required of Council:**

1. Conduct public hearing.
2. Consider approval or other action of Rezone Request #14-92000004, rezoning the referenced property from R-1 to GC, based on a recommendation by the Planning and Zoning Commission.

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**Approved for City Council Agenda**

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**Corby D. Alexander, City Manager**

---

**Date**

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: January 12, 2015

Appropriation

Requested By:

Source of Funds:

Department: Administration

Account Number:

Report:  Resolution:  Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item:  YES  NO

### Attachments :

1. Ordinance
2. P&Z Recommendation Letter
3. Zone Change Application
4. Area and Land Use Map
5. Area and Zoning Map
6. Conceptual Site Plan
7. Letter from Owner of 3202 Canda Road

---

### SUMMARY & RECOMMENDATIONS

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---

**Action Required of Council:**

1. Conduct public hearing.
2. Consider approval or other action of Rezone Request #14-92000004, rezoning the referenced property from R-1 to GC, based on a recommendation by the Planning and Zoning Commission.

---

**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 BY CHANGING THE ZONING CLASSIFICATION FROM SPLIT LOW DENSITY RESIDENTIAL (R-1) AND GENERAL COMMERCIAL (GC) TO EXCLUSIVELY GENERAL COMMERCIAL (GC), FOR A 1.6611 ACRE TRACT OF LAND HEREIN DESCRIBED; MAKING CERTAIN FINDINGS OF FACT RELATED 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, TEXAS:

**Section 1:** Chapter 106 “Zoning” of the Code of Ordinances is hereby amended by changing the zoning classification of the following described property, to wit: 1.6611 acres of land located near the intersection of Canada Road and Spencer Highway, in the William Jones Survey, Abstract 482, City of La Porte, and more particularly described by metes and bounds description attached hereto as Exhibit A and incorporated by reference for all purposes, from split Low Density Residential (R-1) and General Commercial (GC) classifications, to exclusively General Commercial (GC).

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

**Section 4.** 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 5.** The City Council of the City of La Porte hereby finds that public notice was properly mailed to all owners of all properties located within two hundred feet (200’) of the properties under consideration in compliance with code provisions.

**Section 6.** The City Council of the City of La Porte hereby finds, determines, and declares that all prerequisites of law have been satisfied and hereby determines and declares that the

amendments to the City of La Porte Zoning Map and Classification contained in this Ordinance as amendments thereto are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

**Section 7.** This Ordinance shall be effective upon its passage and approval of this Ordinance, this Ordinance shall become null and void.

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF LA PORTE

By: \_\_\_\_\_  
Louis R. Rigby, Mayor

ATTEST:

\_\_\_\_\_  
Patrice Fogarty, City Secretary

APPROVED:

\_\_\_\_\_  
Clark T. Askins, Assistant City Attorney

**Legal Description:**

**1.6611 Acres**

**72,356 Sq. Ft.**

Being 1.6611 acres of land in the William Jones Survey Abstract No. 482, City of La Porte, Harris County, Texas, being all of the called 1.7288 acre tract of land as described in deed to SARD Enterprises, Inc. as recorded in Harris County Clerk's File Number 20110256783, less a 0.068 Judgment to the City of La Porte, Texas recorded in Harris County Clerk's File Number Y861690, and being more particularly described by metes and bounds as follows:

**COMMENCING** at a 5/8 iron rod with "Atkinson 5897" cap set at the intersection of the south right of way of Spencer Highway (width 100 feet) with the east right of way of Canada road (width varies) being the northeast corner of Reserve "B" dedicated to the City of La Porte to widen Canada Road shown by plat recorded in Film Code 419137 of the Harris County Map Records,, said iron rod also being the northwest corner of Lot 1 as shown by plat of Texaco at Canada Subdivision recorded in Film Code 419137 of the Harris County Map Records;

**THENCE** N.86°59'03"E. 195.00 feet along the south right of way of said Spencer Highway (width 100 feet), to a 5/8 iron rod with "Atkinson 5897" cap set marking the northwest corner of said 1.7288 acres and also marking the **PLACE OF BEGINNING**;

**THENCE** N.86°59'03"E. 151.63 feet continuing along the south right of way of said Spencer Highway (width 100'), to a 5/8 iron rod with "Atkinson 5897" cap set for corner at the intersection of the south right of way line of Spencer Highway and the west boundary of a 55 foot fee strip described to Harris County Flood Control District in Harris County Clerk's File Number P302406;

**THENCE** S.09°28'15"W. 340.02 feet to a 5/8 iron rod with "Atkinson 5897" cap set for corner, a 5/8 inch iron rod with H.G. Smith Cap found bears S.89°59'57"W. 5.39 feet, said set iron rod also the northeast corner of the called "Lot 6" as described to Fred Anthony in Harris County Clerk's File Number P430065;

**THENCE** S. 87°07'34"W. 361.41 feet to a 1 inch iron pipe found in the east right of way of said Canada Road (width varies);

**THENCE** N.15°39'57"E. 138.38 feet along the east right of way of said Canada Road (width varies), to a 5/8 iron rod with "Atkinson 5897" cap set marking the northeast corner of a called 0.068 acres conveyed to City of La Porte in Harris County Clerk's File Number Y861690;

**THENCE** N.86°59'03"E. passing a 5/8 iron rod with "Atkinson 5897" cap set at 45.00 feet marking the southwest corner of said Lot 1, and continuing in all 240.00 feet to a 1/2 inch iron rod found for corner;

**THENCE** N.03°18'42"W. 200.00 feet, to the **PLACE OF BEGINNING**.

**EXHIBIT A**



December 4, 2014

Honorable Mayor Rigby and City Council  
City of La Porte

RE: Rezone Request #14-92000004

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a public hearing at the November 17, 2014 meeting on a request by Spencer Shell LLC to rezone the property known as a 1.6611 acre tract of land further described as Tracts 1-5, Spencer Highway Estates 2, of the Deed Records of Harris County, William M. Jones Survey, Abstract 482, La Porte, Harris County, Texas, from R-1, Low Density Residential, to GC, General Commercial. The applicant is seeking approval of the proposed zone change for development of the property as an ALDI grocery store and pad site.

The Commission unanimously voted to recommend approval of the proposed rezone.

Respectfully submitted,

Hal Lawler  
Chairman, Planning and Zoning Commission

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

FROM

City of La Porte  
50 W. Fairmont Pkwy.  
La Porte, TX 77571

Planning & Development Department  
**ZONE CHANGE PERMIT APPLICATION**

Phone: 281.470.5073  
Fax: 281.470.5005  
www.laportetx.gov

1. PROPERTY OWNER CONTACT INFORMATION:

OWNER'S NAME: Spencer Shell LLC PHONE 1: \_\_\_\_\_  
PHONE 2: 0 FAX #: \_\_\_\_\_  
E-MAIL: \_\_\_\_\_  
MAILING ADDRESS: 5534 Dawnington Place Sugar Land, TX 77479

2. AGENT REPRESENTING PROPERTY OWNER (If Applicable):

AGENT / CONTRACTOR COMPANY: NEIL ATKINSON - ATKINSON ENGINEERS  
PHONE 1: 281 872 7600 PHONE 2: \_\_\_\_\_  
E-MAIL: NEIL@ATKINSONENGINEERS.COM FAX #: 281 872 7601  
MAILING ADDRESS: 19515 WIED ROAD, SPRING, TX 77388  
CONTACT PERSON'S NAME: NEIL ATKINSON PHONE: 281 872 7600

3. PROPERTY DESCRIPTION:

HCAD PARCEL NO(S) 10-Digit Tax ID(s):  
1) 04318 800 10001  
2) 12 0512 000 0001  
3) \_\_\_\_\_  
PROPERTY ADDRESS (if existing): 9000 SPENCER HWY. LA PORTE, TX 77571  
PROPERTY LEGAL DESCRIPTION: TR3 1-5 SPANCER HWY. ESTATES 2, 4, 1/4 AND LOT 1 TERRACE AT CAMBRIA

4. ZONING INFORMATION OF PROPERTY:

CURRENT ZONING DESIGNATION: LOW DENSITY RES. REQUESTED ZONING DESIGNATION: GENERAL COMMERCIAL  
CURRENT SIC/NAICS USE NO.: VACANT LAND PROPOSED USAGE: GENERAL COMMERCIAL

5. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION (check applicable boxes):

- COMPLETE ITEMS 1-5 OF PERMIT APPLICATION
- ATTACH CERTIFIED PLAN (check applicable boxes):
  - GENERAL PLAN
  - MINOR DEV. SITE PLAN
  - MAJOR DEV. SITE PLAN
  - PRELIM. PLAN
- SUBMIT NON-REFUNDABLE \$300.00 APPLICATION FEE

PRINTED NAME: NEIL ATKINSON SIGNATURE: [Signature] DATE: 10/20/14

STAFF USE ONLY:

APPLICATION NO. \_\_\_\_\_

DATE OF P&Z PUBLIC HEARING: \_\_\_\_\_

RECOMMENDATION:  YES  NO

APPLICANT & ADJACENT OWNERS NOTIFIED:  YES  NO

DATE OF NOTIFICATION: \_\_\_\_\_

DATE OF CITY COUNCIL AGENDA: \_\_\_\_\_

APPROVED:  YES  NO

ADOPTED BY ORDINANCE NO.: \_\_\_\_\_

COMMENTS: \_\_\_\_\_

Ley  Wilson Development, LLC

4544 Post Oak Place Drive  
Suite 375  
Houston, TX 77027  
713.439.0788  
fax: 713.439.0791

To Whom It May Concern,

I am proposing to demolish the existing Shell gas station at the Southeast corner of Spencer Hwy at Canada and replace it with a 17,500 sf free standing ALDI grocery store and a free standing retail/restaurant pad. I have entered into a 20 year ground lease with ALDI on the property at the hard corner.

The entire development will encompass approximately 2.55 acres. A portion of the 2.55 acres is currently zoned as low density residential and is vacant. The remaining portion of the property is zoned as general commercial. With this in mind I would like to request your consideration of rezoning the entire tract to general commercial.

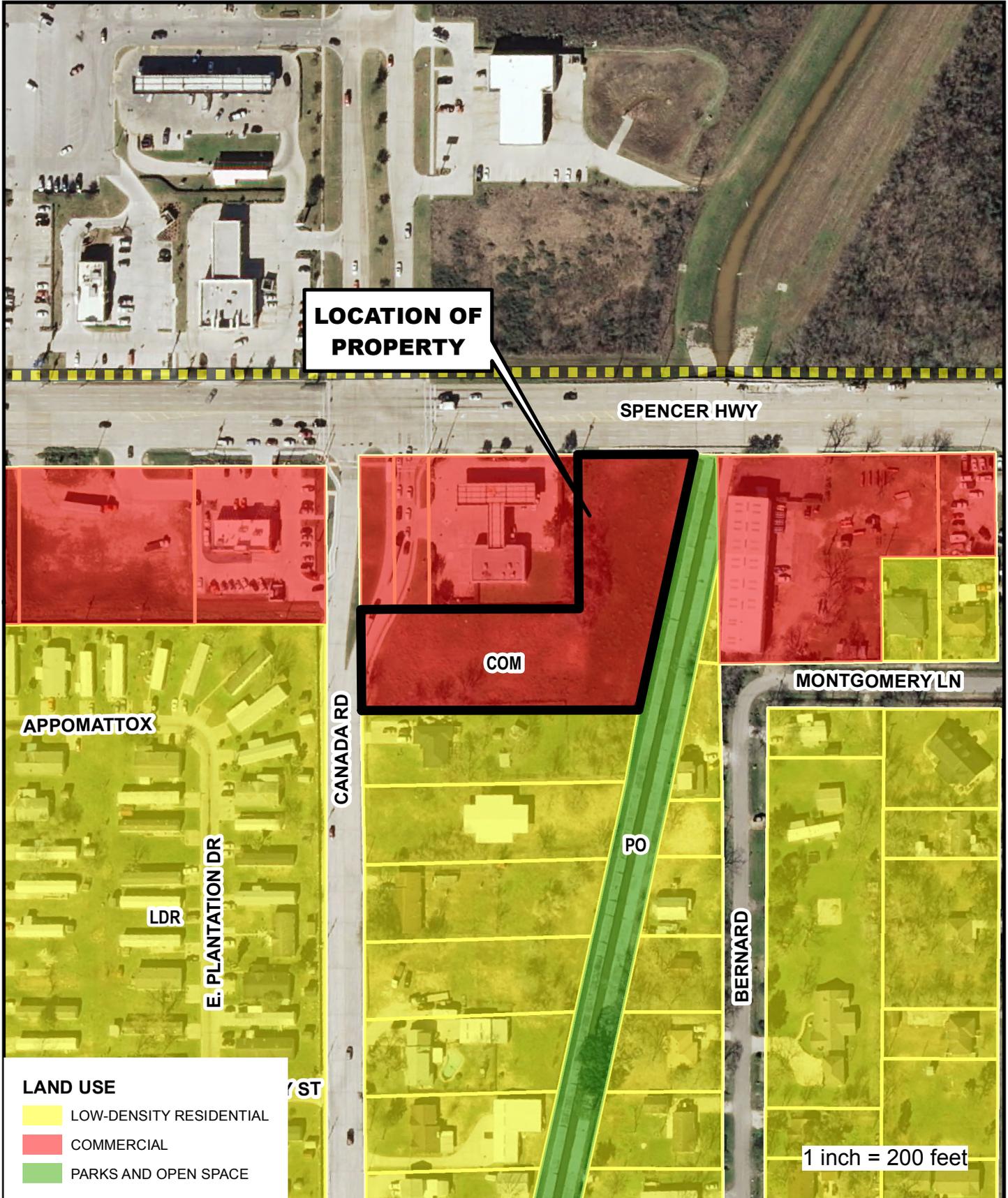
I appreciate your consideration to this matter.

Sincerely,

  
David Ley

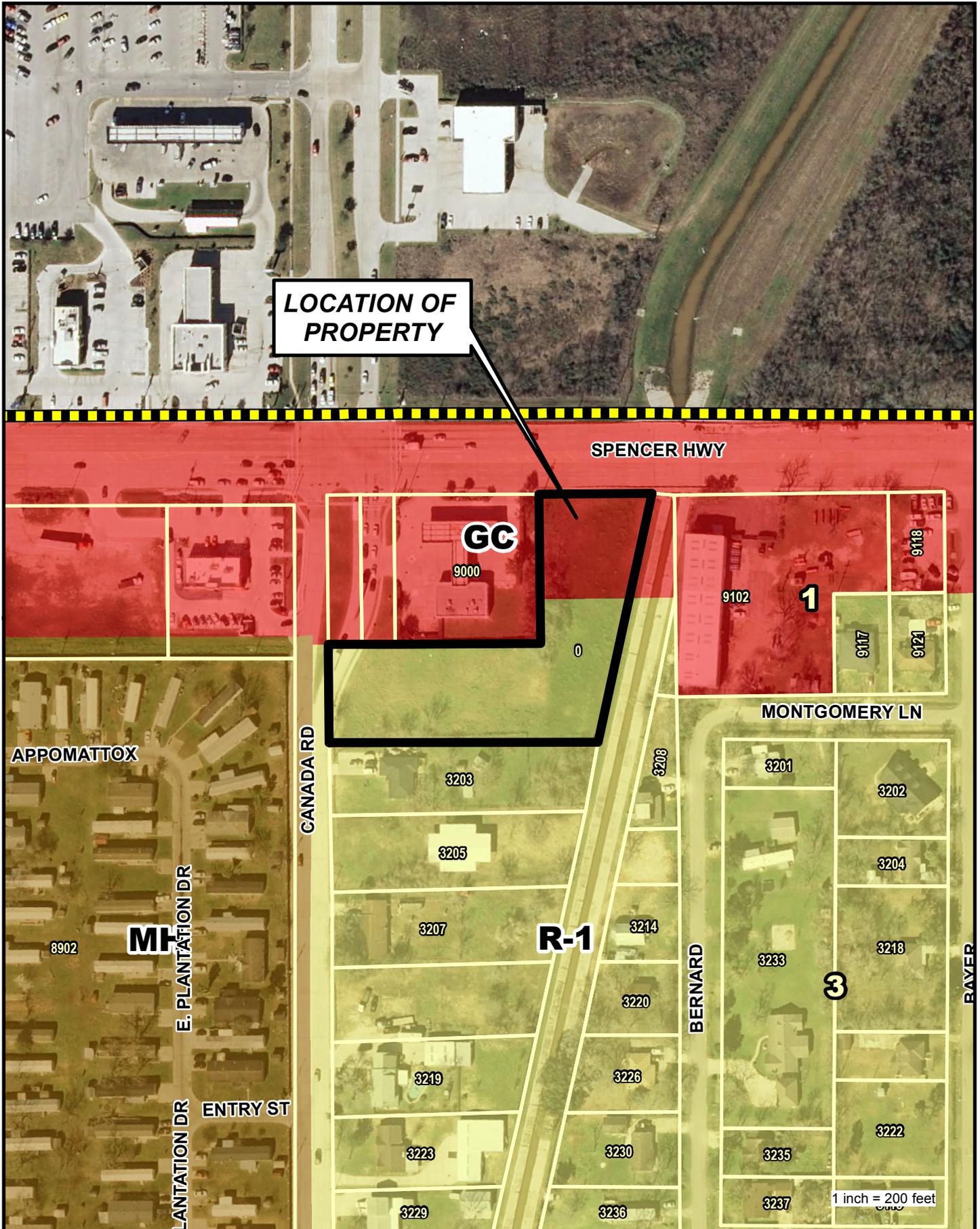
# AREA MAP + LAND USE

(CLP #14-92000004)



# AREA MAP + ZONING

(CLP #14-92000004)





La Porte City Hall  
604 West Fairmont Parkway  
La Porte, TX 77571  
attn: La Porte Planning and Zoning Commission

RE: Zone Change Request #13-9200004

To Whom It May Concern:

Recently we were notified via letter of the above referenced request to change the zoning of the empty lot next to us for the purpose of building an Aldi grocery store with an additional fast food pad site. This possible project raises several concerns with us, as listed below.

1. Road safety: Canada Rd from Spencer Hwy running south to Carlow is posted 35 miles per hour. This speed limit is greatly ignored by the current traffic as it is. We have nearly been struck entering and existing our own driveway on multiple occasions due to drivers speeding. It is also not unusual to have our driveway blocked by traffic waiting for the traffic light to turn. The median at the intersection for Canada Rd and Spencer Hwy has a No U-Turn sign for south bound traffic. This is also largely ignored and we have seen many accidents and near accidents because of this.

If an entrance were to be put adjacent to our north property line, the likely hood of even more traffic incidents would increase. The end of the median is approximately 50' north of our fence. If the standard 25' radius and 25' entrance were used, the median would have to be shortened by a minimum of 25'.

Possible solution: Do not allow an entrance in this location.

2. Trash, noise, and light pollution: As it is, we can barely keep up with the trash that comes into our yard from the gas station and from foot traffic traveling the side walk to and from it. If there is an argument or loud noises at the gas station, we can hear it. The current lighting on the corner is a nuisance that we've had to learn to deal with. If a store, especially one that will require large truck deliveries, is built close to our north property line all of the above concerns will increase dramatically.

Possible solution: Do not allow large truck delivery docks on the south side of the buildings or within 50 feet of our fenceline. If that is not an option, then do not allow any large truck traffic except during daylight hours.

Do not allow any lighting that will point directly into our property.

Require a solid barrier fencing, either of wood or masonry, along the entire connecting property line up to the U.V.E. needed for curve of the road. A solid barrier fencing would ease a great many of our concerns as it would help block extraneous lighting, restrict trash, and help muffle noise.

3. The empty lot next to us has an elevation higher than our property. We are concerned with the possibility of flooding with the addition of so much impervious surface.

Possible solution: Require more than adequate on-site detention and storm water drainage that will insure no flooding of our property will occur due to the construction of this site.

Sincerely,

Fred Anthony & Robin M French  
3203 Canada Rd

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>January 12, 2015</u>	<u>Appropriation</u>
Requested By: <u>R. J. Davidson</u>	Source of Funds: <u>General Funds</u>
Department: <u>Planning &amp; Development</u>	Account Number: <u>00190925246021</u>
Report: <input type="radio"/> Resolution: <input type="radio"/> Ordinance: <input checked="" type="radio"/>	Amount Budgeted: <u>60,000.00</u>
Other: <input type="radio"/>	Amount Requested: <u>59,630.00</u>
<b>Attachments :</b>	Budgeted Item: <input checked="" type="radio"/> YES <input type="radio"/> NO

---

### SUMMARY & RECOMMENDATIONS

A regular Council meeting was held on September 22, 2014 to review the findings of the Dangerous Building Inspection Board and an October 12, 2014 public hearing date was granted to consider formal action. At the October 13, 2014 public hearing, City Council granted four (4) addresses 60 days to make repairs:

303 S. Iowa, 500 W. Main St., 3322 Clarksville and 119 S. Carroll.

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

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 and posted to the City of La Porte public bulletin board. Also, certified letters (voluntary consent to demolish form and public notice) were mailed to the building owners.

At this time, staff has secured a voluntary consent to demolish form(s) on 3318 Clarksville. No condemnation ordinance is needed on this location.

The Board recommends passage of condemnation ordinances for 500 W. Main and 303 S. Iowa (secondary structure, carport in rear). The remaining two (2) addresses, 3322 Clarksville and 119 S. Carroll, have made the necessary repairs and Staff recommends removing these properties from the Dangerous Building list.

The Finance Department has confirmed \$59,629.50 in budgeted funds.

---

**Action Required of Council:**

Consider approval or other action of Condemnation Ordinances for 500 W. Main and 303 S. Iowa (secondary Structure, carport in rear) for condemnation of substandard buildings.

---

**Approved for City Council Agenda**

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**Corby D. Alexander, City Manager**

---

**Date**

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>January 12, 2015</u>	<u>Appropriation</u>
Requested By: <u>R. J. Davidson</u>	Source of Funds: <u>General Funds</u>
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Report: <input type="radio"/> Resolution: <input type="radio"/> Ordinance: <input checked="" type="radio"/>	Amount Budgeted: <u>60,000.00</u>
Other: <input type="radio"/>	Amount Requested: <u>59,629.50</u>
	Budgeted Item: <input checked="" type="radio"/> YES <input type="radio"/> NO

**Attachments :**

- 1. List of Dangerous Buildings**
- 2. Building Owner's Notification List**
- 3. Dangerous Building Inspection Reports**
- 4. Sample Condemnation Ordinance**
- 5. PowerPoint Presentation on Buildings**

---

### SUMMARY & RECOMMENDATIONS

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---

**Approved for City Council Agenda**

---

**Corby D. Alexander, City Manager**

---

**Date**

**SUBSTANDARD BUILDING LIST**  
**(Summer 2014 Group Granted 60 Days to Repair)**

- 1) **3322 Clarksville St.**  
(Single-Family Dwelling in R-1 Low-Density Residential Zone)  
HCAD: 079-083-006-0090  
Legal Description: Blk. 6; Lot 91 & N ½ of Lt 90; Spencer Hwy Estates  
Improvements: \$ 27,943.00 as of January 2014 per HCAD  
Taxes Owed: \$ 0  
Mowing/Clean-up: \$ 0- No Pending Liens  
Utility Billing: \$ 0 (Termination Date 10/14/2013)
  
- 2) **303 S. Iowa St. (SECONDARY STRUCTURE, REAR OF PROPERTY)**  
(Single-Family Dwelling in R-1 Low-Density Residential Zone, Secondary Structure)  
HCAD: 024-007-016-0003  
Legal Description: Blk. 216; Lots 4 & 5 & S. ½ of Lot 6; La Porte  
Improvements: \$ 37,728.00 as of January 2014 per HCAD  
Taxes Owed: \$ 0  
Mowing/Clean-up: \$ 0- No Pending Liens  
Utility Billing: \$ 0
  
- 3) **119 S. Carroll St.**  
(Single-Family Dwelling in R-1 Low-Density Residential Zone)  
HCAD: 006-177-000-0010  
Legal Description: Blk. 87; Lots 10 & 11; Bay Front to La Porte  
Improvements: \$ 3,135.00 as of January 2014 per HCAD  
Taxes Owed: \$ 0  
Mowing/Clean-up: \$ 212.20  
Utility Billing: \$ 53.86 (Termination Date 10/22/2013)
  
- 4) **500 W. Main St.**  
(Commercial Structure in Main Street District Overlay)  
HCAD: 023-189-000-0021  
Legal Description: Blk. 56; Lots 21 & 22; La Porte  
Improvements: \$ 42,539.00 as of January 2014 per HCAD  
Taxes Owed: \$ 0  
Mowing/Clean-up: \$ 0- No Pending Liens

Utility Billing: \$ 0 (Termination Date 3/10/2011)

# Building Owner's Notification List

## Summer 2014 (Dangerous Building Group)

1) **3322 Clarksville St.**

(Single Family Dwelling in R-1 Low Density Residential Zone)

HCAD: 079-083-006-0090

Legal Description: Blk: 6; Lts: 91 & N ½ of Lt 90; Spencer Hwy Estates

Tax Roll: Perales Rosabel – 11147 Plain Brook St. – La Porte, TX 77571-9367

Deed: Rosabel Perales – 1147 Plain Brook – La Porte, TX 77571

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2) **303 S. Iowa St.**

(Single Family Dwelling in R-1 Low Density Residential Zone)

HCAD: 024-007-016-0003

Legal Description: Blk: 216; Lts: 4 & 5 & S ½ of Lt 3 & N ½ of Lt 6; La Porte

Tax Roll: Cernosek Randall W – 514 S Black St. – La Porte, TX 77571-5711

Deed: Randall W. Cernosek – 303 South Iowa Street – La Porte, TX 77571

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3) **119 S. Carroll St.**

(Single Family Dwelling in R-1 Low Density Residential Zone)

HCAD: 006-177-000-0010

Legal Description: Blk: 87; Lts: 10 & 11; Bay Front to La Porte

Tax Roll: Lopez Rufina – 3007 Country Boy Ct. – Spring TX 77373-8022

Deed: Rufina Lopez – 3007 Country Boy Court – Spring TX 77373

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4) **500 W. Main St.**

(Commercial Structure in Main Street District Overlay)

HCAD: 023-189-000-0021

Legal Description: Blk: 56; Lts: 21, 22 & 23; La Porte

Tax Roll: Diaz Gilbert – 802 Ivy Ave, Deer Park, TX 77536- 3220

Deed: Gilbert Diaz – 802 Ivy Ave – Deer Park, TX 77536

City of La Porte  
**DANGEROUS BUILDING INSPECTION FORM**

UNOCCUPIED

DATE: 8.14.14

STREET ADDRESS: 119 S. CARROLL ST.

OWNER: Estate of Alatha P. Wilson

DEED OWNER: \_\_\_\_\_

HCAD: 006-177-000-0010

LEGAL: LTS. 10+11 Blk 87 Bay Front to La Porte

OCCUPANCY TYPE: \_\_\_\_\_ ZONING: \_\_\_\_\_

NON-CONFORMING ISSUES: \_\_\_\_\_

FACILITIES AVAILABLE: WATER: NOT ACTIVE SEWER: \_\_\_\_\_

ELECTRICAL: NOT ACTIVE GAS: NOT ACTIVE

NUMBER OF DWELLING UNITS: \_\_\_\_\_

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:

- ✓  
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.
- ✓  
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.
- ✓  
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.
- ✓  
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.
- ✓  
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.
- \_\_\_\_\_ 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.
- \_\_\_\_\_ 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:

Recommend Demolition

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X [Signature] 8.14.14  
BUILDING OFFICIAL'S OFFICE      DATE

X [Signature] 8.28.14  
FIRE MARSHAL'S OFFICE      DATE

X [Signature] 8/29/14  
FIRE CHIEF'S OFFICE      DATE

City of La Porte  
**DANGEROUS BUILDING INSPECTION FORM**  
UNOCCUPIED (STRUCTURE IN REAR)

DATE: 8-14-14

STREET ADDRESS: 303 S. IOWA

OWNER: Randall W. Cernosek

DEED OWNER: \_\_\_\_\_

HCAD: 024-007-016-0003

LEGAL: LTS. 445 + So. 1/2 of Lot 3 + N. 1/2 of Lot 6 Blk 216  
La Porte

OCCUPANCY TYPE: \_\_\_\_\_ ZONING: \_\_\_\_\_

NON-CONFORMING ISSUES: \_\_\_\_\_

FACILITIES AVAILABLE: WATER: NOT ACTIVE SEWER: \_\_\_\_\_

ELECTRICAL: ACTIVE GAS: NOT ACTIVE

NUMBER OF DWELLING UNITS: \_\_\_\_\_

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:

## Rear Structure

- ✓  
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.
- ✓  
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.
- ✓  
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.
- ✓  
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.
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:

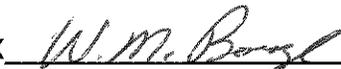
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- \_\_\_\_\_ 2. Whenever any installation or portion thereof because of (a) dilapidation, deterioration, or decay; (b) faulty construction; (c) obsolescence; (d) inadequate maintenance, which in relation to existing use constitutes a hazard to life, health, property or safety.
- \_\_\_\_\_ 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:

Primary structure needs maint. (need inside access)  
Secondary structure need to be removed.

x   
BUILDING OFFICIAL'S OFFICE      DATE

x       9/2/14      (303 S Iowa)  
FIRE MARSHAL'S OFFICE      DATE      approved if recent!

x       8/29/14  
FIRE CHIEF'S OFFICE      DATE

City of La Porte  
**DANGEROUS BUILDING INSPECTION FORM**

DATE: 8-2-14

STREET ADDRESS: 500 W. MAIN

OWNER: GILBERT DIAZ- 802 IVY AVE, DEER PARK, 77536

DEED OWNER: GILBERT DIAZ- 802 IVY AVE, DEER PARK, 77536

HCAD: \_\_\_\_\_

LEGAL: BLK 56; LOTS 21-23; LA PORTE

OCCUPANCY TYPE: COMMERCIAL ZONING: M50

NON-CONFORMING ISSUES: \_\_\_\_\_

FACILITIES AVAILABLE: WATER: NO SEWER: \_\_\_\_\_

ELECTRICAL: NO GAS: NO

NUMBER OF DWELLING UNITS: 2 STRUCTURES ON SITE / STORAGE WAS REMOVED

VACANT: YES 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:

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- 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.
- 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.
- 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.
- 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.
- 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.
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- 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:

Recommend Demolition

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X [Signature] 8.14.14  
BUILDING OFFICIAL'S OFFICE      DATE

X [Signature] 8.28.14  
FIRE MARSHAL'S OFFICE      DATE

X W.M. Borg 8/28/14  
FIRE CHIEF'S OFFICE      DATE

City of La Porte  
**DANGEROUS BUILDING INSPECTION FORM**

?  
LOOKS OCCUPIED (VACANT PER LA PORTE)  
DID NOT GO ONSITE NO WATER

DATE: 8.14.14

STREET ADDRESS: 3322 CLARKSVILLE

OWNER: Rosael Perales

DEED OWNER: \_\_\_\_\_

HCAD: 079-083-006-0090

LEGAL: Lts 91 1/2 N 1/2 OF LT 90 B1K 6 Spencer Hwy Estates

OCCUPANCY TYPE: \_\_\_\_\_ ZONING: \_\_\_\_\_

NON-CONFORMING ISSUES: \_\_\_\_\_

FACILITIES AVAILABLE: WATER: NOT ACTIVE SEWER: \_\_\_\_\_

ELECTRICAL: ACTIVE GAS: NOT ACTIVE

NUMBER OF DWELLING UNITS: \_\_\_\_\_

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:

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- \_\_\_\_\_ 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.
- ✓  
\_\_\_\_\_ 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.

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- \_\_\_\_\_ 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:

\_\_\_\_\_ Code Enforcement action

\_\_\_\_\_ IF OCCUPIED, IF UNOCCUPIED, RECOMMEND DEMOLITION

\_\_\_\_\_

\_\_\_\_\_

x [Signature] 8.14.14  
BUILDING OFFICIAL'S OFFICE DATE

x [Signature] 9/2/14 (3322 Clarkville)  
FIRE MARSHAL'S OFFICE DATE approved if vacant!

x [Signature] 8/29/14  
FIRE CHIEF'S OFFICE DATE

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE DECLARING THE BUILDING(S) LOCATED AT \_\_\_\_\_ HARRIS COUNTY, TEXAS, TO BE IN FACT A NUISANCE; ORDERING SUCH BUILDING(S) CONDEMNED; FINDING THAT \_\_\_\_\_ IS THE RECORD OWNER(S) OF SAID PROPERTY; ORDERING THE SAID OWNER(S) TO ENTIRELY REMOVE OR TEAR DOWN SUCH BUILDING(S); ORDERING THE SAID OWNER(S) 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 BUILDING(S); ORDERING THE CITY SECRETARY TO FORWARD A COPY OF THIS ORDINANCE TO SAID OWNER(S); PROVIDING FOR THE REMOVAL OF SAID BUILDING(S) BY THE CITY OF LA PORTE IF NOT REMOVED BY SAID OWNER(S) 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 the building(s) located at \_\_\_\_\_, Harris County, Texas, has 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 10, 2012 finding said building to be in fact a dangerous building;

WHEREAS, City Council received such report, and ordered notice to the record owner(s) of said property, Susan Rector whose address is \_\_\_\_\_, LA PORTE, TX 77571, that a hearing as provided in Section 82-477 of said Ordinance would be held at 6:00 PM on \_\_\_\_\_, at 604 W. Fairmont Parkway, at the Council Chambers, City Hall, City of La Porte, Texas, and after holding said \_\_\_\_\_ hearing additional notice was sent advising that said hearing was continued to \_\_\_\_\_; furthermore, notice was sent advising that the \_\_\_\_\_ hearing was continued to \_\_\_\_\_, at which time the Council would hear further evidence for and against the conclusions of the Board; at which time the Council would hear evidence for and against the conclusions of the Board;

WHEREAS, the City Secretary has heretofore served notice of said hearing upon said owner(s), by registered mail, return receipt requested, which return receipt indicated that said owner(s) received said notice on \_\_\_\_\_ 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; that the \_\_\_\_\_ public hearing was continued for three months to \_\_\_\_\_, and an additional three months to \_\_\_\_\_, 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 \_\_\_\_\_ 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 building(s) to be a public nuisance, and orders such building(s) condemned.

Section 4. The City Council hereby finds, determines and declares that \_\_\_\_\_, who resides at \_\_\_\_\_, LA PORTE, TX 77571 and is the record owner(s) of the property on which this building is situated, and that as such record owner(s), the said \_\_\_\_\_ has been duly and legally notified of those proceedings.

Section 5. The City Council hereby orders the said \_\_\_\_\_ to entirely remove or demolish such building(s), and further orders the said \_\_\_\_\_ 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(s) to be affixed in one or more conspicuous places on the exterior of the building(s), 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(s) of said property (the said \_\_\_\_\_) 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 \_\_\_\_\_, not comply with the orders contained in this Ordinance relating to the removal or demolition of such building(s) 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 building(s) to be removed or demolished without delay, and the expenses of such procedure shall be charged against the said \_\_\_\_\_ record owner(s) 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(s), 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 \_\_\_\_\_, 2014.

CITY OF LA PORTE

By: \_\_\_\_\_  
Louis R. Rigby, Mayor

ATTEST:

\_\_\_\_\_  
Patrice Fogarty, City Secretary

APPROVED:

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Clark T. Askins, Assist. City Attorney

# Dangerous Buildings

Possible Dangerous Building List

1/12/15





# 3322 Clarksville



# Before



# After

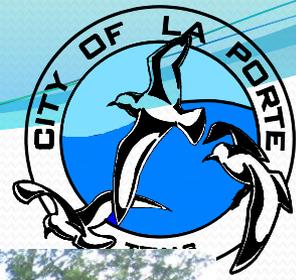




# Before



# After



# Before



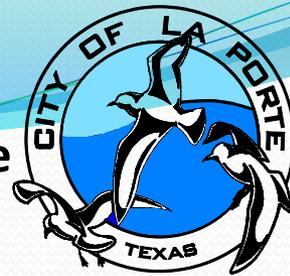


# After



# 303 S. Iowa (Secondary Structure)





**Sec. 82-473 A(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.**







**Sec. 82-473 A(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.**







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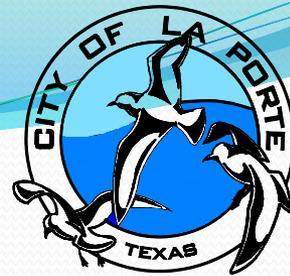






# 119 S. Carroll St.





**Sec. 82-473 A(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.**



# Work in Progress



**Sec. 82-473 A(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.**





# Work in Progress



**Sec. 82-473 A(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.**





# Work in progress





# 500 W. Main



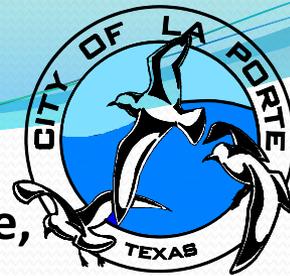


**Sec. 82-473 B(1) Whenever any protective or safety device specified in The Electrical Code and of this title is not provided or is inoperative, defective, dilapidated, or deteriorated so as to threaten to fail or function as originally intended.**



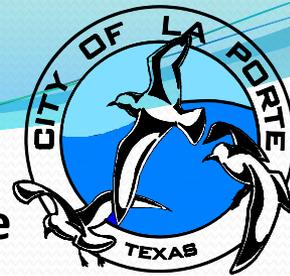
**Sec. 82-473 A(8) Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections, or heating apparatus or other cause, is determined by the Board to be a fire hazard.**





**Sec. 82-473 A(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.**





**Sec. 82-473 A(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.**



**Sec. 82-473 B(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.**



**Sec. 82-473 B(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.**



## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: January 12, 2015

Appropriation

Requested By: C. Meekins

Source of Funds:

Department: Fire Marshal's Office

Account Number:

Report:  Resolution:  Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item:  YES  NO

### Attachments :

1. Letter from Fire Code Review Board
2. Current Local Amendments
3. Proposed Local Amendments
4. Current Ordinance
5. Proposed Ordinance

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### SUMMARY & RECOMMENDATIONS

The Fire Marshal's Office is currently utilizing the 2003 International Fire Code with Local Amendments which was adopted by Council on February 12, 2007. The Fire Marshal's Staff began the code review based on contractors, builders and fire protection engineers expressing difficulties with certifying building design on an 11-year old code.

The Fire Marshal's staff has reviewed the 2015 International Fire Code and new code books, existing Local Amendments and proposed Local Amendments were provided to the Fire Code Review Board. The 2015 International Fire Code and Local Amendments were subsequently reviewed and discussed by the Board.

At the November 12, 2014 meeting, the Board voted unanimously to recommend adoption of the 2015 International Fire Code with Local Amendments. Attached is the Board recommendation memo.

The Local Amendments are changes to specific sections of the 2015 International Fire Code which are unique to the City of La Porte such as Violation Penalties, Fire Lane Marking, Fire Hydrant Installation and Plan Submittal Requirements. Although two new sections have been added addressing Plan Submittal Requirements and Fire Protection Systems, the Local Amendments generally follow past practices such as Fire Lane Marking and Fire Hydrant Installation to maintain consistency for the Fire Department apparatus placement.

The implementation of this code will not impose additional requirements on existing businesses and in accordance with past practices; the ordinance was developed with a delayed implementation period to allow for notification to contractors as well as updating of divisional handouts and the website. The ordinance shall be effective sixty (60) days after its passage and approval by City Council which would be March 13, 2015.

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**Action Required of Council:**

Consider approval or other action of an Ordinance adopting the 2015 International Fire Code (IFC) with Local Amendments as recommended by the Fire Code Review Board and the Fire Marshal's Office.

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**Approved for City Council Agenda**

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**Corby D. Alexander, City Manager**

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**Date**

November 18, 2014

To: La Porte City Council  
From: Bryan Moore, Fire Code Review Board Chairman

The Fire Code Review Board met on November 12, 2014 to review the 2015 International Fire Code at the request of the Fire Marshal. At this meeting, a vote was taken to support the City of La Porte's adoption of the 2015 International Fire Code. The Fire Code Review Board members present and voting were as follows;

Bryan Moore –	Yes
Jim Bridge –	Yes
Jeff Brown –	Yes
Lester Clark –	Yes
Mark Follis –	Yes
Lynn Green –	Yes
Woodrow Sebesta –	Yes
Paul Vige –	Yes
Jack Oliphant –	Not present

Sincerely,

  
Bryan Moore, Chairman  
Fire Code Review Board

**LOCAL AMENDMENTS TO THE  
2003 2015 EDITION OF THE INTERNATIONAL FIRE CODE**

The following represents local amendments to the 2003 Edition of the International Fire Code, adopted by the City Council of the City of La Porte on ~~February 12, 2007~~ January 12, 2015; in Ordinance number 1388-D E. References are to additions, deletions, amendments, or replacement of 2003 2015 Edition of the International Fire Code sections. Section numbers correspond to the numbering in the 2003 2015 Edition of the International Fire Code.

**CHAPTER 1 ADMINISTRATION**

**109.3 109.4 Violation penalties.**

*Amend by deleting this section and adding a new paragraph.*

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, shall be guilty of a violation and punishable by a fine. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**111.4 Failure to comply.**

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$500.00 dollars. Each and every day shall constitute a separate violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**CHAPTER 2 DEFINITIONS**

**202 General Definitions.**

*Amend paragraph [B] Educational Group E. Day Care to read as follows:*

The use of a building or structure, or portion thereof, for education, supervision or personal care services for more than five children older than 2-1/2 years of age, including children related to the staff, shall be classified as an E Occupancy.

*Add the following definition for Service:*

Service is the annual test, maintenance, or service defined and required by applicable fire equipment standards set forth in table 901.6.1.

## **CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS**

### **401.3.4 False Alarm Charges.**

*Amend by adding a new subsection 401.3.4*

Except as otherwise provided herein, the owner of a building containing a fire protection, fire alarm, or other types of emergency notification systems, shall pay a charge in accordance with this section for each and every false alarm to which the fire department responds.

Exceptions:

1. No charge for the first two false alarms within a calendar year.
2. Each false alarm in excess of two during a calendar year will be charged a response fee of \$200.00

As used by the section, “false alarm” means an alarm signal generated by a privately owned fire or emergency alarm system reporting an alarm for which no fire or emergency actually exists; it includes system malfunctions, faulty operation of detectors, and false alarms not classified above. It does not include those incidents where the detector or system operated as designed such as but not limited to, a smoke detector sounding from someone smoking under the detector or a manual pull station being pulled.

### **405.10 False alarms.**

*Amend by adding a new subsection 405.10 to read as follows:*

False alarms may not count as a fire drill for the purpose of this section.

**~~408.3.5~~ 405.10 False alarms.**

*Amend by adding a new subsection ~~408.3.5~~ 405.10 to read as follows:*

False alarms may not count as a fire drill for the purpose of this section.

**CHAPTER 5 FIRE SERVICE FEATURES**

**~~503.7~~ 503.3 Fire Lane**

*Amend by adding a new subsection ~~503.7~~ 503.3 to read as follows:*

The Fire Marshal of the City of La Porte or designee is hereby authorized to designate fire lanes/fire zones on the property of shopping centers, nursing homes, hospitals, apartment complexes, town home complexes, schools and any other locations that he has deemed necessary to have fire lanes/fire zones.

- A. The designation by the Fire Marshal of such lanes/fire zones shall never be held to make the City of La Porte responsible for the maintenance of such lanes on private property, but the owner of such property shall continue to be responsible for the maintenance for such areas.
- B. Upon designation of such fire lane/fire zones pursuant to this code, the Fire Marshal shall give notice of such designation to the owner of such property, directing the owner to cause signs to be posted and/or curbs to be painted and/or stenciled.
- C. The required signs and/or painted curb shall read "FIRE LANE" or "FIRE ZONE". The letter size should be not less than 3" in height and 1/2" in width.
- D. The sign shall be a metal sign of standard size, with a weather resistant white background with red letters. The mounting and height information can be obtained from the City of La Porte Public Works and/or City of La Porte Police Department. The sign shall be installed not less than every 20 feet.
- E. The curb shall be painted "Red" in color and/or the stenciled information, "FIRE ZONE" and/or "FIRE LANE" shall be stenciled in "White" colored letters. The stencil should not be less than 20 feet, apart on the curb.
- F. It is hereby declared to be unlawful to obstruct in any manner, including parking or standing any attended or unattended vehicle in any fire lane/fire zone as defined hereof, where the signs have been erected or the curbs have been painted and stenciled including pre-existing fire lane/fire zones

with visibly erected signs and/or stenciled curbs reading “FIRE LANE” or “FIRE ZONE”

**EXCEPTIONS:**

1. Any authorized emergency vehicle conducting official emergency business.
2. Any marked vehicle of the United States Postal Service officially dispatching mail or any marked vehicle of a Parcel Post Delivery Service officially dispatching Parcel Post.
3. Any armored vehicle officially dispatching or picking up currency.

**503.8 503.7 Violations**

*Amend by adding a new subsection 503.8 503.7 to read as follows:*

It is hereby declared to be unlawful for any person, without lawful authority of the Fire Marshal to attempt to or in fact alter, deface, injure, knock down, or remove any sign and/or painted curb designating a fire lane/fire zone that has been erected and/or stenciled under the term of this code.

The Fire Marshal, any dully authorized representative, and/or any peace officer of the State of Texas may issue a summons or notice to appear in answer to a charge of any violation of this code. Such summons shall be issued on an official form (ticket book) acceptable to the City of La Porte.

Any person found guilty of a violation of this code shall, upon conviction, be subject to a fine ranging from one dollar to two thousand dollars, as set by the City of La Porte Municipal Court. Each day the violation continues shall constitute a separate offense.

No owner, manager or person in charge of any premises served by a required fire lane/fire zone shall abandon or close any such fire lane/fire zone without permission of the Fire Marshal or designee.

**508.3 Fire Flow.** Section removed and is covered under Appendix B

*Amend by deleting the existing paragraph and replace with the following paragraph:*

~~Water supplies for fire flow requirements for buildings or portions of buildings and facilities shall be calculated using the provisions of Appendix Chapter B and Table B105.1~~

**508.5.1 507.5.1 Installation**

*Amend by deleting the existing paragraph and replace with the following paragraph:*

All required water mains and fire hydrants shall be installed as follows:

1. Residential area fire hydrants shall be installed on a 6-inch or larger approved water main and placed so that no building is over 500 feet from a fire hydrant. Distance for hydrant placements shall be measured at curb line and/or access corridor.

**EXCEPTIONS:**

- A. When in the opinion of the fire chief and fire marshal a water main and/or fire hydrant is not necessary due to the existence of built-in fire protection system(s); or
- B. When the Fire Chief and Fire Marshal have been notified in writing that pending water mains and fire hydrants are being installed in the vicinity, consistent with the terms of this code.

2. Commercial and industrial area fire hydrants shall be installed on an 8-inch or larger approved water main and shall be placed so that no part of any building is over 300 feet from a fire hydrant. Distance for hydrant placements shall be measured at curb line and/or access corridor.

**EXCEPTIONS:**

- A. When in the opinion of the fire chief and fire marshal a water main and/or the fire hydrant is not necessary due to the existence of built-in fire protection system(s); or
- B. When the fire chief and fire marshal have been notified in writing that pending water mains and fire hydrants are being installed in that vicinity, consistent with the terms of this code.

**508.5.4 Obstructions.**

*Amend by deleting the existing paragraph and replace with the following paragraph:*

Posts, fences, vehicles, growth, trash, snow, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department connections, or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants. A 3-foot clear space shall be maintained around all fire hydrants, fire department connections, and fire protection control valves on private or public property.

## CHAPTER 6 BUILDING SERVICES AND SYSTEMS

### 609.3.5 Plan Submittal Requirements - Added new section to 2015 Amendments

## CHAPTER 9 FIRE PROTECTION SYSTEMS

### 901 General - Added new section to 2015 Amendments

#### ~~901.4 Installation of fire protection systems.~~ Section removed, addressed in Fire Code

*Amend by adding an exception at the end of this section.*

~~Exception: Buildings temporarily closed due to seasonal operations may have their fire systems deactivated under the following conditions:~~

- ~~1. Building is unoccupied.~~
- ~~2. Building is properly secured.~~
- ~~3. All utilities are disconnected and drained.~~
- ~~4. The fire systems are certified as operational before the building is reoccupied.~~
- ~~5. A 24 hour a day fire watch as defined in section 202 is provided during the interim between when utilities are reactivated and the fire systems are certified as operational.~~
- ~~6. The fire department must be notified of such closure.~~
- ~~7. A letter from the insurance carrier or, owner if self insured, indicating knowledge of the closure is provided to the fire department.~~

#### ~~901.4.5 Marking of Fire Protection Equipment.~~ Section removed, addressed in Fire Code

*Amend by adding a new section to read as follows:*

~~Fire Department connection devices for building sprinkler systems in new and existing buildings shall be identified by the installation of approved reflective markers or signs installed above the device in an unobstructed location at approximately 7 feet above grade.~~

#### ~~901.9 Damage protection.~~ Section removed, addressed in Fire Code

*Add a new subsection to read as follows:*

~~When exposed to probable vehicular damage due to proximity to alleys, driveways or parking areas, standpipes, post indicator valves and sprinkler system or standpipe system, connections shall be protected in an approved manner.~~

### **903.2.2 Group E.**

*Delete paragraph and substitute with the following:*

An automatic sprinkler system must be provided throughout all Group E occupancies. An automatic sprinkler system shall also be provided for every portion of educational buildings below the level of exit discharge. The use of fire walls does not establish a separate building for purposes of this section.

Exceptions:

1. Buildings with E occupancies having an occupant load of 49 or less.
2. Day care uses not otherwise requiring an automatic sprinkler system by other provisions of the code.

Day care uses that are licensed to care for more than 5 persons between the hours of 10 p.m. and 6 a.m. shall be equipped with an automatic sprinkler system designed and installed in accordance with section 903.3.1.3 or an approved equivalent system. This includes children related to the staff.

### **903.2.8.3 Group R-1 & R-2- Added new section to 2015 Amendments**

**This section combines Group R, R-1 & R-2.**

### **903.2.7 Group R.**

*Amend this section by adding an exception:*

~~Bed and breakfast occupancies with five rentable sleeping rooms or less do not require an automatic suppression system.~~

### **903.2.7.1 Group R-1.**

*Add new subsection to read as follows:*

~~An Automatic sprinkler system or a residential sprinkler system installed in accordance with section 903.3.1.2 must be provided throughout all buildings with a group R-1 fire~~

~~area. Group R-1 shall have 100% automatic sprinkler coverage throughout all buildings and spaces.~~

~~Exception: Where guest rooms are not more than three stories above the lowest level of discharge and each guestroom has at least one door leading directly to an exterior exit access that leads directly to an approved exit.~~

#### **903.2.7.2 Group R-2.**

*Add new subsection to read as follows:*

~~An automatic sprinkler system or a residential sprinkler system installed in accordance with section 903.3.1.2 shall be provided throughout all buildings with a group R-2 fire area that are more than two stories in height, including basement, or have more than sixteen dwelling units or sleeping units. Group R-2 shall have 100% automatic sprinkler coverage throughout all buildings and spaces.~~

#### **903.2.7.3 Group R-4.** Section removed, addressed in Fire Code

*Add new subsection to read as follows:*

~~An automatic sprinkler system or a residential sprinkler system installed in accordance with Section 903.3.1.2 shall be provided throughout all buildings with a Group R-4 fire area.~~

#### **907.1.1 Construction Documents.** Section removed, addressed in Fire Code

*Amend by adding a new item to read as follows:*

~~12. System riser diagram~~

#### **907.2.3 Group E.** Section removed, addressed in Fire Code

*Amend this section by adding a second paragraph to read as follows:*

~~Rooms used for sleeping or napping purposes within a day care use of Group E Occupancies must be provided with smoke detectors that comply with section 907.2.10.1.2.~~

~~CHAPTER 11 AVIATION FACILITIES~~ Section removed, addressed in Fire Code

~~1106.3 Construction of aircraft fueling vehicles and accessories.~~

~~Amend by adding an exception at the end of this section.~~

~~Exception: A vehicle or trailer tank with a capacity of 250 gallons or less may be used for non-commercial refueling of private non-commercial aircraft if the following requirements are met:~~

- ~~1. The tank is placarded with no smoking signs, type of fuel contained in the tank and the tank capacity;~~
- ~~2. The tank and all appurtenances used in the fueling operation are listed and approved for the specific purposes; and~~
- ~~3. Electrical bonding is provided as required under section 1106.3.7.~~

~~CHAPTER 22 MOTOR FUEL DISPENSING FACILITIES AND REPAIR GARAGES~~ Section removed, addressed in Fire Code

~~2206.2.3 above ground tanks located outside, above grade.~~

~~Amend by adding an item five (5) at the end of this section.~~

- ~~5. Approved above ground atmospheric tanks may be used without a special enclosure or fire rating if the following criteria are met:
  - ~~a. Tanks must be located as required for "other tanks" by table 2206.2.3; and,~~
  - ~~b. Tanks must be enclosed by a six-foot high industrial type chain link fence with a minimum of two access gates located at opposite sides of the enclosure. Each gate must be at least at least 36 inches wide. There must be a minimum working distance of five feet between the tank and the fence.~~~~

~~2206.7.7.1 Leak detection.~~ Section removed, addressed in Fire Code

~~Amend by adding an exception to read:~~

~~Exception: A leak detection device is not required if the underground piping is an extra heavy steel wall with all welded joints, dielectric coating, and cathodic protection.~~

**Appendix - Added new section to 2015 Amendments  
Added Appendixes to the Amendments**

**LOCAL AMENDMENTS TO THE  
2015 EDITION OF THE INTERNATIONAL FIRE CODE**

The following represents local amendments to the 2015 Edition of the International Fire Code, adopted by the City Council of the City of La Porte on January 12, 2015; in Ordinance number 1388-E. References are to additions, deletions, amendments, or replacement of 2015 Edition of the International Fire Code sections. Section numbers correspond to the numbering in the 2015 Edition of the International Fire Code.

**CHAPTER 1 ADMINISTRATION**

**109.4 Violation penalties.**

*Amend by deleting this section and adding a new paragraph.*

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, shall be guilty of a violation and punishable by a fine. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**111.4 Failure to comply.**

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$500.00 dollars. Each and every day shall constitute a separate violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**CHAPTER 2 DEFINITIONS**

**202 General Definitions.**

*Amend paragraph [BG] Educational Group E. Day Care to read as follows:*

The use of a building or structure, or portion thereof, for education, supervision or personal care services for more than five children older than 2-1/2 years of age, including children related to the staff, shall be classified as an E Occupancy.

## **CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS**

### **401.3.4 False Alarm Charges.**

*Amend by adding a new subsection 401.3.4*

Except as otherwise provided herein, the owner of a building containing a fire protection, fire alarm, or other types of emergency notification systems, shall pay a charge in accordance with this section for each and every false alarm to which the fire department responds.

Exceptions:

1. No charge for the first two false alarms within a calendar year.
2. Each false alarm in excess of two during a calendar year will be charged a response fee of \$200.00

As used by the section, “false alarm” means an alarm signal generated by a privately owned fire or emergency alarm system reporting an alarm for which no fire or emergency actually exists; it includes system malfunctions, faulty operation of detectors, and false alarms not classified above. It does not include those incidents where the detector or system operated as designed such as but not limited to, a smoke detector sounding from someone smoking under the detector or a manual pull station being pulled.

### **405.10 False alarms.**

*Amend by adding a new subsection 405.10 to read as follows:*

False alarms may not count as a fire drill for the purpose of this section.

## CHAPTER 5 FIRE SERVICE FEATURES

### 503.3 Marking

*Amend paragraph 503.3 Marking, to read as follows:*

The Fire Marshal of the City of La Porte or designee is hereby authorized to designate fire lanes/fire zones on the property of shopping centers, nursing homes, hospitals, apartment complexes, town home complexes, schools and any other locations that he has deemed necessary to have fire lanes/fire zones.

- A. The designation by the Fire Marshal of such lanes/fire zones shall never be held to make the City of La Porte responsible for the maintenance of such lanes on private property, but the owner of such property shall continue to be responsible for the maintenance for such areas.
- B. Upon designation of such fire lane/fire zones pursuant to this code, the Fire Marshal shall give notice of such designation to the owner of such property, directing the owner to cause signs to be posted and/or curbs to be painted and/or stenciled.
- C. The required signs and/or painted curb shall read "FIRE LANE" or, "FIRE ZONE". The letter size should be not less than 3" in height and 1/2" in width.
- D. The sign shall be a metal sign of standard size, with a weather resistant white background with red letters. The mounting and height information can be obtained from the City of La Porte Public Works and/or City of La Porte Police Department. The sign shall be installed not less than every 20 feet.
- E. The curb shall be painted "Red" in color and/or the stenciled information, "FIRE ZONE" and/or "FIRE LANE" shall be stenciled in "White" colored letters. The stencil should not be less than 20 feet, apart on the curb.
- F. It is hereby declared to be unlawful to obstruct in any manner, including parking or standing any attended or unattended vehicle in any fire lane/fire zone as defined hereof, where the signs have been erected or the curbs have been painted and stenciled including pre-existing fire lane/fire zones with visibly erected signs and/or stenciled curbs reading "FIRE LANE" or "FIRE ZONE"

**EXCEPTIONS:**

1. Any authorized emergency vehicle conducting official emergency business.
2. Any marked vehicle of the United States Postal Service officially dispatching mail or any marked vehicle of a Parcel Post Delivery Service officially dispatching Parcel Post.
3. Any armored vehicle officially dispatching or picking up currency.

**503.7 Violations**

*Amend by adding a new subsection 503.7 to read as follows:*

It is hereby declared to be unlawful for any person, without lawful authority of the Fire Marshal to attempt to or in fact alter, deface, injure, knock down, or remove any sign and/or painted curb designating a fire lane/fire zone that has been erected and/or stenciled under the term of this code.

The Fire Marshal, any duly authorized representative, and/or any peace officer of the State of Texas may issue a summons or notice to appear in answer to a charge of any violation of this code. Such summons shall be issued on an official form (ticket book) acceptable to the City of La Porte.

Any person found guilty of a violation of this code shall, upon conviction, be subject to a fine ranging from one dollar to two thousand dollars, as set by the City of La Porte Municipal Court. Each day the violation continues shall constitute a separate offense.

No owner, manager or person in charge of any premises served by a required fire lane/fire zone shall abandon or close any such fire lane/fire zone without permission of the Fire Marshal or designee.

**507.5.1 Installation**

*Amend by deleting the existing paragraph and replace with the following paragraph:*

All required water mains and fire hydrants shall be installed as follows:

1. Residential area fire hydrants shall be installed on a 6-inch or larger approved water main and placed so that no building is over 500 feet from a fire hydrant. Distance for hydrant placements shall be measured at curb line and/or access corridor.

**EXCEPTIONS:**

- A. When in the opinion of the fire chief and fire marshal a water main and/or fire hydrant is not necessary due to the existence of built-in fire protection system(s); or
- B. When the Fire Chief and Fire Marshal have been notified in writing that pending water mains and fire hydrants are being installed in the vicinity, consistent with the terms of this code.

2. Commercial and industrial area fire hydrants shall be installed on an 8-inch or larger approved water main and shall be placed so that no part of any building is over 300 feet from a fire hydrant. Distance for hydrant placements shall be measured at curb line and/or access corridor.

**EXCEPTIONS:**

- A. When in the opinion of the fire chief and fire marshal a water main and/or the fire hydrant is not necessary due to the existence of built-in fire protection system(s); or
- B. When the fire chief and fire marshal have been notified in writing that pending water mains and fire hydrants are being installed in that vicinity, consistent with the terms of this code.

**CHAPTER 6 BUILDING SERVICES AND SYSTEMS**

*Amend by adding new subsection*

**609.3.5 Plan Submittal Requirements**

**Pre-Engineered Systems** - Plan submittal shall comply with the following requirements for Pre-Engineered Systems;

- a. Be planned by a Type PL licensee or a Texas Registered Professional Engineer. All shop drawings must bear the signature of a Type PL licensee, his license number, and the certificate-of-registration number of the registered firm or a Texas Registered Professional Engineer seal.
  - ❖ If a PE is used, the PE shall provide written documentation to this office as to his knowledge that he has reviewed the Pre-Engineered System and that the system meets all applicable City of La Porte Fire Codes and any applicable State Codes.
- b. Designer shall provide this office with written documentation (**Certification**) from the manufacturer stating you have been trained by the manufacturer and that they certify you in the Design of said equipment.

- c. Installer shall provide this office with written documentation (**Certification**) from the manufacturer stating you have been trained by the manufacturer and that they certify you in the Installation of said equipment

## **CHAPTER 9 FIRE PROTECTION SYSTEMS**

### **901 General**

*Amend by adding new subsections*

#### **901.5.2 Required attendance for Installation acceptance testing.**

A person licensed through the Texas State Fire Marshal's Office to install Fire Sprinkler systems (RME-G and/or RME-U) shall be onsite during all phases of installation and during the Fire Marshal's inspection.

#### **901.5.3 Required Documentation for Installation acceptance testing.**

The Fire Marshal's Office approved set of Fire Sprinkler Plans, manufacture's product data sheets on all equipment being installed, and the installation permit are to be on site for all Fire Marshal's Office inspections. The On-Site Installer shall have a current State license, on his person, while on the job site.

#### **901.5.3 Required Actions for Installation acceptance testing.**

The fire sprinkler piping shall not be covered up prior to the Fire Marshal's Office visual inspections of the piping. If the piping is covered, and the inspectors cannot inspect as is required by Fire Code, all of the obstructions will be required to be removed.

**903.2.3 Group E.**

*Delete paragraph and substitute with the following:*

An automatic sprinkler system must be provided throughout all Group E occupancies. An automatic sprinkler system shall also be provided for every portion of educational buildings below the level of exit discharge. The use of fire walls does not establish a separate building for purposes of this section.

Exceptions:

1. Buildings with E occupancies having an occupant load of 49 or less.
2. Day care uses not otherwise requiring an automatic sprinkler system by other provisions of the code.

Day care uses that are licensed to care for more than 5 persons between the hours of 10 p.m. and 6 a.m. shall be equipped with an automatic sprinkler system designed and installed in accordance with section 903.3.1.3 or an approved equivalent system. This includes children related to the staff.

**903.2.8.3 Group R-1 & R-2.**

*Add new subsection to read as follows:*

An Automatic sprinkler system or a residential sprinkler system installed in accordance with section 903.3.1.2 must be provided throughout all buildings with a group R-1 fire area. Group R-1 shall have 100% automatic sprinkler coverage throughout all buildings and spaces.

**Appendix A; Board of Appeals**

*Adopt and Delete section in its entirety and substitute with the following:*

The Board of Appeals shall be governed and formed in accordance to the La Porte, Texas, Code of Ordinances, Subpart A - General Ordinances, Chapter 38 - Fire Prevention and Protection, Article V. Fire Code Review Board.

**Appendix B; Fire Flow Requirements for Buildings**

*Adopt section in its entirety*

**Appendix C; Fire Hydrant Locations and Distribution**

*Delete section in its entirety*

**Appendix D; Fire Apparatus Access Roads**

*Adopt section in its entirety*

**Appendix I; Fire Protection Systems - Noncompliant Conditions**

*Adopt section in its entirety*

**Appendix J; Building Information Sign**

*Delete section in its entirety*

**Appendix K; Construction Requirements for Existing Ambulatory Care Facilities**

*Adopt section in its entirety*

**Appendix L; Requirements for Fire Fighter Air Replenishment Systems**

*Delete section in its entirety*

**Appendix M; High-Rise Buildings—Retroactive Automatic Sprinkler Requirement**

*Delete section in its entirety*

ORDINANCE NO. 1388-D

AN ORDINANCE AMENDING CHAPTER 38 OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE BY AMENDING CHAPTER 38 "FIRE PREVENTION AND PROTECTION," ARTICLE III "STANDARDS", DIVISION 1 "GENERALLY", SECTION 38-101 "FIRE CODE ADOPTED" BY ADOPTING THE 2003 EDITION OF THE INTERNATIONAL FIRE CODE, TOGETHER WITH ALL LOCAL AMENDMENTS THERETO; PROVIDING A REPEALING CLAUSE; CONTAINING A SAVINGS CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING A SEVERABILITY CLAUSE; 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; AND PROVIDING AN EFFECTIVE DATE HEREOF.

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

**Section 1.** Chapter 38, "Fire Prevention and Protection", Article III "Standards", Division 1 "Generally, Section 38-101 "Fire Code Adopted", of the Code of Ordinances of the City of La Porte, is hereby amended and shall hereafter read as follows, to-wit:

**"Section 38-101. Fire code adopted.**

The International Fire Code, 2003 Edition, together with all local amendments thereto, which are all on file in the office of the city secretary, is hereby adopted as the fire code of the city, incorporated by reference in this article, and made a part hereof, as fully as if copied at length herein verbatim."

**Section 2.** The City Council of the City of La Porte hereby adopts local amendments to the International Fire Code, 2003 Edition, which are on file in the office of the city secretary, and, are attached hereto as Exhibit A.

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

**Section 4.** If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, and it is hereby declared to the intention of this City Council to have passed each section, sentence, phrase, or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase, or clause, or part thereof, may be declared invalid.

**Section 5.** 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 punished by a fine not to exceed TWO THOUSAND DOLLARS (\$2,000.00).

**Section 6.** This Ordinance shall be effective sixty (30) 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 twice within ten (10) days after the passage of this ordinance.

**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 the 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.

PASSED AND APPROVED this the 12<sup>th</sup> day of February, 2007.

CITY OF LA PORTE

By: Albert E. Porter  
Mayor

ATTEST:

Martha A. Guel  
City Secretary

APPROVED:

Clark T. Adams  
City Attorney

**LOCAL AMENDMENTS TO THE  
2003 EDITION OF THE INTERNATIONAL FIRE CODE**

The following represents local amendments to the 2003 Edition of the International Fire Code, adopted by the City Council of the City of La Porte on February 12, 2007; in Ordinance number 1388-D. References are to additions, deletions, amendments, or replacement of 2003 Edition of the International Fire Code sections. Section numbers correspond to the numbering in the 2003 Edition of the International Fire Code.

**CHAPTER 1 ADMINISTRATION**

**109.3 Violation penalties.**

*Amend by deleting this section and adding a new paragraph.*

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the code official, shall be guilty of a violation and punishable by a fine. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**111.4 Failure to comply.**

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$500.00 dollars. Each and every day shall constitute a separate violation. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

**CHAPTER 2 DEFINITIONS**

**202 General Definitions.**

*Amend paragraph [B] Educational Group E. Day Care to read as follows:*

The use of a building or structure, or portion thereof, for education, supervision or personal care services for more than five children older than 2-1/2 years of age, including children related to the staff, shall be classified as an E Occupancy.

*Add the following definition for Service:*

Service is the annual test, maintenance, or service defined and required by applicable fire equipment standards set forth in table 901.6.1.

## **CHAPTER 4 EMERGENCY PLANNING AND PREPAREDNESS**

### **401.3.4 False Alarm Charges.**

*Amend by adding a new subsection 401.3.4*

Except as otherwise provided herein, the owner of a building containing a fire protection, fire alarm, or other types of emergency notification systems, shall pay a charge in accordance with this section for each and every false alarm to which the fire department responds.

Exceptions:

1. No charge for the first two false alarms within a calendar year.
2. Each false alarm in excess of two during a calendar year will be charged a response fee of \$200.00

As used by the section, "false alarm" means an alarm signal generated by a privately owned fire or emergency alarm system reporting an alarm for which no fire or emergency actually exists; it includes system malfunctions, faulty operation of detectors, and false alarms not classified above. It does not include those incidents where the detector or system operated as designed such as but not limited to, a smoke detector sounding from someone smoking under the detector or a manual pull station being pulled.

### **405.10 False alarms.**

*Amend by adding a new subsection 405.10 to read as follows:*

False alarms may not count as a fire drill for the purpose of this section.

#### **408.3.5 False alarms.**

*Amend by adding a new subsection 408.3.5 to read as follows:*

False alarms may not count as a fire drill for the purpose of this section.

### **CHAPTER 5 FIRE SERVICE FEATURES**

#### **503.7 Fire Lane**

*Amend by adding a new subsection 503.7 to read as follows:*

The Fire Marshal of the City of La Porte or designee is hereby authorized to designate fire lanes/fire zones on the property of shopping centers, nursing homes, hospitals, apartment complexes, town home complexes, schools and any other locations that he has deemed necessary to have fire lanes/fire zones.

- A. The designation by the Fire Marshal of such lanes/fire zones shall never be held to make the City of La Porte responsible for the maintenance of such lanes on private property, but the owner of such property shall continue to be responsible for the maintenance for such areas.
- B. Upon designation of such fire lane/fire zones pursuant to this code, the Fire Marshal shall give notice of such designation to the owner of such property, directing the owner to cause signs to be posted and/or curbs to be painted and/or stenciled.
- C. The required signs and/or painted curb shall read "FIRE LANE" or, "FIRE ZONE". The letter size should be not less than 3" in height and 1/2" in width.
- D. The sign shall be a metal sign of standard size, with a weather resistant white background with red letters. The mounting and height information can be obtained from the City of La Porte Public Works and/or City of La Porte Police Department. The sign shall be installed not less than every 20 feet.
- E. The curb shall be painted "Red" in color and/or the stenciled information, "FIRE ZONE" and/or "FIRE LANE" shall be stenciled in "White" colored letters. The stencil should not be less than 20 feet, apart on the curb.
- F. It is hereby declared to be unlawful to obstruct in any manner, including parking or standing any attended or unattended vehicle in any fire lane/fire zone as defined hereof, where the signs have been erected or the curbs have been painted and stenciled including pre-existing fire lane/fire zones with visibly erected signs and/or stenciled curbs reading "FIRE LANE" or "FIRE ZONE"

### **EXCEPTIONS:**

1. Any authorized emergency vehicle conducting official emergency business.
2. Any marked vehicle of the United States Postal Service officially dispatching mail or any marked vehicle of a Parcel Post Delivery Service officially dispatching Parcel Post.
3. Any armored vehicle officially dispatching or picking up currency.

### **503.8 Violations**

*Amend by adding a new subsection 503.8 to read as follows:*

It is hereby declared to be unlawful for any person, without lawful authority of the Fire Marshal to attempt to or in fact alter, deface, injure, knock down, or remove any sign and/or painted curb designating a fire lane/fire zone that has been erected and/or stenciled under the term of this code.

The Fire Marshal, any dully authorized representative, and/or any peace officer of the State of Texas may issue a summons or notice to appear in answer to a charge of any violation of this code. Such summons shall be issued on an official form (ticket book) acceptable to the City of La Porte.

Any person found guilty of a violation of this code shall, upon conviction, be subject to a fine ranging from one dollar to two thousand dollars, as set by the City of La Porte Municipal Court. Each day the violation continues shall constitute a separate offense.

No owner, manager or person in charge of any premises served by a required fire lane/fire zone shall abandon or close any such fire lane/fire zone without permission of the Fire Marshal or designee.

### **508.3 Fire Flow.**

*Amend by deleting the existing paragraph and replace with the following paragraph:*

Water supplies for fire flow requirements for buildings or portions of buildings and facilities shall be calculated using the provisions of Appendix Chapter B and Table B105.1.

### **508.5.1 Installation**

*Amend by deleting the existing paragraph and replace with the following paragraph:*

All required water mains and fire hydrants shall be installed as follows:

1. Residential area fire hydrants shall be installed on a 6-inch or larger approved water main and placed so that no building is over 500 feet from a fire hydrant. Distance for hydrant placements shall be measured at curb line and/or access corridor.

#### **EXCEPTIONS:**

- A. When in the opinion of the fire chief and fire marshal a water main and/or fire hydrant is not necessary due to the existence of built-in fire protection system(s); or
- B. When the Fire Chief and Fire Marshal have been notified in writing that pending water mains and fire hydrants are being installed in the vicinity, consistent with the terms of this code.

2. Commercial and industrial area fire hydrants shall be installed on an 8-inch or larger approved water main and shall be placed so that no part of any building is over 300 feet from a fire hydrant. Distance for hydrant placements shall be measured at curb line and/or access corridor.

#### **EXCEPTIONS:**

- A. When in the opinion of the fire chief and fire marshal a water main and/or the fire hydrant is not necessary due to the existence of built-in fire protection system(s); or
- B. When the fire chief and fire marshal have been notified in writing that pending water mains and fire hydrants are being installed in that vicinity, consistent with the terms of this code.

### **508.5.4 Obstructions.**

*Amend by deleting the existing paragraph and replace with the following paragraph:*

Posts, fences, vehicles, growth, trash, snow, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department connections, or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants. A 3-foot clear space shall be maintained around all fire hydrants, fire department connections, and fire protection control valves on private or public property.

## **CHAPTER 9 FIRE PROTECTION SYSTEMS**

### **901.4 Installation of fire protection systems.**

*Amend by adding an exception at the end of this section.*

Exception: Buildings temporarily closed due to seasonal operations may have their fire systems deactivated under the following conditions:

1. Building is unoccupied.
2. Building is properly secured.
3. All utilities are disconnected and drained.
4. The fire systems are certified as operational before the building is reoccupied.
5. A 24-hour a day fire watch as defined in section 202 is provided during the interim between when utilities are reactivated and the fire systems are certified as operational.
6. The fire department must be notified of such closure.
7. A letter from the insurance carrier or, owner if self-insured, indicating knowledge of the closure is provided to the fire department.

### **901.4.5 Marking of Fire Protection Equipment.**

*Amend by adding a new section to read as follows:*

Fire Department connection devices for building sprinkler systems in new and existing buildings shall be identified by the installation of approved reflective markers or signs installed above the device in an unobstructed location at approximately 7 feet above grade.

### **901.9 Damage protection.**

*Add a new subsection to read as follows:*

When exposed to probable vehicular damage due to proximity to alleys, driveways or parking areas, standpipes, post indicator valves and sprinkler system or standpipe system, connections shall be protected in an approved manner.

### **903.2.2 Group E.**

*Delete paragraph and substitute with the following:*

An automatic sprinkler system must be provided throughout all Group E occupancies. An automatic sprinkler system shall also be provided for every portion of educational buildings below the level of exit discharge. The use of fire walls does not establish a separate building for purposes of this section.

Exceptions:

1. Buildings with E occupancies having an occupant load of 49 or less.
2. Day care uses not otherwise requiring an automatic sprinkler system by other provisions of the code.

Day care uses that are licensed to care for more than 5 persons between the hours of 10 p.m. and 6 a.m. shall be equipped with an automatic sprinkler system designed and installed in accordance with section 903.3.1.3 or an approved equivalent system. This includes children related to the staff.

### **903.2.7 Group R.**

*Amend this section by adding an exception:*

Bed and breakfast occupancies with five rentable sleeping rooms or less do not require an automatic suppression system.

#### **903.2.7.1 Group R-1.**

*Add new subsection to read as follows:*

An Automatic sprinkler system or a residential sprinkler system installed in accordance with section 903.3.1.2 must be provided throughout all buildings with a group R-1 fire area.

Exception: Where guest rooms are not more than three stories above the lowest level of discharge and each guestroom has at least one door leading directly to an exterior exit access that leads directly to an approved exit.

### **903.2.7.2 Group R-2.**

*Add new subsection to read as follows:*

An automatic sprinkler system or a residential sprinkler system installed in accordance with section 903.3.1.2 shall be provided throughout all buildings with a group R-2 fire area that are more than two stories in height, including basement, or have more than sixteen dwelling units or sleeping units.

### **903.2.7.3 Group R-4.**

*Add new subsection to read as follows:*

An automatic sprinkler system or a residential sprinkler system installed in accordance with Section 903.3.1.2 shall be provided throughout all buildings with a Group R-4 fire area.

### **907.1.1 Construction Documents.**

*Amend by adding a new item to read as follows:*

12. System riser diagram

### **907.2.3 Group E.**

*Amend this section by adding a second paragraph to read as follows:*

Rooms used for sleeping or napping purposes within a day care use of Group E Occupancies must be provided with smoke detectors that comply with section 907.2.10.1.2.

## **CHAPTER 11 AVIATION FACILITIES**

### **1106.3 Construction of aircraft-fueling vehicles and accessories.**

*Amend by adding an exception at the end of this section.*

Exception: A vehicle or trailer tank with a capacity of 250 gallons or less may be used for non-commercial refueling of private non-commercial aircraft if the following requirements are met:

1. The tank is placarded with no smoking signs, type of fuel contained in the tank and the tank capacity;
2. The tank and all appurtenances used in the fueling operation are listed and approved for the specific purposes; and

3. Electrical bonding is provided as required under section 1106.3.7.

## **CHAPTER 22 MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES**

### **2206.2.3 above ground tanks located outside, above grade.**

*Amend by adding an item five (5) at the end of this section.*

5. Approved above ground atmospheric tanks may be used without a special enclosure or fire rating if the following criteria are met:
  - a. Tanks must be located as required for "other tanks" by table 2206.2.3; and,
  - b. Tanks must be enclosed by a six-foot high industrial type chain link fence with a minimum of two access gates located at opposite sides of the enclosure. Each gate must be at least at least 36 inches wide. There must be a minimum working distance of five feet between the tank and the fence.

### **2206.7.7.1 Leak detection.**

*Amend by adding an exception to read:*

Exception: A leak detection device is not required if the underground piping is an extra-heavy steel wall with all welded joints, dielectric coating, and cathodic protection.

# **LA PORTE FIRE DEPARTMENT**

**124 South First Street  
La Porte, Texas, 77571  
(281) 471-3607**

**January 4, 2007**

**Honorable Mayor Alton Porter and City Council Members,**

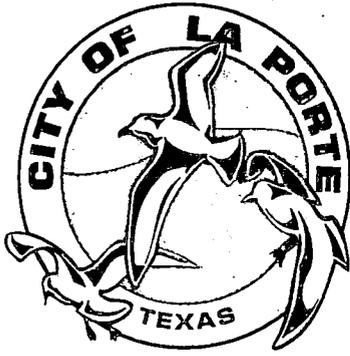
**The La Porte Volunteer Fire Department would like to take this opportunity to express our support for changing the City's existing 1994 Standard Fire Code, to the 2003 International Fire Code (IFC).**

**At our October business meeting, we were presented this proposed change by Fire Marshal Cliff Meekins and our Fire Chief's Office. We discussed issues in the IFC that were beneficial not only to the developers, but to the code enforcement officials within the City of La Porte. Additionally the IFC was highly recommended by the ISO consultant we are working with and since it supports the City's International Building Code (IBC) it just seems to make sense to have codes that are easily compatible. Not only will this improve the safety aspects of fire protection in the city, both for the citizens and our firefighters, but it should make future developments in La Porte safer and more cost efficient.**

**Respectfully,**

**Ronnie Thibodeaux  
President  
La Porte Volunteer Fire Department**





# City of La Porte

*Established 1892*

18 January 2007

The Honorable Alton Porter  
Mayor of La Porte

Dear Mayor Porter,

The Fire Code Review Board met on 17 January 2007 to discuss adopting an updated Fire Code which would ensure the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the City of La Porte.

After consideration and comparison of the current City of La Porte Fire Code, the 1994 Standard Fire Prevention Code with the 2003 edition of the International Fire Code, the Fire Code Review Board hereby gives its full support to the adoption of the 2003 edition of the International Fire Code with Amendments. In addition, the Fire Code Review Board would like to see the 2003 edition of the International Fire Code with Amendments be adopted as soon as practical and without delay.

The Fire Code Review Board feels that with the City of La Porte having already adopted the 2003 edition of the International Building Code, the adoption of the 2003 edition of the International Fire Code with Amendments would make for a safer and more efficient permitting and inspection program by providing a cohesive combination of the Fire and Building Codes.

Respectfully,

  
Bryan Moore, Chairman  
Fire Code Review Board



**NATIONAL**  
PROPERTY HOLDINGS

January 29, 2007

City of La Porte Fire Marshal's Office  
Attn: Clif Meekins  
120 S. 2<sup>nd</sup> Street  
La Porte, TX 77571

Dear Clif,

Please accept this letter as a formal show of support for the transition of the Fire Marshal's office from the 1994 SBCCI Fire Code to the IFC 2003. The City of La Porte is home to one of our biggest projects, and we fully support any internal improvements the City is undertaking.

Please let us know if there is anything that we may be of assistance in. We look forward to continuing the strong relationship we have built with the City.

Sincerely,

Russell D. Plank, V.P.  
National Property Holdings

ORDINANCE NO. 1388-E

AN ORDINANCE AMENDING CHAPTER 38 OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE BY AMENDING CHAPTER 38 "FIRE PREVENTION AND PROTECTION," ARTICLE III "STANDARDS", DIVISION 1 "GENERALLY", SECTION 38-101 "FIRE CODE ADOPTED" BY ADOPTING THE 2015 EDITION OF THE INTERNATIONAL FIRE CODE, TOGETHER WITH ALL LOCAL AMENDMENTS THERETO; PROVIDING A REPEALING CLAUSE; CONTAINING A SAVINGS CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING A SEVERABILITY CLAUSE; 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; AND PROVIDING AN EFFECTIVE DATE HEREOF.

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

**Section 1.** Chapter 38, "Fire Prevention and Protection", Article III "Standards", Division 1 "Generally", Section 38-101 "Fire Code Adopted", of the Code of Ordinances of the City of La Porte, is hereby amended and shall hereafter read as follows, to-wit:

**Section 38-101. Fire code adopted.**

The International Fire Code, 2015 Edition, together with all local amendments thereto, which are all on file in the office of the city secretary, is hereby adopted as the fire code of the city, incorporated by reference in this article, and made a part hereof, as fully as if copied at length herein verbatim."

**Section 2.** The City Council of the City of La Porte hereby adopts local amendments to the International Fire Code, 2015 Edition, which are on file in the office of the city secretary, and, are attached hereto as Exhibit A and incorporated by reference for all purposes.

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

**Section 4.** If any section, sentence, phrase, clause, or any part of any section, sentence, phrase, or clause, of this Ordinance shall, for any reason, be held invalid, such invalidity shall not affect the remaining portions of this Ordinance, and it is hereby declared to the intention of this City Council to have passed each section, sentence, phrase, or clause, or part thereof, irrespective of the fact that any other section, sentence, phrase, or clause, or part thereof, may be declared invalid.

**Section 5.** 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 punished by a fine not to exceed TWO THOUSAND DOLLARS (\$2,000.00).

**Section 6.** This Ordinance shall be effective sixty (60) 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.

**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 the 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.

PASSED AND APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF LA PORTE

By: \_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED:

  
\_\_\_\_\_  
City Attorney

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>January 12, 2015</u>	<u>Appropriation</u>
Requested By: <u>P. Fogarty</u>	Source of Funds: <u>N/A</u>
Department: <u>City Secretary's Office</u>	Account Number:
Report: <input type="radio"/> Resolution: <input type="radio"/> Ordinance: <input type="radio"/>	Amount Budgeted:
Other: <input checked="" type="radio"/>	Amount Requested:
	Budgeted Item: <input type="radio"/> YES <input type="radio"/> NO

**Attachments :**

- 1. Application and Policy**
- 2. Committee Support**

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### SUMMARY & RECOMMENDATIONS

Ordinance No. 2000-2443, adopted by the City of La Porte on October 23, 2000, approved and adopted a policy for the naming of City of La Porte facilities. This policy provides procedures, guidelines, definitions, and an Application For Naming a City of La Porte Facility.

On December 17, 2014, Mary Gay, on behalf of the La Porte Community Civic Club, filed such an Application with the City Secretary to rename the North Side Park, located at the corner of N. 4<sup>th</sup> and Tyler Streets, to the Martin Luther King, Jr., Park.

One of the required procedures in the policy is for the standing Council Committee, consisting of the mayor and the two at-large council members, to meet to consider and make recommendations on applications. The Committee met via email in mid-December to discuss Ms. Gay's application for renaming the North Side Park.

The Committee recommends Council consider renaming the North Side Park to the Martin Luther King, Jr., Park.

---

**Action Required of Council:**

Consider approval or other action of an Ordinance renaming the North Side Park, located at the corner of N. 4<sup>th</sup> and Tyler Streets, to the Martin Luther King, Jr., Park.

---

**Approved for City Council Agenda**

---

**Corby D. Alexander, City Manager**

---

**Date**

APPLICATION FOR NAMING  
A  
CITY OF LA PORTE FACILITY

Rwd  
12-17-14  
pk

Please provide the information requested and return this application to the City Secretary's Office.

**Applicant Information**

Name: Mary GAY  
Address: La Porte Community Civic Club or 305 N. 5<sup>th</sup> St.  
Phone: 281-471-3259

**Facility Information**

Location: Corner of North 4<sup>th</sup> and Tyler St.  
Current Name: NorthSide Park  
Function or Facility: Park  
Proposed Name: Martin Luther King, Jr. Park

**Contributions**

In the spaces provided below, briefly explain how the proposed individual, family, organization, or entity has contributed to La Porte. You may use any combination of categories, as is appropriate to the nomination, to describe the contributions made. For further assistance, please refer to the Procedures and Guidelines for the Naming of Public Facilities.

**Financial Contribution**

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**Historical/Symbolic Contribution** Martin Luther King Jr.:  
He helped form the Southern Christian Leadership Conference.  
Leader of entire civil rights movement in the 1960's  
ought for and achieved mandatory equal voting rights  
for African Americans and whites.  
Led nonviolent peaceful demonstrations against segregation  
and discrimination based on skin color.

**Civic Contribution** Because of his work, the standard has been set  
for all nations to treat everyone equally  
regardless of skin color.

Mary Gay  
12/19/14

# La Porte Community Civic Club

P. O. Box 105  
La Porte, Texas 77572  
281-471-3259  
November 14, 2014

RECEIVED

NOV 19 2014

CITY MANAGER'S  
OFFICE

Mayor Louis Rigby  
City Council  
City Manager  
City of La Porte  
604 W. Fairmont Parkway  
La Porte, Texas 77571

Dear Mayor Rigby.

The La Porte Community Civic Club is interested in naming the North Side Park at the corner of North 4<sup>th</sup> and Tyler Street the Martin Luther King, Jr. Park. The members voted unanimous to name the Park The Martin Luther King, Jr. Park.

A splash pool will soon be added at the Park also restrooms, more tables and seats. The Civic Club thought it a good idea to rename the Park.

The Club will need to know what it will need to do to get the name changed, will it need to have the consent of the Council or will there be other involvements or will the Citizens need to be involved other than the Civic Club members. Whatever the case the Club hopes to get ASAP answer so it can start the process. The Club is now planning for its 2015 Martin Luther King, Jr. program. The members are aware it takes time for changes but would love to have this as part of the Martin Luther King, Jr. program. The program will be possibly set for Sunday, January 18<sup>th</sup>. The King Celebration is on Monday the 19<sup>th</sup>, the City, most businesses, stores and jobs will not close and for it to be possible for those wishing to attend, the Club will set the program/celebration the Sunday before the Monday, Kings Holiday.

Now that's only 2 months away and with the Thanksgiving and Christmas Holiday it may not be possible to dedicate the Park but maybe have information about the plans to involve with the program activities. Hoping the Club would be able to dedicate the Park.

The Civic Club would like to know as soon as possible if this is possible and what it needs to do to get it started. Thank you so very much in advance for any consideration given.

Sincerely,

Charlie Perry, President  
713-398-8782

Mary Gay,  
Director of Programs  
281-471-3259

## POLICY FOR NAMING CITY OF LA PORTE FACILITIES

### PURPOSE

To establish guidelines and procedures for the naming of municipal facilities or donation of a memorial tree with plaque.

### PROCEDURES

- A. To initiate the naming process, an application should be requested from and returned to the City Secretary's Office. A set of Procedures and Guidelines will accompany each application for completion.
- B. A standing Committee, appointed by Council and composed of Councilmembers from the three (3) At-Large Positions (Mayor, Position "A," and Position "B"), will consider all applications and provide recommendations.
- C. The Council Committee will present their recommendation to the full City Council to consider the naming of the City facility or parkland.
- D. Generally, municipal facilities will be named immediately prior to or during development of the facilities.

### GUIDELINES

1. In honor of individuals who donate land for park space or donate a major part of the funds required to construct or renovate a facility. A minimum of fifty percent (50%) or more of the total funds is necessary to constitute a major portion.
2. Outstanding and/or predominant historical features of significance. Historical features will include the names of early residents or citizens and/or events of significance to the area's development.
3. In honor of deceased local community leaders. Deceased local community leaders must have served in an elected or appointed position of the City of La Porte. These leaders must have provided outstanding personal service that has resulted in a significant and enduring contribution to the community and have been deceased for a minimum of five (5) years.
4. In honor of deceased national or state leaders. Deceased national or state leaders must have directly impacted the citizens of La Porte and have been deceased for a minimum of five (5) years.
5. In relation to outstanding and/or predominant geographical characteristics or physical features of the land. such as streams, rivers, plant species, etc. Geographical and physical features will include those naturally occurring. (i.e., vegetation materials, streams, rivers, creeks, lakes or forested areas), and those man-made, (i.e., subdivisions, streets, office/industrial complexes or other commercial areas).

6. In relation to a street or streets adjacent to the facility or parkland.
7. In relation to a subdivision that houses the facility or is adjacent to the parkland.
8. Municipal recreation centers that are a part of or lie within the boundaries of a park shall bear the name of that park unless the park name cannot be incorporated in the facility name.
9. Municipal facilities may be given the same name as a school site, where the sites abut one another.
10. Renaming of a public street. Renaming of a public street shall require the concurrence from a minimum of seventy-five percent (75%) of the property owners abutting the proposed street. Persons and/or groups submitting street names for consideration shall be required to provide a notarized list of concurring property owners and to defray the cost (at least 60%) of installing signs and other expenses (i.e. maps, plats, 911, etc.) Streets in newly platted subdivisions or streets that have not been developed are exempt from this policy.
11. Renaming of a municipal facility. Renaming of municipal facilities may be considered if exceptional circumstances exist, but should not be a common practice. In such circumstances, care must be taken to avoid renaming because the purpose of the prior naming had become obscured over time (and thus eliminate appropriate recognition or honor).
12. Donation of a tree for City park or facility. If more appropriate for the circumstances, a request may be presented to plant a tree in memory of the significant contributor. A small plaque (no larger than 12 inches by 12 inches) will be placed at the foot of the tree with name, date(s), and honored contribution to the community. The plaque must be installed to grade. This memorial shall follow the same recommended guidelines as for naming a facility.

## DEFINITIONS

### **Facilities:**

A municipal facility or municipal facilities shall be any real properties that are owned by the City of La Porte such as, but not limited to public buildings, parks, streets, or any other City-owned structures or property.

### **Financial Benefactor Criteria:**

Individuals (deceased), organizations, or entities nominated under this category shall make, or have made, a significant financial contribution toward a facility. Significant financial contributions will be measured also by the impact a single contribution makes toward the successful conclusion of or continuing operation of the facility to be named. Depending on the impact, the naming could be for the entire facility or some portion (i.e., a room).

### **Historical/Symbolic Criteria:**

Facilities may be named for individuals, families, organizations or entities who, for historical or symbolic reasons, have contributed to the community. Nominated individuals shall have been deceased for a minimum of five (5) years. When considering individuals or families under this category, criteria will include their character, service to the community, leadership and inspiration to others.

**Civic Contribution Criteria:**

Individuals selected within this category shall have been deceased for a minimum of five (5) years and shall have been selected based on many years of service to the community and in consideration of their positive impact on the development and well being of the entire community. These nominations should be made objectively, without consideration to illness, misfortune, or incidents creating emotional responses. Organizations should be nominated according to the same criteria.

**APPLICATION FOR NAMING  
A  
CITY OF LA PORTE FACILITY**

Please provide the information requested and return this application to the City Secretary's Office.

**Applicant Information**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

**Facility Information**

Location: \_\_\_\_\_  
Current Name: \_\_\_\_\_  
Function or Facility: \_\_\_\_\_  
Proposed Name: \_\_\_\_\_

**Contributions**

In the spaces provided below, briefly explain how the proposed individual, family, organization, or entity has contributed to La Porte. You may use any combination of categories, as is appropriate to the nomination, to describe the contributions made. For further assistance, please refer to the Procedures and Guidelines for the Naming of Public Facilities.

**Financial Contribution**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Historical/Symbolic Contribution**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Civic Contribution**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**From:** [Kaminski, Dottie](#)  
**To:** [Fogarty, Patrice](#)  
**Subject:** Re: Renaming North Side Park to Martin Luther King, Jr., Park  
**Date:** Wednesday, December 17, 2014 4:06:32 PM

---

Yes please bring to council

Sent from my iPad

On Dec 17, 2014, at 3:19 PM, "Fogarty, Patrice" <[FogartyP@laportetx.gov](mailto:FogartyP@laportetx.gov)> wrote:

<image002.gif>

Councilmember Kaminski advised she is in favor of bringing the renaming to council.

**Patrice Fogarty, TRMC, MMC**

**City Secretary | City of La Porte**

**604 W. Fairmont Parkway | La Porte, TX 77571**

**281-470-5019**

---

**From:** Fogarty, Patrice  
**Sent:** Wednesday, December 17, 2014 3:14 PM  
**To:** Zemanek, John; Kaminski, Dottie; Rigby, Louis  
**Cc:** CSO - Staff; Alexander, Corby  
**Subject:** Renaming North Side Park to Martin Luther King, Jr., Park

**Mayor Rigby, Councilmember Zemanek and Councilmember Kaminski:**

Mrs. Gay has filed an Application for Naming a City of La Porte Facility to rename the North Side Park to Martin Luther King, Jr., Park.

The next step is for the Naming Committee, consisting of the mayor and the 2 at large council members, to meet to discuss this and recommend whether

to take the application to the full council.

Mayor Rigby said meeting via email is fine with him. Attached is the application and Mrs. Gay's letter.

Please let me know if you wish to take the next step, which would be for staff to add it to an agenda for a vote from the full council.

Thank you very much.

Patrice Fogarty, TRMC, MMC

City Secretary | City of La Porte

604 W. Fairmont Parkway | La Porte, TX 77571

281-470-5019

**From:** [Rigby, Louis](#)  
**To:** [Fogarty, Patrice](#)  
**Subject:** Re: Renaming North Side Park  
**Date:** Thursday, December 18, 2014 8:12:08 AM

---

I am good with it

Sent from my iPad

On Dec 18, 2014, at 7:38 AM, Fogarty, Patrice <[FogartyP@laportetx.gov](mailto:FogartyP@laportetx.gov)> wrote:

<image001.gif>

**Mayor – are you good to go with Mary Gay’s request to rename the North Side Park? I’m working on the agenda request and need to hear from you as a member of the standing committee. I’ve heard from both at large councilmembers. They are in favor of taking it to council with a recommendation of renaming it.**

**Patrice Fogarty, TRMC, MMC  
City Secretary | City of La Porte  
604 W. Fairmont Parkway | La Porte, TX 77571  
281-470-5019**

**From:** John Zemanek  
**To:** Fogarty, Patrice; Zemanek, John; Kaminski, Dottie; Rigby, Louis  
**Cc:** CSO - Staff; Alexander, Corby  
**Subject:** RE: Renaming North Side Park to Martin Luther King, Jr., Park  
**Date:** Wednesday, December 17, 2014 3:39:31 PM

---

I am in approval of sending this to council.

Regards,

John Zemanek  
Zemanek Marine Services, Inc.  
PO Box 1744  
La Porte, TX 77572  
(281) 471-5100 – office  
(281) 471-5102 – fax  
(281) 960-6858 – mobile  
[jzemanek@zemanekmarine.com](mailto:jzemanek@zemanekmarine.com)  
[www.zemanekmarine.com](http://www.zemanekmarine.com)

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**From:** Fogarty, Patrice [mailto:FogartyP@laportetx.gov]  
**Sent:** Wednesday, December 17, 2014 3:14 PM  
**To:** Zemanek, John; Kaminski, Dottie; Rigby, Louis  
**Cc:** CSO - Staff; Alexander, Corby  
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Please let me know if you wish to take the next step, which would be for staff to add it to an agenda for a vote from the full council.

Thank you very much.

Patrice Fogarty, TRMC, MMC  
City Secretary | City of La Porte  
604 W. Fairmont Parkway | La Porte, TX 77571

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested:	<u>January 12, 2015</u>	Appropriation	
Requested By:	<u>Mayor Louis R. Rigby</u>	Source of Funds:	<u>Hotel Motel Fund</u>
Department:	<u>City Council</u>	Account Number:	<u>037-6063-565-60-15</u>
Report: <input checked="" type="radio"/>	Resolution: <input type="radio"/>	Ordinance: <input type="radio"/>	Amount Budgeted: <u>\$0</u>
Other: <input type="radio"/>			Amount Requested: <u>\$25,000.00</u>
Attachments :		Budgeted Item:	<input type="radio"/> YES <input checked="" type="radio"/> NO

### 1. 2015 IFDS Blind Sailing World Championship PowerPoint

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#### SUMMARY & RECOMMENDATIONS

The Houston Yacht Club is requesting a \$25,000 commitment from the City of La Porte to be the lead sponsors on the 2015 International Federation of Disabled Sailors Blind Sailing World Championship in November of 2015. The event will span 9 days and bring over 30 teams from all over the world including New Zealand, Great Britain and Japan. This commitment will have specific benefits for La Porte:

- Guarantee the Houston Yacht Clubs ability to move forward with bringing the championship to the club.
- The sponsorship would guarantee La Porte as the host for the hotel stays, which will equate to approximately 900 room nights for the City. The needed 100 rooms for those nine days will be split between 2 to 3 of the City's hotels that best meet the needs for IFDS members and specific disability.
- It will also guarantee the City's logo is placed prominently on sails in each of the three race classes, high visibility at the Yacht Club, inclusion in the opening and closing ceremonies, stops on their shuttle circuit for meals, and mention in all media outreach and coverage.

The proposed funding for this sponsorship would be paid out of the Hotel Motel funds. These funds are designated by law to be used only in ways that can promote hotel stays in the City.

Representatives from the Houston Yacht Club, Dave Atkinson and his wife, an IFDS member and blind sailor, will be joining us to present the information to Council.

Staff recommends funding this sponsorship, which gives the City an opportunity to support an incredible organization and its members as well as provide the City with great media exposure to

**showcase the City's hotels, shopping, and dining options.**

---

**Action Required of Council:**

1. Consider approval or other action of \$25,000 sponsorship of the 2015 International Federation of Disabled Sailors Blind Sailing World Championship.
2. Consider approval or other action to include the funds in the City's quarterly FY 2015 Budget Amendment.

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**Approved for City Council Agenda**

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**Corby D. Alexander, City Manager**

---

**Date**



# 2015 IFDS Blind Sailing World Championship

Houston Yacht Club

La Porte, TX USA



# Basics of Blind Sailing

- Generally done on 22'-24' boats with J22s, J24s and Sonars being some of the most popular.
- It is done with a 4 person team.
- 1) The helmsmen is visually impaired and drives.
- 2) There is a sighted "talker" for the helmsmen who gives guidance.
- 3) A second visually impaired sailor who handles all aspects of main trim.
- 4) A second sighted "talker" for main trim and that person also handles Jib trim.
  
- Blind sailing is divided into three classes.
- B 1; Totally blind.
- B 2; Some light and shadow.
- B 3; Highest level of visibility but still legally blind.

# What Competitors To Expect.

- New Zealand, Great Britain and Japan have nationally supported programs and will have teams in all 3 classes.
- They run trials to select their teams.
- The USA, Canada, Australia and others attend but do not have the organization or support
- Should expect about 30 entries.
- 4 members and average of 2 support per team
- 9 race officials gives us a total of 189 people.

# Differences From Other Events.

- Venue provides the boats.
- Venue is responsible for finding the Hotels to be used (participants pay for their own expenses).
- Hotels will be approved by IFDS official before event.
- Transportation will be provided back and forth from HYC and shuttle at night for meals.
- 75-100 volunteers per day.

# Blind Sailing Gets Media Attention.

- ABC 13 (KTRK) did a story on the Texas Blind Sailing Team before on of the National Championships, re-ran the story when the team won and included it on the crawler on the bottom of the screen.
- <http://abclocal.go.com/story?section=news/local&id=8322262>
- CBS 11 (KHOU) also did a story on the Texas Blind Sailing Team.
- <http://www.khou.com/story/news/2014/07/23/12011370/>
- We are confident that this event will receive coverage.

# The Regatta

- One practice day.
- Opening Ceremonies.
- Five days of racing, 15 races (3 races a day).
- Two off days (could replace a weather day).
- Awards and closing Ceremonies.
- Total of 9 days.

# The Cost To HYC

- As incentive for people to loan out their boat for this event, and to ensure equally matched boats, each boat gets a new main and jib (these go back to the boat owner).
- Cost per boat about \$3,000 (sails, lunches, small repairs ect).
- 30 boats, \$90,000. for boats alone.
- Estimated \$30,000. for banquets (opening and closing ceremonies), spectator boats, shuttles and other expenses.
- \$120,000. total.

# Benefits To La Porte

- 190 people for 9 – 10 nights.
- Based on double occupancy that's 855-950 nights.
- 7 evenings on their own for meals.
- That's 1330 meals if just a half in La Porte that's 665 meals ( HYC would provide a evening shuttle around La Porte and to Seabrook).
- 75-100 volunteers per day, if just 25% have a meal in La Porte, that's another 197 meals.

# City of La Porte

- Cost \$25,000.
- City Emblem On At Least One Boat Per Class.
- Passes To The Opening And Closing Ceremonies.
- Passes For The Spectator Boats.
- City Of La Porte Banners On The Property.

## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: January 12, 2015 Appropriation  
Requested By: E. 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. Zoning and Area Map
2. Legacy at La Porte Brochure

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### SUMMARY & RECOMMENDATIONS

The Planning and Development Department received an inquiry from The Brownstone Group (TBG) on a possible Class A, market rate multifamily development. The site TBG is inquiring about is a 7 acre tract of land located at the southwest corner of Underwood Road and Caniff. The subject parcel of land is zoned PUD, Planned Unit Development.

The proposed Legacy at La Porte developer claims this development would provide a Class-A rental product not currently available within the La Porte Market with an average rent of \$1.27 per square foot. It would include a total of 144 units on 7 acres, representing a density of 20.5 units per acre. This density is greater than the code allowance of 14 units per acre. Additionally, there is an existing multifamily development east of this site across Underwood, which is within the code separation requirement of 1,000 feet. The proposal includes both townhome and residential apartments including one, two and three bedroom units, some with attached garages. The Legacy at La Porte Brochure included with this agenda item was prepared by the applicant and contains more detailed information about the proposed project.

The Brownstone Group is presenting this proposal as a discussion with the City Council prior to expending significant funds and while the property is under contract in order to gauge whether or not there is interest in or objection to the project. Based on the information provided at this time, there would need to be waivers approved on density and proximity to existing multifamily development as part of the Special Conditional Use Permit process as well as the ZBOA.

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### Action Required of Council:

Provide input to developer regarding whether or not there is interest in or objection to the proposed Legacy at La Porte multifamily development.

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**Approved for City Council Agenda**

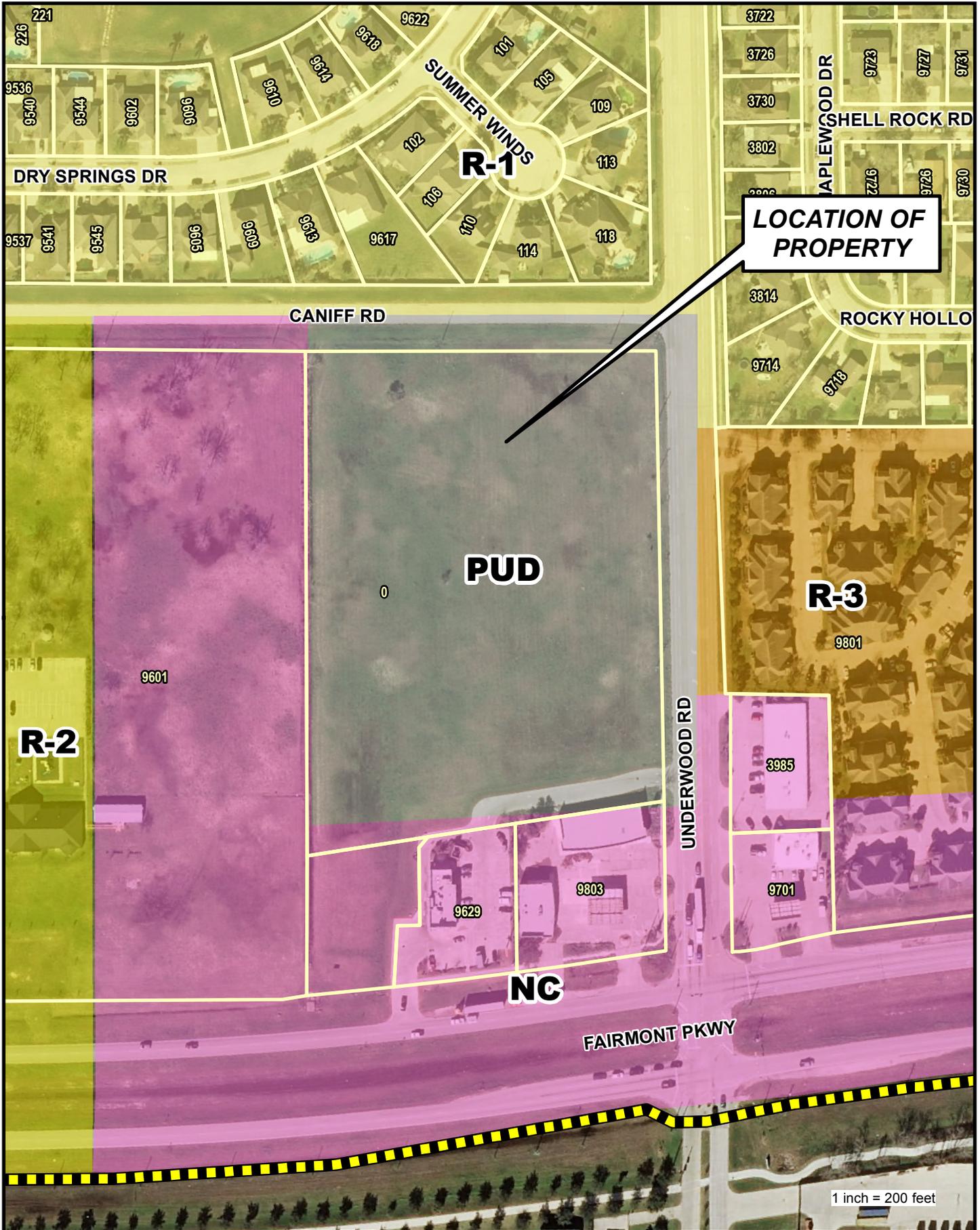
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**Corby D. Alexander, City Manager**

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**Date**

# AREA MAP + ZONING





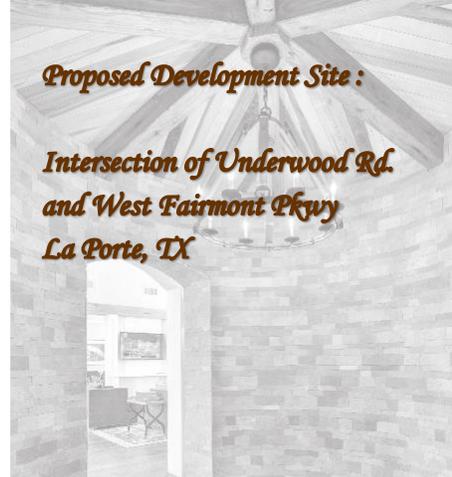
# *The Legacy at La Porte / Texas*



[www.thebrownstonegroup.net](http://www.thebrownstonegroup.net)

*Proposed Development Site :*

*Intersection of Underwood Rd.  
and West Fairmont Pkwy  
La Porte, TX*



## EXECUTIVE SUMMARY

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*The Legacy at La Porte* (“Legacy”) will be a Class-A townhome and residential apartment community that provides 144 new luxury units to the City of La Porte. While offering a wide range of residential options – including one, two, and three bedroom floor plans, some with attached garages – the interior features and exterior amenities will remain top-notch and exceed similar existing Class A communities in the market.

The Legacy has been designed to resemble a village of homes, while additionally blending the garden-style-apartment model to accommodate the increasing multi-family market demand in La Porte. Situated on approximately seven acres of land near the corner of Underwood Road and Fairmont Parkway, the Legacy development will serve the increasing oil, gas, and petrochemical job growth and economic expansion that is impacting the nearby ship channel. Moreover, this new community will provide luxury apartment options for nearby college students and attract local business executives and working residents in the La Porte vicinity.

At Legacy, the interiors will feature luxury kitchens with designer cabinets, stainless steel appliances, faux wood floors, carpeted bedrooms, ceramic tile bathrooms, crown molding, granite countertops, full size washers and dryers, and open living areas. Other distinctive features will include pantries, large walk in closets, garden size tubs with enclosed shower areas, desk alcoves in select units, and lovely balconies and patios with convenient outside storage.

The exterior of Legacy will include a pleasurable design of stone, stucco, and cementitious siding construction on two and three story buildings. These attractive Class-A buildings will provide a comfortable residential feel, while additionally buffering existing single family homes with a heavy use of pleasing landscaping around the perimeter. The clubhouse will feature a community fireplace, billiards room, fitness center, and Wi-Fi lounge with a business center. Sociable outdoor grilling options are present, along with the Legacy’s resort style swimming pool and hot tub.

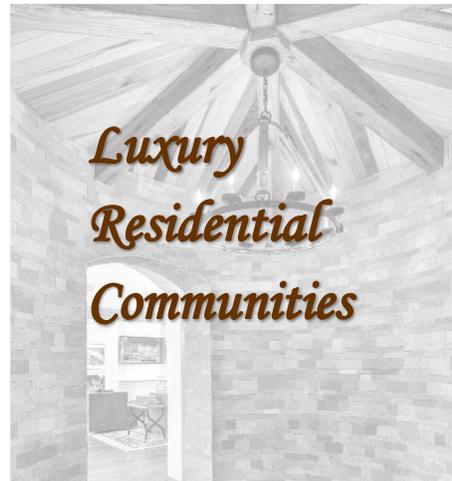
Expected to exceed \$15 million dollars in development costs at approximately \$107,000 per unit, The Legacy at La Porte will benefit from the Brownstone Companies’ experience and expertise in developing and constructing quality residential apartment communities. With successful existing developments in Houston, Pearland, Laredo, Bryan/College Station, and multiple other areas throughout Texas and the neighboring Gulf Coast States, the Brownstone Companies will deliver a quality product to the City of La Porte.

## **DEVELOPER EXPERIENCE**

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[www.thebrownstonegroup.net](http://www.thebrownstonegroup.net)

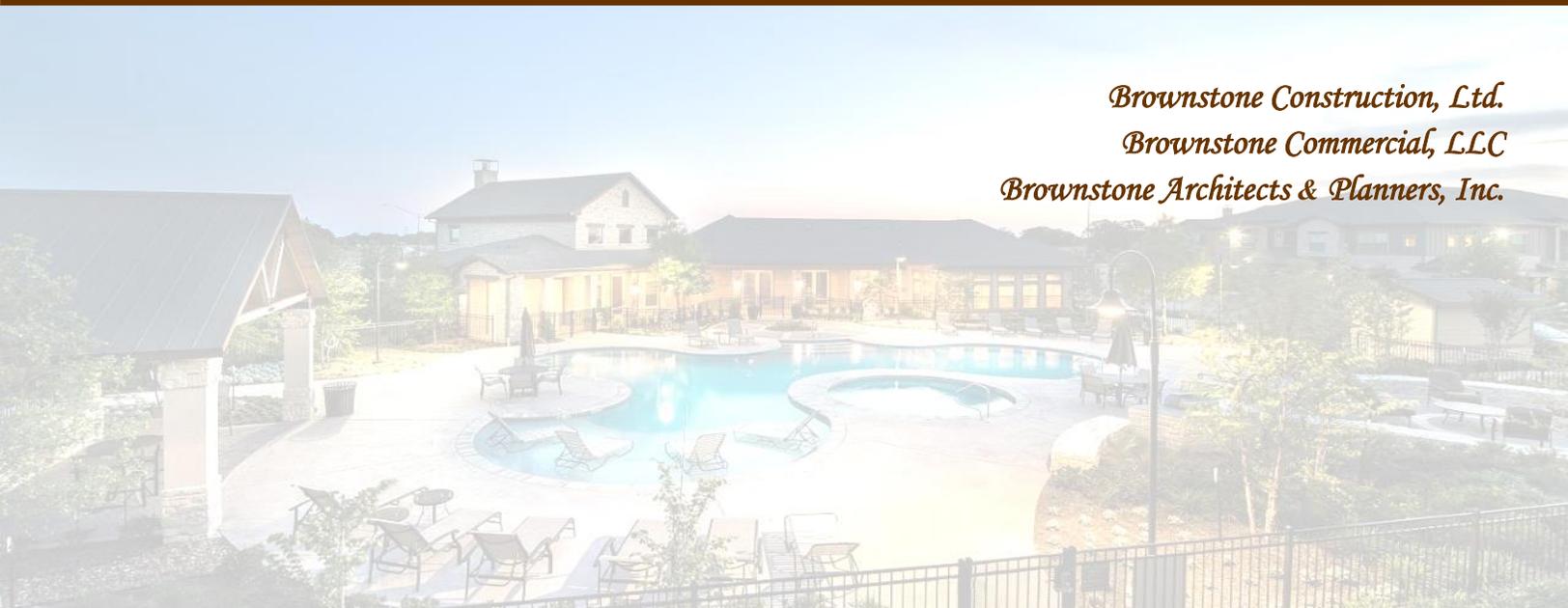




*Since 2005, the Brownstone companies have contracted for more than \$330 million dollars worth of residential developments throughout Texas and the Southeast, consisting of 35 developments surpassing 4,000 units.*



OUR COMPANIES

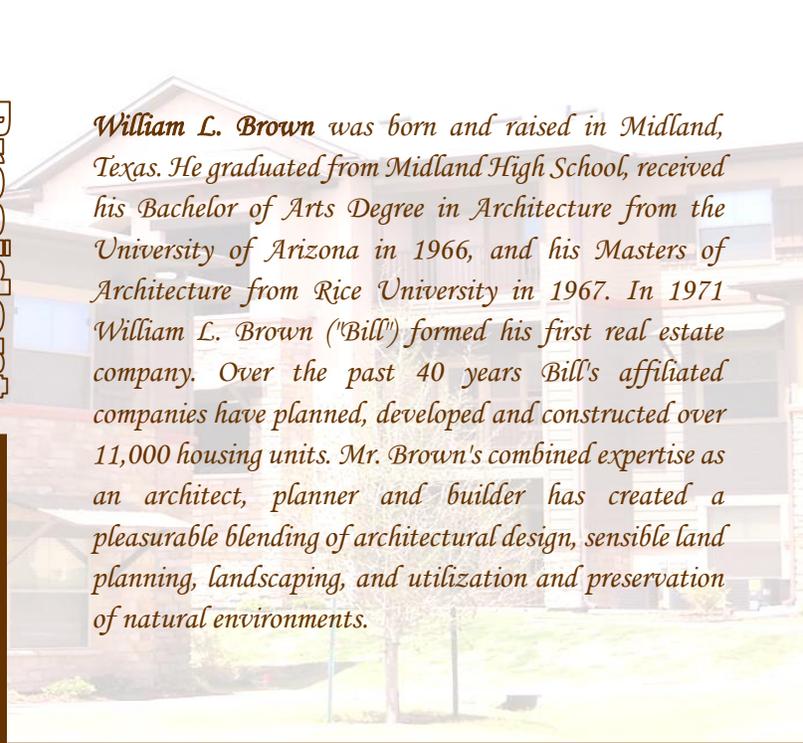


*Brownstone Construction, Ltd.  
Brownstone Commercial, LLC  
Brownstone Architects & Planners, Inc.*



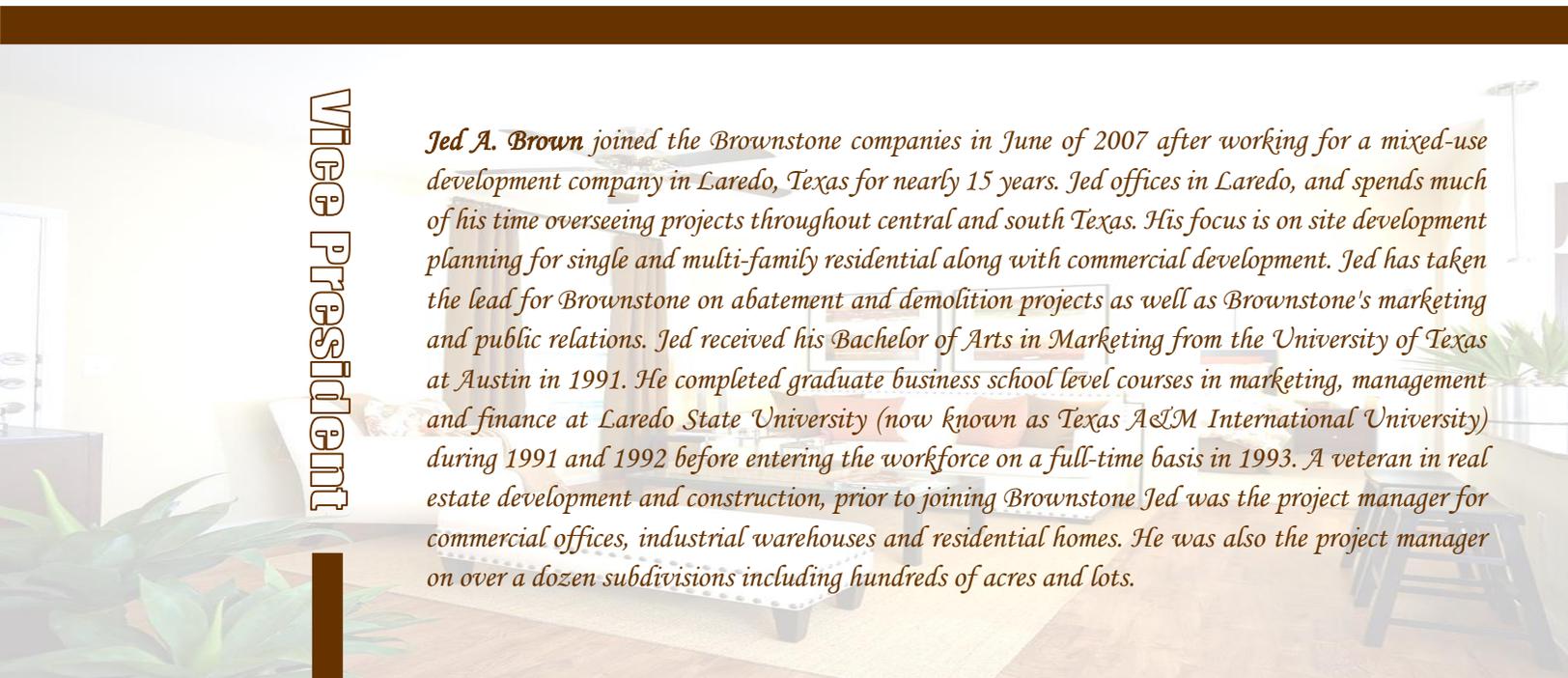
## President

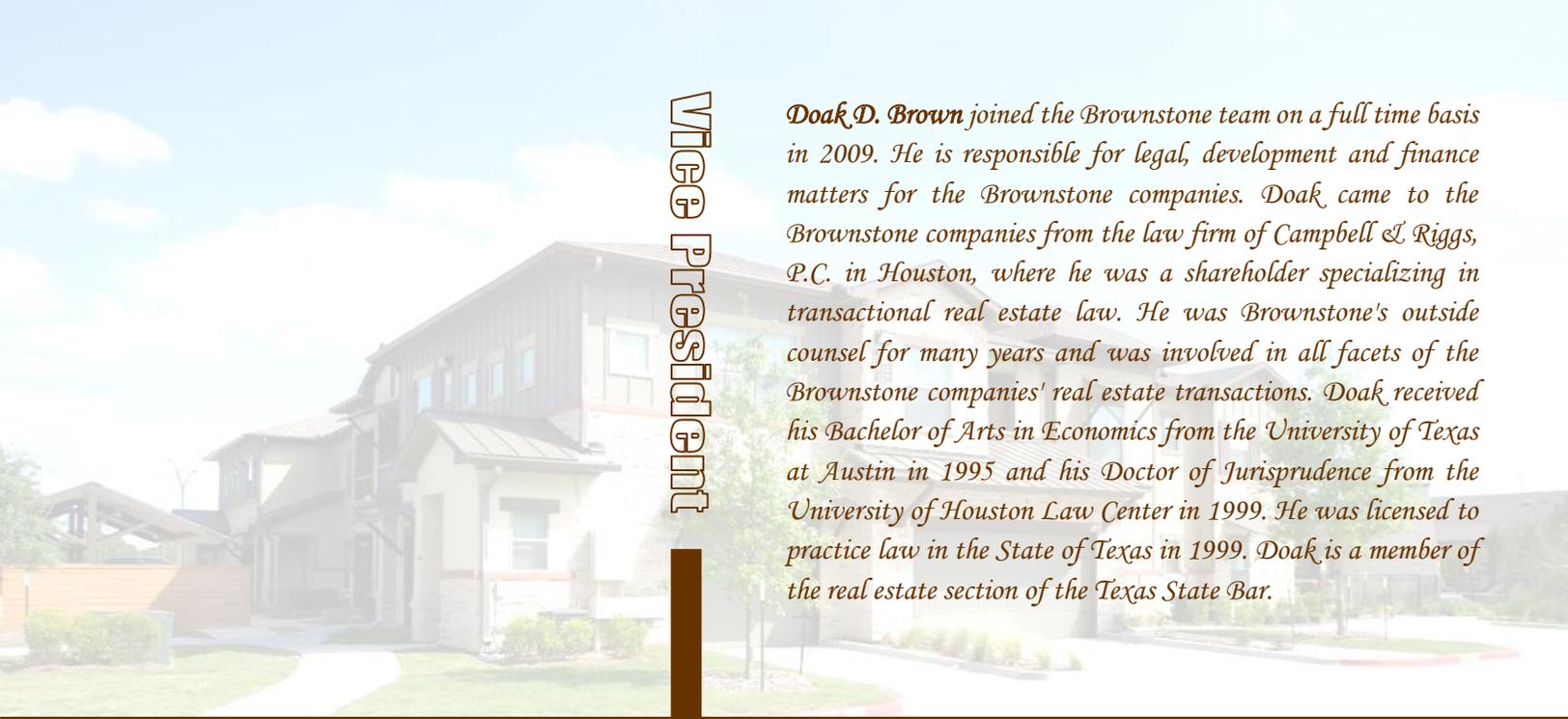
*William L. Brown* was born and raised in Midland, Texas. He graduated from Midland High School, received his Bachelor of Arts Degree in Architecture from the University of Arizona in 1966, and his Masters of Architecture from Rice University in 1967. In 1971 William L. Brown ("Bill") formed his first real estate company. Over the past 40 years Bill's affiliated companies have planned, developed and constructed over 11,000 housing units. Mr. Brown's combined expertise as an architect, planner and builder has created a pleasurable blending of architectural design, sensible land planning, landscaping, and utilization and preservation of natural environments.



## Vice President

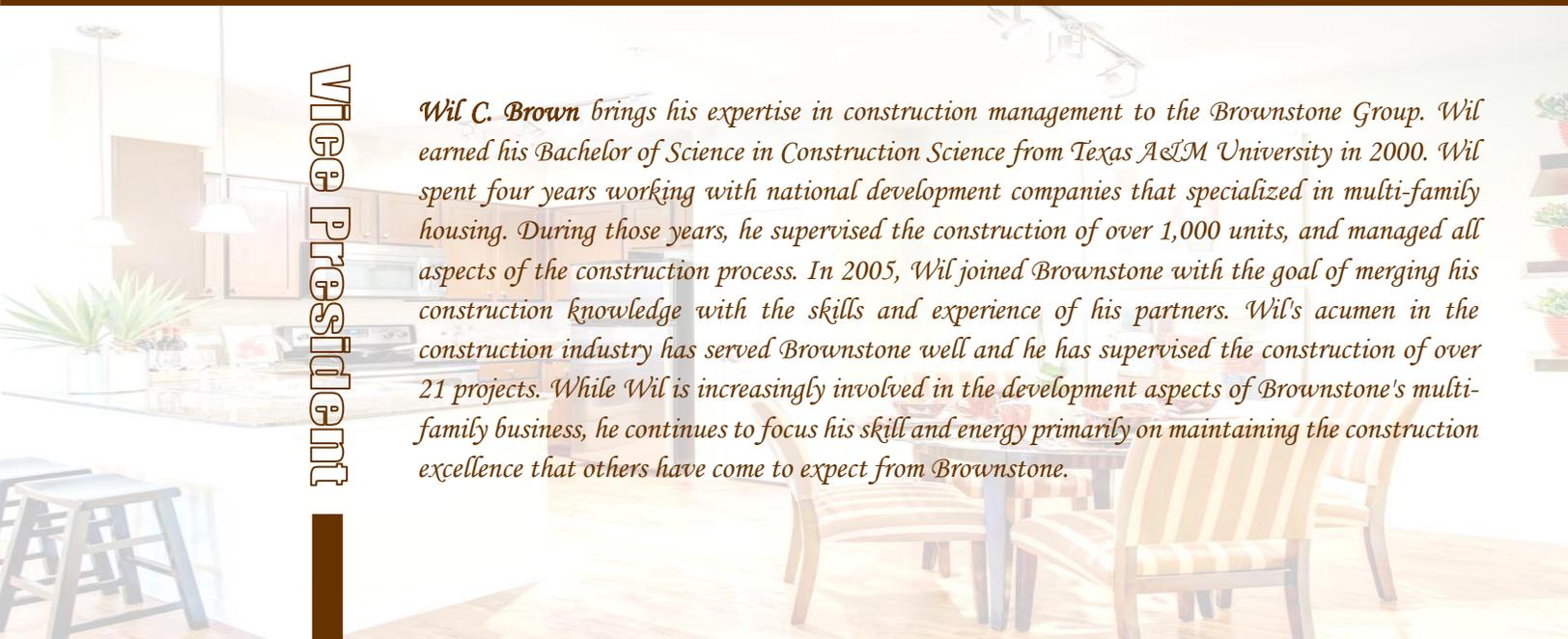
*Jed A. Brown* joined the Brownstone companies in June of 2007 after working for a mixed-use development company in Laredo, Texas for nearly 15 years. Jed offices in Laredo, and spends much of his time overseeing projects throughout central and south Texas. His focus is on site development planning for single and multi-family residential along with commercial development. Jed has taken the lead for Brownstone on abatement and demolition projects as well as Brownstone's marketing and public relations. Jed received his Bachelor of Arts in Marketing from the University of Texas at Austin in 1991. He completed graduate business school level courses in marketing, management and finance at Laredo State University (now known as Texas A&M International University) during 1991 and 1992 before entering the workforce on a full-time basis in 1993. A veteran in real estate development and construction, prior to joining Brownstone Jed was the project manager for commercial offices, industrial warehouses and residential homes. He was also the project manager on over a dozen subdivisions including hundreds of acres and lots.





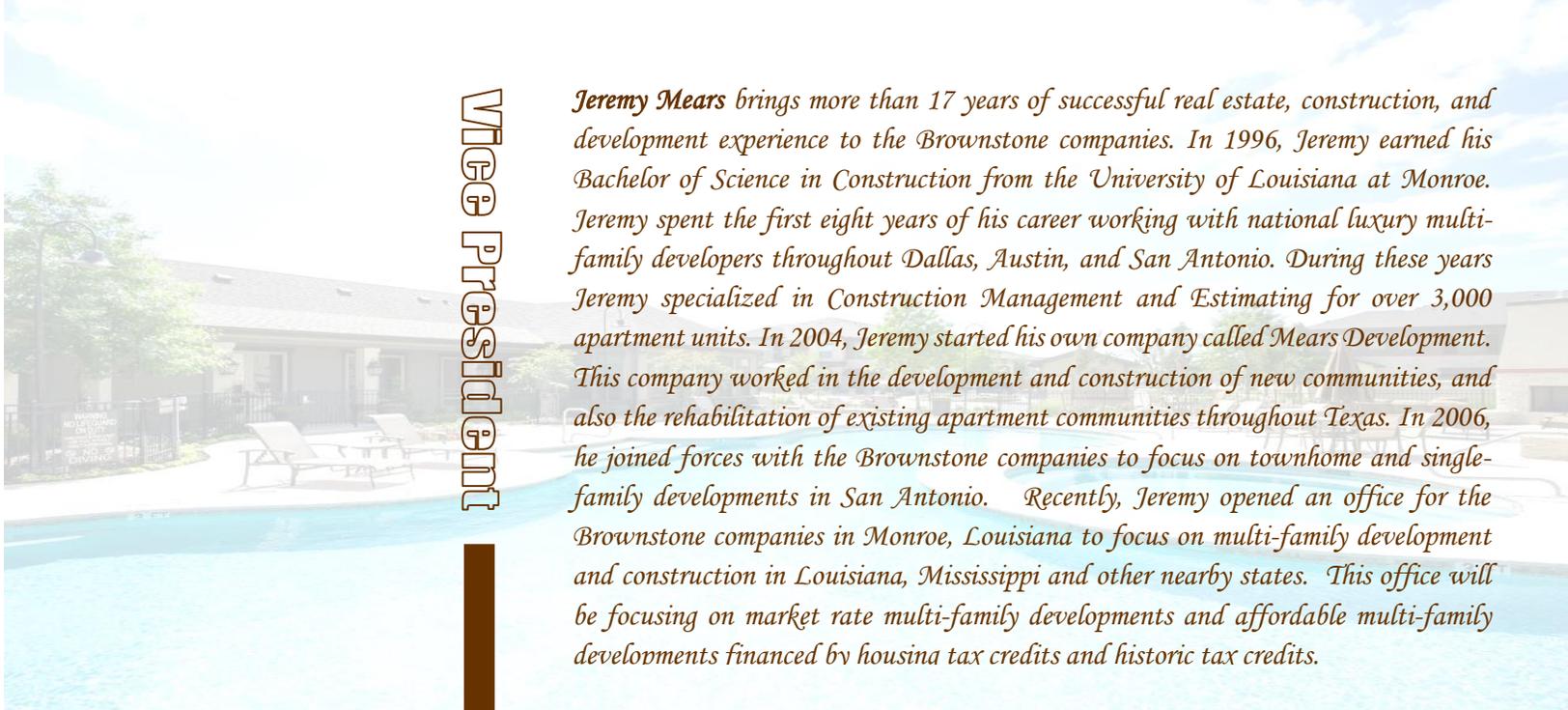
## Vice President

***Doak D. Brown** joined the Brownstone team on a full time basis in 2009. He is responsible for legal, development and finance matters for the Brownstone companies. Doak came to the Brownstone companies from the law firm of Campbell & Riggs, P.C. in Houston, where he was a shareholder specializing in transactional real estate law. He was Brownstone's outside counsel for many years and was involved in all facets of the Brownstone companies' real estate transactions. Doak received his Bachelor of Arts in Economics from the University of Texas at Austin in 1995 and his Doctor of Jurisprudence from the University of Houston Law Center in 1999. He was licensed to practice law in the State of Texas in 1999. Doak is a member of the real estate section of the Texas State Bar.*



## Vice President

***Wil C. Brown** brings his expertise in construction management to the Brownstone Group. Wil earned his Bachelor of Science in Construction Science from Texas A&M University in 2000. Wil spent four years working with national development companies that specialized in multi-family housing. During those years, he supervised the construction of over 1,000 units, and managed all aspects of the construction process. In 2005, Wil joined Brownstone with the goal of merging his construction knowledge with the skills and experience of his partners. Wil's acumen in the construction industry has served Brownstone well and he has supervised the construction of over 21 projects. While Wil is increasingly involved in the development aspects of Brownstone's multi-family business, he continues to focus his skill and energy primarily on maintaining the construction excellence that others have come to expect from Brownstone.*



## Vice President

*Jeremy Mears* brings more than 17 years of successful real estate, construction, and development experience to the Brownstone companies. In 1996, Jeremy earned his Bachelor of Science in Construction from the University of Louisiana at Monroe. Jeremy spent the first eight years of his career working with national luxury multi-family developers throughout Dallas, Austin, and San Antonio. During these years Jeremy specialized in Construction Management and Estimating for over 3,000 apartment units. In 2004, Jeremy started his own company called Mears Development. This company worked in the development and construction of new communities, and also the rehabilitation of existing apartment communities throughout Texas. In 2006, he joined forces with the Brownstone companies to focus on townhome and single-family developments in San Antonio. Recently, Jeremy opened an office for the Brownstone companies in Monroe, Louisiana to focus on multi-family development and construction in Louisiana, Mississippi and other nearby states. This office will be focusing on market rate multi-family developments and affordable multi-family developments financed by housing tax credits and historic tax credits.



## Financial Specialist

*Leslie Holleman* is an independent consultant specializing in the development and financing of multi-family housing. Leslie handles all facets of development financing, including but not limited to project feasibility analysis, budget preparation, interface with debt and equity partners, draw administration and partnership accounting services. Prior to her consulting career, she worked in the banking industry for 15 years and also with the Texas Department of Housing and Community Affairs as the Manager of Real Estate Analysis. From 1997 to the present, Leslie has assisted in securing financing for over forty developments.

## Residential Communities Since 2005

### UNDER CONSTRUCTION

*Elm Street Village (34 Units) Tallulah, LA*

*River Bank Village (152 Units) Laredo, TX*

*Canton Village (80 Units) Canton, TX*

*Cibolo Crossing (236 Units) Laredo, TX*

*Austin Village (30 Units) Bastrop, LA*

*La Esperanza Del Rio (60 Units) Rio Grande City, TX*

### PRE DEVELOPMENT

*Preston Apartments (40 Units) Magnolia, AR*

*Sunset Terrace Senior Village (80 Units) Pharr, TX*

*La Esperanza Del Alton (80 Units) Alton, TX*

*Madison Oaks (60 Units) Winnsboro, TX*

### COMPLETED

*San Diego Creek Apartments (72 Units) Alice, TX*

*San Gabriel Senior Village (100 Units) Georgetown, TX*

*Easterling Village (48 Units) Alice, TX*

*Thomas Nink Senior Village (80 Units) Victoria, TX*

*Retama Village (128 Units) McAllen, TX*

*Gulfbreeze Plaza II (148 Units) Port Arthur, TX*

*Bluebonnet Senior Village (36 Units) Alamo, TX*

*Retama Village Phase II (74 Units) McAllen, TX*

*Sunset Terrace (100 Units) Pharr, TX*

*Bluffs Landing Senior Village (144 Units) Round Rock, TX*

*Gulfbreeze Plaza I (86 Units) Port Arthur, TX*

*Creekside Villas (144 Units) Buda, TX*

*Villas at Beaumont (36 Units) McAllen, TX*

*Pearland Senior Village (126 Units) Pearland, TX*

*Parkview Terrace (100 Units) Pharr, TX*

*Heights at Corral (80 Units) Kingsville, TX*

*Belmont Senior Village (192 Units) Leander, TX*

*Citrus Gardens (148 Units) Brownsville, TX*

*Casa Ricardo (60 Units) Kingsville, TX*

*Merrit Lakeside (176 Units) Schertz, TX*

*Shiloh Crossing (156 Units) Laredo, TX*

*Braeburn Village (140 Units) Houston, TX*

*Gary Street Village (35 Units) Winnsboro, LA*

*Aeolian Senior Apartments (60 Units) Vicksburg, MS*

*Blooms Apartments (30 Units) Tallulah, LA*

*The Reserve at Traditions (240 Units) Bryan, TX*

*Merritt Legacy (208 Units) Leander, TX*

*Carr Central Apartments (72 Units) Vicksburg, MS*

*Gulf Coast Arms (160 Units) Houston, TX*





# *Exteriors*





# *Exteriors*





# *Exteriors*





# *Exteriors*





# *Interiors*





# *Interiors*





# *Interiors*



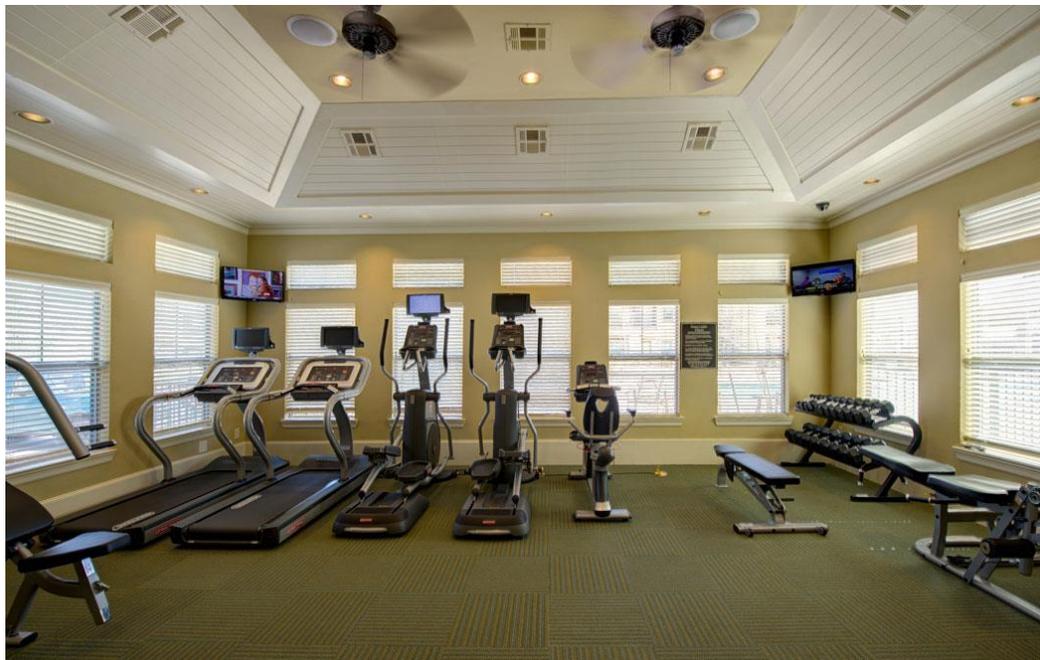


# *Interiors*





# *Interiors*





# *Interiors*



## PROPERTY DESCRIPTION & LOCATION

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**Location:** *The site is located in western La Porte near the northwest corner of Underwood Road and West Fairmont Parkway.*

**Units:** *144 Total Units*

**Parcel Size:** *7 Acres*

**Density:** *20.5 Units per Acre (higher density-build to accommodate economies of scale)*

**Stories:** *Two- and Three-Story wood frame construction*

**Parking:** *314 surface spaces (2.18 per unit)*

<b>Unit Mix:</b>	<i>72 one bedroom / one bath units</i>	<i>(50.0%)</i>
	<i>64 two bedroom / two bath units</i>	<i>(44.4%)</i>
	<i>8 three bedroom / two bath units</i>	<i>(5.6%)</i>

**Average Unit Size:** *898 square feet*

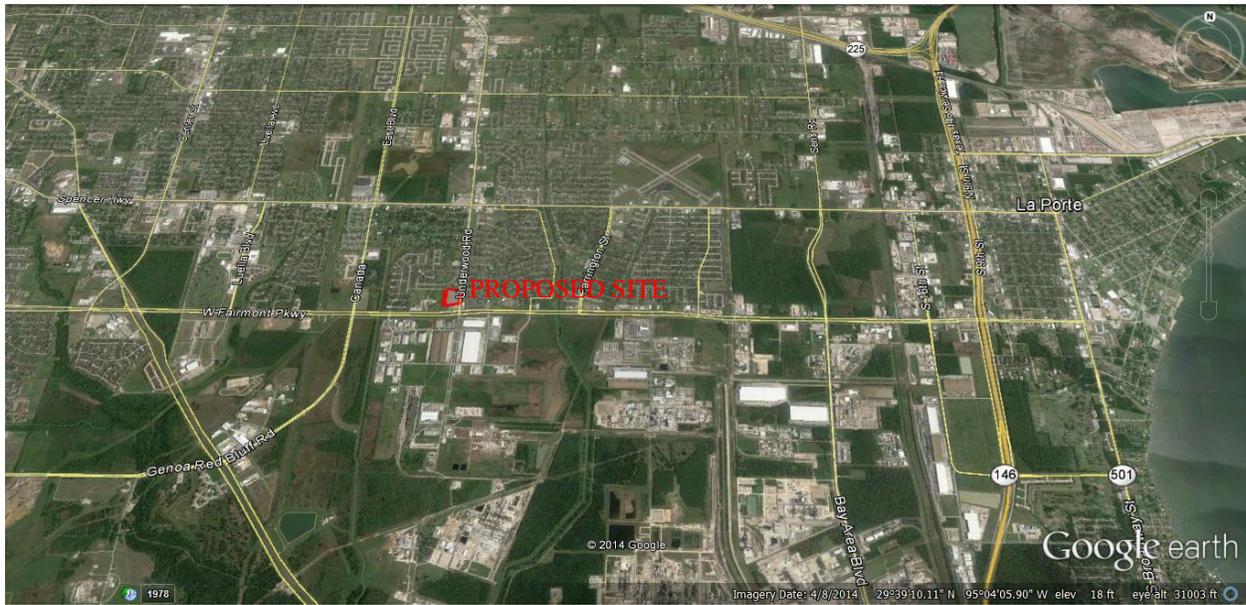
### *Unit Amenities*

- *13x13 Ceramic Tile Flooring in Bathrooms*
- *2 Inch Wooden Mini Blinds*
- *Balcony/Patio with Storage*
- *Brushed Nickel Plumbing Fixtures*
- *Carpeted Flooring in Bedrooms*
- *Ceiling Fans*
- *Ceramic Tile*
- *Desk*
- *Espresso Cabinetry*
- *Faux Wood Flooring in All Areas/ Neutral Carpet in Bedrooms*
- *Garage/Carport*
- *Granite Countertops*
- *Microwave*
- *Pantry*
- *Refrigerator with Ice Maker*
- *Spectacular Views*
- *Stainless Steel Appliances*
- *Two-Tone Paint*
- *Washer/Dryer in All Homes*

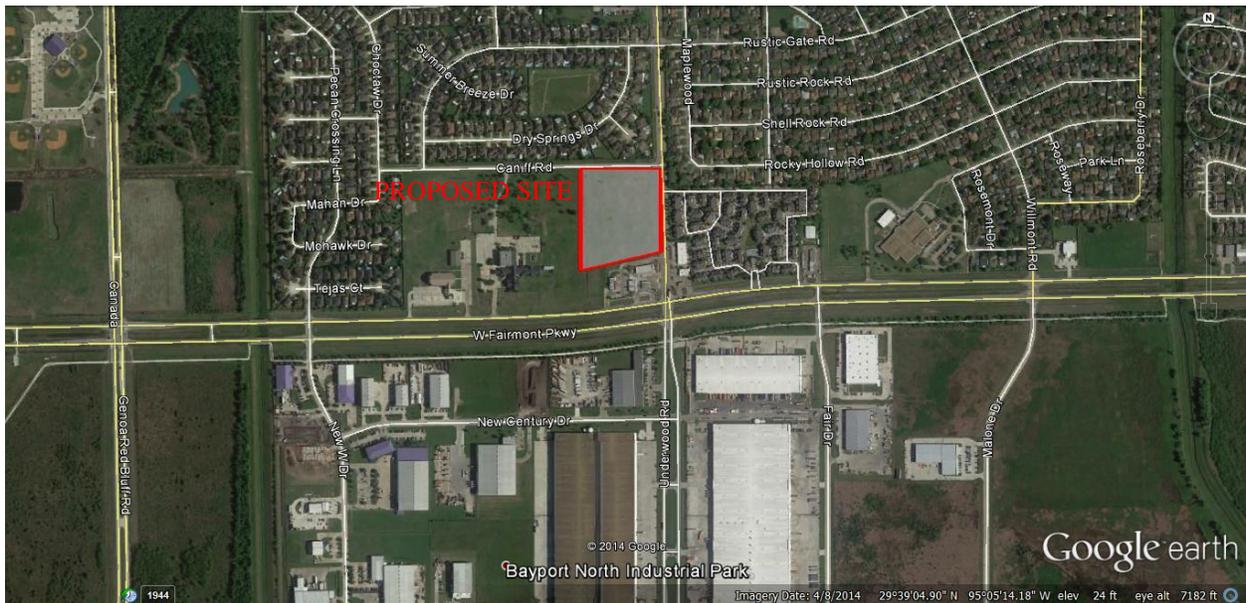
### *Community Amenities:*

- *24-Hour Emergency Maintenance*
- *Corporate Housing Available*
- *Gorgeous Clubhouse Featuring: Fireplace, Billiards Room, Fitness Center, and Wi-Fi Lounge/Business Center*
- *Gorgeous Hill Country Landscaping and Atmosphere*
- *Outdoor Grilling Area With Fireplace and Flat Screen TV*
- *Pet Friendly*
- *Professional On-Site Management*
- *Resort Style Pool With Wifi*

## AERIAL MAPS

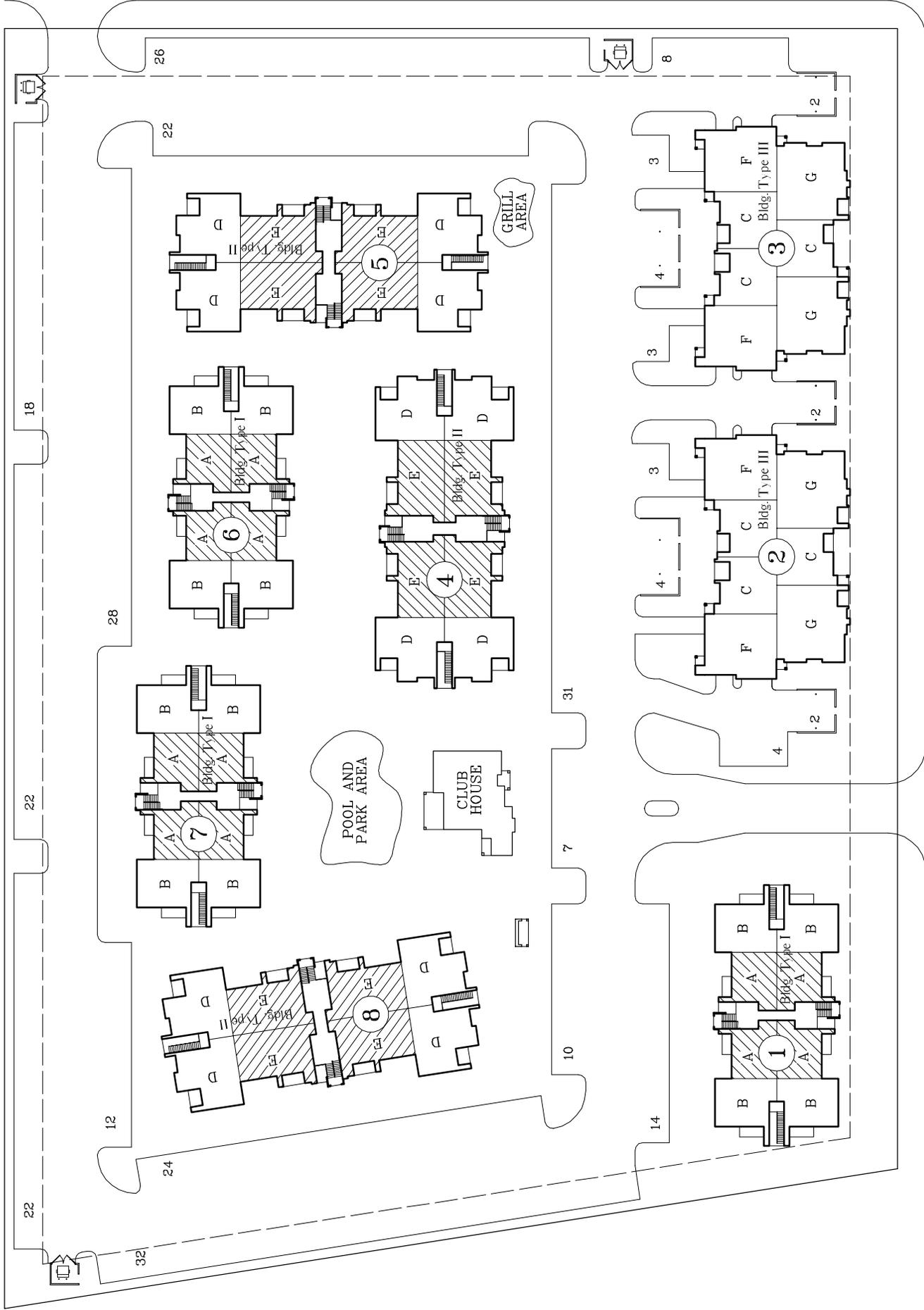


# The Legacy At La Porte - Texas



## **DEVELOPMENT SITE PLAN**

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144 UNITS OF ONE, TWO AND THREE BEDROOMS  
 314 PARKING SPACE W/O HANDICAPPED SPACES

# Site Plan

NO SCALE

## Unit Square Footage Calculations:

TYPE		NO.	NET AREA	TOTAL NET AREA	GROSS AREA	TOTAL GROSS AREA
A	1 BR / 1 BA	36	665 S.F.	23,940 S.F.	739 S.F.	26,604 S.F.
B	1 BR / 1 BA	24	770 S.F.	18,480 S.F.	868 S.F.	20,832 S.F.
C-dn	1 BR / 1 BA / 1 CP	6	801 S.F.	4,806 S.F.	867 S.F.	5,202 S.F.
C-up	1 BR / 1 BA / 1 CP	6	853 S.F.	5,118 S.F.	919 S.F.	5,514 S.F.
D	2 BR / 2 BA	24	997 S.F.	23,928 S.F.	1,061 S.F.	25,464 S.F.
E	2 BR / 2 BA	36	1,037 S.F.	37,332 S.F.	1,123 S.F.	40,428 S.F.
F	2 BR / 2 BA / 1 Garage	4	1,177 S.F.	4,708 S.F.	1,557 S.F.	6,228 S.F.
G-dn	3 BR / 2 BA / 2 Garage	4	1,334 S.F.	5,336 S.F.	1,863 S.F.	7,452 S.F.
G-up 1	3 BR / 2 BA / 2 Garage	2	1,411 S.F.	2,822 S.F.	1,972 S.F.	3,944 S.F.
G-up 2	3 BR / 2 BA / 2 Garage	2	1,411 S.F.	2,822 S.F.	2,015 S.F.	4,030 S.F.

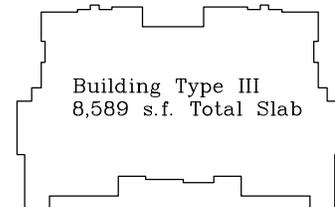
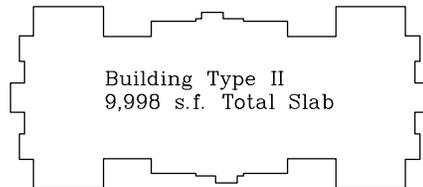
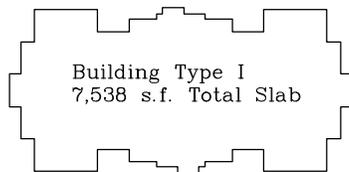
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TOTAL	144	129,292 S.F.	145,698 S.F.
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COMMUNITY BUILDING

### BUILDING IMPROVEMENT SQUARE FOOTAGE TABULATION

BLDG IDENTIFICATION (Bldg Type)	BUILDING DESCRIPTION	# OF UNITS	BUILDING UNIT MIX (#) Type	BLDG NLSF	BLDG GSF	# OF BUILDINGS	TOTAL NLSF	TOTAL GSF
Residential Building Type 1	3-Story Walk-up Apartment	20	(12) A, (8) B	14,140	15,812	3	42,420	47,436
Residential Building Type 2	3-Story Walk-up Apartment	20	(12) E, (8) D	20,420	21,964	3	61,260	65,892
Residential Building Type 3	2-Story Walk-up Apartment	12	(6) C, (4) G, (2) F	12,806	16,185	2	25,612	32,370
Clubhouse	1-Story Clubhouse					1		



## **DEVELOPMENT FINANCIAL INFORMATION**

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## UNIT MIX

<b>Legacy at La Porte</b>									
<b>La Porte, Texas</b>									
<b>Stabilized Operating Proforma</b>									
<b>BR/ BA</b>	<b>Type</b>	<b>Number</b>	<b>% Total</b>	<b>Sf / Unit</b>	<b>Net Rentable SF</b>	<b>Rent Per Unit</b>	<b>Rent / SF</b>	<b>Total / Mo</b>	<b>Annual</b>
1B / 1BA	A	36	25%	665	23,940	875	1.32	31,500	378,000
1B / 1BA	B	24	17%	770	18,480	975	1.27	23,400	280,800
1B / 1BA	C-dn	6	4%	801	4,806	1,050	1.31	6,300	75,600
1B / 1BA	C-up	6	4%	853	5,118	1,050	1.23	6,300	75,600
2B / 2BA	D	24	17%	997	23,928	1,250	1.25	30,000	360,000
2B / 2BA	E	36	25%	1037	37,332	1,300	1.25	46,800	561,600
2B / 2BA	F-Gar	4	3%	1177	4,708	1,500	1.27	6,000	72,000
3B / 2BA	G-Gar-dn	4	3%	1334	5,336	1,700	1.27	6,800	81,600
3B / 2BA	G-Gar	4	3%	1411	5,644	1,750	1.24	7,000	84,000
<b>TOTAL:</b>		144	100%	898	129,292	\$1,140	1.27	\$ 164,100	\$ 1,969,200



**Brown  
stone**

[www.thebrownstonegroup.net](http://www.thebrownstonegroup.net)



**Contact**

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**(713) 432-7727 / office**  
**(713) 432-0120 / fax**  
**[doak@thebrownstonegroup.net](mailto:doak@thebrownstonegroup.net)**



## REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>January 12, 2015</u>	Appropriation
Requested By: <u>D. Mick</u>	Source of Funds: <u>N/A</u>
Department: <u>Public Works</u>	Account Number:
Report: <input checked="" type="radio"/> Resolution: <input type="radio"/> Ordinance: <input type="radio"/>	Amount Budgeted:
Other: <input type="radio"/>	Amount Requested:
	Budgeted Item: <input type="radio"/> YES <input type="radio"/> NO

**Attachments :**

- 1. City Ordinance Section 74-206. Surcharge Formula**
- 2. Surcharge Snapshot**

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### SUMMARY & RECOMMENDATIONS

Public Works staff presented an overview of the City's industrial waste inspection program including industrial/commercial discharges to the City sanitary sewer system at the November 10, 2014 City council meeting. The discussion primarily centered on the consideration of restaurants. City Council's direction was for staff to recommend changes to the surcharge formula provided in City Ordinance Sec. 74-206 with the effect of lowering the surcharge costs. Subsequent to the meeting staff received further requests from council members to a) consider City staff coordinating the effluent sampling for the commercial establishments (the businesses that are currently responsible for sampling and providing test results), and b) consider testing the restaurant effluent more often.

#### Surcharge Fee:

The attached spreadsheet provides an updated snap shot of the current surcharge fees by facility compared with a 50% reduction in the surcharge rates for restaurants/food processing establishments. The 50% would be achieved by reducing the operation/maintenance factor (cost to operate the treatment plant per 1000 gallons treated) from the currently calculated \$1.286 to a fixed value arbitrarily set to \$0.640. Because the sewage collection and treatment systems are particularly sensitive to compounds that might be released from the SIU facilities, staff is not proposing to modify the current surcharge formulas for the SIU facilities.

#### City Coordinating Testing:

There is benefit for both the City (improved quality control) and the restaurants (convenience and decreased cost) for the City to coordinate sampling and testing for the food establishments. This does come with some increased administrative responsibilities for the City.

The best information available to staff suggests that the restaurants are paying between \$150 and \$300 annually for effluent monitoring. Currently the permit fee for restaurants is \$25/3-years. Cost of permit plus testing over a 3-year period then is estimated to range from \$475 to \$925.

Staff may be able to contract the testing for \$60 to \$100 per test plus a roughly estimated 60 to 80 hours additional City administration time per year (\$1,500 to \$2,000/year).

### **Testing Frequency:**

Quality control of the testing would be improved and more consistent with the City coordinating the sampling and testing on behalf of the restaurants. In most instances, testing once a year is adequate in staff's opinion. Staff will continue test more frequently if requested by the restaurant management (the facility would pay for the additional testing) or if otherwise determined necessary on a case-by-case basis.

### **Significant Industrial Users (SIU's):**

-

In terms of program cost per facility, the cost of the 4 SIU's (tank wash facilities) greatly exceeds the fees paid into the utility fund for their permits surcharges. The current permit fee is \$25/year for each facility. Although these locations are high volume discharges, the surcharges collected from this group total around \$3,000/year because of their advanced pretreatment systems. Total program cost for this group is estimated at \$20,000/year including staff time, tests, additional reporting and audit requirements from the state associated with the SIU's.

-

### **Other Considerations:**

-

- The SIU portion of the program is mandated by TCEQ.
- Municipal programs to control FOG (fats, oil, and grease) are much more closely watched now by TCEQ and the USEPA when evaluating SSO (sanitary sewer overflows) reports.
- The City is operating under an SSO agreement with TCEQ currently. Any future agreements are likely to include mandated FOG programs.

- The benefits of the current program:
  - Surcharge fees are performance and consumption based.
  - Rather than the City mandating certain equipment that may not be necessary in every instance, the restaurants can evaluate the surcharge cost compared to the cost of equipment/plumbing upgrades.
  - Types, processes and equipment vary greatly among the food establishments. Some business owners rent their facilities, there are occasional-use operations (specialty catering, weekend barbecue). The performance/consumption based model works in a wide variety circumstances.
  - The surcharge fees aid the education components of the program and encourage best management practices.
  - The longest tenured utility employees indicate that the program has been effective in reducing grease and dry-weather sewer overflows near commercial areas.
- The program cost is approximately \$95,000/year. (Increases to \$105,000/year with the City coordinating effluent testing for restaurants and contracting tests.)
- Permit fees generate \$1,400/year.
- Surcharge fees generate approximately \$85,000. (Decreases to roughly \$44,000/year with 50% decrease in surcharge fees to restaurants).

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**Action Required of Council:**

Receive update from staff and provide direction.

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**Approved for City Council Agenda**

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**Corby D. Alexander, City Manager**

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**Date**

(b) Sampling of effluent or discharge may be accomplished manually, or by the use of mechanical equipment, to obtain a composite sample which would be representative of the total effluent. Samples shall be taken at such intervals as to establish the BOD and total suspended solids of the industrial waste for billing purposes, as determined by the City as necessary to maintain a control over the discharges from the permittee. Additionally, such grab composite samples as deemed necessary by the city shall be taken at such intervals as to establish the concentrations of prohibited discharges and pretreatment standards as specified in this article. The method used in the examination of all industrial wastes to determine BOD and TSS shall be defined in 40 CFR Part 136.

(Ord. No. 2011-3357, § 1, 6-13-2011)

**Secs. 74-198—74-205. Reserved.**

DIVISION 15. INDUSTRIAL COST RECOVERY SURCHARGE

**Sec. 74-206. Industrial cost recovery.**

A permittee discharging industrial wastes with a BOD exceeding 250 mg/l, or a TSS content of greater than 300 mg/l, or both, and meet all other applicable requirements, including those established under this article, may be accepted for waste water disposal provided that;

- (1) The wastes will not cause damage to the collection system;
- (2) The wastes will not impair the treatment process.
- (3) The discharger of the waste enters into a contractual agreement with the CA, via their wastewater discharge permit, providing for a surcharge over and beyond the normal sewer rate. The industrial waste surcharge for industrial discharge is to be calculated as follows:

$$IWS = \left( \frac{BOD}{250} + \frac{TSS}{300} \right) \times (O \ \& \ M \ \text{cost}) \times (VOL);$$

IWS = represents industrial waste surcharge in dollars;

BOD = represents the biochemical oxygen demand in milligram per liter (mg/l).  
 Note: Concentration less than or equal to 250 mg/l will be considered a value of zero.

TSS = represents total suspended solids or suspended solids in milligram per liter (mg/l)

Note: Concentration less than zero or equal to 300 mg/l will be considered a value of zero.

- O&M = Cost represents operation and maintenance cost of POTW wastewater treatment facility. Note: This cost is determined and updated by the city periodically.
- VOL = represents volume discharged in thousands of gallons. The volume of waste shall be determined by the same methods used to calculate the normal sewer service charge, or by a sewage flow meter that has been approved by the director and purchased, installed, and maintained by the permittee.

All flow rates, BOD, total suspended solids and O & M values used in the determination of the industrial waste surcharge shall be reevaluated at least on an annual basis.

- (4) The industrial waste surcharges provided for in this article shall be included as a separate item on the regular bill for water and sewer charges and shall be paid monthly in accordance with the existing practices. Surcharges shall be paid at the same time that the sewer charges of the permittee become due and payment for sewer services shall not be accepted without payment also of industrial waste surcharges.
- (Ord. No. 2011-3357, § 1, 6-13-2011)

**Secs. 74-207—74-210. Reserved.**

#### DIVISION 16. MISCELLANEOUS PROVISIONS

**Sec. 74-211. Pretreatment charges and fees.**

The city may adopt reasonable charges and fees for reimbursement of costs of setting up and operating the industrial waste pretreatment program, which may include:

- (1) Fees for wastewater discharge permit applications including the cost of processing such applications;
- (2) Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing an IU's discharge, and reviewing monitoring reports submitted by IUs;
- (3) Fees for reviewing construction plans and responding to accidental discharges;
- (4) Fees for filing appeals;
- (5) Other fees as the city may deem necessary to carry out the requirements of its' industrial waste pretreatment program. These fees related solely to the matters covered by this article and are separate from all other fees, fines and penalties chargeable by the city.

(Ord. No. 2011-3357, § 1, 6-13-2011)

**Secs. 74-212—74-220. Reserved.**

O&M Factor →	1.28609				0.64000	
Facility	BOD	TSS	factor	Ave Water	monthly charge	charge @ 0.64 O&M
Quiznos	878	0		7.287	32.91	<b>16.38</b>
Bullritos	548	0		28.116	79.26	<b>39.44</b>
Morning's Kolaches	884	0		14.058	63.93	<b>31.81</b>
Donut Hole	2325	0		6.279	75.11	<b>37.37</b>
Casa Anita's	901	604.1		17.000	122.82	<b>61.12</b>
Dawn Donuts	1616	0		8.500	70.66	<b>35.16</b>
Subway	396	0		8.500	17.31	<b>8.62</b>
Kroger Bakery-East GT B	606	0		33.424	104.20	<b>51.85</b>
Kroger Meat -West GT A	747	0		33.424	128.44	<b>63.92</b>
Las Hadas	948	475		19.550	135.15	<b>67.26</b>
Papa John's	520	366		7.732	32.82	<b>16.33</b>
Amlani Enterprises / Burritos Express #1	630	0		6.216	20.15	<b>10.02</b>
Antonio's	1133	0		71.074	414.26	<b>206.15</b>
Asian Wok	1557	0		21.250	170.21	<b>84.70</b>
Baytown Seafood	0	339.9		23.641	34.45	<b>17.15</b>
Broadway Café - Ogarrio	0	1040		12.793	57.04	<b>28.38</b>
Burger King	1150	0		18.573	109.87	<b>54.68</b>
Carl's Jr	700	306		45.953	225.76	<b>112.35</b>
Chili's #1414	663	0		102.000	347.89	<b>173.12</b>
Chinese Wok	395	0		37.315	75.82	<b>37.73</b>
Dairy Queen	385	0		26.796	53.07	<b>26.41</b>
Denny's Restaurant	1351	317		87.603	727.89	<b>362.22</b>
El Ranchero	1130	0		13.462	78.26	<b>38.94</b>
El Toro	1430	0		42.436	312.18	<b>155.35</b>
Gringo's Restaurant	1287	0		123.601	818.33	<b>407.23</b>
Jack in the Box #3693 (146)	362	0		12.3	22.99	<b>11.44</b>
Jack in the Box #4733 (Fmt)	1302	0		31.663	212.08	<b>105.53</b>
Jack's Supermarket	924	0		8.794	41.80	<b>20.80</b>
KFC/Pizza Hut	936	0		25.309	121.86	<b>60.64</b>

NOTE: Where a result is listed as "0" it indicates that the BOD was below 250 and/or the TSS was below 300

O&M Factor →	1.28609				0.64000
Facility	BOD	TSS	Ave Water	monthly charge	charge @ 0.64 O&M
King's BBQ	2922	430.8	29.750	502.14	249.88
La Porte Care Center	626	0	25.925	83.49	41.55
Le Chi Bakery	414	0	37.556	79.99	39.80
Lion King Trucking	653	0	34.701	116.57	58.01
Main 101	931	0	22.844	109.41	54.44
Mainly Drinks	299	0	19.260	29.62	14.74
Mamma Mia's	1635	1032	24.091	309.22	153.88
McDonald's	656	352	43.350	211.71	105.35
Mesquite Grill - Taqueria NL (Valero)	1765	1825	7.146	120.79	60.11
NuQT	387	0	10.375	20.65	10.28
Parson's House	815	328	55.20	309.03	153.79
Pizza Hut	600	0	23.343	72.06	35.86
Popeyes	635	0	42.266	138.07	68.71
Port Café	1640	385	27.583	278.23	138.46
Power Mart #14 - Taco Bravo	735	0	9.591	36.26	18.05
Sens Food Mart (Valero)	0	306	15.520	20.36	10.13
Shipley Donuts	3996	0	8.447	173.64	86.41
Sonic Drive #3379	3430	454	16.533	323.89	161.18
Southern Kountry Kitchen	1579	408	66.052	652.07	324.49
Super Deli	1314	892	10.402	110.09	54.78
Taco Bell	743	0	23.534	89.96	44.76
Tony's - Texas Grill	164	110	24.161	0.00	0.00
Tortilla's	1863	0	30.189	289.33	143.98
Triangulo Meat Market	2817	440	16.171	264.85	131.80
Village In Pizza and Seafood	507	0	7.172	18.71	9.31
Waffle House #1207	1000	0.0	26.488	136.26	67.81
Whataburger #513	1190	448	35.063	281.99	140.32

NOTE: Where a result is listed as "0" it indicates that the BOD was below 250 and/or the TSS was below 300



**Council Agenda Item  
January 12, 2014**

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

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## **Council Agenda Item January 12, 2015**

### **10. ADMINISTRATIVE REPORTS**

- City Council Meeting, Monday, January 26, 2015
- Fiscal Affairs Committee Meeting, Monday, January 26, 2015

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

### **12. ADJOURN**

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