

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



CHUCK ENGELKEN
Councilmember District 2
DARYL LEONARD
Councilmember District 3
KRISTIN MARTIN
Mayor Pro-Tem
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Councilmember District 6

CITY COUNCIL MEETING AGENDA

Notice is hereby given of a Regular Meeting of the La Porte City Council to be held October 23, 2017, beginning at 6:00 PM in the City Hall Council Chambers, 604 W. Fairmont Parkway, La Porte, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

- 1. CALL TO ORDER**
- 2. INVOCATION** – The invocation will be given by Rev. Brian Christen, La Porte Community Church.
- 3. PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Councilmember Danny Earp.
- 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 meeting held on October 9, 2017 - P. Fogarty
 - (b)** Consider approval or other action regarding a Resolution appointing Chuck Engelken as representative and Jay Martin as alternate to the Houston Galveston Area Council (H-GAC) 2018 General Assembly and Board of Directors - P. Fogarty
 - (c)** Consider approval or other action authorizing Staff to accept the quote from Athletic Field Specialists for reconstructing all fields at Pecan Park, utilizing Buy Board Contract 476-15 - R. Epting
 - (d)** Consider approval or other action regarding irrigation system upgrade at Bay Forest Golf Course - A. Osmond
 - (e)** Consider approval or other action regarding the purchase of computers through PCMG (PCMall Gov) utilizing Buy Board Contract 498-15 - G. Parker
 - (f)** Consider approval or other action regarding an Ordinance vacating, abandoning and closing a 140-square foot portion of the West S Street right-of-way located adjacent to the Troon Drive private access easement, in the Retreat at Bay Forest North Subdivision - I. Clowes
 - (g)** Consider approval or other action authorizing the purchase of medical treatment devices in the amount of \$73,185.45 - R. Nolen
 - (h)** Consider approval or other action awarding Bid #17021 for Annual Concrete Street Repair Project (Small Sections) - D. Pennell
 - (i)** Consider approval or other action rejecting all bids for Bid #17024 for Bulk Fuel Supply - D. Pennell

6. PUBLIC HEARINGS AND ASSOCIATED ORDINANCES

- (a) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve an Ordinance amending the City's Future Land Use Map Component of the Comprehensive Plan for a 5.051-acre tract of land legally described as Blocks 1143 and 1144, La Porte Subdivision, generally located on S. 16th St., north of the West M Street right-of-way, to change designation from "Commercial" to "Light Industrial"; and consider approval or other action regarding an Ordinance amending the City's Future Land Use Map Component of the Comprehensive Plan for a 5.051-acre tract of land legally described as Blocks 1143 and 1144, La Porte Subdivision, generally located on S. 16th St., north of the West M Street right-of-way, to change designation from "Commercial" to "Light Industrial" - I. Clowes
- (b) Public hearing to receive comments regarding the recommendation by the Planning and Zoning Commission to approve an Ordinance approving zone change request #17-92000003, to rezone a 5.051-acre tract of land legally described as Blocks 1143 and 1144, La Porte Subdivision, from General Conditional (GC) to Planned Unit Development (PUD); and 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 of a 5.051-acre tract of land legally described as Blocks 1143 and 1144, La Porte Subdivision, from General Commercial (GC) to Planned Unit Development (PUD) - I. Clowes
- (c) Public hearing to receive comments regarding the recommendation by the Planning and Zoning Commission to approve Special Conditional Use Permit Request #17-91000002, an amendment to SCUP #03-011, to allow for extended hours of operations at the truck pre-check facility located at 900 E. Barbours Cut Blvd.; and consider approval or other action regarding an Ordinance amending the Code of Ordinances of the City of La Porte, Chapter 106, more commonly referred to as the Zoning Ordinance of the City of La Porte by granting Special Conditional Use Permit #17-91000002, an amendment to Special Conditional Use Permit #03-011 for property at 900 E. Barbours Cut Blvd., and legally described as 20.796-acres along East Barbours Cut Blvd, being Reserve A, Block 1 Port of Houston Authority La Porte, Harris County, Texas for the purpose of extending the hours of operation for the existing truck pre-check facility in a Planned Unit Development (PUD) Zone - I. Clowes

7. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding Infant Swimming Resource classes in the City of La Porte - R. Epting
- (b) Discussion and possible action regarding gate and fence erected on property located between Lots 3 and 4, Crescent View Subdivision - Councilmembers Earp/Zemanek/Kaminski
- (c) Discussion and possible action to create an In-City Municipal Utility District (MUD) in the City of La Porte - C. Alexander

8. ADMINISTRATIVE REPORTS

- Fiscal Affairs Committee Meeting, Monday, November 13, 2017
- La Porte Development Corporation Board Meeting, Monday, November 13, 2017
- City Council Meeting, Monday, November 13, 2017
- Planning and Zoning Commission Meeting, Thursday, November 16, 2017
- City Council Meeting, Monday, December 11, 2017

9. **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 Earp, Ojeda, J. Martin, K. Martin, Kaminski, Zemanek, Leonard, Engelken and Mayor Rigby

10. ADJOURN

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

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

CERTIFICATION

I certify that a copy of the October 23, 2017 , agenda of items to be considered by the City Council was posted on the City Hall bulletin board on October 17, 2017.

Patrice Fogarty



**Council Agenda Item
October 23, 2017**

1. **CALL TO ORDER**
2. **INVOCATION** – The invocation will be given by Rev. Brian Christen, La Porte Community Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Councilmember Danny Earp.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)



**Council Agenda Item
October 23, 2017**

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MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LA PORTE OCTOBER 9, 2017

The City Council of the City of La Porte met in a regular meeting on **Monday, October 9, 2017**, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at **6:00 p.m.** to consider the following items of business:

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

2. **INVOCATION** – The invocation was given by Assistant City Attorney Clark Askins.

3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Chuck Engelken.

4. (a) **Proclamation** – Domestic Violence Awareness Month – Mayor Rigby

Mayor Rigby presented a proclamation to Shannon Nevol, representative with Bay Area Turning Point, Inc., regarding Domestic Violence Awareness Month.

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

Drue Adams, 200 Crescent View, addressed Council in regards to the gate blocking access to the bay and requested City Council assist in removing the gate.

Paul Larson, 200 N. 4th St., addressed Council regarding the building located at 621 W. Main. At the September 25, 2017, council meeting, City Council deemed this building a dangerous, substandard structure and ordered staff to move forward with demolition. Mr. Larson requested Council repeal the ordinance condemning the building.

Jay Azimpour, property owner of 621 W. Main, addressed Council stating he also hopes the condemnation ordinance can be repealed.

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

(a) Consider approval or other action regarding the minutes of the meeting held on September 25, 2017– P. Fogarty

(b) Consider approval or other action regarding change in City Council meeting dates for the months of November and December due to holiday schedule – P. Fogarty

- (c) Consider ratifying nomination of Champ Dunham from Councilperson District 1 position to fill vacancy on the Fire Code Review Committee – P. Fogarty
- (d) Consider approval or other action authorizing the City of La Porte to enter into an Interlocal Agreement with Purchasing Association of Cooperative Entities (PACE) to utilize cooperative purchasing contracts for the performance of governmental functions and services – C. Daeumer
- (e) Consider approval or other action awarding contract for janitorial services through Purchasing Association of Cooperative Entities (PACE) – C. Daeumer
- (f) Consider approval or other action regarding an Encroachment Agreement between the City of La Porte; Joe Bertuglia and Evangelia Bertuglia, to authorize maximum 2.3 foot encroachment of existing home on S. Holmes Ave. – C. Alexander

Consent Agenda Item E was singled out for questions by Councilmember Earp, and Purchasing Manager Cherell Daeumer answered his questions.

Councilmember J. Martin made a motion to approve all Consent Agenda Items pursuant to staff recommendations. Councilmember K. Martin seconded the motion. **MOTION PASSED UNANIMOUSLY 8/0. Councilmember Leonard was absent.**

Shirley Belgau, addressed Council in opposition to Consent Item F.

7. AUTHORIZATIONS

- (a) Consider approval or other action adopting proposed City of La Porte Internal Ethics Compliance Policy – K. Adcox

Police Chief Ken Adcox presented a summary.

Councilmember Earp made a motion to adopt the City of La Porte Internal Ethics Compliance Policy. Councilmember Ojeda seconded. **MOTION PASSED 8/0. Councilmember Leonard was absent.**

8. ADMINISTRATIVE REPORTS

There were no additional reports.

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

Councilmember Engelken commented the meeting was good; Councilmember Earp asked if the issue with access to the bay at Crescent View can be discussed at a future meeting; Councilmember J. Martin commented he will visit with Mrs. Belgau after the meeting; Councilmember Zemanek commented that Mr. Adams made some interesting points while addressing City Council and commented he would like information on how the City installed a sewer line at the property; and Mayor Rigby advised he attended a ribbon cutting at Ellington Field for the Lone Star Museum, and it is an extremely interesting museum; he thanked the City of La Porte Police Department for hosting National Night Out and the many neighborhoods within the community, and recognized Councilmember Terry Sain from the City of Baytown for attending the meeting.

- 10. ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 6:40 p.m. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 8/0. Councilmember Leonard was absent.**

Patrice Fogarty, City Secretary

Passed and approved on October 23, 2017.

Mayor Louis R. Rigby

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: October 23, 2017

Requested By: Patrice Fogarty

Department: City Secretary's Office

Report: Resolution: Ordinance:

Other: _____

Appropriation

Source of Funds: N/A

Account Number: _____

Amount Budgeted: _____

Amount Requested: _____

Budgeted Item: YES NO

Attachments :

1. Resolution

SUMMARY & RECOMMENDATIONS

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

The 2018 designated representatives begin their term of office the first of January.

The 2017 representative is Chuck Engelken, and the alternate is Jay Martin.

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

Action Required of Council:

Consider approval or other action of a Resolution appointing one representative (Chuck Engelken) and one alternate (Jay Martin) to the H-GAC 2018 General Assembly and Board of Directors.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

RESOLUTION NO. 2017 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS,
SELECTING A REPRESENTATIVE AND AN ALTERNATE TO THE HOUSTON-
GALVESTON AREA COUNCIL 2018 GENERAL ASSEMBLY AND BOARD OF
DIRECTORS.

* * * * *

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

Section 1. That the following individuals be and are hereby selected as the representative and alternate of the General Assembly of the Houston-Galveston Area Council for the year 2018:

REPRESENTATIVE: _____

ALTERNATE: _____

Section 2. That the hereinabove named representative and alternate are hereby selected as the representative and alternate to the Board of Directors of the Houston-Galveston Area Council for the year 2018.

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

PASSED and ADOPTED this the 23rd day of October, 2017.

CITY OF LA PORTE

By: _____
Louis R. Rigby
Mayor

ATTEST:

APPROVED:

Patrice Fogarty
City Secretary

Clark T. Askins
Assistant City Attorney

Athletic Field Specialists, LLC

15059 FM 1094
 Cat Spring, TX 78933
 webb356@msn.com

Estimate

| | |
|-----------|------------|
| Date | Estimate # |
| 9/15/2017 | 1003 |

| |
|--|
| Name / Address |
| City of La Porte Accounts Payable 604 W. Fairmont Parkway La Porte, Texas 77571 |

| Description | Qty | Cost | Total |
|--|-----|-----------|-----------|
| Field Reconstruction: (10 fields) *Remove lips on all fields as needed and replace sod with big roll 419 Bermuda *Add red infield dirt and till with existing dirt *Laser grade each field *Rebuild pitching mounds and sod the area in front of mounds *Add infield conditioner to each field *Haul away spoils from site and clean when finished BuyBoard Contract #476-15 | | 63,000.00 | 63,000.00 |

| | | |
|--------------------------|--|-------------|
| Subtotal | | \$63,000.00 |
| Sales Tax (6.75%) | | \$0.00 |
| Total | | \$63,000.00 |

| |
|-------------------------|
| Phone # 281-961-2528 |
|-------------------------|

| |
|-----------------------|
| Fax # 979-992-2627 |
|-----------------------|

Accepted by _____

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: October 23, 2017
Requested By: Alex Osmond
Department: Golf Course
Report: Resolution: Ordinance:
Other: _____

Appropriation

Source of Funds: Golf Course
Capital
Account Number: 001.6049.551.8021
Amount Budgeted: 112,000.00
Amount Requested: 109,863.98
Budgeted Item: YES NO

Attachments :

1. Quote Document

SUMMARY & RECOMMENDATIONS

The existing Bay Forest Golf Course TORO[®] automated irrigation system is fourteen years old. System replacement parts are becoming obsolete and will soon be unavailable.

The Golf Course is seeking approval to replace the system comprised of fifteen (15) electric/hydraulic satellites and the radio interface unit with the newer version Toro[®] system.

Professional Turf Products, L.P. located in Houston, Texas is the sole Toro authorized dealer/representative for our area. The new system is available through them under BuyBoard Contract #447-14 for a total purchase price of \$109,863.98. The total purchase price includes all labor, programming and computer set-up, antenna and base optimization, licensing, and the frequency survey and programming.

The total purchase price of \$109,863.98 is under the 2018 budgeted amount of \$112,000.00.

Action Required of Council:

Approve \$109,863.98 for Bay Forest G. C. irrigation upgrade.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date



Toro Irrigation

5825 Jasmine Street • Riverside • California • 92504-1183 • (951) 688-9221

Bay Forest Municipal Golf Course
201 Bay Forest Dr.
La Porte, TX
Attention: Dennis Hlavaty

Dear Mr. Bennett,

This letter is to confirm that Professional Turf Products is the sole source Toro distributor for all golf products in the state of Texas. This includes the irrigation upgrade you are considering for your golf course. We appreciate your business and continued support of Toro and Professional Turf Products. If you have any questions or concerns, or need any additional information, please feel free to contact me at any time.

Thank you,
Wayne R. Decker

Wayne Decker
Golf Sales Manager
The Toro Company
(561) 701-0675
Wyane.deker@toro.com



Professional Turf Products, L.P.
Houston, Texas 77041
5520 Brittmoore
Rick Partain
(888) 776-8873 ext. 5469
partainr@proturf.com



| | | | | |
|--------------------|---|-----------------|-----------------|-----------------------|
| Ship To | Bay Forest Municipal Golf Course | | Date | March 16, 2017 |
| Quotation | BUYBOARD (CONTRACT # 447-14) | | Tax Rate | |
| Contact | Dennis Hlavaty | | | |
| Address | 201 Bay Forest Dr. | | | |
| City | La Porte, TX | | | |
| State | TX | Comments | | |
| Postal Code | 77571 | | | |
| Phone | (281) 471 4653 | | | |
| Email | Dhlavaty55@gmail.com | | | |

Proposal

| <i>Qty</i> | <i>Model #</i> | <i>Description</i> | <i>Unit</i> | <i>Extended</i> |
|------------|----------------|--|----------------------|---------------------|
| 1 | GT | Ground Testing (Customer will be responsible for any additional grounding needs) | | |
| 1 | CS_Opt | CS Optimization (Includes computer set-up, database input & training, initial file upload, and STD antenna installation w/ maximum 16 hours labor) | | |
| 1 | RF_Opt | RF Optimization (Includes Frequency Survey, FCC License application, and base radio w/ maximum 8 hours onsite) | | |
| 1 | AT_Opt | Antenna & Base Optimization (Parts may be required, 2 hours maximum labor included) | | |
| 20 | EOsmac_freq | E-Osmac Satellite frequency programming (each satellite) | | |
| | | | Service | \$ 7,875.00 |
| 1 | AA107T50BNC | BASE ANT ASSY 460-470 INCLUDES(AA107A,AA050L,AA611,POLYPH ASER, AA109BNC-6 6FT ADAPTER CABLE) | | |
| 1 | H-20 | 20 FOOT TELESCOPING MAST (ADD \$ FOR FREIGHT) | | |
| | | | Radio | \$ 880.00 |
| 14 | RDR24P01N0 | RDR OSMAC 24STA, PLS, ELEC/HYD NO, | | |
| 1 | RDR48P01N0 | RDR OSMAC 48STA, PLS, ELEC/HYD NO, | | |
| | | | Toro OSMAC | \$ 76,620.84 |
| 1 | LX-01-1-21 | LYNX PE, OSMAC, STD, 1YR | | |
| 1 | RIU-01 | RADIO INTERFACE UNIT, SINGLE RADIO | | |
| | | | Toro Centrals | \$ 24,488.14 |

| | | |
|-----------------|-----------|-------------------|
| SubTotal | \$ | 109,863.98 |
| Tax (Estimated) | \$ | - |
| TOTAL | \$ | 109,863.98 |

Comments:

**Pricing Assumes Professional Turf Products acquires ownership of older sprinkler heads & control system components
Some components may require a production deposit upon order implementation.**

Terms & Conditions:

1. Pricing, including finance options, valid for 30 days from time of quotation.
2. After 30 days all prices are subject to change without notice.
3. Used and Demo equipment is in high demand and availability is subject to change.
 - A. Upon firm customer commitment to purchase, said equipment availability will be determined and "locked".
 - B. In the event equipment is unavailable at time of order, PTP will employ every resource to secure an acceptable substitute.
 - C. PTP strongly advises the customer to issue a firm PO as quickly as possible after acceptance of quotation.
4. "Trade In Allowances" will be treated as a credit for future parts purchases on PTP account unless other arrangements have been made.

Returns Policy:

1. All returns are subject to restocking, refurbishing, usage, and shipping fees.
2. All returns must be able to be sold as new.
3. Items missing parts are non returnable.
4. Professional Turf Products will have sole discretion as to the resalable condition of the product.
5. This policy does not apply to items that are defective, or shipped incorrectly by PTP or one of its vendors.

Payment:

1. Terms are net 10 unless prior arrangements have been made.
2. Quoted prices are subject to credit approval.
 - A. PTP will work with third party financial institutions to secure leases when requested to do so.
 - B. When using third party financiers, documentation fees & advance payments may be required.
 - C. For convenience, monthly payments are estimated based on third party rate factors in effect at time of the quotation.
 - D. PTP assumes no liability in the event credit becomes unavailable or rates change during the approval process.
 - E. New equipment delivery time is estimated at six weeks from the time credit is approved & documents are executed.
3. There will be a service charge equal to 1.5% per month (18% per annum) on all past due invoices.
4. By Law we are required to file a "Notice to Owner" of our intent to file lien in the event of payment default.
This notice must be sent within 60 days of the date the original invoice and will happen automatically regardless of any special payment arrangements that may have been made.

REQUEST FOR CITY COUNCIL AGENDA ITEM

| |
|--|
| Agenda Date Requested: _____ |
| Requested By: <u>Grady Parker</u> |
| Department: <u>Information Technology</u> |
| Report: <input checked="" type="checkbox"/> Resolution: _____ Ordinance: _____ |

| |
|--|
| <u>Budget</u> |
| Source of Funds: <u>IT Budget</u> |
| Account Number: <u>001-6066-519-2093</u> |
| Amount Budgeted: <u>\$218,000</u> |
| Amount Requested: <u>\$199,357</u> |
| Budgeted Item: YES X NO |

Exhibits: PCMG's BuyBoard Award Letter

Exhibits: PCMG's Hardware Quotes

Exhibits: ~~PCMG's hardware specs per machine model~~

Exhibits: BestBuy Dell 5580

SUMMARY & RECOMMENDATION

Background:

The City of La Porte currently utilizes the State of Texas Department of Information (DIR) program to replace computer workstations throughout the City. The City has leased the machines with a ProSupport with a 3 years warranty support plan. This allowed the computers to be replaced with newer models every 3 years. Now, we are looking to purchase the machines with ProSupport for 3 years with a 2-year extension. This will allow us to replace our new computers every 5 years while keeping the machines under the dell 24/7 warranty level. We replaced 136 computers in FY17 under those terms and we will be replacing the remaining 149 computers this year FY18. With the purchase of these remaining 149 computers we will close out our current Dell lease agreement.

Dell has partnered with PCMG (aka PCMall Gov) to provide service of purchasing the computers through PCMG. The equipment will be purchased through PCMG utilizing their BuyBoard Contract 498-15.

I have also added an "off the shelf" option thru BestBuy using the Dell Latitude 5580 as an example. You will see that BestBuy is a close match to our Dell specs (i7, 8GB mem, 256GB hard drive) at a cost of \$2,520.99. with leveraging our PCMG contract we are able to get the Latitude 5580 (i7, 16GB mem, 500GB hard drive) at a cost of \$1,438.50. Both vendors offer a 3 year warranty the difference being BestBuy is a manufacture warranty where the hardware will need to be shipped out and fixed, where Dell the parts or overnighted or repaired onsite with 24 hours.

Action Required by Council:

Consider and take action to approve the purchase of the computer equipment through PCMG.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date



P.O. Box 400
Austin, TX 78767-0400
800.695.2919 | 512.467.0222 | Fax: 800.211.5454
buyboard.com

November 12, 2015

Sent Via E-mail: sarita.binsted@pcmg.com

Sarita Binsted
PCM Gov, Inc.
14120 Newbrook Drive Suite 100
Chantilly, VA 20151

Proposal Name & Number: Technology Equipment and Supplies, Software, Telecommunications Products, and Asset Disposal and Recovery No. 498-15

Congratulations, your company has been successful on the above referenced proposal! This contract will be effective January 1, 2016. The contract documents are those identified in Section 3 of the General Terms and Conditions of the specifications.

To see the items your company has been awarded, please review the proposal tabulation No. 498-15 on the following web-site: www.buyboard.com/vendor. Only items marked as awarded to your company can be sold through the BuyBoard contract. In addition, on this website you will find the membership list which will provide you with the names of all entities with membership in our purchasing cooperative.

Attached to this letter you will find the following documents:

Vendor Quick Reference Sheet
Electronic Catalog Format Instructions
Vendor Billing Procedures

Receipt of a purchase order directly from a Cooperative member is not within the guidelines of the Cooperative. Accepting orders directly from member entities may result in a violation of the State of Texas competitive bid statute and cancellation of the proposal award therefore all orders must be processed through the Cooperative in order to comply. We request your assistance in immediately forwarding by fax (1-800-211-5454) to the cooperative any orders received directly from member entities. If by chance an order sent directly to you has been unintentionally processed, please fax it to the Cooperative (1-800-211-5454) and note it as **RECORD ONLY** to prevent duplication.

Per proposal specifications, awarded vendors will have 60 days to submit their electronic catalog including pricing. If the electronic data is not provided within 60 days of notice of award, we reserve the right to inactivate any company's award information from the BuyBoard until such time the electronic data is received.

On behalf of the Texas Association of School Boards, we appreciate your interest in the Cooperative and we are looking forward to your participation in the program. If you have any questions, please contact BuyBoard Procurement Staff at 800-695-2919.

Sincerely,

Arturo Salinas
BuyBoard Procurement Director



PCMG Inc.
14120 Newbrook Drive, Suite 100 - Chantilly, VA 20151

Duns #: 12-936-5420
Tax ID #: 33-0964088
HP Location ID-WSCA: 10041922

Quotes are valid 15 days from quote date. Prices are subject to change without notice.

Nelly Cipriano
Account Executive
T: (800) 625-5468 x38513
F: 310-630-6502
NellyC@pcmg.com

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

Contact: **LYLE CAIN**
Ref.: **T7810 PRECISIONS**
Quote: **B0524578**
Date: **10/4/2017**
Expires: **10/19/2017**

| Line | Qty. | Manufacturer | PCMG No. | MFR Part Number | Product Description | Contract Number | Unit Price | Extended Price |
|------|------|--------------|----------|-----------------|---|-----------------|-------------|----------------|
| 1 | 6 | DELL | TBD | T7810 | Precisions workstations T7810 intel xeon processor E5-2609 v4 32GB (4x8GB) 2400MHz DDR4 RDIMM ECC | BuyBoard 498-15 | \$ 3,141.95 | \$ 18,851.70 |

* See full specs in PDF attached to the quote

Courier: UPS GROUND

Ship-to: **CITY OF LA PORTE**
604 W FAIRMONT PARKWAY
LA PORTE, TX 77571

Internal Use

| | | |
|------------------|-----------|------------------|
| Sub-total | \$ | 18,851.70 |
| Tax | \$ | - |
| Shipping | \$ | - |
| Total | \$ | 18,851.70 |

| Ask about our leasing Options and keep your business moving forward | | |
|---|-------------------|------------|
| Lease Estimate (Monthly Rates)* | | |
| | Fair Market Value | \$1 Buyout |
| 24 Months | \$755.01 | \$852.53 |
| 36 Months | \$539.87 | \$582.01 |
| 48 Months | \$434.34 | \$460.13 |

Lease rate subject to credit approval. Special programs available for 100% software leases.

ORDERING INSTRUCTIONS / SPECIAL NOTES

Please make your purchase order out to 'PCMG, Inc.' (i.e. not 'PCM', 'PC Mall', or 'Macmall').
P.O. must include the quote number (i.e. S123456), part numbers, a signature, and payment terms (Net 30).
Software licenses: purchase orders must include an *e-mail address* and an end-user name, or order may be delayed.

PLEASE REMIT PAYMENT TO:
PCMG, Inc.
Los Angeles, CA 90074-5327



**THE RIGHT
TECHNOLOGY,
DELIVERED™**

PCMG Inc.
10000 Wilshire Drive, Suite 100 - Chantilly, VA 20151

Duns #: 12-936-5420
Tax ID #: 33-0964088
HP Location ID-WSCA: 10041922

Nelly Cipriano
Account Executive
T: (800) 625-5468 x38513
F: 310-630-6502
NellyC@pcmg.com

quote date. Prices are subject to change without notice.
LYLE CAIN
CITY OF LA PORTE
604 W FAIRMONT PARKWAY
LA PORTE, TX 77571

Contact: LYLE CAIN
Ref.: 5580 & DOCKING
Quote: B0524607
Date: 10/4/2017
Expires: 10/19/2017

| Line | Qty. | Manufacturer | PCMG No. | MFR Part Number | Product Description | Contract Number | Unit Price | Extended Price |
|------|------|--------------|----------|-----------------|---|-----------------|-------------|----------------|
| 1 | 36 | DELL | BTO | 5580 | DELL Latitude 5580 XCTO 7th Generation intel core i7-7820hq 16gb (2x8GB) memory | Buyboard 498-15 | \$ 1,438.50 | \$ 51,786.00 |
| 2 | 37 | DELL | 13683212 | | DOCKING STATION D3100 USB3 452-BBPG | Buyboard 498-15 | \$ 136.00 | \$ 5,032.00 |

* complete specs attached

Courier: UPS GROUND

Ship-to: CITY OF LA PORTE
604 W FAIRMONT PARKWAY
LA PORTE, TX 77571

Internal Use

| | | |
|------------------|-----------|------------------|
| Sub-total | \$ | 56,818.00 |
| Tax | \$ | - |
| Shipping | \$ | - |
| Total | \$ | 56,818.00 |

| Ask about our leasing Options and keep your business moving forward | | |
|---|-------------------|------------|
| Lease Estimate (Monthly Rates)* | | |
| | Fair Market Value | \$1 Buyout |
| 24 Months | \$2,275.56 | \$2,569.48 |
| 36 Months | \$1,627.15 | \$1,754.14 |
| 48 Months | \$1,309.09 | \$1,386.81 |

Lease rate subject to credit approval. Special programs available for 100% software leases.

ORDERING INSTRUCTIONS / SPECIAL NOTES

Please make your purchase order out to 'PCMG, Inc.' (i.e. *not* 'PCM', 'PC Mall', or 'Macmall').
P.O. must include the quote number (i.e. S123456), part numbers, a signature, and payment terms (Net 30).
Software licenses: purchase orders must include an *e-mail address* and an end-user name, or order may be delayed.

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Los Angeles, CA 90074-5327



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PCMG Inc.
10000 Park Drive, Suite 100 - Chantilly, VA 20151

Duns #: 12-936-5420
Tax ID #: 33-0964088
HP Location ID-WSCA: 10041922

Nelly Cipriano
Account Executive
T: (800) 625-5468 x38513
F: 310-630-6502
NellyC@pcmg.com

quote date. Prices are subject to change without notice.
LYLE CAIN
CITY OF LA PORTE
604 W FAIRMONT PARKWAY
LA PORTE, TX 77571

Contact: **LYLE CAIN**
Ref.: **OPTIPLEX 7050 MT**
Quote: **B0524678**
Date: **10/4/2017**
Expires: **10/19/2017**

| Line | Qty. | Manufacturer | PCMG No. | MFR Part Number | Product Description | Contract Number | Unit Price | Extended Price |
|---------------------------|------|--------------|----------|-----------------|--|-----------------|------------|----------------|
| 1 | 90 | DELL | BTO | 7050MT | Intel core i7 supports windows 10/linux 16GB with 500GB 2.5 inch serial ATA hard drive | BuyBoard 498-15 | \$ 932.30 | \$ 83,907.00 |
| * see full specs attached | | | | | | | | |

Courier: DS Ground

Ship-to: CITY OF LA PORTE
604 W FAIRMONT PARKWAY
LA PORTE, TX 77571

Internal Use

| | | |
|------------------|-----------|------------------|
| Sub-total | \$ | 83,907.00 |
| Tax | \$ | - |
| Shipping | \$ | - |
| Total | \$ | 83,907.00 |

| Ask about our leasing Options and keep your business moving forward | | |
|---|-------------------|------------|
| Lease Estimate (Monthly Rates)* | | |
| | Fair Market Value | \$1 Buyout |
| 24 Months | \$3,360.48 | \$3,794.53 |
| 36 Months | \$2,402.93 | \$2,590.46 |
| 48 Months | \$1,933.22 | \$2,048.00 |

Lease rate subject to credit approval. Special programs available for 100% software leases.

ORDERING INSTRUCTIONS / SPECIAL NOTES

Please make your purchase order out to 'PCMG, Inc.' (i.e. *not* 'PCM', 'PC Mall', or 'Macmall').
P.O. must include the quote number (i.e. S123456), part numbers, a signature, and payment terms (Net 30).
Software licenses: purchase orders must include an *e-mail address* and an end-user name, or order may be delayed.

PLEASE REMIT PAYMENT TO:
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Los Angeles, CA 90074-5327



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10000 Wilshire Drive, Suite 100 - Chantilly, VA 20151

Duns #: 12-936-5420
Tax ID #: 33-0964088
HP Location ID-WSCA: 10041922

Nelly Cipriano
Account Executive
T: (800) 625-5468 x38513
F: 310-630-6502
NellyC@pcmg.com

quote date. Prices are subject to change without notice.
LYLE CAIN
CITY OF LA PORTE
604 W FAIRMONT PARKWAY
LA PORTE, TX 77571

Contact: **LYLE CAIN**
Ref.: **RUGGED 5414**
Quote: **B0524930**
Date: **10/4/2017**
Expires: **10/19/2017**

| Line | Qty. | Manufacturer | PCMG No. | Product Description | Contract Number | Unit Price | Extended Price |
|------|------|--------------|----------|--|-----------------|-------------|----------------|
| 1 | 10 | DELL | BTO | LATITUDE 5414 XCTO, INTEL CORE I7-6600u 16GB 2(X8gb) 512 gb SOLID STATE DRIVE | BuyBoard 498-15 | \$ 2,490.90 | \$ 24,909.00 |
| 2 | 10 | DELL | 40192725 | DPT DESK DOCK LATITUDE RUGGED | BuyBoard 498-15 | \$ 297.00 | \$ 2,970.00 |
| 3 | 10 | DELL | 13071302 | DELL 90-WATT AUTO-AIR DC ADAPTER FOR SE | BuyBoard 498-15 | \$ 100.00 | \$ 1,000.00 |

* See full specs on attached pdf

Courier: UPS GROUND

Ship-to: CITY OF LA PORTE
604 W FAIRMONT PARKWAY
LA PORTE, TX 77571

Internal Use

| | | |
|------------------|-----------|------------------|
| Sub-total | \$ | 28,879.00 |
| Tax | \$ | - |
| Shipping | \$ | - |
| Total | \$ | 28,879.00 |

| Ask about our leasing Options and keep your business moving forward | | |
|---|-------------------|------------|
| Lease Estimate (Monthly Rates)* | | |
| | Fair Market Value | \$1 Buyout |
| 24 Months | \$1,156.60 | \$1,306.00 |
| 36 Months | \$827.04 | \$891.58 |
| 48 Months | \$665.37 | \$704.88 |
| Lease rate subject to credit approval. Special programs available for 100% software leases. | | |

ORDERING INSTRUCTIONS / SPECIAL NOTES

Please make your purchase order out to 'PCMG, Inc.' (i.e. *not* 'PCM', 'PC Mall', or 'Macmall').
P.O. must include the quote number (i.e. S123456), part numbers, a signature, and payment terms (Net 30).
Software licenses: purchase orders must include an *e-mail address* and an end-user name, or order may be delayed.

PLEASE REMIT PAYMENT TO:
PCMG, Inc.
Los Angeles, CA 90074-5327



PCMG Inc.
14120 Newbrook Drive, Suite 100 - Chantilly, VA 20151

Duns #: 12-936-5420
Tax ID #: 33-0964088
HP Location ID-WSCA: 10041922

Quotes are valid 15 days from quote date. Prices are subject to change without notice.

Nelly Cipriano
Account Executive
T: (800) 625-5468 x38513
F: 310-630-6502
NellyC@pcmg.com

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

Contact: **LYLE CAIN**
Ref.: **5580 TOUCHSCREEN**
Quote: **B0525002**
Date: **10/4/2017**
Expires: **10/19/2017**

| Line | Qty. | Manufacturer | PCMG No. | MFR Part Number | Product Description | Contract Number | Unit Price | Extended Price |
|------|------|--------------|----------|-----------------|---|-----------------|-------------|----------------|
| 1 | 7 | DELL | 44444 | 5580 | LATITUDE 5580 touch 7th generation intel core i7-7600U 16g (2x8) DDR4 Memory 2.5 7mm 500gb 5400RPM Hybrid Drive 8GB cache | buyboard 498-15 | \$ 1,400.30 | \$ 9,802.10 |
| 2 | 7 | DELL | 40138408 | | Dell Dock – WD15 with 180W Adapter | buyboard 498-15 | \$ 157.00 | \$ 1,099.00 |

Courier: UPS GROUND

Ship-to: **CITY OF LA PORTE**
604 W FAIRMONT PARKWAY
LA PORTE, TX 77571

Internal Use

| | | |
|------------------|-----------|------------------|
| Sub-total | \$ | 10,901.10 |
| Tax | \$ | - |
| Shipping | \$ | - |
| Total | \$ | 10,901.10 |

| Ask about our leasing Options and keep your business moving forward | | |
|---|-------------------|------------|
| Lease Estimate (Monthly Rates)* | | |
| | Fair Market Value | \$1 Buyout |
| 24 Months | \$444.87 | \$498.58 |
| 36 Months | \$312.21 | \$351.12 |
| 48 Months | \$256.39 | \$292.40 |

Lease rate subject to credit approval. Special programs available for 100% software leases.

ORDERING INSTRUCTIONS / SPECIAL NOTES

Please make your purchase order out to 'PCMG, Inc.' (i.e. *not* 'PCM', 'PC Mall', or 'Macmall').
P.O. must include the quote number (i.e. S123456), part numbers, a signature, and payment terms (Net 30).
Software licenses: purchase orders must include an *e-mail address* and an end-user name, or order may be delayed.

PLEASE REMIT PAYMENT TO:
PCMG, Inc.
Los Angeles, CA 90074-5327

DELL LATITUDE 5580 TOUCHSCREEN

| | |
|---|---|
| Dell Latitude 5580 XCTO | 1 |
| 7th Generation Intel Core i7-7600U (Dual Core, 2.80Gz, 4MB cache) | 1 |
| Win 10 Pro 64 English, French, Spanish | 1 |
| No Productivity Software | 1 |
| Intel(R) Core(TM) i7-7600U Processor Base, Integrated HD Graphics 620 | 1 |
| Intel Rapid Storage Technology | 1 |
| No Out-of-Band Systems Management | 1 |
| 16G (2 X 8G) DDR4 Memory | 1 |
| 2.5" 7mm 500GB 5400RPM Hybrid Drive (8GB Cache) | 1 |
| 7MM HDD/SSD Hard Drive Bracket Latitude 5580 and Precision 15P | 1 |
| Thank You for Choosing Dell | 1 |
| 39.6cm (15.6") Touch FHD (1920 x1080) with Camera, OTP Lite, WWAN Capable | 1 |

| | |
|---|---|
| Internal US/International Qwerty Backlit Dual Pointing Keyboard | 1 |
| No Mouse | 1 |
| Intel Dual-Band Wireless-AC 8265 Driver | 1 |
| Intel Dual-Band Wireless-AC 8265 Wi-Fi + BT 4.2 Wireless Card (2x2) | 1 |
| No Wireless WAN Card | 1 |
| Primary 4-cell 68W/HR Battery | 1 |
| 65W AC Adapter, 3-pin | 1 |
| Dual Point Palmrest with No Security | 1 |
| No FGA | 1 |
| No Docking Station | 1 |
| No Carrying Case | 1 |
| US Power Cord | 1 |
| Dell Power Manager | 1 |
| SupportAssist | 1 |
| Dell(TM) Digital Delivery Cirrus Client | 1 |

| | |
|--|---|
| Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps) | 1 |
| Waves Maxx Audio | 1 |
| Dell Developed Recovery Environment | 1 |
| System Shipment, Latitude 5580 | 1 |
| No Media | 1 |
| No Stand included | 1 |
| No Option Included | 1 |
| US Order | 1 |
| No Resource DVD | 1 |
| Windows 10 Placemat | 1 |
| Energy Star 6.1 | 1 |
| BTO Standard Shipment (S) | 1 |

| | |
|--|---|
| Intel Core i7 Processor Label | 1 |
| Safety/Environment and Regulatory Guide (English/French Multi-language) | 1 |
| No UPC Label | 1 |
| Direct ship Info Mod | 1 |
| Mix Model Packaging DAO | 1 |
| Regulatory Label included | 1 |
| No Anti-Virus Software | 1 |
| No Removable CD/DVD Drive | 1 |
| Dell Limited Hardware Warranty Extended Year(s) | 1 |
| Thank you choosing Dell ProSupport. For tech support, visit http://support.dell.com/ProSupport or call 1-866-516-3115 | 1 |
| Dell Limited Hardware Warranty | 1 |
| ProSupport: 7x24 Technical Support, 3 Years | 1 |
| ProSupport: Next Business Day Onsite, 1 Year | 1 |
| ProSupport: Next Business Day Onsite, 2 Year Extended | 1 |
| Customer Kit, Dell Dock Type C - 180W | 1 |

DELL LATITUDE 5580 WITH DOCKING HUB

| | |
|--|---|
| Dell Latitude 5580 XCTO | 1 |
| 7th Generation Intel Core i7-7820HQ (Quad Core, 2.90Gz, 8MB cache) | 1 |
| Win 10 Pro 64 English, French, Spanish | 1 |
| Microsoft(R) Office 30 Days Trial | 1 |
| Intel(R) Core (TM) i7-7820HQ Processor Base, NVIDA(R) GeForce 940MX Discrete Graphics with Thunderbolt | 1 |
| Intel Rapid Storage Technology | 1 |
| No Out-of-Band Systems Management | 1 |
| 16G (2 X 8G) DDR4 Memory | 1 |
| 2.5" 7mm 500GB 7200rpm HDD | 1 |
| 7MM HDD/SSD Hard Drive Bracket Latitude 5580 and Precision 15P | 1 |
| Thank You for Choosing Dell | 1 |
| Non Touch LCD Backcover, WWAN | 1 |
| Non-Touch bezel, no camera | 1 |

| | |
|--|---|
| 39.6cm (15.6") Non-Touch Anti-Glare FHD (1920 x 1080) | 1 |
| Internal US English Qwerty Non-backlit Keyboard | 1 |
| No Mouse | 1 |
| Intel Dual-Band Wireless-AC 8265 Driver | 1 |
| Intel Dual-Band Wireless-AC 8265 Wi-Fi + BT 4.2 Wireless Card (2x2) | 1 |
| No Wireless WAN Card | 1 |
| Primary 4-cell 68W/HR Battery | 1 |
| 90W AC Adapter, 3-pin | 1 |
| Dual Point Palmrest with Smart Card only TBT | 1 |
| No FGA | 1 |
| No Docking Station | 1 |
| No Carrying Case | 1 |
| US Power Cord | 1 |
| Dell Power Manager | 1 |
| SupportAssist | 1 |
| Dell(TM) Digital Delivery Cirrus Client | 1 |
| Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps) | 1 |
| Waves Maxx Audio | 1 |
| Dell Developed Recovery Environment | 1 |
| System Shipment, Latitude 5580 | 1 |
| No Media | 1 |
| No Stand included | 1 |
| No Option Included | 1 |
| US Order | 1 |

| | |
|--|---|
| No Resource DVD | 1 |
| Windows 10 Placemat | 1 |
| Energy Star 6.1 | 1 |
| BTO Standard Shipment (S) | 1 |
| Intel Core i7 Processor Label | 1 |
| Safety/Environment and Regulatory Guide (English/French Multi-language) | 1 |
| No UPC Label | 1 |
| Direct ship Info Mod | 1 |
| Mix Model Packaging DAO | 1 |
| Regulatory Label included | 1 |
| No Anti-Virus Software | 1 |
| No Removable CD/DVD Drive | 1 |
| Dell Limited Hardware Warranty Extended Year(s) | 1 |
| Thank you choosing Dell ProSupport. For tech support, visit http://support.dell.com/ProSupport or call 1-866-516-3115 | 1 |
| Dell Limited Hardware Warranty | 1 |
| ProSupport: 7x24 Technical Support, 3 Years | 1 |
| ProSupport: Next Business Day Onsite, 1 Year | 1 |
| ProSupport: Next Business Day Onsite, 2 Year Extended | 1 |

DELL LATITUDE RUGGED 5414

| | |
|--|---|
| Latitude 5414, XCTO | 1 |
| Intel Core i7-6600U Processor, Security, (Dual Core, 4M Cache, 2.60 GHz) | 1 |
| Win 10 Pro 64 English, French, Spanish | 1 |
| Microsoft(R) Office 30 Days Trial | 1 |
| No Out-of-Band Systems Management | 1 |
| 16GB (2x8GB) 2133MHz DDR4 Memory | 1 |
| 512GB Solid State Drive | 1 |
| TPM Enabled | 1 |
| Intel Integrated HD Graphics 520 | 1 |
| 14.0" FHD(1920 x 1080) Outdoor-readable, Touch, with Microphone only | 1 |
| Sealed Internal RGB Backlit English Keyboard | 1 |
| No Mouse | 1 |
| Intel Dual-Band Wireless-AC 8260 Driver | 1 |

| | |
|---|---|
| Intel Dual Band Wireless 8260 (802.11ac) W/ Bluetooth | 1 |
| No Wireless WAN Card | 1 |
| 6-cell (65Wh) Lithium Ion Battery With ExpressCharge | 1 |
| E5 90W AC Adapter, 3-pin | 1 |
| No FGA | 1 |
| US Power Cord | 1 |
| Optical Drive Airbay | 1 |
| Safety/Environment and Regulatory Guide (English/French Multi-language) | 1 |
| Quick Setup Guide (English) | 1 |
| US Order | 1 |
| Energy Star | 1 |
| No UPC Label | 1 |
| No Media | 1 |
| No Option Included | 1 |
| ODM Info | 1 |
| Shipping Material for Latitude 14 Rugged (5414) | 1 |

| | |
|--|---|
| No Stand included | 1 |
| Regulatory label | 1 |
| Intel Core i7 Processor Label | 1 |
| BTO Standard shipment Air | 1 |
| Dell Power Manager | 1 |
| Dell Data Protection Security Tools Digital Delivery/NB | 1 |
| SupportAssist | 1 |
| Dell(TM) Digital Delivery Cirrus Client | 1 |
| System Driver, Dell Rugged Latitude 5414 | 1 |
| Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps) | 1 |
| Waves Maxx Audio Royalty | 1 |
| Dell Developed Recovery Environment | 1 |

| | |
|---|---|
| No Carrying Case | 1 |
| No PCMCIA Card or ExpressCard Reader | 1 |
| Docking connector for Rugged Docking Station only | 1 |
| PowerDVD Software not included | 1 |
| No Additional Ports | 1 |
| No Option Included | 1 |
| Regulatory Label for Non Rubber Keyboard with WLAN | 1 |
| ProSupport Plus: Next Business Day Onsite, 3 Years | 1 |
| Dell Limited Hardware Warranty Initial Year | 1 |
| ProSupport Plus: Accidental Damage Service, 3 Years | 1 |
| ProSupport Plus: Keep Your Hard Drive, 3 Years | 1 |
| ProSupport Plus: 7X24 Technical Support, 3 Years | 1 |

DELL OPTIPLEX 7050 MT

| | |
|---|---|
| Intel Core i7-7700 (QC/8MB/8T/3.6GHz/65W); supports Windows 10/Linux | 1 |
| Win 10 Pro 64 English, French, Spanish | 1 |
| No Productivity Software | 1 |
| OptiPlex 7050 MT with 240W up to 85% efficient Power Supply (80Plus Bronze) | 1 |
| Intel Integrated Graphics, Dell OptiPlex | 1 |
| 16GB (2x8GB) 2400MHz DDR4 Memory | 1 |
| No Out-of-Band Systems Management | 1 |
| 500GB 2.5inch Serial ATA (7,200 Rpm) Hard Drive | 1 |
| Bracket for 2.5 inch Hard Drive Disk, Tower, OptiPlex | 1 |
| 2nd Hard Drive: not included | 1 |
| No Intel Responsive | 1 |
| NO RAID | 1 |
| DVD+/-RW Bezel | 1 |

| | |
|--|---|
| Tray load DVD Drive (Reads and Writes to DVD/CD) | 1 |
| CMS Essentials DVD no Media | 1 |
| No Bcom required | 1 |
| No Wireless | 1 |
| No Media Card Reader | 1 |
| Dell KB216 Wired Multi-Media Keyboard English Black | 1 |
| Dell MS116 Wired Mouse, Black | 1 |
| No FGA | 1 |
| OptiPlex 7050 Mini Tower XCTO | 1 |
| No Hard Drive Bracket for Small Form Factor, Dell OptiPlex | 1 |
| System Power Cord (Philipine/TH/US) | 1 |
| Safety/Environment and Regulatory Guide (English/French Multi-language) | 1 |
| US Order | 1 |
| No Diagnostic/Recovery CD media | 1 |
| No Quick Reference Guide | 1 |
| SupportAssist | 1 |
| Dell(TM) Digital Delivery Cirrus Client | 1 |
| Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps) | 1 |
| Waves Maxx Audio | 1 |
| Dell Developed Recovery Environment | 1 |

| | |
|--|---|
| TPM Enabled | 1 |
| No ESTAR | 1 |
| No CompuTrace | 1 |
| NO ADAPTER | 1 |
| No Integrated Stand option | 1 |
| No Wireless | 1 |
| Ship Material for Opti 5050 MT | 1 |
| Shipping Label for DAO | 1 |
| No UPC Label | 1 |
| Intel Core i7 Processor Label | 1 |
| MOD,LBL,REG,MT,MEX,EPA,7050 | 1 |
| OS-Windows Media Not Included | 1 |
| No palmrest Label | 1 |
| No Accessories | 1 |
| Not selected in this configuration | 1 |
| Dell Limited Hardware Warranty Plus Service | 1 |
| ProSupport: 7x24 Technical Support, 3 Years | 1 |
| ProSupport: Next Business Day Onsite 3 Years | 1 |

Precisions Workstations T7810

| | |
|--|---|
| Intel Xeon Processor E5-2609 v4 (8C, 1.7GHz, 1866MHz, 20MB, 85W) | 1 |
| Single Processor Heatsink for T7810 | 1 |
| Win 10 Pro 64 English, French, Spanish | 1 |
| Microsoft(R) Office 30 Days Trial | 1 |
| Dell Precision Tower 7810 825W Chassis, v2, BW | 1 |
| NVIDIA Quadro M4000 8GB (4 DP) (1 DP to SL-DVI adapter) | 1 |
| 32GB (4x8GB) 2400MHz DDR4 RDIMM ECC | 1 |
| No Out-of-Band Systems Management | 1 |
| 2.5" 256GB SATA Class 20 Solid State Drive | 1 |
| 1.2TB 2.5" SAS 12Gbps 10K RPM Hard Drive (Additional) | 1 |
| No Additional Hard Drive | 1 |
| No Additional Hard Drive | 1 |
| Boot drive or boot volume is less than 2TB | 1 |
| C11A SATA SSD or SAS SSD 2.5 inch BOOT. plus 1 SAS 2.5 | 1 |

| | |
|--|---|
| inch Hard Drive | |
| MegaRAID SAS 9341-8i 12Gb/s PCIe SATA/SAS controller - SW RAID 0, 1,5,10 | 1 |
| None | 1 |
| Dell KB216 Wired Multi-Media Keyboard English Black | 1 |
| Dell MS116 Wired Mouse, Black | 1 |
| No Dell Tera2 Remote Access host card for the Wyse P25 Zero Client | 1 |
| No Additional Network Card Selected (Integrated NIC included) | 1 |
| Sound Card Not Included | 1 |
| Not selected in this configuration | 1 |
| No Media Card Reader | 1 |
| 8x Half-Height BD-RE (Blu-Ray Rewritable) Drive and 8x Slimline DVD+/-RW Drive | 1 |
| Internal Speaker | 1 |
| US 125V Power Cord | 1 |
| Safety/Environment and Regulatory Guide (English/French Multi-language) | 1 |
| Placemat Documentation | 1 |
| Resource DVD not Included | 1 |
| OS-Windows Media Not Included | 1 |
| No Energy Star | 1 |

| | |
|-------------------------------------|---|
| No Cyberlink Media Suite | 1 |
| No DDP ESS Software | 1 |
| Dell Precision Tower 7810 XCTO Base | 1 |
| Chassis Intrusion Switch | 1 |
| Shipping Material for System | 1 |
| SHIP,PWS,LNK,NO,NO,AMF | 1 |
| External Speaker Not Included | 1 |
| MOD,LBL,REG,T7810,WW | 1 |

| | |
|--|---|
| MOD,LBL,REG,T7810,DAO | 1 |
| No UPC Label | 1 |
| Intel Xeon Label | 1 |
| No Dell Backup and Recovery software | 1 |
| Kickstart Product Registration | 1 |
| Dell Data Protection System Tools Digital Delivery/DT | 1 |
| SupportAssist | 1 |
| Dell Precision Optimizer | 1 |
| Dell(TM) Digital Delivery Cirrus Client | 1 |
| Enable Low Power Mode | 1 |
| Dell Client System Update (Updates latest Dell Recommended BIOS, Drivers, Firmware and Apps) | 1 |
| Dell Developed Recovery Environment | 1 |
| No Anti-Virus Software | 1 |
| No Accessories | 1 |
| No Stand included | 1 |
| No FGA | 1 |
| TPM Enabled | 1 |
| Dell Limited Hardware Warranty Plus Service | 1 |
| ProSupport Plus: Accidental Damage Service, 4 Years | 1 |

ProSupport Plus: Keep Your Hard Drive, 4 Years

ProSupport Plus: 7x24 Technical Support, 4 Years

ProSupport Plus: Next Business Day Onsite 4 Years

Declined Remote Consulting Service

US Order



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Dell - Latitude 15.6" Laptop - Intel Core i7 - 8GB Memory - 256GB Solid State Drive - Black

Model: LATI5680H4G86P SKU: 5772706 ☆☆☆☆☆ Be the first to write a review.
2 Questions, 1 Answers

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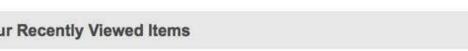
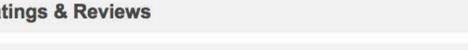
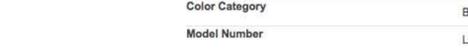
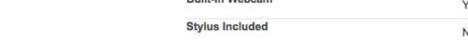
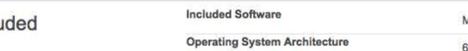
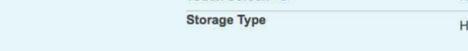
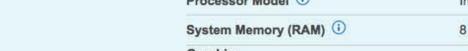
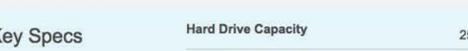
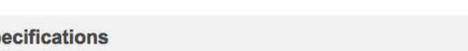
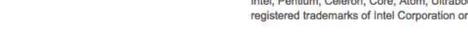
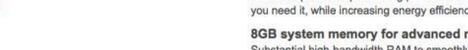
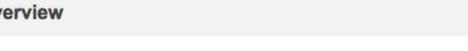
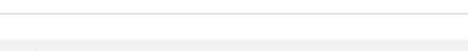
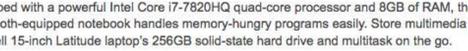
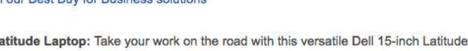
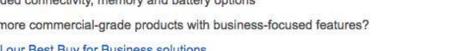
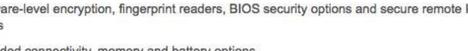
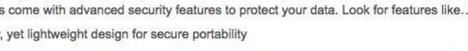
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Dell Latitude Laptop: Take your work on the road with this versatile Dell 15-inch Latitude laptop.

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Customers Ultimately Purchased

Asus - ROG G701 17.3" Laptop - Intel Core i7 - 32GB Mem...
Not Yet Reviewed

\$3,085.99

Dell - Inspiron 2-in-1 15.6" Touch-Screen Laptop - Intel Core i7...
★★★★★ (219)

\$999.99

Asus - ROG G752VS 17.3" Laptop - Intel Core i7 - 16GB Mem...
★★★★★ (3)

\$2,663.99

Overview

What's Included

- Dell Latitude 5580
- 4-cell battery
- Power adapter

Energy Ratings



ENERGY STAR Certified

Services

Geek Extend your coverage with Geek Squad Protection

Antivirus software helps keeps your computer safe from unwanted programs and attacks.

Mobile broadband lets you access the Internet from almost anywhere.

Product Features



Windows 10 operating system

Windows 10 brings back the Start Menu from Windows 7 and introduces new features, like the Edge Web browser that lets you markup Web pages on your screen. [Learn more >](#)

15.6" Full HD display

The 1920 x 1080 resolution boasts impressive color and clarity.

7th Gen Intel® Core™ i7-7820HQ mobile processor

Powerful quad-core processing performance. Intel Turbo Boost Technology delivers dynamic extra power when you need it, while increasing energy efficiency when you don't.

8GB system memory for advanced multitasking

Substantial high-bandwidth RAM to smoothly run your games and photo- and video-editing applications, as well as multiple programs and browser tabs all at once.

256GB solid state drive (SSD)

While offering less storage space than a hard drive, a flash-based SSD has no moving parts, resulting in faster start-up times and data access, no noise, and reduced heat production and power draw on the battery.

MaxxAudio

To give you great sound across music, movies, voice and games.

Weights 4.25 lbs. and measures 1" thin

Balances portability and screen size, so you get a respectable amount of viewing space without the laptop being too cumbersome for practical portability. 4-cell lithium-ion battery.

Bluetooth interface syncs with compatible devices

Wirelessly transfer photos, music and other media between the desktop and your Bluetooth-enabled cell phone or MP3 player, or connect Bluetooth wireless accessories.

1 USB Type-C port

To maximize performance on the latest high-speed devices.

3 USB 3.0 ports maximize the latest high-speed devices

USB 3.0 ports are backward-compatible with USB 2.0 devices (at 2.0 speeds).

HDMI output expands your viewing options

Connect to an HDTV or high-def monitor to set up two screens side by side or just see more of the big picture.

Built-in media reader for simple photo transfer

Supports SD memory card formats.

Wireless network connectivity

High-speed wireless LAN built into the screen, so it connects to your network or hotspots on the most common Wi-Fi standards in both laptop and tablet modes.

Built-in HD webcam with microphone

Makes it easy to video chat with family and friends or teleconference with colleagues over Skype or other popular applications.

Additional ports

Headphone/microphone combo jack and VGA port.

Note: This laptop does not include a built-in DVD/CD drive.

Intel, Pentium, Celeron, Core, Atom, Ultrabook, Intel Inside and the Intel Inside logo are trademarks or registered trademarks of Intel Corporation or its subsidiaries in the United States and other countries.

Specifications

| Key Specs | | |
|------------------------|--|------------------------------|
| Hard Drive Capacity | | 256 gigabytes |
| Hard Drive Type | | Solid State Drive |
| Operating System | | Windows 10 |
| Processor Speed (Base) | | 2.9 gigahertz |
| Processor Model | | Intel 7th Generation Core i7 |
| System Memory (RAM) | | 8 gigabytes |
| Graphics | | NVIDIA GeForce 940MX |
| Battery Life | | 18 hours |
| Screen Size | | 15.6 inches |
| Touch Screen | | No |
| Storage Type | | HDD |

| | | |
|----------|-------|---------|
| Warranty | Parts | 3 years |
| | Labor | 3 years |

| | | |
|--------|---------------------------------|----------------|
| Memory | Cache Memory | 8 megabytes |
| | Media Card Reader | Yes |
| | System Memory RAM Expandable To | 32 gigabytes |
| | Type of Memory (RAM) | DDR4 SDRAM |
| | Number Of Memory Slots | 2 |
| | System Memory RAM Speed | 2133 megahertz |

| | | |
|---------------------------|-----------------------|-----|
| Certifications & Listings | ENERGY STAR Certified | Yes |
| | EPEAT Qualified | No |

| | | |
|---------|--------------------------|---|
| Network | Ethernet | Gigabit Ethernet |
| | Number Of Ethernet Ports | 1 |
| | Wireless Networking | Wireless-A, Wireless-AC, Wireless-B, Wireless-G, Wireless-N |
| | Wireless Display | No |

| | | |
|----------|-------------------|----------|
| Graphics | Graphics Type | Discrete |
| | Video Memory Type | Shared |

| | | |
|----------|---------------------------------|----------------------------------|
| Included | Included Software | Microsoft Office (30 days trial) |
| | Operating System Architecture | 64-bit |
| | Optional Drive Type | DVD |
| | Additional Accessories Included | Power adapter |
| | Blu-Ray Player | No |
| | Built-In Webcam | Yes |
| | Stylus Included | No |

| | | |
|--------------|--------------------------------|------|
| Connectivity | Number of HDMI Outputs (Total) | 1 |
| | Number of USB Ports (Total) | 4 |
| | Number of VGA Ports | 1 |
| | Bluetooth Enabled | Yes |
| | NFC Enabled | No |
| | Embedded Mobile Broadband | None |

| | | |
|-----------|-----------------|-------|
| Processor | Processor Brand | Intel |
|-----------|-----------------|-------|

| | | |
|---------|-----------------------|---------------|
| Feature | Audio Technology | MaxxAudio Pro |
| | Touchpad Type | Multi-touch |
| | 2-in-1 Design | No |
| | Ultrabook | No |
| | Keyboard Touch Screen | No |
| | Stylus Dock | None |

| | | |
|---------|-------------------|-----------------------|
| Display | Screen Resolution | 1920 x 1080 (Full HD) |
| | Display Type | Widescreen LCD |

| | | |
|----------|----------------|-----|
| Internal | Cooling System | Air |
|----------|----------------|-----|

| | | |
|---------|----------------|-----------------|
| General | Speaker Type | Stereo speakers |
| | Battery Type | Lithium-ion |
| | Battery Cells | 4-cell |
| | Color | Black |
| | Color Category | Black |
| | Model Number | LATI5680H4G86P |

| | | |
|-----------|--------|-------------|
| Dimension | Height | 1 inches |
| | Width | 14.8 inches |
| | Depth | 9.9 inches |
| | Weight | 4.25 pounds |

| | | |
|-------|--------------|--|
| Other | Product Name | Latitude 15.6" Laptop - Intel Core i7 - 8GB Memory - 256GB Solid State Drive |
| | Brand | Dell |
| | UPC | 884116260240 |

Ratings & Reviews

F

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: October 23, 2017
Requested By: Ian Clowes
Department: Planning & Development
Report: Resolution: Ordinance:
Other: _____

Appropriation

Source of Funds: N/A
Account Number: _____
Amount Budgeted: _____
Amount Requested: _____
Budgeted Item: YES NO

Attachments :

- 1. Ordinance**
- 2. Deed**
- 3. Engineering Memo**
- 4. Centerpoint Energy Response**
- 5. AT&T Response**
- 6. Comcast Response**
- 7. Area Map**

SUMMARY & RECOMMENDATIONS

The City has received and processed an application from Mr. Brent Mc Caulley to vacate, abandon and close a portion of the West S St. ROW, adjacent to the Troon Dr. private access easement located within the Retreat at Bay Forest North. Staff's review of the application has determined no City or franchised utilities exist within the closing area.

The subject property is approximately 140 square feet. Due to the small size, an appraisal was not conducted. The purpose of the requested closure is to allow for the adjacent subdivision HOA to construct an electric gate. The applicant is in need of additional land so that the gate is not located on public ROW.

City staff has reviewed the request. The City Engineer has expressed a number of concerns regarding the proposed closure. Those concerns are listed in the attached memo.

Action Required of Council:

Consider approval of an ordinance or other action vacating, abandoning, and closing a portion of the West S Street ROW, adjacent to the Troon Dr. private access easement located within the Retreat at Bay Forest North, and authorize the City Manager to execute a deed to the applicant for the subject ROW.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2017-_____

AN ORDINANCE VACATING, ABANDONING AND CLOSING A 140 SQUARE FOOT PORTION OF THE WEST S STREET RIGHT-OF-WAY LOCATED ADJACENT TO THE TROON DRIVE PRIVATE ACCESS EASEMENT AND PLATTED AS PART OF THE RETREAT AT BAY FOREST NORTH SUBDIVISION, AND AUTHORIZING THE EXECUTION AND DELIVERY OF A DEED TO THE RETREAT AT BAY FOREST NORTH HOMEOWNERS ASSOCIATION, INC.; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Council of the City of La Porte has been requested to close portions of a public right-of-way by Retreat at Bay Forest North Homeowners Association, Inc, the record owner of the property abutting the hereinafter described portion of the West S Street right-of-way, located adjacent to the Troon Drive private access easement within the Retreat at Bay Forest North Subdivision, and;

WHEREAS, the City Council of the City of La Porte has determined and does hereby find, determine, and declare that the hereinafter described portion of the West S Street right-of-way, located adjacent to the Troon Drive private access easement within the Retreat at Bay Forest North Subdivision is not suitable, needed, or beneficial to the public as a public road, street, or alley, and the closing of hereinafter described portion of the West S Street right-of-way, located adjacent to the Troon Drive private access easement within the Retreat at Bay Forest North Subdivision is for the protection of the public and for the public interest and benefit, and that the hereinafter described portion of the West S Street right-of-way, located adjacent to the Troon Drive private access easement within the Retreat at Bay Forest North Subdivision should be vacated, abandoned, and permanently closed.

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

Section 1. Under and by virtue of the power granted to the City of La Porte under its home rule charter and Chapter 253, Section 253.001, Texas Local Government Code, the hereinafter described portion of the West S Street right-of-way, located adjacent to the Troon Drive private access easement within the Retreat at Bay Forest North Subdivision is hereby permanently vacated, abandoned, and closed by the City of La Porte, being generally illustrated on Exhibit “A” incorporated herein, and—legally described to wit:

Being a 140 square foot tract of land located adjacent to Troon Drive private access easement within the Retreat at Bay Forest North, being more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of Block 1, Lot 1, Retreat at Bay Forest North, said point being located at the intersection of the southernmost line of the West S Street ROW in Block 1, Retreat at Bay Forest North, and the north line of Troon Drive access easement;

THENCE in a northerly direction, west 3 degrees, a distance of 10.00 feet to a point within the West S Street ROW;

THENCE in a southeasterly direction east 16 degrees a distance of 29.65 feet to the northwest corner of Block 1, Lot 16, Retreat at Bay Forest North;

THENCE in a westerly direction along the southern line of West S Street ROW a distance of 28 feet to the POINT OF BEGINNING of the herein described tract;

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

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

PASSED AND APPROVED THIS _____ DAY OF _____ 2017.

CITY OF LA PORTE, TEXAS

By:

Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Clark Askins, Assistant City Attorney

W. S Street at Troon Drive

ROW to be Closed



Subject Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 51 feet

OCTOBER 2017
PLANNING DEPARTMENT



DEED WITHOUT WARRANTY

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

Date: October ____, 2017

Grantor: City of La Porte, Texas, a municipal corporation

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

Grantee: Retreat at Bay Forest North Homeowners Association, Inc.,
a Texas non-profit corporation

Mailing Address: 2016 Main St., #1702, Houston, TX 77002

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

Property (including any improvements):

Being a 140 square foot tract of land located adjacent to Troon Drive private access easement within the Retreat at Bay Forest North, being more particularly described by metes and bounds as follows:

BEGINNING at the northeast corner of Block 1, Lot 1, Retreat at Bay Forest North, said point being located at the intersection of the southernmost line of the West S Street ROW in Block 1, Retreat at Bay Forest North, and the north line of Troon Drive access easement;

THENCE in a northerly direction, west 3 degrees, a distance of 10.00 feet to a point within the West S Street ROW;

THENCE in a southeasterly direction east 16 degrees a distance of 29.65 feet to the northwest corner of Block 1, Lot 16, Retreat at Bay Forest North;

THENCE in a westerly direction along the southern line of West S Street ROW a distance of 28 feet to the POINT OF BEGINNING of the herein described tract.

Reservations from and Exception to Conveyance and Warranty: This conveyance is made subject to all and singular the restrictions, conditions, oil, gas, and other mineral reservations, easements, and covenants, if any, applicable to and enforceable against the above described property as reflected by the records of the county clerk of the aforesaid county.

Grantor for the consideration and subject to the reservations from and exceptions to conveyance, conveys to Grantee the property without express or implied warranty, and all warranties that might arise by common law and the warranties in §5.023 of the Texas Property Code (or its successor) are excluded.

Attest:

City of La Porte, Texas

Patrice Fogarty
City Secretary

By: _____
Corby D. Alexander
City Manager

Approved:


Clark T. Askins
Assistant City Attorney

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on _____ day of _____, 2017, by Corby D. Alexander, City Manager of the City of La Porte, Texas, a municipal corporation.

Notary Public, State of Texas



MEMORANDUM

TO: City Council

FROM: Don Pennell, Director of Public Works

DATE: September 26, 2017

RE: PARTIAL RIGHT-OF-WAY CLOSURE AT TROON DR/W S STREET INTERSECTION

City Staff recently received an application to close a portion of the W S Street Right-of-Way (ROW) (ref. attached Exhibit 1) to allow for the installation of a motor-controlled access gate at the intersection of W S Street and Troon Drive. W S Street is currently Public ROW, while Troon Dr. exists as Private Street within a Private Access Easement, per the attached plat. Per the applicant's request, the gate is "for safety to restrict traffic" into the Retreat at Bay Forest Subdivision.

Per the City Engineer's review of the applicant's request, the following items should be considered:

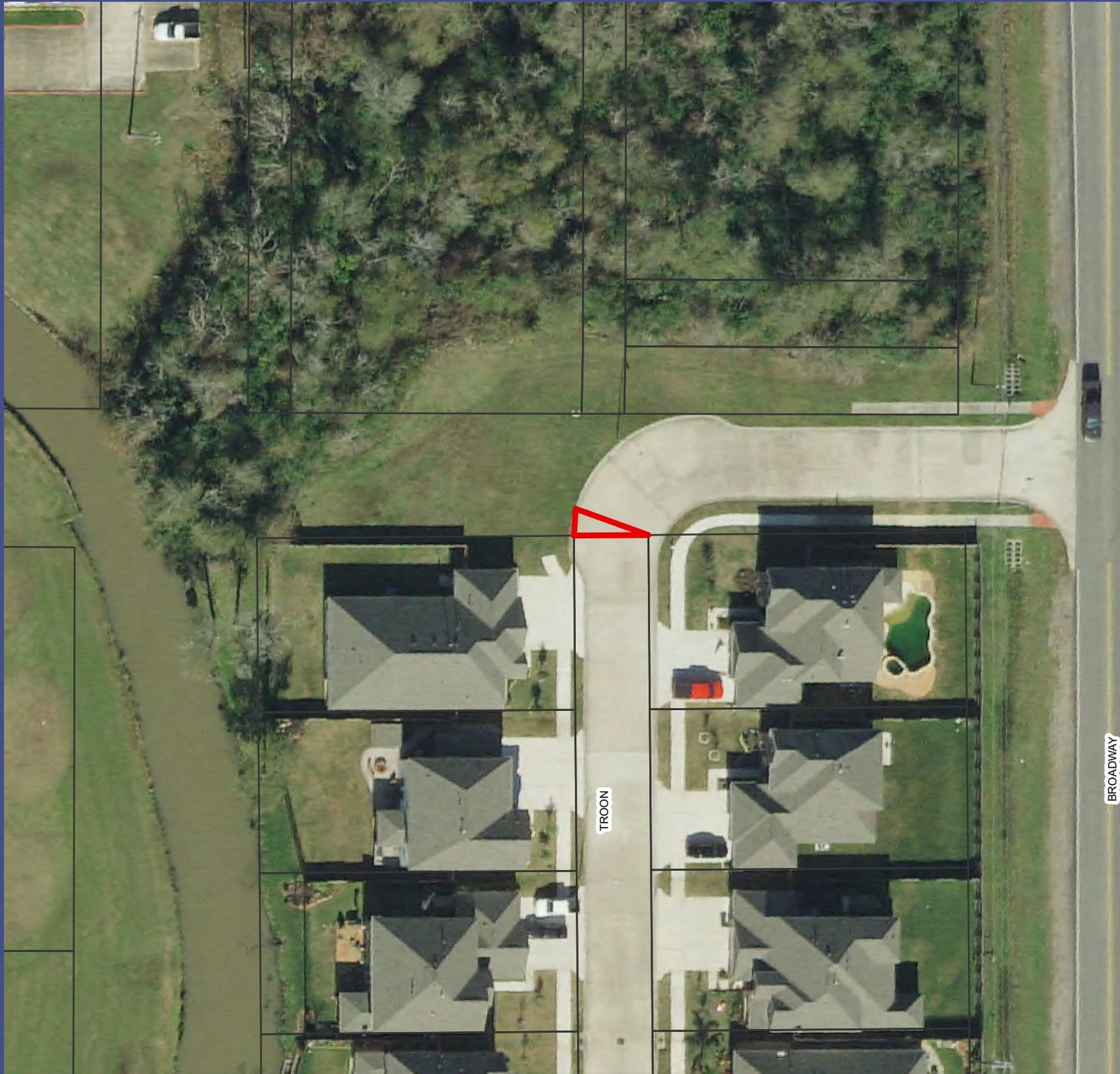
- Future development of the tract of land immediately to the north of the Retreat at Bay Forest Subdivision (currently Zoned R-1) would be limited due to nature in which the ROW is proposed for closure.
 - With the gate fully open, there is potential for it to extend into future travel lanes
 - It would not be feasible to extend W S Street to the west due to inconsistency of the ROW.
- Access gate increases response time for emergency services/first responders.
- Existing fire hydrant used to service the neighborhood during emergencies would be located behind access gate.

Alternative options:

- Orient sliding gate to open parallel to ROW/property line, such that gate does not open into ROW/potential future lane(s) of travel; very minimal impact to future development.
- Install vertically opening gate (ref. attached Exhibit 2); very minimal impact to future development.

Given the above listed alternative(s), no hardship has been presented that warrants closure of the ROW, as requested by the applicant, as the only option for achieving the desired result of providing safety and limiting traffic within the Bay Forest Subdivision.

Recommendation: Do not close ROW as proposed.



W. S Street at Troon Drive

ROW to be Closed

 Subject Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 51 feet

OCTOBER 2017
PLANNING DEPARTMENT



State of Texas
County of Harris

We, Retreat at Bay Forest, L.P., a Texas Limited Partnership, acting by and through Donald Meeks Jr., as General Partner of Retreat at Bay Forest, L.P., a Texas Limited Partnership, hereinafter referred to as Owners of the 3.7599 acre tract described in the above and foregoing map of Retreat at Bay Forest North, do hereby make and establish said subdivision and development plat of said property according to all lines, dedications, restrictions and notations on said map, and do hereby bind ourselves, our heirs successors and assigns, to warrant and defend forever the title to the land so dedicated. The streets, sidewalks and other common areas are designated as private ways, and are reserved for the exclusive use of the property owners of said subdivision, their families, guests and invitees and are not dedicated to the public.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easement five (5) feet in width from a plane twenty (20) feet above the ground level upward, located adjacent to all common use public utility easements shown hereon.

FURTHER, Owners do hereby covenant and agree that those streets located within the boundaries of this map specifically noted as private streets, shall be hereby established and maintained as private streets by the owners, heirs, successors and assigns to property located within the boundaries of said map, and always available for use by the City of La Porte firemen, fire fighting equipment, police, and other emergency vehicles of whatever nature, and all duly franchised public utility companies serving the residents of this subdivision, their duties, a permanent license to use the private streets, common areas, and easement for the construction, maintenance, repairs, replacement and operation of their respective facilities and for the furnishing of municipal, electrical, telephone, cable television, natural gas and such other services so rendered to the residents of this subdivision.

The City of La Porte and all other duly franchised public utility companies serving the residents of this subdivision shall have no obligation to restore any pavement, sidewalks or other surfacing damaged in their normal maintenance, repairs, replacement or operation of their municipal services, except due to negligence not the part of any of their agents, servants or employees.

FURTHER, all property subdivided in the above and foregoing map shall be restricted in its use, which restrictions shall run with the title to the property and shall be enforceable at the option of citizen thereof, or any property owner in said subdivision. Owners do hereby declare that all parcels of land designated as lots not on this map are originally intended for the construction of single family homes thereon and shall be restricted for same under the terms and conditions of such restrictions filed separately.

IN TESTIMONY WHEREOF, Retreat at Bay Forest, L.P., a Texas Limited Partnership, has caused these presents to be signed by Donald Meeks Jr., General Partner hereunto authorized, attested by its this 17 day of JUNE, 2009.

Retreat at Bay Forest, L.P., a Texas Limited Partnership

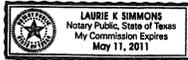
By: *[Signature]*

State of Texas
County of Harris

BEFORE ME, the undersigned authority, on this day personally appeared **DONALD MECKS JR.** as General Partner of Retreat at Bay Forest, L.P., a Texas Limited Partnership, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledgment to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 17 day of JUNE, 2009.

By: *[Signature]*
Notary Public in and for the State of Texas



We, Compass Bank, owner and holder of a lien (or liens) against the property described in the plat known as Retreat at Bay Forest, said lien being evidenced by instrument of record in the Clerks File No. 20070109575 of the O.P.R.C.R.P. of (county name) County, Texas, do hereby in all things subordinate our interest in said property to the purposes and effects of said plat and the dedications and restrictions shown herein to said subdivision plat and I am (or we are) the present owner (or owners) of said lien (or liens) and have not assigned the same nor any part thereof.

By: *[Signature]*
Printed Name: **Brock Tautenhahn**
Title:

**STATE OF TEXAS
COUNTY OF HARRIS**

BEFORE ME, the undersigned authority, on this day personally appeared Cal SCS known to me to be the person(s) whose name(s) are subscribed to the foregoing instrument and acknowledgment to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 17 day of JUNE, 2009.

Notary Public in and for the State of Texas



State of Texas
County of Harris

I, Fred W. Lawton, registered under the laws of the State of Texas to practice the profession of land surveying, do hereby certify that this plat accurately represents the results of a survey performed under my supervision and that all boundary corners, single points and points of curve have been, or will be, marked with five-eighths inch iron rods not less than thirty (30) inches in length and that this plat complies with the requirements as specified in the City of La Porte Development Ordinance.

By: *[Signature]*
Fred W. Lawton, R.P.L.S.
Texas Registration No. 2321



State of Texas
County of Harris

This is to certify that the La Porte City Planning and Zoning Commission of the City of La Porte, Texas has approved this plat and subdivision of Retreat at Bay Forest North in conformance with the laws of the State of Texas and the ordinances of the City of La Porte and authorized the recording of this plat this 12th day of August, 2009.

By: *[Signature]*
Chairman, La Porte Planning and Zoning Commission

By: *[Signature]*
Notary Public

ATTEST:
By: *[Signature]*
La Porte City Engineer

ATTEST:
By: *[Signature]*
Secretary, La Porte Planning and Zoning Commission

State of Texas
County of Harris

I, Beverly B. Kaufman, Clerk of the County Court of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on August 12, 2009, at 1:07 o'clock P.M., and duly recorded on August 13, 2009, at 8:33 o'clock A.M., and at Film Code No. 681074 of the Map Records of Harris County for said county.

Witness my hand and seal of office, at Houston, the day and date last above written.

BEVERLY B. KAUFMAN
Beverly B. Kaufman
Clerk of the County Court
of Harris County, Texas

By: *[Signature]*
Deputy EDWINA V. MACK

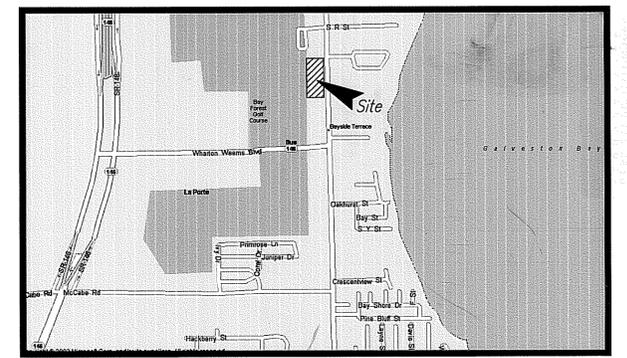


ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

THIS CERTIFICATE IS VALID ONLY AS TO THE INSTRUMENT ON WHICH THE ORIGINAL SIGNATURE IS AFFIXED AND ONLY TO THE EXTENT THAT SUCH INSTRUMENT IS NOT ALTERED OR CHANGED AFTER RECORDING.

20090365122
8/12/2009 ltrp2 \$60.00

FILED
8/12/2009 1:07 PM
[Signature]
COUNTY CLERK
HARRIS COUNTY



**VICINITY MAP
NOT TO SCALE**

NOTES:

- 1.) Total platted area contains 3.7599 acres (163,781 square feet) of land.
- 2.) By graphic plotting only, this property is in Zone "AE" on Flood Insurance Rate Map, Community Panel No. 48201C-0045 J, City of La Porte, Harris County, Texas, which bears an Effective Date of June 18, 2007.
- 3.) Property Zoned R-1 (Low Density Residential)
- 4.) Bearings are based on the west Right-of-Way line of Broadway Street
- 5.) Owner/Developer is responsible for the installation of sidewalks along both sides of the private street within the subdivision, to the north and south of West "S" Street, as per the City of La Porte Standards (PICM).
- 6.) Community Association shall be responsible for the ownership and maintenance of Reserve A "detention basin" of this subdivision.
- 7.) All utility easements within the plat boundaries are public.

FIELD NOTES for a 3.7599 acre (163,781 square feet) tract of land in the Town of La Porte, a map of which is recorded in Volume 60, Page 112, Deed Records of Harris County, Texas; also being out of the Johnson Hunter Survey, Abstract 35, and the W. P. Harris Survey, Abstract 30, City of La Porte, Harris County, Texas; said 3.7599 acre tract of land being more fully described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod set for the northeast corner of Block 1261; said corner marking the intersection of the south right-of-way line of West "S" Street, a 60 foot wide public roadway, with the west right of line of Broadway Street (Old Highway 146), a 100 foot wide public roadway;

THENCE South 00°23'12" East, along the west boundary of said Broadway Street, a distance of 615.00 feet, to a 5/8 inch iron rod found for the southeast corner of this tract;

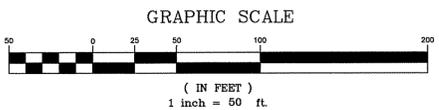
THENCE South 89°36'48" West, leaving the west right of way line of said Broadway Street, a distance of 266.31 feet to a 5/8 inch iron rod set for the southwest corner of this tract;

THENCE North 00°23'12" West, along the east boundary of City of La Porte Bay Forest Golf Course and the east right-of-way line of 1st Street, a 60 foot wide right-of-way closed by Harris County Commissioners' Court, recorded in Volume 5307, Pg. 419, Deed Records of Harris County, Texas, a distance of 615.00 feet to a 5/8 inch iron rod set for the northwest corner of Block 1261 and of this tract;

THENCE North 89°36'48" East, along the south right-of-way line of the above mentioned West "S" Street, a distance of 266.31 feet to the POINT OF BEGINNING and containing 3.7599 acres of land.

- LEGEND:**
- SQ. FT. - SQUARE FEET
 - ESM.L. - EASEMENT
 - B.L. - BUILDING LINE
 - G.B.L. - GARAGE BUILDING LINE
 - U.E. - UTILITY EASEMENT
 - A.E. - AERIAL EASEMENT
 - R.O.W. - RIGHT OF WAY
 - H.C.C.F. - HARRIS COUNTY CLERKS FILE
 - H.C.D.R. - HARRIS COUNTY DEED RECORDS
 - H.C.M.R. - HARRIS COUNTY MAP RECORDS

| Curve Table | | | |
|-------------|------------|--------|---------------------------|
| CURVE | DELTA | RADIUS | CHORD DIST. CHORD BEARING |
| C1 | 90°00'00" | 22.00' | 31.11 S 45°23'12" E |
| C2 | 270°00'00" | 50.00' | 70.71' S 44°36'48" W |



Retreat at Bay Forest North
1 Block, 16 Lots, Private Access Easement, and Open Space Reserve

A SUBDIVISION OF 3.7599 ACRES (163,781 SQUARE FEET) OF LAND OUT OF THE JOHNSON AND HUNTER SURVEY, ABSTRACT 35, AND THE W. P. HARRIS SURVEY, ABSTRACT 30, CITY OF LA PORTE, HARRIS COUNTY, TEXAS.

REASON FOR PLAT: TO CREATE 16 SINGLE FAMILY RESIDENTIAL LOTS, PRIVATE ACCESS EASEMENT, AND OPEN SPACE RESERVE

JUNE 2009

SOUTH TEXAS SURVEYING ASSOCIATES, INC.
11281 Richmond Ave. Bldg J, Suite 101 Houston, Texas 77082
(281) 556-6918 FAX (281) 556-9331

JOB: 255-09P

DRAWING NUMBER

RETREAT AT BAY FOREST NORTH
FINAL PLAT
MYLAR
SHEET 1 OF 1

RECORDER'S MEMORANDUM:
At the time of recording, this instrument was found to be inadequate for the best photographic reproduction because of illegibility, carbon or photo copy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

EXHIBIT 2 – Sample Alternatives

Vertically Opening Gate



Sliding Gate





P. O. Box 1700
Houston, Texas 77251

August 22, 2017

Bret McCaulley
Retreat @ Bay Forest HOA
2010 Troon Drive
LaPorte, Texas 77571

Re: Letter Agreement for an Entrance Gate
File No. 95209

Dear Mr. McCaulley:

CenterPoint Energy Houston Electric, LLC and CenterPoint Energy Resources Corporation, d/b/a CenterPoint Energy Texas Gas Operations and CenterPoint Energy Intrastate Pipelines, Inc., hereinafter referred to as "CenterPoint Energy", has investigated your request and determined that there are no facilities located within the road right of way. CenterPoint Energy offers no objection to the entrance gate as shown on the attached drawing.

Sincerely,
CenterPoint Energy

A handwritten signature in cursive script that reads "Rosemary Valdez".

Rosemary Valdez, SR/WA
Right of Way Agent



September 18, 2017

Brent McCaulley
Retreat @ Bay Forest North HOA
2010 Troon Drive
LaPorte, Texas 77571

RE: "No Objection" to the encroachment of gate across the Right-of-Way of W S. Street, LaPorte, Harris County, Texas. (R.O.W. Job # LP 00417-M)

Dear Mr. McCaulley,

Southwestern Bell Telephone Company, (SWBT) offers "**No Objection**" to the Encroachment of a 30' wide Gate and 4- 4" x 4" posts, within the Right-of-Way of W. S Street, located at the intersection of Troon Drive and W. S Street, north of Retreat at Bay Forest North, a subdivision of 3. 7599 acres (163,781 square feet) of land out of the Johnson and Hunter Survey, Abstract 35, and the W. P. Harris Survey, Abstract 30, City of LaPorte, Harris County, and as described in your Acceptance Letter, dated August 8th, 2017.

Should you have any questions or comments concerning this matter please feel free to contact me at email sm8285@att.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sonya Merrill", is written over the typed name.

Sonya Merrill
Manager-Engineering Right-of-Way



July 31, 2017

Mr. Brent McCaulley
2002 Troon Drive
La Porte, Texas 77571

Re: No Objection to the proposed construction of an entry gate across Troon Drive, La Porte, TX 77571

To Whom It May Concern,

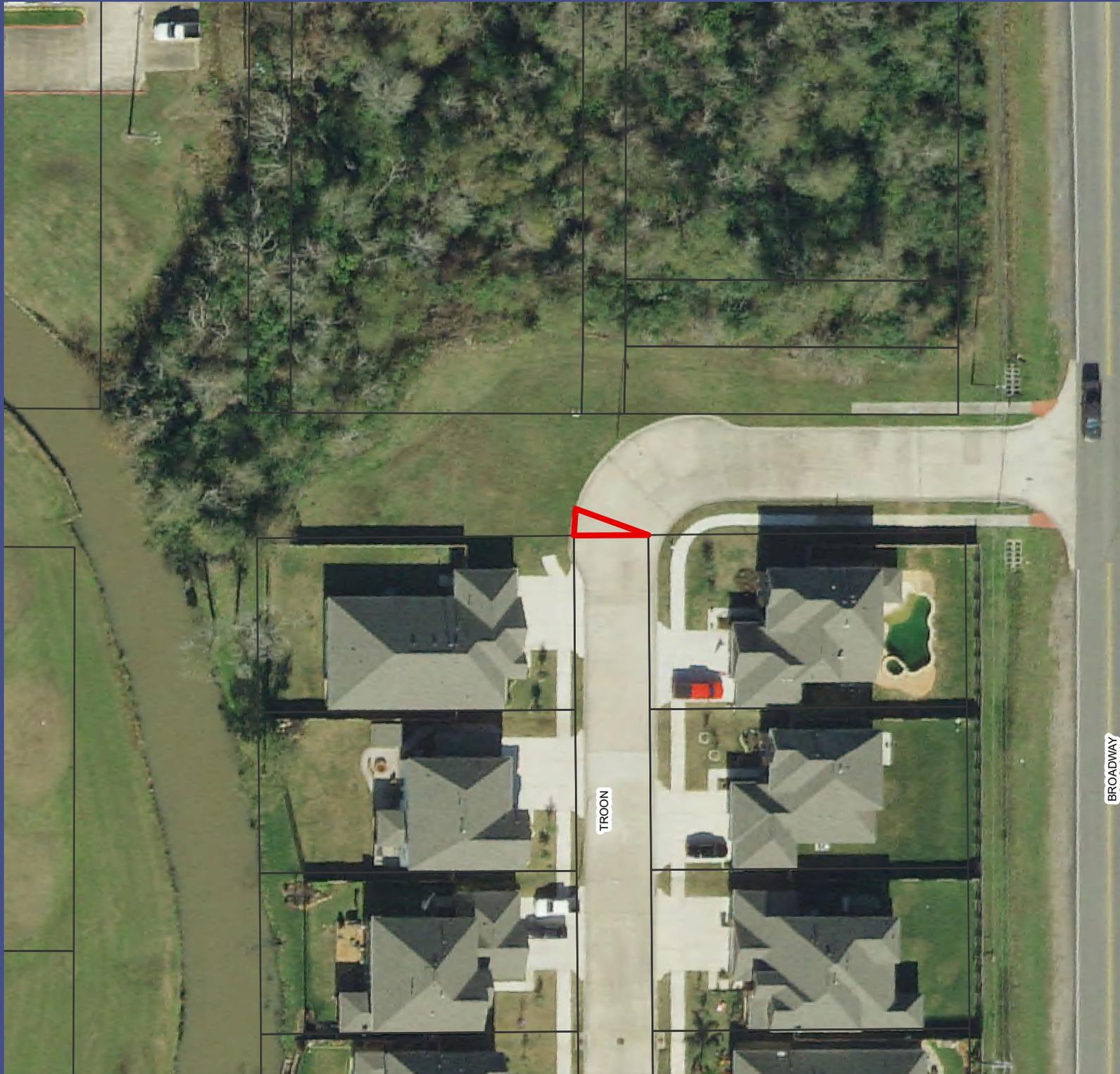
Please accept this letter as notification that Comcast of Houston LLC, herein referred to as Comcast has no objections to the proposed construction of an entry gate across Troon Drive, La Porte, TX 77571, as Comcast has no conflicts with the work being performed.

Please feel free to contact me at 281-624-3024 with any questions that you may have.

Sincerely,

A handwritten signature in blue ink that reads "Chris Grey". The signature is fluid and cursive.

Chris Grey
Construction Supervisor, Design and Planning



W. S Street at Troon Drive

ROW to be Closed

 Subject Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 51 feet

OCTOBER 2017
PLANNING DEPARTMENT



REQUEST FOR CITY COUNCIL AGENDA ITEM

| | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|----------------------|--|-------------------------|---------------------------|--|-----------------------|-------------------------|--------------------------|--|--------------------------|--|--------------------------|-------------------------|-------------------|--|--------------------|--|--------------------|--------------------------|-------------------|--|--------------------|--|--------------------|-----------------------|------------|
| Agenda Date Requested: <u>October 23, 2017</u> Requested By: <u>Ray Nolen, EMS Chief</u> Department: <u>EMS</u> Report: <u> </u> Resolution: <u> </u> Ordinance: <u> </u> Exhibits: <u>Vendor Quote – Physio-Control, Inc.</u> Exhibits: <u>Sole Source Provider Vendor Letter</u> | <table style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: right;"><u>Budget</u></td> </tr> <tr> <td style="width: 60%;">Source of Funds:</td> <td style="text-align: right;">General Fund (001)</td> </tr> <tr> <td></td> <td style="text-align: right;">ESD Fund (034)</td> </tr> <tr> <td>Account Numbers:</td> <td style="text-align: right;">001-5059-522-2090</td> </tr> <tr> <td></td> <td style="text-align: right;">001-5059-522-8021</td> </tr> <tr> <td></td> <td style="text-align: right;">034-5059-522-8021</td> </tr> <tr> <td>Amount Budgeted:</td> <td style="text-align: right;">\$6,600.00</td> </tr> <tr> <td></td> <td style="text-align: right;">\$33,000.00</td> </tr> <tr> <td></td> <td style="text-align: right;">\$40,000.00</td> </tr> <tr> <td>Amount Requested:</td> <td style="text-align: right;">\$5,859.25</td> </tr> <tr> <td></td> <td style="text-align: right;">\$32,155.50</td> </tr> <tr> <td></td> <td style="text-align: right;">\$35,170.70</td> </tr> <tr> <td>Budgeted Item:</td> <td style="text-align: right;">YES</td> </tr> </table> | <u>Budget</u> | | Source of Funds: | General Fund (001) | | ESD Fund (034) | Account Numbers: | 001-5059-522-2090 | | 001-5059-522-8021 | | 034-5059-522-8021 | Amount Budgeted: | \$6,600.00 | | \$33,000.00 | | \$40,000.00 | Amount Requested: | \$5,859.25 | | \$32,155.50 | | \$35,170.70 | Budgeted Item: | YES |
| <u>Budget</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Source of Funds: | General Fund (001) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | ESD Fund (034) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Account Numbers: | 001-5059-522-2090 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 001-5059-522-8021 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 034-5059-522-8021 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount Budgeted: | \$6,600.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | \$33,000.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | \$40,000.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Amount Requested: | \$5,859.25 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | \$32,155.50 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | \$35,170.70 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Budgeted Item: | YES | | | | | | | | | | | | | | | | | | | | | | | | | | |

SUMMARY & RECOMMENDATION

EMS requested funding during the FY2017-18 budget period to purchase the following medical treatment devices:

Fund - 001-2090

- 3 - Physio-Control CR Plus Automated External Defibrillators - \$5,859.25 (Pricing corresponds to line items marked “C” in Quote)

Fund - 001-8021

- 2 - Physio-Control LUCAS Chest Compression Devices - \$32,155.50 (Pricing corresponds to line items marked “B” in Quote)

Fund – 034-8021

- 1 - Physio-Control LifePak 15 EKG/Defibrillator - \$34,985.70 (Pricing corresponds to line items marked “A” in Quote)
- 1 - Shipping & Handling - \$185.00

Total - \$73,185.45

The requested EKG/Defibrillator and AED devices will serve as replacements for current equipment being utilized by EMS personnel that is being phased out due to device age, condition and the receipt of notification by manufacturers that the continuance of a maintenance service agreement along with availability of parts and components for these current devices are either at or nearing end of life which ranges between 8 – 10 years.

The requested LUCAS chest compression devices are additional equipment to be placed on the two back-up ambulances operated by the EMS department.

Physio-Control, Inc. is the sole source provider in the Emergency Response Services for the following products:

- New LIFEPAK® 15 Monitor/Defibrillators

- New LUCAS® 2 Chest Compression Systems

La Porte EMS standardized utilizing Physio-Control, Inc. EKG/Defibrillators, LUCAS Chest Compression Devices and CR Plus AED devices several years ago and has been extremely pleased with the performance and dependability of the respective lifesaving equipment.

An annual maintenance service agreement will need to be secured upon the expiration of the one (1) year factory warranties for the LifePak 15 and LUCAS devices. CR Plus AED devices have an eight (8) year factory warranty.

Action Required by Council:

Consider approval or other action authorizing the purchase in the amount of \$73,185.45 for three (3) CR Plus AED Devices, one (1) LifePak 15 EKG/Defibrillator & two (2) LUCAS Chest Compression Devices from a sole source provider.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date



Physio-Control, Inc
 11811 Willows Road NE
 P.O. Box 97008
 Redmond, WA 98073-9708 U.S.A.
 www.physio-control.com
 tel 800.442.1142
 Sales Order fax 800.732.0958
 Service Plan fax 800.772.3340

To CITY OF LA PORTE EMS
 Attn: Ray Nolen, Chief
 10428 SPENCER HWY
 LA PORTE, TX 77571
 (281) 471-9244 , ext 0050
nolenn@laportetx.gov

Quote Number 00097491
Revision # 1
Created Date 10/5/2017
Sales Consultant Carlos Graubard
 (713) 305-0904
FOB Redmond, WA
Terms All quotes subject to credit approval and the following terms and conditions
NET Terms NET 30
Expiration Date 1/1/2018

| Product | Product Description | Quantity | List Price | Unit Discount | Unit Sales Price | Total Price |
|--------------|--|----------|------------|---------------|------------------|-------------|
| | LIFEPAK 15 V4 Monitor/Defib, Adaptive Biphasic, Manual & AED, Color LCD, 100mm Printer, Noninvasive Pacing, Metronome, Trending, SpO2, NIBP, 12-Lead ECG, EtCO2, Carbon Monoxide, Methemoglobin, Bluetooth, Temp | | | | | |
| 99577-001373 | INCLUDED AT NO CHARGE: 2 PAIR QUIK-COMBO ELECTRODES PER UNIT - 11996-000091, TEST LOAD - 21330-001365, IN-SERVICE DVD - 21330-001486 (one per order) , SERVICE MANUAL CD- 26500-003612 (one per order) and ShipKit- (RC Cable) 41577-000290 INCLUDED. HARD PADDLES, BATTERIES, CARRYING CASE NOT INCLUDED. | 1.00 | 39,737.00 | -5,960.55 | 33,776.45 | 33,776.45 |
| 11577-000004 | Station Battery Charger - For the LP15 | 1.00 | 1,860.00 | -279.00 | 1,581.00 | 1,581.00 |
| 21330-001176 | LP 15 Lithium-ion Battery 5.7 amp hrs | 4.00 | 469.00 | -70.35 | 398.65 | 1,594.60 |
| 11171-000017 | Masimo SET LNCS Adult Reusable Sensor | 1.00 | 325.00 | -48.75 | 276.25 | 276.25 |
| 11171-000032 | Rainbow DCI-DC8, Adult Reuse Sensor, 8 ft | 1.00 | 1,015.00 | -152.25 | 862.75 | 862.75 |
| 11996-000323 | Masimo SET Red LNCS Patient Cable - 4 foot | 1.00 | 206.00 | -30.90 | 175.10 | 175.10 |
| 11160-000013 | NIBP Cuff-Reusable, Child | 1.00 | 24.00 | -3.60 | 20.40 | 20.40 |
| 11160-000017 | NIBP CUFF-REUSEABLE, LARGE ADULT, BAYONET | 1.00 | 33.00 | -4.95 | 28.05 | 28.05 |
| 11996-000359 | Temp Sensor, Skin Probe, High Dielectric, Disp (box of 20) | 1.00 | 146.00 | -21.90 | 124.10 | 124.10 |
| 11996-000360 | Temp Sensor, Esophageal-Rectal, 9FR, Disp (box of 20) | 1.00 | 156.00 | -23.40 | 132.60 | 132.60 |
| 11577-000002 | LIFEPAK 15 Basic carry case w/right & left pouches; shoulder strap (11577-000001) included at no additional charge when case ordered with a LIFEPAK 15 device | 1.00 | 320.00 | -48.00 | 272.00 | 272.00 |
| 11220-000028 | Carry case top pouch for use w/LIFEPAK 12 or LIFEPAK 15 | 1.00 | 57.00 | -8.55 | 48.45 | 48.45 |
| 11260-000039 | LIFEPAK 15 Carry case back pouch | 1.00 | 82.00 | -12.30 | 69.70 | 69.70 |
| 21996-000081 | 3G Modem (AT&T, customer has own data plan) | 1.00 | 1,205.00 | -180.75 | 1,024.25 | 1,024.25 |



A
B
B
C
C

| | | | | | | |
|------------------|---|------|-----------|-----------|-----------|-----------|
| Trade-in product | Trade in of LIFEPAK 12 Biphasic - 3 Feature towards the purchase of Lifepak 15 | 1.00 | 0.00 | 0.00 | -5,000.00 | -5,000.00 |
| 99576-000043 | LUCAS 3.0 Chest Compression System INCLUDES HARD SHELL CASE, SLIM BACK PLATE, TWO (2) PATIENT STRAPS, (1) STABILIZATION STRAP, 2 SUCTION CUPS, 1 RECHARGEABLE BATTERY, AND INSTRUCTIONS FOR USE WITH EACH DEVICE. | 2.00 | 15,950.00 | -2,392.50 | 13,557.50 | 27,115.00 |
| 11576-000060 | LUCAS Battery Desk-Top Charger | 2.00 | 1,170.00 | -175.50 | 994.50 | 1,989.00 |
| 11576-000071 | LUCAS Power Supply | 2.00 | 371.00 | -55.65 | 315.35 | 630.70 |
| 11576-000080 | LUCAS 3 Battery - Dark Grey - Rechargeable LiPo | 4.00 | 712.00 | -106.80 | 605.20 | 2,420.80 |
| 80403-000148 | LIFEPAK CR Plus AED Kit Semi-automatic AHA voice prompt INCLUDES: 2PR QUIK-PAK PACING/DEFIBRILLATION/ECG ELECTRODES WITH REDI-PAK PRECONNECT SYSTEM, 1 CHARGE PAK, 1 AMBU MASK, 1 SOFT CARRY CASE AND 1 INSTALLED PROTOCOL CARD. COMPATIBLE WITH INFANT/CHILD REDUCED ENERGY DEFIBRILLATION ELECTRODES. 8YR WARRANTY. | 3.00 | 2,195.00 | -504.85 | 1,690.15 | 5,070.45 |
| 11101-000016 | Electrode replacement infant/child reduced energy | 8.00 | 116.00 | -17.40 | 98.60 | 788.80 |

| | |
|-------------------------------|---------------|
| Subtotal | USD 73,000.45 |
| Estimated Tax | USD 0.00 |
| Estimated Shipping & Handling | USD 185.00 |

Tax will be calculated at time of invoice and is based on the Ship To location where product will be shipped.

Grand Total USD 73,185.45

| | |
|---------------------------------|----------------|
| Pricing Summary Totals | |
| List Price Total | USD 92,385.00 |
| Total Contract Discounts Amount | USD 0.00 |
| Total Discount | USD -14,384.55 |
| Trade In Discounts | USD -5,000.00 |
| Tax + S&H | USD 185.00 |

GRAND TOTAL FOR THIS QUOTE
USD 73,185.45

Please Select One:

MY COMPANY USES A PO SYSTEM-please acknowledge the following:
On all orders \$5,000 or greater before applicable freight and taxes, a hard copy purchase order, referencing the quote number, is required. (If under \$5,000, a purchase order number is sufficient. Please provide purchase order # here _____)

MY COMPANY DOES NOT USE A PO SYSTEM-section below must be completed prior to order submission.

BILLING ADDRESS

Address _____
City _____ State _____
Zip Code _____
A/P Email _____
Phone _____

SHIPPING ADDRESS

Address _____
City _____ State _____
Zip Code _____
A/P Email _____
Phone _____

Signature Required for Non-PO using:

Physio-Control Inc. Requires Written Verification Of This Order.

The Undersigned is Authorized To Place This Order in Accordance With The Terms and Prices Denoted Herein.

Please Check Applicable Tax Status:
We are a Tax Exempt Entity (Tax Exempt Certificate Must Be Provided)

We are Taxable Entity (Applicable Tax will be Applied at Time of Invoice)

AUTHORIZED SIGNATURE

NAME

TITLE

DATE

To add or modify account information fill out the form found on the hyperlink provided.

<http://www.physio-control.com/account>

Reference Number PP/00278206/146670

General Terms for all Products, Services and Subscriptions.

Physio-Control, Inc. ("Physio") accepts Buyer's order expressly conditioned on Buyer's assent to the terms set forth in this document. Buyer's order and acceptance of any portion of the goods, services or subscriptions shall confirm Buyer's acceptance of these terms. Unless specified otherwise herein, these terms constitute the complete agreement between the parties. Amendments to this document shall be in writing and no prior or subsequent acceptance by Seller of any purchase order, acknowledgment, or other document from Buyer specifying different and/or additional terms shall be effective unless signed by both parties.

Pricing. Prices do not include freight insurance, freight forwarding fees, taxes, duties, import or export permit fees, or any other similar charge of any kind applicable to the goods and services. Sales or use taxes on domestic (USA) deliveries will be invoiced in addition to the price of the goods and services unless Physio receives a copy of a valid exemption certificate prior to delivery. Discounts may not be combined with other special terms, discounts, and/or promotions.

Payment. Payment for goods and services shall be subject to approval of credit by Physio. Unless otherwise specified by Physio in writing, the entire payment of an invoice is due thirty (30) days after the invoice date for deliveries in the USA, and sight draft or acceptable (confirmed) irrevocable letter of credit is required for sales outside the USA.

Minimum Order Quantity. Physio reserves the right to charge a service fee for any order less than \$200.00.

Patent Indemnity. Physio shall indemnify Buyer and hold it harmless from and against all demands, claims, damages, losses, and expenses, arising out of or resulting, from any action by a third party against Buyer that is based on any claim that the services infringe a United States patent, copyright, or trademark, or violate a trade secret or any other proprietary right of any person or entity. Physio's indemnification obligations hereunder will be subject to (i) receiving prompt written notice of the existence of any claim; (ii) being able to, at its option, control the defense and settlement of such claim (provided that, without obtaining the prior written consent of Buyer, Physio will enter into no settlement involving the admission of wrongdoing); and (iii) receiving full cooperation of Buyer in the defense of any claim.

Limitation of Interest. Through the purchase of Physio products, services, or subscriptions, Buyer does not acquire any interest in any tooling, drawings, design information, computer programming, patents or copyrighted or confidential information related to said products or services, and Buyer expressly agrees not to reverse engineer or decompile such products or related software and information.

Delays. Physio will not be liable for any loss or damage of any kind due to its failure to perform or delays in its performance resulting from an event beyond its reasonable control, including but not limited to, acts of God, labor disputes, the requirements of any governmental authority, war, civil unrest, terrorist acts, delays in manufacture, obtaining any required license or permit, and Physio inability to obtain goods from its usual sources.

Limited Warranty. Physio warrants its products and services in accordance with the terms of the limited warranties located at <http://www.physio-control.com/Documents/>. The remedies provided under such warranties shall be Buyer's sole and exclusive remedies. Physio makes no other warranties, express or implied, including, without limitation, **NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND IN NO EVENT SHALL PHYSIO BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL OR OTHER DAMAGES.**

Compliance with Confidentiality Laws. Both parties acknowledge their respective obligations to maintain the security and confidentiality of individually identifiable health information and agree to comply with applicable federal and state health information confidentiality laws.

Compliance with Law. The parties agree to comply with any and all laws, rules, regulations, licensing requirements or standards that are now or hereafter promulgated by any local, state, and federal governmental authority/agency or accrediting/administrative body that governs or applies to their respective duties and obligations hereunder.

Regulatory Requirement for Access to Information. In the event 42 USC § 1395x(v)(1)(I) is applicable, Physio shall make available to the Secretary of the United States Department of Health and Human Services, the Comptroller General of the United States General Accounting Office, or any of their duly authorized representatives, a copy of these terms, such books, documents and records as are necessary to certify the nature and extent of the costs of the products and services provided by Physio.

No Debarment. Physio represents and warrants that it and its directors, officers, and employees (i) are not excluded, debarred, or otherwise ineligible to participate in the Federal health care programs as defined in 42 USC § 1320a-7b(f); (ii) have not been convicted of a criminal offense related to the provision of healthcare items or services; and (iii) are not under investigation which may result in Physio being excluded from participation in such programs.

Choice of Law. The rights and obligations of Physio and Buyer related to the purchase and sale of products and services described in this document shall be governed by the laws of the state where Buyer is located. All costs and expenses incurred by the prevailing party related to enforcement of its rights under this document, including reasonable attorney's fees, shall be reimbursed by the other party.

Additional Terms for Purchase and Sale of Products.

In addition to the General Terms above, the following terms apply to all purchases of products from Physio:

Delivery. Unless otherwise specified by Physio in writing, delivery shall be FOB Physio point of shipment and title and risk of loss shall pass to Buyer at that point. Partial deliveries may be made and partial invoices shall be permitted and shall become due in accordance with the payment terms. In the absence of shipping instructions from Buyer, Physio will obtain transportation on Buyer's behalf and for Buyer's account. Delivery dates are approximate. Freight is pre-paid and added to Buyer's invoice. Products are subject to availability.

Inspections and Returns. Within 30 days of receipt of a shipment, Buyer shall notify Physio of any claim for product damage or nonconformity. Physio, at its sole option and discretion, may repair or replace a product to bring it into conformity. Return of any product shall be governed by the Returned Product Policy located at <http://www.physio-control.com/Documents/>. Payment of Physio's invoice is not contingent on immediate correction of nonconformities.

No Resale. Buyer agrees that products purchased hereunder will not be resold to third parties and will not be reshipped to any persons or places prohibited by the laws of the United States of America.



Physio-Control, Inc. | Lifesaving starts here.™

ADDRESS

11811 Willows Road NE
Redmond, WA 98052

PHONE

GENERAL
425 867 4000
TOLL-FREE
800 442 1142

www.physio-control.com

October 10, 2017

Dear Customer,

Physio-Control, Inc. is the sole-source provider in the Hospital (hospitals and hospital-owned facilities), Emergency Response Services and Emergency Response Training (paramedics, professional and volunteer fire) markets for the following products:

- New LIFEPAK® 15 monitor/defibrillators
- New LIFEPAK 20e defibrillator/monitors
- New LIFEPAK 1000 automated external defibrillators
- New LUCAS® Chest Compression Systems
- TrueCPR™ Coaching Devices

Physio-Control, Inc. is the sole-source provider in all markets for the following products & services:

- RELISM (Refurbished Equipment from the Lifesaving Innovators) devices
- LIFENET® System and related software
- Factory-authorized inspection and repair services which include repair parts, upgrades, inspections and repairs
- HealthEMS® Software
- HomeSolutions.NET® Software
- ACLS (non-clinical) LIFEPAK® defibrillator/monitors

Physio-Control is also the sole source distributor of the following products for EMS customers in the U.S. and Canadian markets:

- McGRATH® MAC EMS Video Laryngoscope
- McGRATH® MAC Disposable Laryngoscope Blades
- McGRATH® X Blade™

Physio-Control does not authorize any resellers to sell these products or services in the markets listed above. We will not fulfill orders placed by non-authorized businesses seeking to resell our products. If you have questions, please feel free to contact your local Physio-Control sales representative at 800.442.1142.

Best regards,

PHYSIO-CONTROL, INC.

Allan Criss
Vice-President, Americas Sales

REQUEST FOR CITY COUNCIL AGENDA ITEM

| |
|--|
| Agenda Date Requested: <u>October 23, 2017</u> |
| Requested By: <u>Don Pennell</u> |
| Department: <u>Public Works</u> |
| Report: <u> </u> Resolution: <u> </u> Ordinance: <u> </u> |

| |
|---|
| <u>Budget</u> |
| Source of Funds: <u>033</u> |
| Account Number: <u>033-9892-684-1100</u> |
| Amount Budgeted: <u>FY 17 - \$ 200,000</u> <u>FY 18 - \$ 200,000</u> |
| Amount Requested: <u>\$ 400,000</u> |
| Budgeted Item: <u>YES</u> NO |

- Exhibit: Bid Tabulation
- Exhibit: Plan Holders List
- Exhibit: GW Phillips Bid
- Exhibit: Repair Locations

SUMMARY & RECOMMENDATION

The proposed FY 17-18 concrete repair program includes approximately 3,500 square yards (SY) of concrete pavement repairs that exceed the capabilities of Public Works concrete equipment.

Solicitations for bids for the advertised, sealed bid #17021 Annual Concrete Street Repair Project (Small Sections) were opened and read on August 24, 2017. Solicitation requests were advertised on August 3 & August 10 and posted to www.publicpurchase.com (Public Purchase) and the City's website. Files were accessed by twenty-eight (28) different vendors, with 2 responding. The lowest and best qualifying bid was received from GW Phillips Concrete Construction, Inc. of Houston, Texas in the amount of \$383,295.00 Staff's request, , using rolled-over funds from FY17 and currently budgeted FY18 funds, is for a total allocation equal to \$400,000.00 to allow for a construction contingency of approximately 4% of the bid amount.

Benefits:

The project will address several of the lower rated street segments identified in the 2017 Street Condition Assessment prepared by HDR Engineering. The project will address street repairs and ponding water concerns of the residents. This annual contract establishes unit prices that can be issued on a work order for future identified repairs. The annual unit price contract may be extended one additional year with a mutual agreement of both parties.

Liabilities:

Deferring the project construction would add to future year maintenance responsibilities.

Operating Costs:

No new facilities will be added with this project.

Action Required by Council:

Consider approval or other action to award Bid # 17021 Annual Concrete Street Repair Project (Small Sections) to GW Phillips Concrete Construction, Inc. for unit prices bid and not to exceed the budgeted amount for Annual Concrete Street Repairs (Small Sections).

Approved for City Council Agenda

Corby D. Alexander

Date

Bid Tabulation to Sealed Bid #17021 - Annual Concrete Street Repair Project (Small Sections)

| Item | Description | Unit of Measure | Quantity | G.W. Phillips Concrete Construction | | A-1 Construction | |
|------------------|---|-----------------|----------|-------------------------------------|---------------------|------------------|---------------------|
| | | | | Unit Price | Total Price | Unit Price | Total Price |
| 1 | Remove Concreat Pavement Including Curb, Roadway, Driveways and Sidewalk | SY | 3500 | \$18.00 | \$63,000.00 | \$15.00 | \$52,500.00 |
| 2 | Remove 10" Concrete Pavement and Subgrade Including Curb, Roadway, Driveways and Sidewalk | SY | 150 | \$24.00 | \$3,600.00 | \$39.42 | \$5,913.00 |
| 3 | 6" Concrete Pavement | SY | 1209 | \$70.00 | \$84,630.00 | \$108.00 | \$130,572.00 |
| 4 | 6" over Excavation of Subgrade per city Direction | SY | 300 | \$12.00 | \$3,600.00 | \$10.94 | \$3,282.00 |
| 5 | Cement Stabilized Sand CSS Complete in Place | TON | 195 | \$65.00 | \$12,675.00 | \$85.72 | \$16,715.40 |
| 6 | Recycled Crushed Concrete Base | TON | 65 | \$74.00 | \$4,810.00 | \$60.00 | \$3,900.00 |
| 7 | Lime for 8-inch stabilized subgrade (7% by dryweight) | TON | 12 | \$500.00 | \$6,000.00 | \$1,026.00 | \$12,312.00 |
| 8 | 6" High Early Strength Concrete | SY | 1,200 | \$85.00 | \$102,000.00 | \$126.00 | \$151,200.00 |
| 9 | 6" Concrete Curb | LF | 1080 | \$8.00 | \$8,640.00 | \$10.00 | \$10,800.00 |
| 10 | 4"x12" mountable curb | LF | 75 | \$8.00 | \$600.00 | \$30.00 | \$2,250.00 |
| 11 | 6" Concrete Pavement Driveways | SF | 3,958 | \$8.00 | \$31,664.00 | \$12.48 | \$49,395.84 |
| 12 | 4.5" Concrete Sidewalks | SF | 2600 | \$7.00 | \$18,200.00 | \$10.20 | \$26,520.00 |
| 13 | Concrete Pavement Header | LF | 10 | \$10.00 | \$100.00 | \$60.00 | \$600.00 |
| 14 | Concrete Curb Ramps Type 7 (Complete-in-Place) | EA | 4 | \$2,200.00 | \$8,800.00 | \$1,500.00 | \$6,000.00 |
| 15 | Concrete Curb Ramps Type 12 (Complete-in-Place) | EA | 2 | \$3,400.00 | \$6,800.00 | \$1,500.00 | \$3,000.00 |
| 16 | Sodding | SY | 822 | \$8.00 | \$6,576.00 | \$22.50 | \$18,495.00 |
| 17 | Full Depth Pavement Saw Cut | LF | 1800 | \$12.00 | \$21,600.00 | \$11.20 | \$20,160.00 |
| TOTAL BID | | | | | \$383,295.00 | | \$513,615.24 |

Access Report

Agency

Bid Number

Bid Title

City of La Porte (TX)

17021

FY 2017 Concrete Street Repairs (Small Sections)

| Vendor Name | Accessed First Time | Most Recent Access | Documents |
|--|----------------------------|---------------------------|--|
| Reed Construction Data | 2017-08-03 04:39 PM CDT | 2017-08-03 04:39 PM CDT | #17021 FY2017 Annual Concrete Street R |
| Legion Contracting Services, Inc. | 2017-07-20 03:04 PM CDT | 2017-07-20 03:06 PM CDT | #17021 FY2017 Annual Concrete Street R |
| Hearn Company | 2017-07-20 03:35 PM CDT | 2017-08-23 05:22 PM CDT | #17021 FY2017 Annual Concrete Street R |
| Onvia | 2017-07-20 06:01 PM CDT | 2017-08-03 09:07 PM CDT | #17021 FY2017 Annual Concrete Street R |
| BidClerk | 2017-07-21 01:35 PM CDT | 2017-08-24 11:10 PM CDT | #17021 FY2017 Annual Concrete Street R |
| A-1 Striping and Paving Company | 2017-08-11 04:10 PM CDT | 2017-08-11 04:30 PM CDT | #17021 FY2017 Annual Concrete Street R |
| Perkens WS Corporation | 2017-07-25 12:28 AM CDT | 2017-08-23 01:58 AM CDT | #17021 FY2017 Annual Concrete Street R |
| Tandem Services, LLC | 2017-08-16 12:12 PM CDT | 2017-08-16 02:03 PM CDT | #17021 FY2017 Annual Concrete Street R |
| ISI Contracting, Inc. | 2017-07-20 02:30 PM CDT | 2017-07-20 02:30 PM CDT | #17021 FY2017 Annual Concrete Street R |
| Sam Anderson Pvt Ltd | 2017-07-24 10:22 PM CDT | 2017-08-25 03:55 AM CDT | #17021 FY2017 Annual Concrete Street R |
| Durba Construction | 2017-08-07 08:32 AM CDT | 2017-08-07 08:33 AM CDT | #17021 FY2017 Annual Concrete Street R |
| A1 Construction Services | 2017-07-20 03:11 PM CDT | 2017-08-09 01:19 PM CDT | #17021 FY2017 Annual Concrete Street R |
| Concrete Raising Corporation | 2017-07-28 08:06 AM CDT | 2017-08-03 04:21 PM CDT | #17021 FY2017 Annual Concrete Street R |
| North America Procurement Council | 2017-07-21 11:10 AM CDT | 2017-08-24 05:32 AM CDT | #17021 FY2017 Annual Concrete Street R |
| Grand Cayon Minority Contractors Associ | 2017-07-21 03:02 PM CDT | 2017-07-25 04:49 PM CDT | #17021 FY2017 Annual Concrete Street R |
| The Blue Book Building & Construction Ne | 2017-07-24 11:42 PM CDT | 2017-08-15 11:20 PM CDT | #17021 FY2017 Annual Concrete Street R |
| Gem Asset Acquisition LLC | 2017-07-25 08:21 AM CDT | 2017-07-25 08:22 AM CDT | #17021 FY2017 Annual Concrete Street R |
| GW Phillips Concrete Construction, Inc. | 2017-08-03 02:50 PM CDT | 2017-08-25 02:14 PM CDT | #17021 FY2017 Annual Concrete Street R |
| derk harmsen const. co inc | 2017-08-08 02:18 PM CDT | 2017-08-08 04:11 PM CDT | #17021 FY2017 Annual Concrete Street R |
| SO | 2017-07-20 06:43 PM CDT | 2017-08-24 11:13 AM CDT | #17021 FY2017 Annual Concrete Street R |
| Dodge Data & Analytics | 2017-07-25 07:15 AM CDT | 2017-08-18 03:41 PM CDT | #17021 FY2017 Annual Concrete Street R |
| El Dorado Services Inc. | 2017-07-31 12:04 PM CDT | 2017-07-31 12:06 PM CDT | #17021 FY2017 Annual Concrete Street R |
| aztec remodeling &landscaping company | 2017-07-31 10:35 AM CDT | 2017-07-31 10:36 AM CDT | #17021 FY2017 Annual Concrete Street R |
| Dale Dobbins | 2017-07-24 10:25 AM CDT | 2017-07-24 10:26 AM CDT | #17021 FY2017 Annual Concrete Street R |
| GW Phillips Construction, INC. | 2017-07-21 07:53 AM CDT | 2017-08-14 12:05 PM CDT | #17021 FY2017 Annual Concrete Street R |
| Earth Engineering Inc. | 2017-07-27 09:04 AM CDT | 2017-07-27 09:04 AM CDT | #17021 FY2017 Annual Concrete Street R |
| American Pavement Solutions | 2017-08-01 09:48 AM CDT | 2017-08-01 09:49 AM CDT | #17021 FY2017 Annual Concrete Street R |
| Advanced Starlight International | 2017-07-26 09:14 AM CDT | 2017-08-22 01:26 PM CDT | #17021 FY2017 Annual Concrete Street R |

**CITY OF LA PORTE
RESPONDENT AFFIDAVIT**

The foregoing prices shall include all labor, materials, equipment, removal, overhead, profit, freight, insurance, etc., to cover the finished work specified in this bid.

All items bid and installed under this procurement must be new and unused and in undamaged condition.

The City of La Porte is tax exempt and no taxes shall be included in the pricing of this solicitation.

Respondent understands that the Owner reserves the right to reject any or all bids and to waive any informalities in the solicitation.

The respondent agrees that this solicitation shall be good and may not be withdrawn for a period of sixty (60) calendar days after the scheduled closing time for receiving submittals.

The undersigned affirms they are duly authorized to represent this firm, that this proposal has not been prepared in collusion with any other firm, and that the contents contained herein have not been communicated to any other firm prior to the official opening.

Respectfully submitted:

Business Name: GW Phillips Concrete Construction Inc
Address: 117 Oates Rd
Houston Tx 77013
Printed Name: George W Phillips III
Authorized Signature: 
Date: 8/24/17

**CITY OF LA PORTE
CERTIFICATION OF RESPONDENT**

City of La Porte Ordinance #98-2217 prohibits any expenditure for goods or services by the City of La Porte from any person, firm, or corporation owing any delinquent indebtedness to the City. The undersigned respondent further certifies that it is in compliance with the requirements of said ordinance. A copy of the ordinance may be obtained by contacting the City of La Porte Purchasing Division at 281-470-5126.

If undersigned bidder is not in compliance with Ordinance 98-2217, it hereby assigns to the City of La Porte, the amount of its delinquent indebtedness to the City of La Porte, to be deducted by the City of La Porte from the amounts due the undersigned.

Failure to remit this certification with the response or non-compliance with said ordinance shall be just cause for rejection or disqualification of submitted proposal.

The undersigned hereby certifies that it is in compliance with Ordinance 98-2217.

Or

The undersigned assigns to the City of La Porte, the amount of its delinquent indebtedness, to be deducted by the City of La Porte from the amounts due the undersigned.

(Initial one of the above)

Business Name: GW Phillips Concrete Construction, Inc.

Address: 117 Dates Rd
Houston TX 77013

Printed Name: George W Phillips III

Authorized Signature: *George W Phillips III*

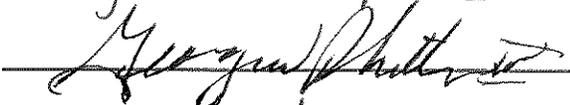
Date: 8/24/17

CITY OF LA PORTE
PROTECTION OF RESIDENT WORKERS COMPLIANCE

The City of La Porte, Texas actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S.

The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9).

The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

Business Name: GW Phillips Concrete Construction Inc
Address: 117 Dates Rd
Houston TX 77013
Printed Name: George W Phillips III
Authorized Signature: 
Date: 8/24/19

CITY OF LA PORTE
INDEMNITY HOLD HARMLESS AGREEMENT

To the fullest extent permitted by law, Contractor, its successors, assigns and guarantors, shall pay, defend, indemnify and hold harmless the City of La Porte, its agents, representatives, officers, directors, officials and employees from and against all allegations, demands, proceedings, suits, actions, claims, including claims of patent or copyright infringement, damages, losses, expenses, including but not limited to, attorney's fees, court costs, and the cost of appellate proceedings, and all claim adjusting and handling expenses, related to, arising from or out of or resulting from any actions, acts, errors, mistakes or omissions caused in whole or part by Contractor relating to work, services and/or products provided in the performance of this Contract, including but not limited to, any Subcontractor or anyone directly or indirectly employed by or working as an independent contractor for Contractor or said Subcontractors or anyone for whose acts any of them may be liable and any injury or damages claimed by any of Contractor's and Subcontractor's employees or independent contractors.

The Contractor expressly understands and agrees that any insurance policies required by this contract, or otherwise provided by the Contractor, shall in no way limit the responsibility to indemnify, keep and save harmless and defend the City of La Porte, its Council members, officers, agents and employees and herein provided.

Business Name: DW Phillips Concrete Construction, Inc
Address: 117 Oates Rd
Houston TX 77013
Printed Name: George W Phillips III
Authorized Signature: *George W Phillips III*
Date: 8/24/17

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

| OFFICE USE ONLY |
|-----------------|
| Date Received |
| |

1 Name of vendor who has a business relationship with local governmental entity.

N/A

2 Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7
Signature of vendor doing business with the governmental entity

Georgina White, Jr.

Date

8/24/17

References:

Please PRINT or TYPE here, the names, addresses and other contact information of persons in a management capacity where other similar work has been provided within the last five (5) years, or is currently being provided that may be willing to provide a reference and recommendation for your company. Failure to complete and submit this form may be cause to disqualify your proposal. References provided must be for similar events.

At least 2 of the 4 required references should be current and of a similar size and scope. Contractor shall also indicate the date services were performed and a brief description of the type of event, and any other pertinent information involved for each reference provided.

| Company Name | Contact | Address | Telephone | E-mail |
|----------------------------|---------|---------|-----------|--------|
| <i>please see attached</i> | | | | |

| Company Name | Contact | Address | Telephone | E-mail |
|--------------|---------|---------|-----------|--------|
| | | | | |
| | | | | |

| Company Name | Contact | Address | Telephone | E-mail |
|--------------|---------|---------|-----------|--------|
| | | | | |
| | | | | |

| Company Name | Contact | Address | Telephone | E-mail |
|--------------|---------|---------|-----------|--------|
| | | | | |
| | | | | |

| Company Name | Contact | Address | Telephone | E-mail |
|--------------|---------|---------|-----------|--------|
| | | | | |
| | | | | |

G.W. Phillips Concrete Construction, Inc.
117 Oates Road Houston, Texas 77013
Completed Projects/References

Name of Project: West Airport Blvd Left Turn Lane
Amount: \$334,631.00 **Subcontracted Percent:** 0% **Amount Paid:** _____
Type of Work: Create left turn lane and related drainage
Location: West Airport Blvd/Murphy Rd, Stafford TX
Project Engineer: Jones & Carter - Jessica Dennis - 713-777-5337
6330 W Loop South, Ste 150, Bellaire, TX 77401
Owner: East Ft Bend County Development Authority
Contract Time: February 2017 thru July 2017

Name of Project: Construction of Roadway Improvements to serve Sienna Pkwy/Watts Plantation
Amount: \$232,777.26 **Subcontracted Percent:** 0% **Amount Paid:** _____
Type of Work: Paving and Drainage Improvements
Location: Sienna Parkway/Watts Plantation, Missouri City, TX
Project Engineer: LJA Engineering, Inc. - Amanda Carriage - 713-953-5200
2929 Briarpark, Houston, TX 77042
Owner: Sienna Plantation Management District
Contract Time: December 2016 thru July 2017

Name of Project: Morningside Place Section 2 Detention Pond Rehabilitation
Amount: \$299,470.00 **Subcontracted Percent:** 0% **Amount Paid:** _____
Type of Work: Dig detention pond
Location: 4055 Fellows Rd., Houston, TX
Project Engineer: AEI Engineering, Inc. - Ross Crawford - 281-350-7027
11450 Compaq Ctr Dr, Houston, TX
Owner: Harris County WCID No. 89
Contract Time: October 2016 thru April 2017

Name of Project: Tidwell Regional Detention Basin
Amount: \$205,756.00 **Subcontracted Percent:** 0% **Amount Paid:** \$0.00
Type of Work: Install Storm Sewer, Excavation for Detention Pond
Location: 8611 C. E. King Pkwy, Houston TX 77044
Project Engineer: Brown & Gay Engineers, Inc. - Gary Goessler 281-558-8700
10777 Westheimer, Ste 400, Houston, TX 77042
Owner: Parkway/Briar Ridge Properties, LP on behalf of Greenwood Utility District
Contract Time: March 2017 thru July 2017

Name of Project: Summer Creek Baptist Church
Amount: \$313,438.55 **Subcontracted Percent:** 0% **Amount Paid:** \$0.00
Type of Work: Drainage, Paving, and Sitework
Location: 12159 W Lake Houston Pkwy, Houston, Texas 77044
General Contractor: MACO Construction, Inc. - Duane Cannon 832-858-0461
1718 Humble Place Drive, Humble, Texas 77338
Owner: Summer Creek Baptist Church
Contract Time: September 2016 thru March 2017

Name of Project: Paving & Drainage Improvements to Avenue D and 4th Street
Amount: \$888,049.50 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Drainage, street paving, sidewalks, and driveway approaches
Location: 4th Street and Avenue D in LaPorte, Texas 77571
Project Engineer: Cobb Fendley Associates, Inc. - Jason Eldridge 281-744-7313
13340 Northwest Freeway, Suite 1100, Houston, Texas 77040
Owner: The City of LaPorte
Contract Time: July 2016 thru March 2017

Name of Project: Camp Sienna Sports Complex Paving & Drainage Improvements
Amount: \$2,185,493.16 Subcontracted Percent: 17% Amount Paid: \$368,815.70
Type of Work: Paving and Drainage Improvements
Location: 7225 Camp Sienna Trail, Missouri City, TX
Project Engineer: Ward, Getz & Associates, LLP - Andrew Loessin - 713-789-1900
2500 Tanglewood, Suite 120, Houston, Texas 77063
Owner: Sienna Plantation Levee Improvement District
Contract Time: November 2015 thru March 2017

Name of Project: Camp Sienna Batting Cages
Amount: \$512,775.95 Subcontracted Percent: 27% Amount Paid: \$136,435.00
Type of Work: Building Pad, Metal Building, Batting Cages
Location: 7725 Camp Sienna Trail, Missouri City, TX 77489
Project Engineer: Tait-Pitkin Sports Engineers - Larry Tait - (512) 352-3300
917 Yellowstone Drive, Taylor, Texas 76574
Owner: Sienna Plantation Levee Improvement District
Contract Time: May 2016 thru December 2016

Name of Project: E Detention Basin to serve TX Instruments Redevelopment
Amount: \$203,930.00 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Detention Pond
Location: 12201 Southwest Freeway Stafford TX
Project Engineer: RPS Klotz Associates - Don Durgin - 281-589-7257
1160 N. Dairy Ashford Road, Suite 500, Houston, Texas 77079
Owner: E Ft Bend County Development Authority
Contract Time: June 2016 thru September 2016

Name of Project: West Keegan's Bayou Outfall Repair
Amount: \$281,319.00 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Install storm sewer
Location: Bissonnet St/Hodges Bend Dr Houston TX 77083
Project Engineer: AECOM Bruce Baumel 713-780-4100
5444 Westheimer Road, Suite 400, Houston, Texas 77056
Owner: West Keegan's Bayou Improvement District
Contract Time: April 2016 thru August 2016

Name of Project: Redstone View Dr Paving & Drainage Improvements
Amount: \$1,097,595.25 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Paving and Drainage Improvements
Location: Off Wilson Rd, Humble TX
Project Engineer: Brown and Gay Engineers, Inc. - Gary Goessler - 281-558-8700
10777 Westheimer Road, Suite 400, Houston, Texas 77042
Owner: Fall Creek HOA
Contract Time: October 2015 thru May 2016

Name of Project: Horsepen Bayou Walking Trails
Amount: \$449,385.00 Subcontracted Percent: 3% Amount Paid: \$126,500.00
Type of Work: Construct walking trail, sidewalk and workout stations
Location: West Little York/N Eldridge Parkway
Project Engineer: Brown and Gay Engineers, Inc. - Gary Goessler - 281-558-8700
10777 Westheimer Road, Suite 400, Houston, Texas 77042
Owner: Horsepen Bayou MUD
Contract Time: July 2015 thru April 2016

Name of Project: Proposed Storm Sewer Outfall at Bucktrout Lane
Amount: \$706,323.55 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Install storm sewer
Location: Colonial Parkway/Carters Gove Lane
Project Engineer: A & S Engineering, Inc. - Jim Ainsworth - 713-942-2700
10377 Stella Link Road, Houston, Texas 77025
Owner: Harris County MUD 61
Contract Time: June 2015 thru May 2016

Name of Project: Champions Trail Detention Pond Expansion to serve The Storage Place
Amount: \$98,982.95 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Expand Detention Pond
Location: McKendree Park Drive
Project Engineer: Koehn & Associates Engineers, Inc. - Ronald Koehn - 713-682-2527
2500 Century Pkwy, Suite Z, Houston, Texas 77092
Owner: Louetta North Public Utility District
Contract Time: August 2015 thru September 2015

Name of Project: First Street Concrete Mobility
Amount: \$478,268.08 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Install drainage/ replace sidewalk/extend First St.
Location: Katy, TX
Project Engineer: Clay & Leyendecker, Inc. -David Leyendecker 281-391-0173
1350 Avenue D, Katy, Texas 77493
Owner: City of Katy, TX
Contract Time: April 2015 thru July 2015

Name of Project: Channel and Gully Improvements
Amount: \$1,999,226.39 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Willow Street Paving & Drainage Improvements, Gully and Channel Repairs
Location: Willow Street in Humble, 77338
Project Engineer: HDR, Inc. -Jose Maldonado 713-622-9264
4828 Loop Central Drive, Suite 800, Houston, Texas 77081
Owner: The City of Humble
Contract Time: July 2013 thru August 2015

Name of Project: Packer Court Reconstruction
Amount: \$386,513.00 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Install 30" Sanitite pipe into 42" RCP, install storm sewer, re-pave street, sidewalks
and driveway approaches
Location: Webster, TX
Project Engineer: KSA Engineers -Philip Huseman 281-494-3252
Sugarland Business Park-816 Park 2 Drive, Sugarland, Texas 77478
Owner: City of Webster, TX
Contract Time: March 2015 thru August 2015

Name of Project: Access Road and Drainage Through Waste Water Treatment Plant , Phase 1 and 2
Amount: \$338,558.00 **Subcontracted Percent:** 0% **Amount Paid:** \$0.00
Type of Work: Install outfall drainage and build access road
Location: Porter Road/Stockdick School Rd, Katy, TX
Project Engineer: LJA Engineering/Gary Mensik 713-953-5249
2929 Briarpark Drive, Suite 600, Houston, Texas 77042
Owner: Harris County MUD No. 495
Contract Time: February 2015 thru July 2015

Name of Project: Southwest Shipyard Cement Blocks
Amount: \$103,270.50 **Subcontracted Percent:** 0% **Amount Paid:** \$0.00
Type of Work: Frame and pour 36 each - 5' x 5' x 3.5' cement blocks
Location: Built at GW Phillips Const yard and delivered to Southwest Shipyard
Project Engineer: Southwest Shipyard/ Don Soileau 281-860-3200
18310 Market Street, Channelview, Texas 77530
Owner: Southwest Shipyard LLP
Contract Time: February 2015 thru March 2015

Name of Project: Southwest Shipyard Rail Expansion, Phase 1
Amount: \$1,067,128.96 **Subcontracted Percent:** 0% **Amount Paid:** \$0.00
Type of Work: Excavate for pad, pour pad, install side haul rails
Location: Southwest Shipyard Channelview
Project Engineer: Southwest Shipyard/ Don Soileau 281-860-3200
18310 Market Street, Channelview, Texas 77530
Owner: Southwest Shipyard, LLP
Contract Time: September 2014 thru March 2015

Name of Project: Const. of Water Plant No 1 Drainage Improvements for HC MUD No. 468
Amount: \$101,825.00 **Subcontracted Percent:** 0% **Amount Paid:** \$0.00
Type of Work: Install storm sewer
Location: Cutten Road Water Plant/Cross street Louetta Rd.
Project Engineer: Brown & Gay Engineers/David Niles 713-488-8332
10777 Westheimer Road, Suite 400, Houston, Texas 77042
Owner: Harris County MUD No. 468
Contract Time: December 2014 thru February 2015

Name of Project: GPISD FFA/Ag Building Site Improvements
Amount: \$193,708.00 **Subcontracted Percent:** 1% **Amount Paid:** \$2,500.00
Type of Work: Install storm sewer/build concrete pad
Location: 2099 Holland Ave, Galena Park tx 77547
Project Engineer: Brooks & Sparks, Inc. -Frank Brooks 281-578-9595
21020 Park Row Drive, Katy, Texas 77449
Owner: Galena Park Independent School District-Barbara Reed-832-386-1269
Contract Time: July 2014 thru December 2014

Name of Project: GPISD North Shore Elementary
Amount: \$128,015.00 **Subcontracted Percent:** 3% **Amount Paid:** \$1,000.00
Type of Work: Install storm sewer and handicap ramp
Location: 14310 Duncannon Houston TX 77015
Project Engineer: Brooks & Sparks, Inc. -Frank Brooks 281-578-9595
21020 Park Row Dr. Katy TX 77449
Owner: Galena Park Independent School District-Barbara Reed-832-386-1269
Contract Time: July 2014 thru February 2015

Name of Project: Goose Creek CISD
Amount: \$344,742.00 Subcontracted Percent: 2% Amount Paid: \$6,000.00
Type of Work: Addition to parking lot/Level soccer fields
Location: 300 W Baker Road Baytown TX 77521
Project Engineer: Goose Creek Consolidated Independent School District -Brenda Garcia 281-628-1811
4544 I-10, Baytown, Texas 77521
Owner: Goose Creek CISD, 3401 N Main St, Baytown, TX 77521
Contract Time: December 2013 thru December 2014

Name of Project: City of Katy 2013 Street & Sidewalk Improvements
Amount: \$141,090.00 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Street and Sidewalk Improvements
Location: City of Katy
Project Engineer: Clay & Leyendecker, Inc. - David Leyendecker 281-391-0173
1350 Avenue D, Katy, Texas 77493
Owner: City of Katy 910 Avenue C Katy TX 77493
Contract Time: September 2013 thru December 2013

Name of Project: City of Taylor Lake Village
Amount: \$647,320.34 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Street and Sidewalk Improvements
Location: City of Taylor Lake Village
Project Engineer: Cobb Fendley Associates, Inc. -Brad Matlock 713-462-3242
13340 Northwest Freeway, Suite 1100, Houston, Texas 77040
Owner: City of Taylor Lake Village
Harris County - Julia Bond - 713-755-6522
Contract Time: June 2013 thru November 2013

Name of Project: GPISD - Zotz Parking Lot
Amount: \$174,875.00 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Additional Concrete Parking Lot
Location: 13801 Holly Park Houston TX 77015
Project Engineer: Brooks & Sparks, Inc. -Frank Brooks 281-578-9595
21020 Park Row Drive, Katy, Texas 77449
Owner: Galena Park Independent School District-Barbara Reed-832-386-1269
Contract Time: May 2013 thru August 2013

Name of Project: Harris County MUD 400
Amount: \$1,015,128.00 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Construction of Detention Pond
Location: Beltway 8 and John Ralston
Project Engineer: Jones & Carter Trey Thompson 713-777-5337
6330 West Loop S, Houston, Texas 77027
Owner: Harris County Municipal Utility District No. 400
Contract Time: April 2013 thru August 2013

Name of Project: Improvements to Control Bldg. @ Water Plant No. 3
Amount: \$255,380.00 Subcontracted Percent: 20% Amount Paid: \$50,000.00
Type of Work: Reconstruction of Control Building
Location: Jackrabbit Road
Project Engineer: Sander Engineering Corp. -Dennis Sander 713-784-4830
1250 W Sam Houston Pkwy South, Suite 400, Houston, Texas 77042
Owner: Jackrabbit PUD
Contract Time: April 2013 thru July 2013

Name of Project: City of Alvin Briscoe Parking Lot project
Amount: \$213,569.75 Subcontracted Percent: 0% Amount Paid: \$0.00
Type of Work: Excavation, lime subgrade, 4460 sqyd parking lot
Location: City of Alvin
Project Engineer: Jim Nance 281-388-4284
1100 West Hwy 6, Alvin, Texas 77511
Owner: City of Alvin 216 West Sealy Alvin TX 77511 (281) 388-4284
Contract Time: January 2013 thru March 2013

Updated 8/17/17

BID FORM
#17021 FY 2017 Annual Concrete Street Repair Project (Small Sections)

DATE: 8/24/17

Bid of GWPhillips Concrete Construction, Inc. (insert complete legal name), (mark through any of the following that do not apply) an individual proprietorship, a corporation organized and existing under laws of the State of Texas, a partnership consisting of _____, for Construction of FY 2017 Annual Concrete Street Repair Project (Small Sections), for the City of La Porte, Harris County, Texas.

Gentlemen:

The undersigned bidder has carefully examined the Instructions to Bidders, this Proposal, the General Conditions of Agreement, the Technical Specifications and the drawings for the work herein above described and referred to in the Invitation to Bid and has carefully examined the site of the work and will provide all necessary labor, superintendence, machinery, equipment, tools, materials, services and other means of construction to complete all the work upon which he bids, as called for in the Contract, the Specifications and shown on the drawings, and in the manner prescribed therein and according to the requirements of the City of La Porte.

TOTAL BID \$ 383,295.00

Written Three hundred eighty-three thousand, two hundred ninety-five dollars & zero cents.

City of La Porte
 La Porte FY 17 Concrete Street Repairs
 Bid Date: July 2017

| Item No. | Item Description | Unit | Quantity | Unit Price | Total Price |
|----------|---|------|----------|------------|-----------------|
| 1 | Remove Concrete Pavement Including Curb, Roadway, Driveways and Sidewalk | SY | 3500 | \$ 18 - | \$ 63,000 - 00 |
| 2 | Remove 10" Concrete Pavement and Subgrade Including Curb, Roadway, Driveways and Sidewalk | SY | 150 | \$ 24 - | \$ 3,600 - 00 |
| 3 | 6" Concrete Pavement | SY | 1209 | \$ 70 - | \$ 84,630 - 00 |
| 4 | 6" over Excavation of Subgrade per city Direction | SY | 300 | \$ 12 - | \$ 3,600 - 00 |
| 5 | Cement Stabilized Sand CSS Complete in Place | TON | 195 | \$ 65 - | \$ 12,675 - 00 |
| 6 | Recycled Crushed Concrete Base | TON | 65 | \$ 74 - | \$ 4,810 - 00 |
| 7 | Lime for 8-inch stabilized subgrade (7% by dryweight) | Ton | 12 | \$ 500 - | \$ 6,000 - 00 |
| 8 | 6" High Early Strength Concrete | SY | 1,200.00 | \$ 85 - | \$ 102,000 - 00 |
| 9 | 6" Concrete Curb | LF | 1080 | \$ 8 - | \$ 8,640 - 00 |
| 10 | 4"x12" mountable curb | LF | 75 | \$ 8 - | \$ 600 - 00 |
| 11 | 6" Concrete Pavement Driveways | SF | 3958 | \$ 8 - | \$ 31,664 - 00 |
| 12 | 4.5" Concrete Sidewalks | SF | 2600 | \$ 7 - | \$ 18,200 - 00 |
| 13 | Concrete Pavement Header | LF | 10 | \$ 10 - | \$ 100 - 00 |
| 14 | Concrete Curb Ramps Type 7 (Complete-in Place) | EA | 4 | \$ 2200 - | \$ 8800 - 00 |
| 15 | Concret Curb Ramps Type 12 (Complete -in place) | EA | 2 | \$ 3400 - | \$ 6800 - 00 |
| 16 | Sodding | SY | 822 | \$ 8 - | \$ 6576 - 00 |
| 17 | Full Depth pavement saw cut | LF | 1800 | \$ 12 - | \$ 21,600 - 00 |

Total Bid Amount \$ 383,295-00

Notes:
 1) The Unit Bid Price for the Base Bid Item include the cost of all associated work items including mobilization, maintenance of traffic in accordance with Texas MUTCD standards.

2) At the mutual written consent of the city and the contractor, the city may renew this contract no later than June 1, 2018 providing for an additional \$ 150,000.00 to \$250,000.00 in concrete street repairs at the unit prices provided in this FY 16 Contract. (NOTE: should read FY17 Contract.)

3) Not all Unit Bid Items apply to all work locations in the project.

The amounts set forth above are current estimates by Contractor of the amounts that will be determined during the progress of the Work. The separated progress billings from Contractor to the Owner shall reflect the actual amounts expended for the items enumerated in (a), (b), and (c), above.

SUBSTITUTIONS: If necessary, attach detailed explanation to proposal.

1.

_____ (Add) (Deduct) \$ _____

2.

_____ (Add) (Deduct) \$ _____

It is understood and agreed that the work assigned shall be completed in full as assigned within the terms of the contract after the date on which work is to be commenced as established by the Contract Documents.

It is agreed that the contract price may be increased or decreased to cover work added or deleted by order of the Engineer, in accordance with the provisions of the General Conditions of Agreement.

The award may be made on the Base Bid alone or the Base Bid and any or all of the Items listed under Alternates or Substitutions, if any.

The undersigned agrees that the amounts bid in this proposal will not be withdrawn or modified for sixty (60) days following date of bid opening.

It is understood that the bid security accompanying this proposal shall be returned to the undersigned unless, in case of the acceptance of this proposal the undersigned should fail to enter into a construction contract and execute bonds as provided in the specifications. In the event the undersigned should fail to enter into a construction contract and execute bonds as required within 14 calendar days after the Engineer has given unsigned contracts to the Contractor, it is understood and agreed that the bid security shall be forfeited to the Owner and shall be considered as payment for damages due to delay and other inconveniences suffered by the Owner as a result of such failure on the part of the undersigned.

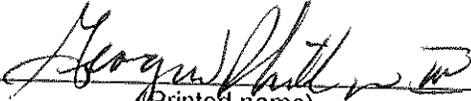
It is understood that the Owner reserves the right to reject any and all bids.

In the event of Award of the Contract to the undersigned, the undersigned agrees to furnish Performance and Payment Bonds as provided in the Specifications.

The undersigned certifies that the bid prices contained in this proposal have been carefully checked and are submitted as

correct and final Date 8/24/17

Signed GW Phillips Concrete Construction, Inc.
(Company)

By 
(Printed name)
George W Phillips III, owner
(Printed title)
117 Oates Rd Houston TX 77013
(Complete address)
713 674 9400
(Telephone Number)


Witness

SEAL (if Bidder is a Corporation, if none insert "NONE")

Acknowledge receipt of Addenda Below:

Addendum No. 1 _____
Date Received 7/21/17 _____

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

Certificate Number:
2017-252820

Date Filled:
08/22/2017

Date Acknowledged:

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.
GW Phillips Concrete Construction, Inc.
Houston, TX United States

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.
City of LaPorte

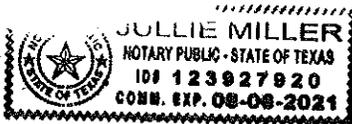
3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.
17021
2017 Concrete Street Repair Project (Small Sections)

| 4 | Name of Interested Party | City, State, Country (place of business) | Nature of Interest (check applicable) | |
|---|--------------------------|--|---------------------------------------|--------------|
| | | | Controlling | Intermediary |
| | Phillips III, GW | Houston, TX United States | X | |
| | | | | |
| | | | | |
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| | | | | |
| | | | | |
| | | | | |
| | | | | |

5 Check only if there is NO Interested Party.

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.



George W Phillips III
Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said George W Phillips III, this the 24 day of Aug, 2017, to certify which, witness my hand and seal of office.

Julie Miller
Signature of officer administering oath

Julie Miller
Printed name of officer administering oath

Secretary
Title of officer administering oath

BID BOND

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

SURETY'S NO. MB04093

KNOW ALL MEN BY THESE PRESENTS, THAT G.W. Phillips Concrete Construction, Inc.

(hereinafter called the Principal), as Principal and Merchants Bonding Company (Mutual)

(hereinafter called the Surety), as Surety, are bound unto the City of La Porte, Texas, a home rule municipal corporation of Harris County, Texas (hereinafter called Obligee) in the amount of Ten Percent of the Greatest Amount Bid Dollars (\$10% G.A.B.), for the payment whereof said Principal and Surety bind themselves, and their heirs, administrators, executors, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a Bid to enter into a certain written Contract with Obligee for FY2017 Concrete Street Repairs Project (Small Sections)

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said Principal shall faithfully, enter into such written Contract, then this obligation shall be void; otherwise to remain in full force and effect.

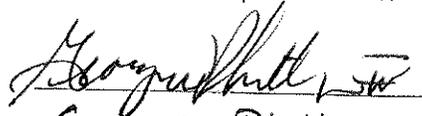
IT IS EXPRESSLY UNDERSTOOD AND AGREED that if said Principal should withdraw its Bid anytime after such Bid is opened and before this Bid Bond is returned or before official rejection of such Bid; or, if successful in securing the award thereof, said Principal should fail to enter into the Contract and furnish satisfactory Performance Bond and Payment Bond, and other required contract documents, the Obligee, in either of such events, shall be entitled and is hereby given the right to collect the full amount of this Bid Bond as liquidated damages.

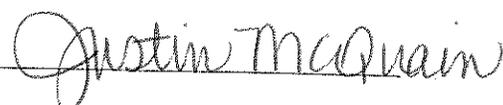
PROVIDED, further that if any legal action be filed upon this Bond, venue shall lie in Harris County, Texas.

IN WITNESS WHEREOF, the said Principal and Surety do sign and seal this instrument this 24th
day of August, 2017.

G.W. Phillips Concrete Construction, Inc.
Legal Name Principal/Contractor

Merchants Bonding Company (Mutual)
Legal Name Surety

By: 
George W. Phillips III
(Printed name and title)

By: 
Justin McQuain, Attorney-in-Fact
(Printed name and Title)

Address: 117 Oates Road
Houston, TX 77013

Address: 9500 Arboretum Blvd., Ste. 100
Austin, TX 78759

NOTE: Attach Power of Attorney

MERCHANTS
BONDING COMPANY,™
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Barbara K Sachi; Cheryl R Colson; Cynthia Haslam; Debra L Buckner; Elaine Lewis; Jeanne M Buchan; Justin McQuain; Keith M Illa; Kevin McQuain; Lillian M Pitcher; Malia E Mann; Misty Witt; Nancy J Portugal; Pamela C Martinson; Rosalyn D Hassell; Scott D Chapman; Timothy J Maley

their true and lawful Attorney(s)-in-Fact, to make, execute, seal and deliver on behalf of the Companies, as Surety, bonds, undertakings and other written obligations in the nature thereof, subject to the limitation that any such instrument shall not exceed the amount of:

TEN MILLION (\$10,000,000.00) DOLLARS

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 24, 2011.

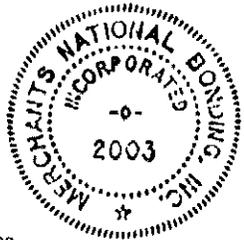
"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 26th day of February, 2016.



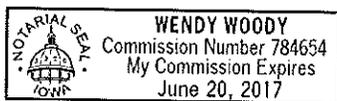
MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*

President

STATE OF IOWA
COUNTY OF Dallas ss.

On this 26th day of February, 2016, before me appeared Larry Taylor, to me personally known, who being by me sworn did say that he is President of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

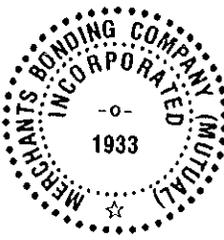


Wendy Woody
Notary Public, Robt County, Iowa

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of the MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 24th day of August, 2017.



William Warner Jr.
Secretary

MERCHANTS
BONDING COMPANY

MERCHANTS BONDING COMPANY (MUTUAL) • MERCHANTS NATIONAL BONDING, INC.
P.O. BOX 14498 • DES MOINES, IOWA 50306-3498 • (800) 678-8171 • (515) 243-3854 FAX

Please send all notices of claim on this bond to:

Merchants Bonding Company (Mutual) / Merchants National Bonding, Inc.

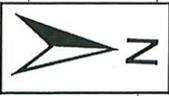
P.O. Box 14498

Des Moines, Iowa 50306-3498

(515) 243-8171

(800) 678-8171

Physical Address: 6700 Westown Parkway, West Des Moines, Iowa 50266



SH 146

BAY AREA BLVD.

WEST MAIN ST.

FAIRMONT PKWY.

Gladwyne

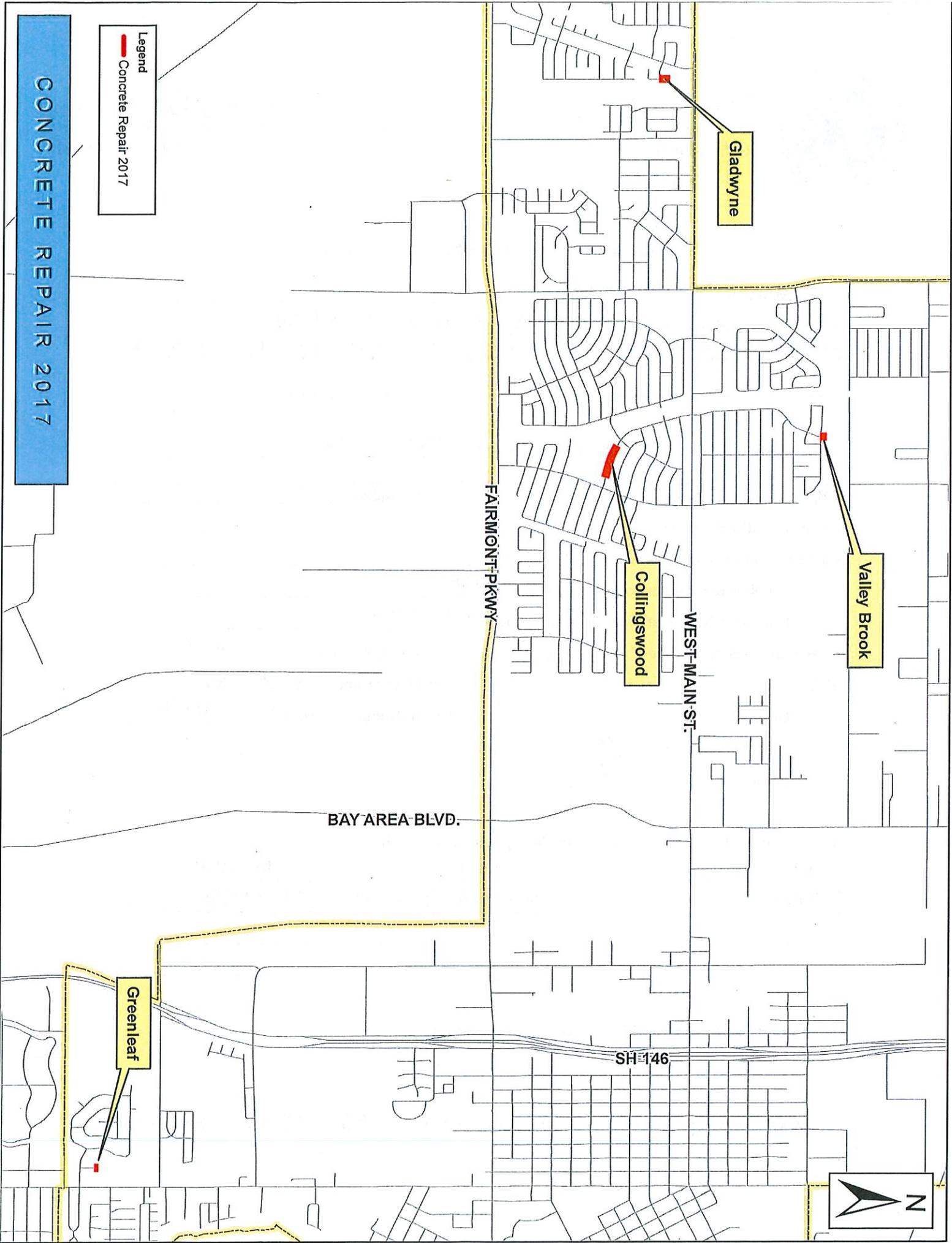
Valley Brook

Collingswood

Greenleaf

Legend
Concrete Repair 2017

CONCRETE REPAIR 2017



REQUEST FOR CITY COUNCIL AGENDA ITEM

| |
|---|
| Agenda Date Requested: <u>October 23, 2017</u> |
| Requested By: <u>Don Pennell</u> |
| Department: <u>Public Works</u> |
| Report: <input checked="" type="checkbox"/> Resolution: _____ Ordinance: _____ |

Exhibits: OPIS Unleaded gasoline rack report 10-6-17

Exhibits: _____

Exhibits: _____

| |
|---------------------------------|
| <u>Budget</u> |
| Source of Funds: _____ |
| Account Number: _____ |
| Amount Budgeted: _____ |
| Amount Requested: _____ |
| Budgeted Item: YES NO |

SUMMARY & RECOMMENDATION

Background:

Bid # 17024 for the annual contract for bulk fuel was opened and read on August 22, 2017. The price of fuel for both regular unleaded and diesel is calculated on the daily price listed on the Oil Price Information Service Index (OPIS) report for Houston, Texas, The OPIS lists wholesale pricing from the low, high and average racks (producer truck loading rack). In the bid, pricing was requested for plus, flat or minus the low rack price. During the evaluation of the bids, staff learned from several different bidders that the low rack fuel supply is not always available in the Houston area and on any given day may not be available. The City has recently been unable to obtain low rack fuel partially due to our storage capacity and limited time before we would run out of fuel.

Since the availability of the low rack is uncertain, staff is recommending to reject current bids and to re-bid the bulk fuel using the rack average which is available daily.

Apache Oil, the city's current supplier for fuel has agreed to extend the current contract on a month to month basis until the new contract is awarded.

Action Required by Council:

Consider approval or other action to reject all bids for Bid# 17024 for Bulk Fuel Supply.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

From: opisadmin@opisnet.com [<mailto:opisadmin@opisnet.com>]
Sent: Friday, October 06, 2017 8:05 AM
To: Janet Murray
Subject: OPIS Wholesale Racks with OPIS Spot Mean

Account #144927

To align the following data, change the font size to 9 in Courier New.

HOUSTON, TX

2017-10-06 09:00:43 EDT

OPIS GROSS RFG ETHANOL(10%) PRICES

| | Terms | Unl | Move | Mid | Move | Pre | Move | Date | Time |
|--------------------------------------|---------|---------|--------|--------|--------|--------|--------|-------|-------|
| Motiva | u N-10 | 157.43 | + 3.50 | 174.43 | + 3.50 | 203.93 | + 3.50 | 10/05 | 18:00 |
| Petrocom | u Net | 157.50 | + .10 | 170.24 | - 1.11 | 194.31 | + .01 | 10/06 | 00:01 |
| FlntHlsRs | u N-10 | 158.30 | + 3.25 | 170.20 | + 3.25 | 193.30 | + 3.25 | 10/05 | 17:00 |
| Valero | u N-10 | 158.55 | - .35 | 174.55 | - .35 | 204.55 | - .35 | 10/05 | 18:00 |
| PSX | u N-10 | 159.25 | + 4.30 | 176.25 | + 4.30 | 197.25 | + 4.30 | 10/05 | 18:00 |
| Citgo | b 1-10 | 162.80 | + 3.03 | 176.43 | + 3.03 | 210.27 | + 3.03 | 10/05 | 18:00 |
| PWI-Gulf | b N-10 | 163.05 | + 3.00 | 179.15 | + 3.00 | 210.65 | + 3.00 | 10/06 | 00:01 |
| Valero | b 1-10 | 163.05 | + 3.05 | 178.05 | + 3.05 | 208.05 | + 3.05 | 10/05 | 18:00 |
| XOM | b 1-10 | 163.10 | + 2.75 | 179.00 | + 2.75 | 210.60 | + 2.75 | 10/05 | 19:00 |
| PSX | b 1-10 | 163.15 | + 2.80 | 176.28 | + 2.80 | 210.62 | + 2.80 | 10/05 | 18:00 |
| 76-Mot | b 125-3 | 163.21 | + 3.54 | 177.89 | + 3.54 | 207.26 | + 3.54 | 10/05 | 18:00 |
| Chevron | b 1t45c | 163.30 | + 3.00 | 179.40 | + 3.00 | 210.90 | + 3.00 | 10/05 | 18:00 |
| Texaco | b 1t45c | 163.30 | + 3.00 | 179.40 | + 3.00 | 210.90 | + 3.00 | 10/05 | 18:00 |
| Sunoco | b 125-3 | 163.31 | + 3.49 | 178.31 | + 3.49 | 210.13 | + 3.48 | 10/05 | 18:00 |
| Shell-Mot | b 125-3 | 164.00 | + 3.54 | 181.22 | + 3.55 | 212.10 | + 3.54 | 10/05 | 18:00 |
| S.R. & M. | u 1-10 | 168.10 | + 3.52 | 185.10 | + 3.52 | 215.60 | + 3.52 | 10/05 | 18:00 |
| Huguenot | u N-10 | 172.02 | + .12 | 171.93 | - .41 | 190.89 | + .44 | 10/05 | 18:00 |
| LOW RACK | | 157.43 | | 170.20 | | 190.89 | | | |
| HIGH RACK | | 172.02 | | 185.10 | | 215.60 | | | |
| RACK AVG | | 162.55 | | 176.93 | | 205.96 | | | |
| OPIS GULF COAST SPOT MEAN | | | | | | | | 10/05 | |
| FOB COLONIAL | | 165.140 | | -- -- | | -- -- | | | |
| OPIS GULF COAST DELIVERED SPOT (SRI) | | | | | | | | | |
| FOB HOUSTON | | 162.00 | | 167.76 | | 176.40 | | | |
| BRD LOW RACK | | 162.80 | | 176.28 | | 207.26 | | | |
| BRD HIGH RACK | | 164.00 | | 181.22 | | 212.10 | | | |
| BRD RACK AVG | | 163.23 | | 178.51 | | 210.15 | | | |
| UBD LOW RACK | | 157.43 | | 170.20 | | 190.89 | | | |
| UBD HIGH RACK | | 172.02 | | 185.10 | | 215.60 | | | |
| UBD RACK AVG | | 161.59 | | 174.67 | | 199.98 | | | |
| CONT AVG-10/05 | | 159.08 | | 173.55 | | 202.47 | | | |
| CONT LOW-10/05 | | 152.90 | | 166.85 | | 185.95 | | | |
| CONT HIGH-10/05 | | 167.40 | | 181.58 | | 212.08 | | | |

HOUSTON, TX

| | |
|-------------------|--------|
| LOW RETAIL | 204.90 |
| AVG RETAIL | 239.06 |
| LOW RETAIL EX-TAX | 166.14 |
| AVG RETAIL EX-TAX | 200.30 |

HOUSTON, TX

2017-10-06 09:00:43 EDT

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: October 23, 2017
Requested By: Ian Clowes
Department: Planning & Development
Report: Resolution: Ordinance:
Other: _____

Appropriation

Source of Funds: N/A
Account Number: _____
Amount Budgeted: _____
Amount Requested: _____
Budgeted Item: YES NO

Attachments :

- 1. Ordinance**
- 2. P&Z Recommendation Letter**
- 3. Existing Land Use Map**
- 4. Proposed Future Land Use Map**

SUMMARY & RECOMMENDATIONS

This item is a request for consideration to amend the city’s Future Land Use Plan in conjunction with a request by Jeff Presnal of Cypressbrook Management Company, LP, applicant, on behalf of Carrington F. Weems, owner for approval of a change in zoning from General Commercial (GC) to the Planned Unit Development (PUD) zoning district. The proposed zone change will permit the applicant to relocate their existing trucking terminal, Core Trucking, to this site from their current leased location on N. 16th St.

The city’s Future Land Use Plan (FLUP) identifies the subject property as “Commercial,” land use. In order to accommodate the proposed zone change, the FLUP would need to be amended to “Light Industrial.” The applicant is in the process of obtaining a zoning designation of PUD, Planned Unit Development for the site, which with an approved Special Conditional Use Permit (SCUP), will allow for the proposed trucking terminal.

The Planning and Zoning Commission reviewed this request at the September 21, 2017, meeting and voted 4-3 to recommend approval of the proposed modifications to the Future Land Use Plan.

Action Required of Council:

- Conduct public hearing.
- Consider approval or other action on a recommendation by the Planning and Zoning Commission to approve an Ordinance amending the City’s Future Land Use Plan for a 5.051 acre tract of land known as Blocks 1143 and 1144, La Porte Subdivision, generally located on S. 16th St. north of the W. M St. ROW and as depicted in the attached exhibit.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE ADOPTING AN UPDATE TO THE FUTURE LAND USE MAP COMPONENT OF THE COMPREHENSIVE PLAN OF THE CITY OF LA PORTE, TEXAS UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF LA PORTE, TEXAS; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, Section 211.004 of the Texas Local Government Code provides that zoning regulations must be adopted in accordance with a Comprehensive Plan;

WHEREAS, Section 213.003 of the Texas Local Government Code provides that a municipality may amend a Comprehensive Plan by ordinance, after public hearing and review by the municipality's planning commission or department; and

WHEREAS, Section 213.003 of the Texas Local Government Code also provides that a municipality may establish, in its charter or by ordinance, procedures for adopting and amending a Comprehensive Plan; and

WHEREAS, Chapter 106, "Zoning" Article I, Section 106-3, and Article II, Section 106-65 of the Code of Ordinances of the City of La Porte, delegates to the Planning and Zoning Commission the duty to review and make recommendations relevant to modifications of the Comprehensive Plan and Zoning Ordinance; and

WHEREAS, the City of La Porte has a Comprehensive Plan, which Plan was adopted by the City Council of the City of La Porte, Texas in 1986, and which Plan has been the subject of multiple amendments since its adoption;

WHEREAS, pursuant to mandate of Chapter 106, "Zoning" of the Code of Ordinances of the City of La Porte, the Planning and Zoning Commission of the City of La Porte has reviewed all elements of the Comprehensive Plan, and as duly approved by the City Council of the City of La Porte, to consider possible amendments thereto; and

WHEREAS, at the La Porte Planning and Zoning Commission meeting which occurred on September 21, 2017, the La Porte Planning and Zoning Commission reviewed the Future Land Use Map component of the Comprehensive Plan for the purpose of considering proposed amendments thereto, to change the designation for that 5.051 acre tract of land generally located on the east side of the South 16th Street ROW, and north of the West M Street ROW, and legally described as follows: Blocks 1143 and 1144, La Porte Subdivision, Town of La Porte, Harris County, Texas, from its present designation of "Commercial", to "Light Industrial", and at the conclusion of such review the La Porte Planning and Zoning Commission voted to recommend to the La Porte City Council such amendments be made to the Future Land Use Plan component of the Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED BY

THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS, THAT:

Section 1 That an amendment to the Future Land Use Map component of the Comprehensive Plan of the City of La Porte, Texas, which is incorporated to this ordinance by reference herein and attached hereto as Exhibit A, be and is hereby authorized, approved, and adopted by the City Council of the City of La Porte, Texas, after duly noticed public hearing held at its October 23, 2017 meeting, pursuant to the recommendations of the Planning and Zoning Commission of the City of La Porte, Texas.

Section 2 The City Secretary of the City of La Porte or her designated representative shall be required to make this amendment to the Comprehensive Plan available to the public and duly mark and note the updated reference on the Future Land Use Plan component of the Comprehensive Plan of the City of La Porte, Texas.

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

The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 4 This Ordinance shall be in effect from and after its passage and approval.
Passed and approved this the 23rd day of OCTOBER, 2017.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

By: _____
Patrice Fogarty, City Secretary

APPROVED:

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

PROPOSED LAND USE MAP

NE Corner
S. 16th and W. M

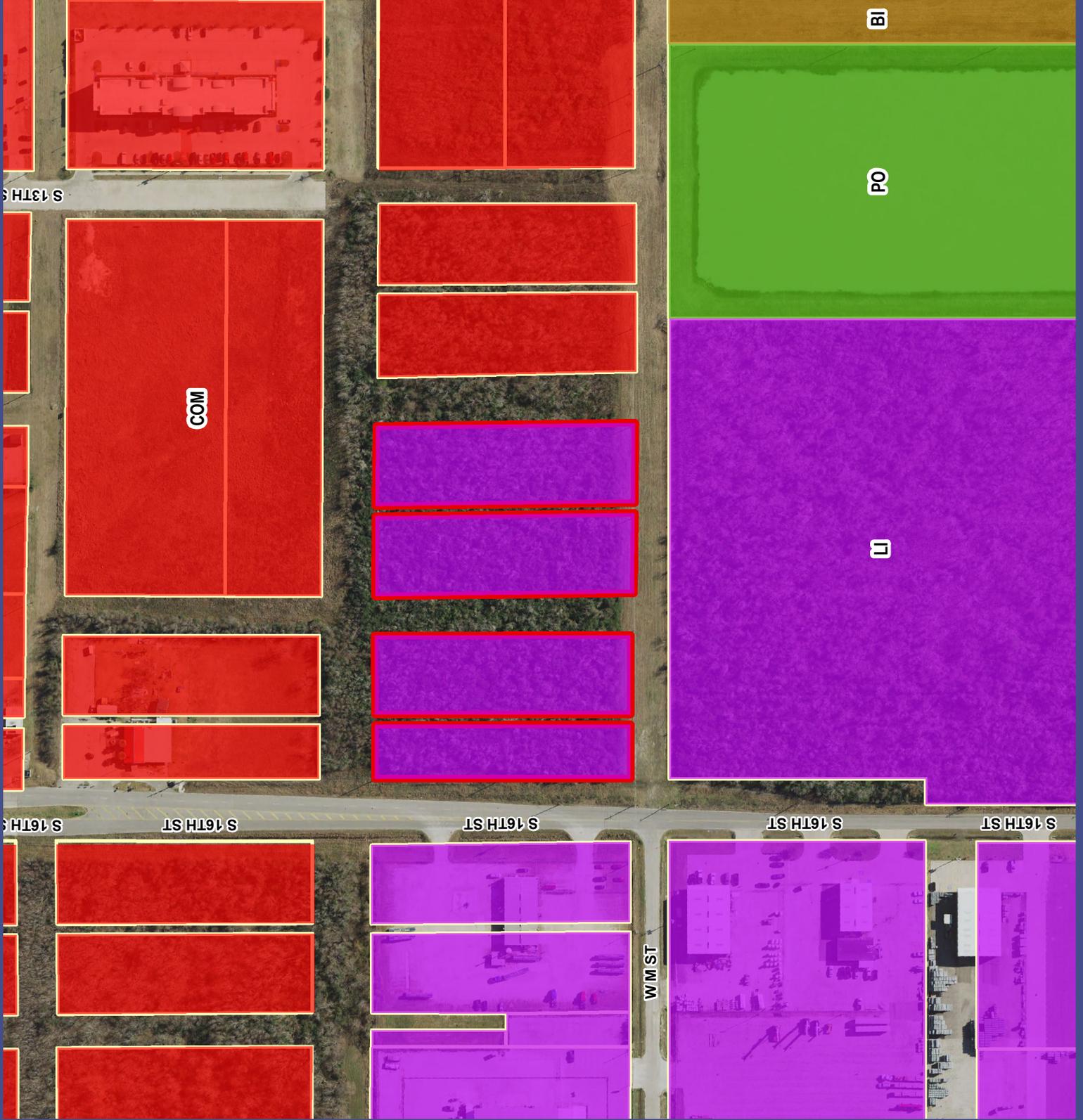
 Subject Property



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries



1 inch = 212 feet
OCTOBER 2017
PLANNING DEPARTMENT





September 22, 2017

Honorable Mayor Rigby and City Council
City of La Porte

RE: Request to Amend the Future Land Use Map

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a meeting on September 21, 2017 meeting on a request to amend the City's Future Land Use Plan as adopted in the Comprehensive Plan for the approximately 5.051 acre tract of land located on the east side of S. 16th Street north of the W. M St. ROW and legally described as Blocks 1143 and 1144, La Porte Subdivision. The request was for approval of a change of the future land use designation from "Commercial" use to "Light Industrial" use.

The Commission voted 4-3 to recommend approval of the proposed amendments to the City's Future Land Use Map.

Respectfully submitted,

Ian Clowes, City Planner
On Behalf of the Planning and Zoning Commission

cc: Richard Mancilla, Director of Planning and Development
Department File

CURRENT LAND USE MAP

NE Corner
S. 16th and W. M

 Subject Property



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1 inch = 212 feet

JUNE 2017
PLANNING DEPARTMENT



PROPOSED LAND USE MAP

NE Corner
S. 16th and W. M

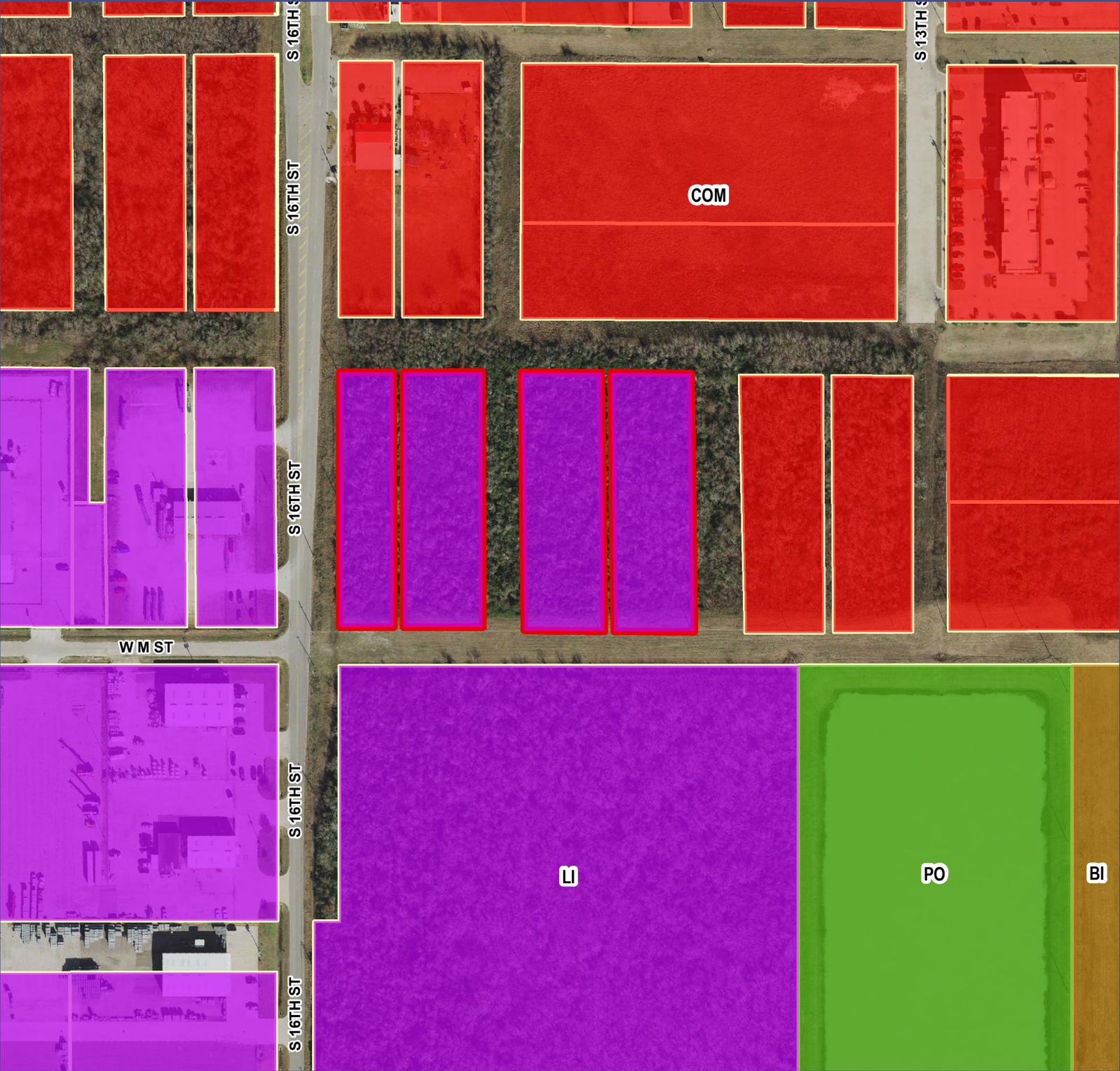
 Subject Property



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JUNE 2017
PLANNING DEPARTMENT



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: October 23, 2017

Requested By: Ian Clowes

Department: Planning

Report: X **Resolution:** **Ordinance:** X

Exhibits:

Ordinance
P&Z Recommendation Letter
Applicant Information and Request
Zoning Map
Land Use Map

Appropriation:

Source of Funds: N/A

Account Number: N/A

Amount Budgeted: N/A

Amount Requested: N/A

Budgeted Item: N/A

SUMMARY & RECOMMENDATION

This is a request by Jeff Presnal of Cypressbrook Management Company, LP to rezone Blocks 1143 and 1144, La Porte Subdivision from General Commercial (GC) to Planned Unit Development (PUD) in order to relocate an existing trucking terminal, Core Trucking, to this site. The facility is currently located within a leased space on N. 16th St. In order to allow the development, the applicant will need to request approval of a Special Conditional Use Permit (SCUP) in the future.

The Planning and Zoning Commission conducted a public hearing at the September 21, 2017, meeting concerning this request. After the public hearing, the Commission voted 5-2 to recommend approval of the proposed zone change.

The Commission's recommendation was based on the finding that allowing for approval of a PUD Zone Change, the applicant can now move forward with a proposed SCUP for their proposed industrial development. The PUD Zoning along with the potential SCUP will allow for the Commission and City Council to ensure that any concerns that may come from allowing a proposed industrial development at this site can be mitigated with required conditions.

The subject site is currently identified in the City's adopted Future Land Use Map as "Commercial" use. The proposed use requires an amendment to the city's Future Land Use Plan to "Light Industrial," which is also presented on this agenda.

Action Required by Council:

1. Conduct public hearing.
2. Consider approval or other action on a recommendation by the Planning and Zoning Commission to approve an ordinance approving zone change request #17-92000003, to rezone a tract of land legally described as Blocks 1143 and 1144, La Porte Subdivision, from General Commercial (GC) to Planned Unit Development (PUD).

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

- Conduct public hearing.
- Consider approval or other action on a recommendation by the Planning and Zoning Commission to approve an ordinance approving zone change request #17-92000003, to rezone a tract of land legally described as Blocks 1143 and 1144, La Porte Subdivision, from General Commercial (GC) to Planned Unit Development (PUD).

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 OF A 5.051 ACRE TRACT OF LAND LEGALLY DESCRIBED AS BLOCKS 1143 AND 1144, LA PORTE SUBDIVISION, FROM GENERAL COMMERCIAL (GC) TO PLANNED UNIT DEVELOPMENT (PUD); 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: a 5.051 acre tract of land generally located on the east side of the South 16th Street ROW, and north of the West M Street ROW, and legally described as Blocks 1143 and 1144, La Porte Subdivision, Harris County, Texas, from General Commercial (GC) to Planned Unit Development (PUD).

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. It is directed that the Official Zoning Map of the City of La Porte, Texas be changed to reflect the zoning classification established by this ordinance

Section 7. 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 8. This ordinance shall be effective after its passage and approval.

PASSED AND APPROVED this the _____ day of OCTOBER, 2017.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Clark Askins, Assistant City Attorney

PROPOSED ZONING MAP

Zone Change
#17-92000003

NE Corner
S. 16th and W. M

 Subject Parcel

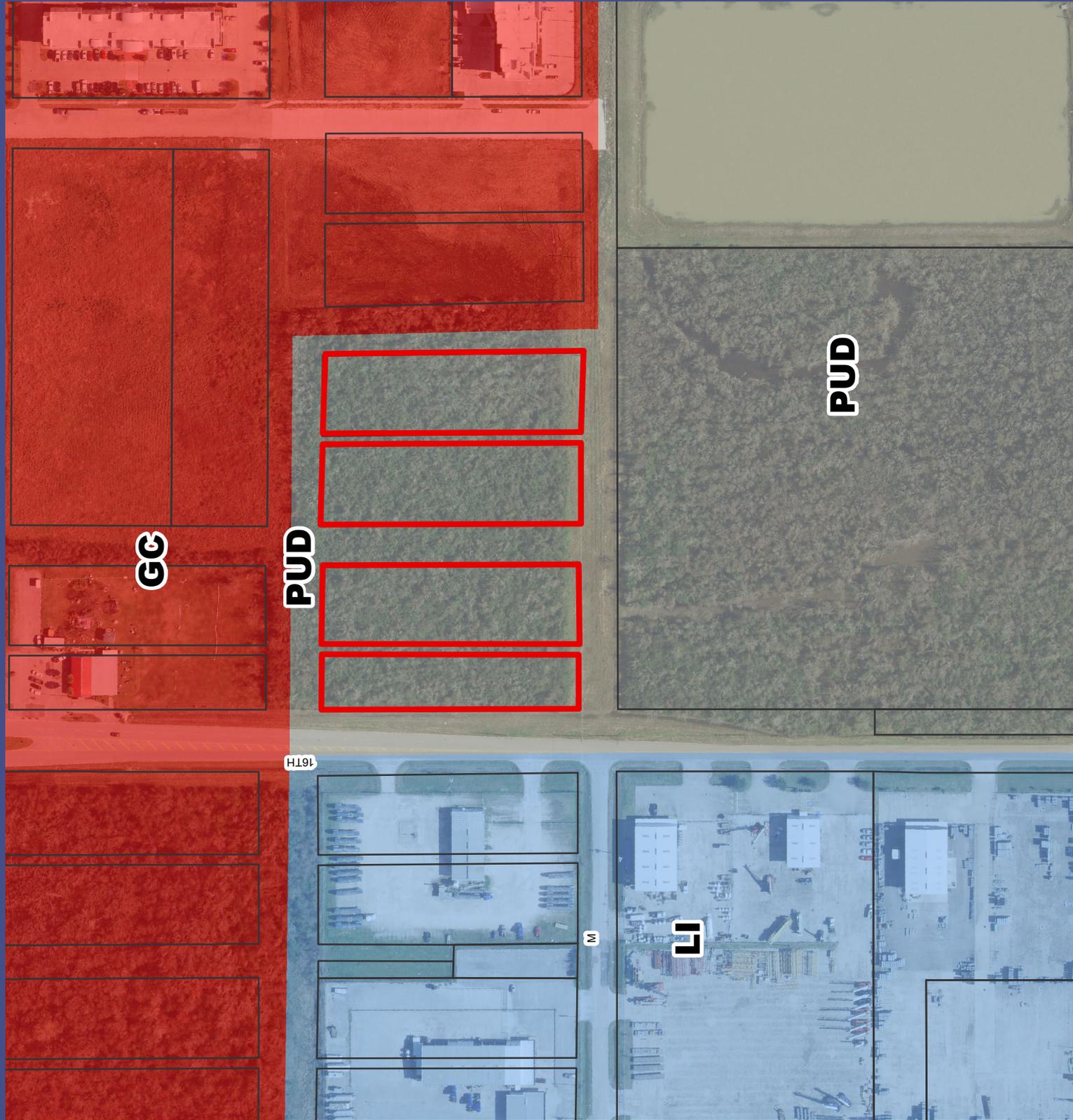


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1 inch = 211 feet

OCTOBER 2017
PLANNING DEPARTMENT





September 21, 2017

Honorable Mayor Rigby and City Council
City of La Porte

RE: Zone Change Request #17-92000003

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a public hearing at the September 21, 2017 meeting on a zone change request by Jeff Presnal of Cypressbrook Management Company, LP for a zone change of Blocks 1143 and 1144, La Porte Subdivision from General Commercial (GC) to Planned Unit Development (PUD). The proposed zone change, with approval of a future Special Conditional Use Permit (SCUP), will allow for the development of a small industrial use.

The Commission voted 5-2 to recommend approval of the proposed zone change.

Respectfully submitted,

Ian Clowes, City Planner
On Behalf of the Planning and Zoning Commission

cc: Richard Mancilla, Director of Planning and Development
Department File



Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 0 N. 16th St., La Porte TX 77571

Legal description where zone change is being requested: Lots 1-32, Blk 1144, Lots 17-32 & Tracts 1-16

HCAD Parcel Number where zone change is being requested: 0242030430001

Zoning District: General Commercial Lot area: 5.051 acres

A request for approval of a zone change is hereby made to the City of La Porte.

Description of Request: Change current zoning from General Commercial to PUD

Attached hereto is a Project Description Letter describing the project and outlining the reasons why such SCUP should be approved.

PROPERTY OWNER(S) INFORMATION

Name: F. Carrington Weems

Company (if applicable): _____

Address: 1603 W. Clay St.

City: Houston State: TX Zip: 77019-4915

Phone: 713-528-6386 Email: _____

AUTHORIZED AGENT (If other than owner)

Name: Jeff Presnal

Company (if applicable): Cypressbrook Management Company, L.P.

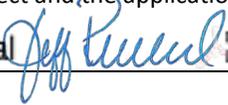
Address: 1776 Woodstead Court, Suite 218

City: The Woodlands State: TX Zip: 77380

Phone: 832-403-2872 Email: [REDACTED]

OWNER(S) & AGENT CERTIFICATION

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with/or contained in this application are true and correct and the application is complete to the best of my knowledge and belief.

Agent's Signature: Jeff Presnal  Digitally signed by Jeff Presnal
Date: 2017.08.23 15:18:12 -0500 Date: 8/21/17

Owner(s)' Signature(s): _____ Date: 8/21/17

STAFF USE ONLY:

Case Number: _____

Date Application Received: _____



1776 Woodstead Ct., Suite 218 The Woodlands, TX 77380

(D) 832-403-2872 ~ (F) 281.364-1743

Email: jpresnal@cypressbrook.com

Mr. Ian Clowes
City Planner
Planning and Development Department
City of La Porte, Texas
604 W. Fairmont Parkway
La Porte, Texas 77571

VIA-Email: clowesi@laportetx.gov

August 21, 2017

RE: Justification for Zoning Change from General Commercial to PUD with SCUP, Lots 1-32 of Block 1143 and Lots 1-32 of Block 1144 (including two 15' Alleys and the 15th Street ROW)

Dear Mr. Clowes:

Please allow this letter to satisfy the requirements outlined in the City of La Porte Zone Change Application that is the subject of this letter.

Cypressbrook has the tracts referenced above under contract for purchase and we are working for a local trucking company to develop it as a commercial trucking transfer facility.

The following information is provided to justify or outline our request:

1. The development is anticipated to include an approximately 10,000 square foot truck transfer facility with the following attributes:
 - 7 dock high truck transfer bays designed to face away from the street and accommodate truck maneuvering away from the street and visually screened from the street view;
 - Parking sufficient to meet current code requirements;
 - On site detention to meet engineering requirements that will outfall into the 16th Street storm system;
 - Water and sanitary sewer utilities available in the 16th Street ROW sufficient for the development;
 - Ingress/egress drive on 16th Street sufficient to meet current requirements; and
 - Ability to expand to the north in the future to meet future anticipated growth needs.
2. The adjacent property uses are as follows: to the west- Light Industrial, to the south Planned Unit Development, to the north General Commercial and to the east General Commercial;;
3. NAICS Code 484110 is appropriate for the site;

4. Numerous tracts within blocks of the site are either Light Industrial or Heavy Industrial including the Bayport Industrial District;
5. The site is on 16th Street which is designated as a High Frequency Truck Route; and
6. The site contains other property designated as 60' ROW for 15th Street as well as two 15' alleys and we have not only begun abandonment and closure through the Street and Alley Closure (SAC) process but have already received "No Objection" letters from the required utility providers and;
7. The operator will not utilize nor allow any on site ground container storage.

It is our belief that this request is both consistent and compatible with the surrounding land uses and will be an attribute to the City of La Porte as it retains jobs within the community and assists an existing business with its growth plans.

Please do not hesitate to contact us with any questions that you may have.

Sincerely,



Jeff Presnal
Development Principal

Attachments:

- Property Survey (including alleys and 15th Street ROW)
- Site Plan

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | N 90°00'00" E | 85.00' |
| L2 | N 90°00'00" E | 125.00' |
| L3 | N 90°00'00" E | 125.00' |
| L4 | N 90°00'00" E | 125.00' |
| L5 | S 90°00'00" W | 125.00' |
| L6 | S 90°00'00" W | 125.00' |
| L7 | S 90°00'00" W | 125.00' |
| L8 | S 90°00'00" W | 85.00' |

Notes:
1. Basis of bearings: the West line of the subject property as scaled per the recorded plat.

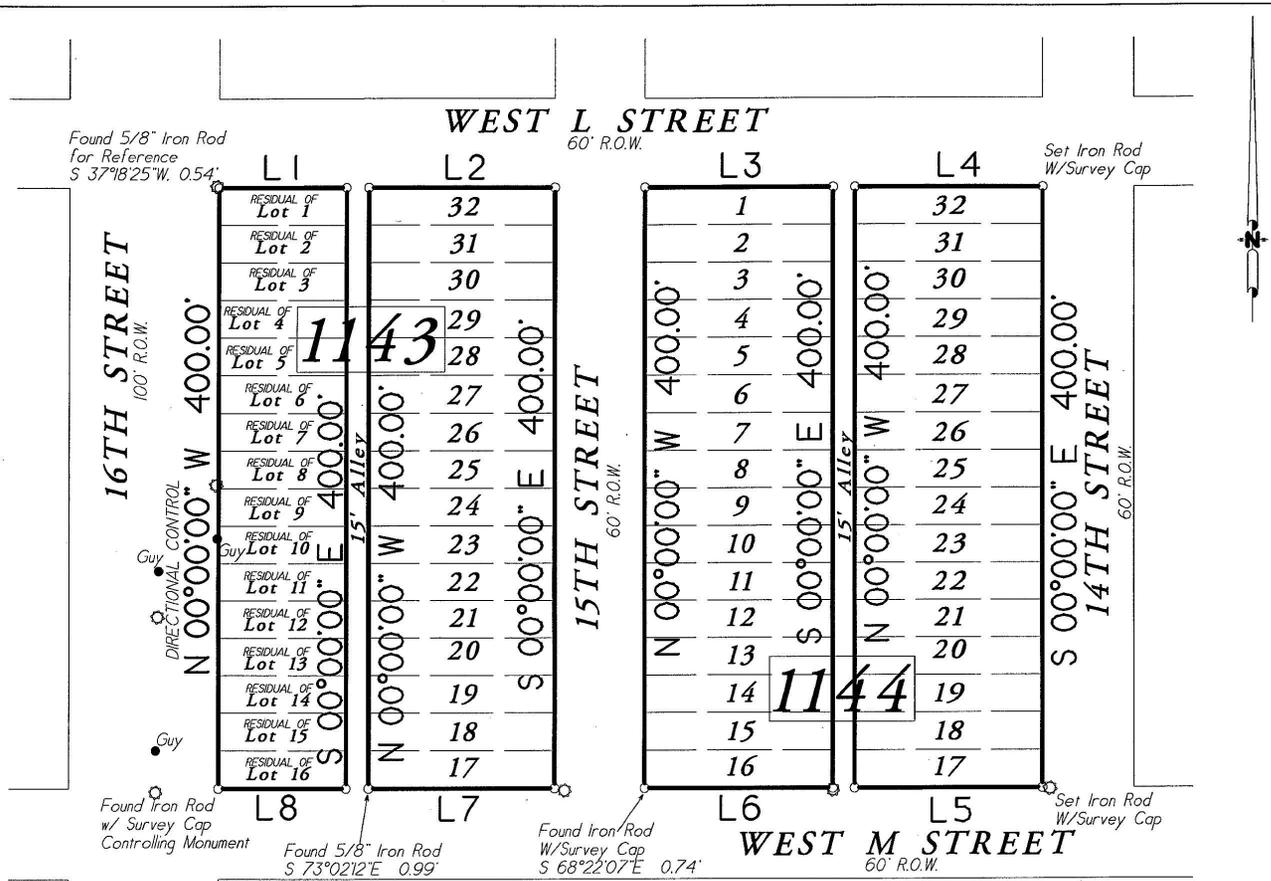
This property lies within ZONE Shaded 'X' as SCALED from FEMA Map Panel Number 4820IC0945-M, dated January 6, 2017.

THIS MEANS THAT THE SUBJECT PROPERTY SCALES WITHIN THE 500 YEAR FLOOD PLAIN.

This determination is made strictly according to the FEMA Maps and does not reflect actual on ground flood conditions. Furthermore, this company takes no responsibility for such.

⊙ - POWER POLE

| Lots | Block | Size |
|-----------|-------|----------------------------|
| 1 - 16 | 1143 | 34,000 Sq.ft./0.7805 Acre |
| 1 - 16 | 1144 | 50,000 Sq.ft./1.1478 Acres |
| 17 - 32 | 1144 | 50,000 Sq.ft./1.1478 Acres |
| 17 - 32 | 1143 | 50,000 Sq.ft./1.1478 Acres |
| 15' Alley | 1143 | 6,000 Sq.ft./0.1377 Acre |
| 15' Alley | 1144 | 6,000 Sq.ft./0.1377 Acre |
| 15th St. | - | 24,000 Sq.ft./0.5510 Acre |



All of Blocks One Thousand One Hundred Forty Three (1143) and One Thousand One Hundred Forty Four (1144), an addition in Harris County, Texas according to the map or plat thereof recorded under Volume 60, Page 112 of the Deed Records of Harris County, Texas, including the 60 foot wide street between the two blocks and including the two 15 foot wide alleys within the blocks; SAVE AND EXCEPT that certain 0.3670 acre tract of land granted unto Harris County by Award of the Special Commissioners, a copy of which is recorded under Harris County Clerk's File No. 20090060467.

| | |
|------------------------------|-------------------|
| Date: April 23, 2017 | GF No. 1044001682 |
| Job No. 17-0158 | Scale: 1" = 100' |
| Address: - | Drawn By: RM |
| City, State: La Porte, Texas | Zip: 77571 |
| | Rev: 0 |

C & C Surveying, Inc.
7424 F.M. 1488, Suite A, Magnolia, Texas 77354
Office: 281-259-4377 Metro: 281-356-5172
Fax: 281-356-1935
Email: onesurveyatime@sbcglobal.net

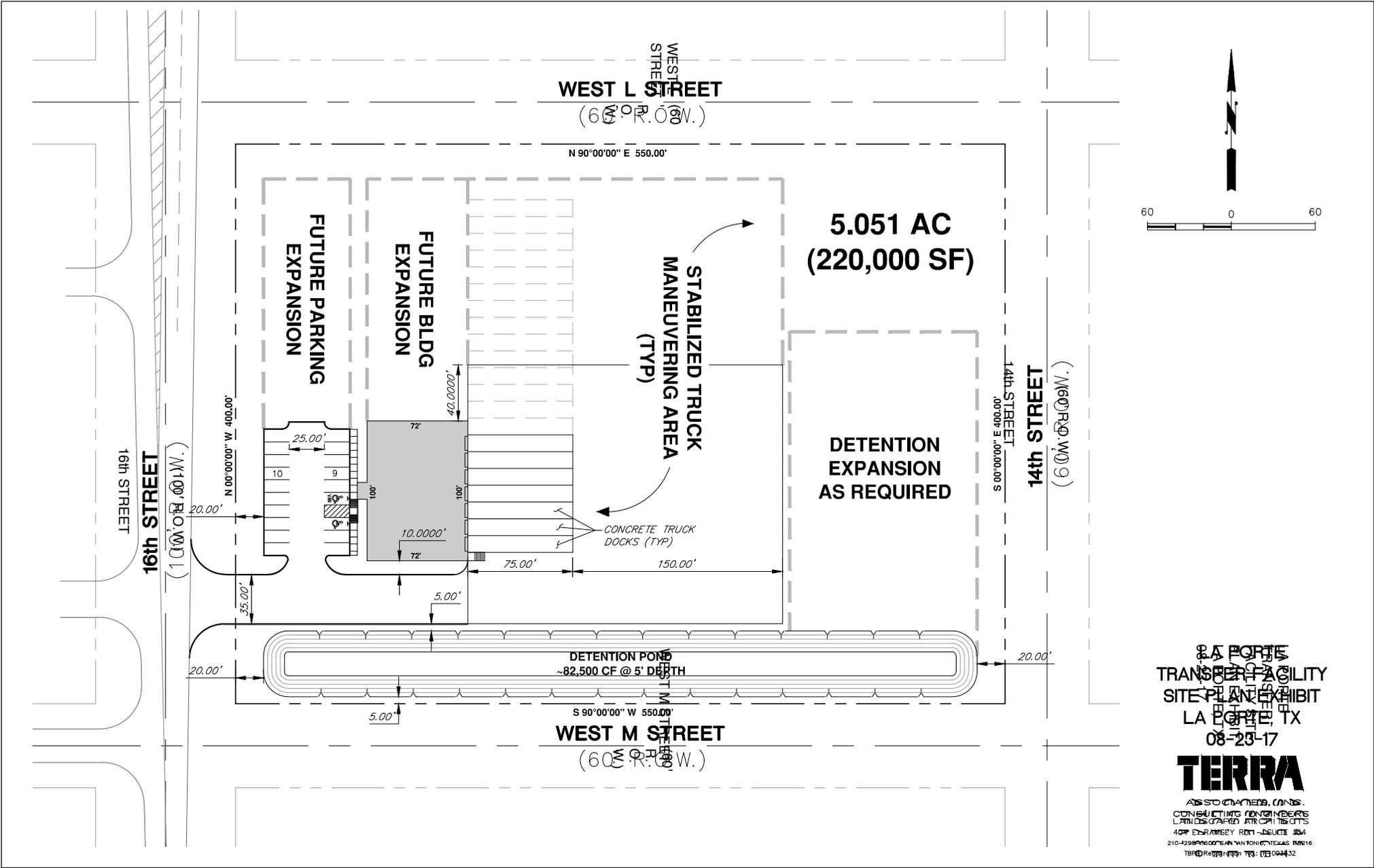


R.P.L.S. Seal

Certified To: Fidelity National Title Company
Client: Cypressbrook Management Company

I HEREBY CERTIFY THIS SURVEY WAS MADE ON THE GROUND, AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION III SURVEY, AND THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN.

Steven L. Crews
Steven L. Crews R.P.L.S. # 4141



LA PORTE
TRANSFER FACILITY
SITE PLAN EXHIBIT
LA PORTE, TX
08-23-17
TERRA
ASSOCIATES, INC.
CONSULTING ENGINEERS
LANDSCAPE ARCHITECTS
407 CHARLES ROY BLVD. SUITE 100
210-298-8800 FAX 210-298-8816
TERRA.COM TEL: 1-800-443-2



AFFIDAVIT OF POSTING
PLANNING AND ZONING COMMISSION PUBLIC HEARING

STATE OF TEXAS

COUNTY OF HARRIS

CITY OF LA PORTE

The undersigned hereby duly swears on oath and says:

1. A public hearing sign was provided to me by the City of La Porte's Planning and Development Department. I hereby attest that said sign will be posted on the following described property, which is subject to the application:

ADDRESS: 4.22 acres, 0 N. 16th St., La Porte TX 77571

LEGAL DESCRIPTION: Lots 1-32, Blk 1144, Lots 17-32 & Tracts 1-16

2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: September 6, 2017
3. Said sign shall be placed on the property within 20 feet of the abutting street.
4. Said sign shall remain legible and visible for the entire fifteen (15) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.

Jeff Presnal
Applicant's Signature

Jeff Presnal
Applicant's Printed Name

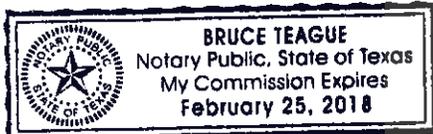
Subscribed and sworn before me this 21st day of August, 2017 by

Jeff Presnal

(Print Applicant's Name).

[Signature]
Notary Public

My commission expires: 2-25-18



(Seal)



FLUP MAP

**Zone Change
#17-92000003**

**NE Corner
S. 16th and W. M**

 Subject Property



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1 inch = 212 feet



**JUNE 2017
PLANNING DEPARTMENT**



FLUP MAP

**Zone Change
#17-92000003**

**NE Corner
S. 16th and W. M**

 Subject Property



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**JUNE 2017
PLANNING DEPARTMENT**

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: October 23, 2017
Requested By: Ian Clowes
Department: Planning & Development
Report: Resolution: Ordinance:
Other: _____

Appropriation

Source of Funds: N/A
Account Number: _____
Amount Budgeted: _____
Amount Requested: _____
Budgeted Item: YES NO

Attachments :

- 1. Ordinance and SCUP**
- 2. P&Z Recommendation Letter**
- 3. Applicant Information and Request**
- 4. Zoning Map**
- 5. Land Use Map**
- 6. Original 2003 Approved SCUP**

SUMMARY & RECOMMENDATIONS

The applicant, Jeff Davis of the Port of Houston Authority, is seeking approval of an amendment to the existing Special Conditional Use Permit (SCUP) which was permitted in 2003 to allow for the construction of the truck pre-check facility for the Port of Houston at Barbours Cut. The property in question is located at 900 E. Barbours Cut Blvd. and is legally described as Reserve A, Block 1, Port of Houston Authority.

The applicant has requested an extension of the hours of operation for the facility. Current operational hours are restricted between 7 AM and 6 PM. The applicant would like to extend these hours of operation to alleviate increased pressure on the facility due to increased business at the port. The newly proposed hours would extend operations by 5 hours allowing the facility to be operational from 7 AM to 11 PM.

The Planning and Zoning Commission, at their September 21, 2017 regular meeting, voted 6-1 to recommend approval of the proposed SCUP amendment.

Action Required of Council:

- Conduct public hearing.
- Consider approval or other action on a recommendation by the Planning and Zoning Commission to approve an ordinance approving Special Conditional Use Permit Amendment Request #17-91000002, to allow for extended hours of operations at the truck pre-check facility located at 900 E. Barbours Cut Blvd, legally described as Reserve A, Block 1, Port of Houston Authority.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, CHAPTER 106, MORE COMMONLY REFERRED TO AS THE ZONING ORDINANCE OF THE CITY OF LA PORTE, BY GRANTING SPECIAL CONDITIONAL USE PERMIT NO. 17-91000002, AN AMENDMENT TO SPECIAL CONDITIONAL USE PERMIT NO. 03-011, FOR THAT CERTAIN PARCEL OF LAND LEGALLY DESCRIBED AS 20.769 ACRES ALONG EAST BARBOURS CUT BOULEVARD, BEING RESERVE A, BLOCK 1, PORT OF HOUSTON AUTHORITY, LA PORTE, HARRIS COUNTY, TEXAS; FOR THE PURPOSE OF EXTENDING THE HOURS OF OPERATION FOR THE EXISTING TRUCK PRE-CHECK FACILITY IN A PLANNED UNIT DEVELOPMENT (PUD) ZONE; 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 granting Special Conditional Use Permit #17-91000002, an amendment to Special Conditional Use Permit No. 03-011, attached hereto as Exhibit A and incorporated by reference for all purposes, to allow for an extension to the hours of operation for the existing truck pre-check facility on property generally located at 900 East Barboours Cut Blvd, said property being a 20.769 acre tract being legally described as Reserve A, Block 1, Port of Houston Authority, La Porte, Harris County, Texas.

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.

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 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 after its passage and approval.

PASSED AND APPROVED this the _____ day of OCTOBER, 2017.

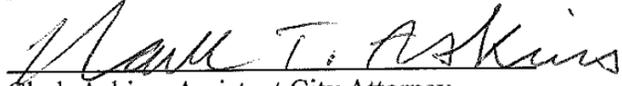
CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Clark Askins, Assistant City Attorney

City of La Porte
Special Conditional Use Permit #17-9100002

This permit is issued to: Port of Houston Authority
Owner or Agent

P.O. Box 2562 Houston, TX 77252
Address

For Development of: Port of Houston Authority Pre-check truck facility
Development Name

900 East Barbour's Cut Blvd, La Porte, TX
Address

Legal Description: 20.769 acre tract being legally described as Reserve A, Block 1, Port of Houston Authority, La Porte, Harris County, Texas.

Zoning: Planned Unit Development (PUD)

Use: Pre-check truck facility

Permit Conditions:

1. Adhere to the terms of the Property Owners Value Assurance Program.
2. Sign an interlocal agreement with the City of La Porte regarding the Property Owners Value Assurance Program.
3. Comply with the General Plan approved by the City.
4. Ensure that at least 30 percent of the property consists of landscaping and/or screening.
5. Provide detailed landscape and screening plans during site plan submittal. Allow existing trees and shrubs to remain as natural buffer. Provide "in fill" plantings of trees and shrubs.
6. Provide an irrigation system to ensure that all landscaping and screening is properly maintained by the owner/developer.
7. Erect a sound wall constructed with a "rough" texture to decrease the likelihood of graffiti and to increase the likelihood that vines/greenery will attach to the wall.
8. Adhere to the provisions and details shown in facilities lighting plan. Ensuring that all illumination occurs on site and does not affect nearby residences.
9. Enhance the building façade so that it is architecturally and aesthetically pleasing. The Planning and Zoning Commission must approve the design.
10. Prohibit the overnight parking of trucks at the facility between 6 pm and 6 am.
11. Hours of operation shall be no earlier than 7 am and no later than 6 11 pm.
12. Pay the public hearing costs.
13. Comply with all other applicable laws and ordinances of the City of La Porte and the State of Texas.

Failure to begin construction within 12 months after issuance or as scheduled under the terms of a special conditional use permit shall void the permit as approved, except upon an extension of time granted after application to the Planning and Zoning Commission.

If construction is terminated after completion of any stage and there is ample evidence that further development is not contemplated, the ordinance establishing such special conditional use permit may be rescinded by the City Council, upon its own motion or upon the recommendation of the Planning and Zoning Commission of the City of La Porte, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

Validation Date: _____

Director of Planning

City Secretary

City of La Porte
Special Conditional Use Permit #17-9100002

This permit is issued to: Port of Houston Authority
Owner or Agent

P.O. Box 2562 Houston, TX 77252
Address

For Development of: Port of Houston Authority Pre-check truck facility
Development Name

900 East Barbour's Cut Blvd, La Porte, TX
Address

Legal Description: 20.769 acre tract being legally described as Reserve A, Block 1, Port of Houston Authority, La Porte, Harris County, Texas. of the Johnson Hunter League, A-35 City of La Porte, Harris County, Texas.

Zoning: Planned Unit Development (PUD)

Use: Pre-check truck facility

Permit Conditions:

1. Adhere to the terms of the Property Owners Value Assurance Program.
2. Sign an interlocal agreement with the City of La Porte regarding the Property Owners Value Assurance Program.
3. Comply with the General Plan approved by the City.
4. Ensure that at least 30 percent of the property consists of landscaping and/or screening.
5. Provide detailed landscape and screening plans during site plan submittal. Allow existing trees and shrubs to remain as natural buffer. Provide "in fill" plantings of trees and shrubs.
6. Provide an irrigation system to ensure that all landscaping and screening is properly maintained by the owner/developer.
7. Erect a sound wall constructed with a "rough" texture to decrease the likelihood of graffiti and to increase the likelihood that vines/greenery will attach to the wall.
8. Adhere to the provisions and details shown in facilities lighting plan. Ensuring that all illumination occurs on site and does not affect nearby residences.
9. Enhance the building façade so that it is architecturally and aesthetically pleasing. The Planning and Zoning Commission must approve the design.
10. Prohibit the overnight parking of trucks at the facility between 6 pm and 6 am.
11. Hours of operation shall be no earlier than 7 am and no later than 11 pm.
12. Pay the public hearing costs.
13. Comply with all other applicable laws and ordinances of the City of La Porte and the State of Texas.

Failure to begin construction within 12 months after issuance or as scheduled under the terms of a special conditional use permit shall void the permit as approved, except upon an extension of time granted after application to the Planning and Zoning Commission.

If construction is terminated after completion of any stage and there is ample evidence that further development is not contemplated, the ordinance establishing such special conditional use permit may be rescinded by the City Council, upon its own motion or upon the recommendation of the Planning and Zoning Commission of the City of La Porte, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

Validation Date: _____

Director of Planning

City Secretary



September 22, 2017

Honorable Mayor Rigby and City Council
City of La Porte

RE: Special Conditional Use Permit Request #17-91000002

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a special meeting on September 21, 2017 to hear a Special Conditional Use Permit request by Jeff Davis, applicant; on behalf of Port of Houston Authority of Harris County, Texas, owner; for a Special Conditional Use Permit Amendment to allow for the hours of operation for the onsite truck pre-check facility to be extended. The subject site is located at 900 E. Barbours Cut Blvd and is legally described as Reserve A, Block 1, Port of Houston Authority. The subject site is zoned Planned Unit Development (PUD) and Section 106-659 of the Code of Ordinances requires a Special Conditional Use Permit for development within a PUD district.

The Commission voted 6-1 to recommend approval of the proposed SCUP amendment.

Respectfully submitted,

Ian Clowes, City Planner
On behalf of the Planning and Zoning Commission

cc: Richard Mancilla, Director of Planning and Development
Department File



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: 900 E Barbours Cut Blvd, La Porte, TX 77571

Legal description where SCUP is being requested: See attachment, Insert 1

HCAD Parcel Number where SCUP is being requested: 1333720010001

Zoning District: Planned Unit Development Lot area: 20.7 acres

A request for approval of a Special Conditional Use Permit is hereby made to the City of La Porte.

Description of Request: Amendment of Special Conditional Use Permit No. 03-001 permit condition. See attachment, Insert 2.

Attached hereto is a Project Description Letter describing the project and outlining the reasons why such SCUP should be approved.

PROPERTY OWNER(S) INFORMATION

Name: _____

Company (if applicable): Port of Houston Authority of Harris County, Texas

Address: 111 East Loop North

City: Houston State: TX Zip: 77029

Phone: (713) 670-2676 Email: [REDACTED]

AUTHORIZED AGENT (If other than owner)

Name: _____

Company (if applicable): _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

OWNER(S) & AGENT CERTIFICATION

I hereby depose and state under the penalties of perjury that all statements, proposals and/or plans submitted with/or contained in this application are true and correct and the application is complete to the best of my knowledge and belief.

Agent's Signature: _____ Date: _____

Owner(s)' Signature(s): _____ Date: _____

STAFF USE ONLY:

Case Number:
17-91000002

Date Application Received:
8.16.17

Port of **Houston** Authority

111 East Loop North
Houston, Texas 77029-4326

Office: 713.670.2676
portofhouston.com

Jeff Davis, Chief Port Operations Officer
Email jdavis@poha.com

Draft

August 16, 2017

Mr. Richard Mancilla, P.E.
Director
Planning and Development Department
City of La Porte
City Hall
604 W Fairmont Parkway
La Porte, TX 77571

Re: Application for Amendment of Special Conditional Use Permit No. SCUP 03-011

Dear Mr. Mancilla:

This project description/justification letter is being submitted by the Port of Houston Authority of Harris County, Texas (the "Port Authority") in conjunction with its application to amend Special Conditional Use Permit No. SCUP 03-011 (the "SCUP"). We request that the application be approved by the City of La Porte Planning and Zoning Commission and City Council.

The city issued the SCUP to the Port Authority in August 2003. Since that time, the Port Authority has carried out the permit conditions as it constructed the pre-check truck facility permitted for operation at the site. These conditions included landscaping, irrigation, a screen wall with greenery, and neighborhood-friendly lighting. Most importantly, the Port Authority completed the required Property Owners Value Assurance Program, the result of which has been the creation of a significant "green" buffer area between the facility and the community.

To permit the Port Authority's operations to continue to keep pace with the ongoing changes in the industry since 2003, the Port Authority is seeking to update its business processes at the pre-check truck facility. These changes will permit the facility to operate more efficiently, which will not only better support terminal operations, but should also lessen the impact of these operations on its neighbors.

Accordingly, the Port Authority seeks to amend Permit Condition 11, to allow facility hours of operation to end at 11 p.m., rather than the current 6 p.m. With the successful



Draft

implementation of the Value Assurance Program, the potential impacts of facility operations on the community have been addressed. Facility operation over a longer day is expected to have a beneficial effect on the community, spreading total daily truck trips over an extended period, and thereby reducing day-time traffic density.

For your information, the Port Authority anticipates future improvements to the site as well; a preliminary conceptual plan for these improvements is enclosed. Future development of this area is expected to permit more efficient gate operations, which has the potential to move trucks through Port Authority facilities more quickly, and reduce time-to-time air emissions and road traffic.

We appreciate your consideration of the Port Authority's application. We believe that the local benefits the proposed changes could facilitate minimal impacts on the community, and the Port Authority's record of compliance with the permit conditions and continuing efforts to be a good neighbor all support the city's approval of this request.

We look forward to working with you on this matter.

Sincerely

Jeff Davis
Chief Port Operations Officer

Encl.



Application for Amendment of Special Conditional Use Permit No. SCUP 03-011

Insert 1

TRACT OF LAND DESCRIBED AS PARCEL EIGHT, BEING LOTS 17 TO 32 INCLUSIVE, IN BLOCK 433, LOTS 17 TO 32 INCLUSIVE, IN BLOCK 438, AND LOTS 1 TO 16 INCLUSIVE, IN BLOCK 439, CONVEYED TO HARRIS COUNTY HOUSTON SHIP CHANNEL NAVIGATION DISTRICT BY FIRST NATIONAL BANK IN HOUSTON, ET AL, BY DEED DATED APRIL 9, 1951 AND RECORDED IN COUNTY CLERK'S FILE NO. 872598 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS.

TRACT OF LAND DESCRIBED AS PARCEL ELEVEN, BEING LOTS 17 TO 28 INCLUSIVE, IN BLOCK 973, LOTS 2 TO 16 INCLUSIVE, IN BLOCK 974, AND ALL OF BLOCKS 975, 976, 977, 978 AND 979, CONVEYED TO HARRIS COUNTY HOUSTON SHIP CHANNEL NAVIGATION DISTRICT BY FIRST NATIONAL BANK IN HOUSTON BY DEED DATED APRIL 9, 1951 AND RECORDED IN COUNTY CLERK'S FILE NO. 872598 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS.

TRACT OF LAND BEING DESCRIBED AS LOT 1 IN BLOCK 974 OF THE TOWN OF LA PORTE DECREED TO THE PORT OF HOUSTON AUTHORITY BY JUDGMENT STYLED PORT OF HOUSTON AUTHORITY vs. E. A. WADSWORTH ET AL., IN CAUSE NO. 281900 IN THE COUNTY CIVIL COURT AT LAW, NO. 3 OF HARRIS COUNTY, TEXAS, DATED AUGUST 16, 1984.

A CALLED 1.148 ACRE TRACT OF LAND, BEING LOTS 17 TO 32, INCLUSIVE, IN BLOCK 439, SHOWN HEREON, AWARDED TO THE PORT OF HOUSTON AUTHORITY BY FINAL JUDGMENT DATED APRIL 28, 2003, IN CAUSE NO. 749,487 IN THE HARRIS COUNTY CIVIL COURT AT LAW FOUR (4), STYLED PORT OF HOUSTON AUTHORITY vs. DAVID MOORE, ET AL, AND RECORDED IN DOCUMENT NO, X048879 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS.

Insert 2

Amendment of Special Conditional Use Permit No. 03-001 permit condition 11 as follows:

Hours of operation shall be no earlier than 7 am and no later than 11 [6] pm.



Special Conditional Use Permit Application

Planning and Development Department

604 West Fairmont Parkway

La Porte, Texas 77571

281-470-5057

OVERVIEW

Approval of a Special Conditional Use Permit (SCUP) is required under the following circumstances:

1. To consider approval of certain uses identified as "Conditional Uses" in the city's Commercial and Industrial Use table (Section 106-310 of City of La Porte Code of Ordinances) and Residential Use table (Section 106-331).
2. When developing property in a Planned Unit Development (PUD) zone district, consideration of a SCUP is required in accordance with Section 106-659 of the Code of Ordinances.

SCUP requests are reviewed by the Planning and Zoning Commission as a public hearing. The Commission consists of residents of the community appointed by City Council. The Commission meets on the third Thursday of every month, as necessary. The Commission will forward a recommendation to the City Council for final consideration.

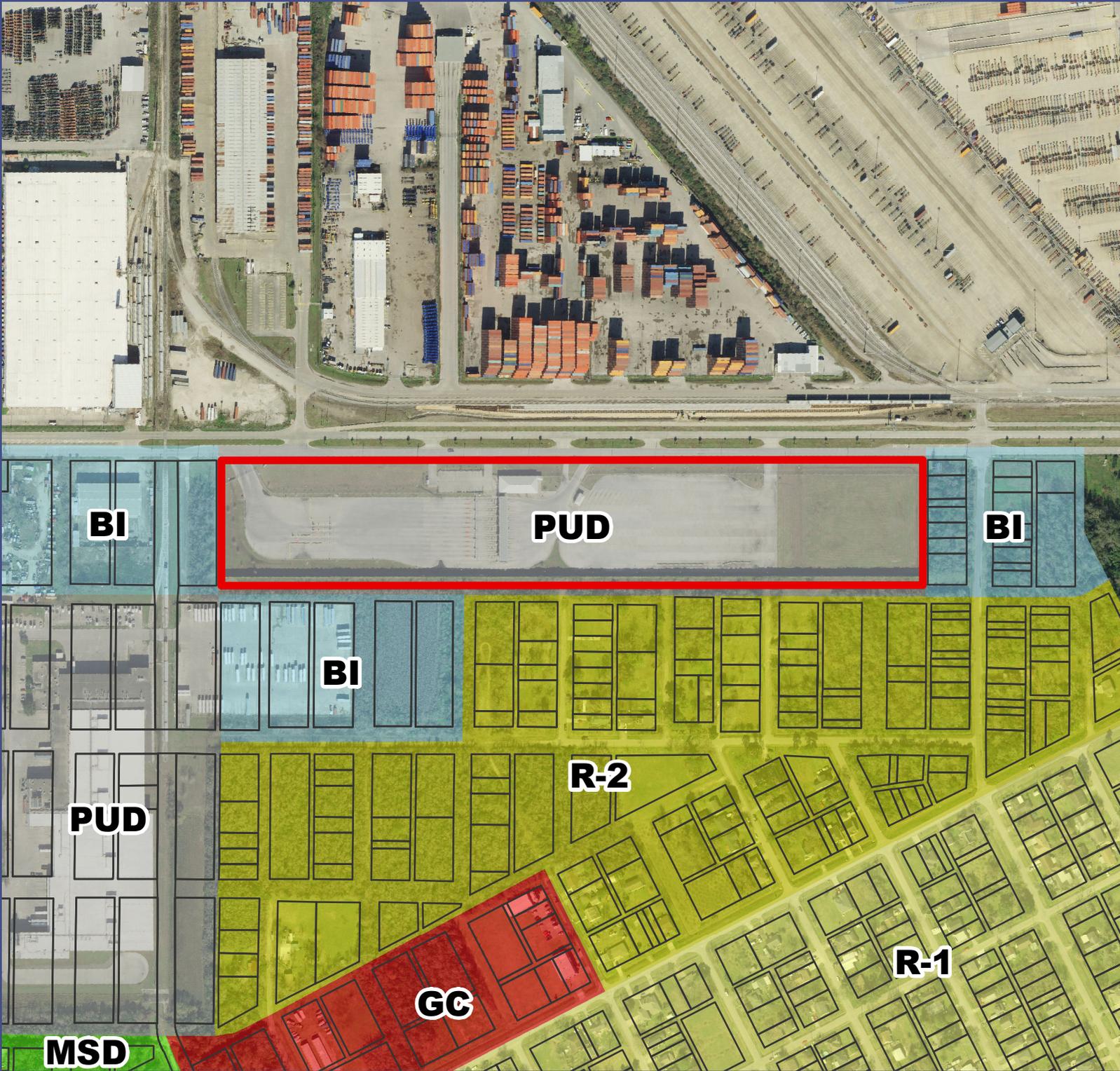
SUBMITTAL REQUIREMENTS

The following application package must be submitted to the Planning and Development Department at least three (3) weeks prior to the desired hearing date.

- Completed **application form**.
- Application fee** of \$400; nonrefundable.
- Site plan, conceptual site plan or general plan**, drawn to scale and dimensioned to show the location of proposed improvements for the development.
- Project description/justification letter** that thoroughly explains what is being requested and why such SCUP should be approved by the Planning and Zoning Commission and City Council.
- Affidavit of posting** fully executed that ensures the applicant will post the required public hearing sign on the property for at least 10 days prior to the Planning and Zoning Commission meeting date. Such sign will be provided by the Planning and Development Department.

PROCESS

- Upon receipt of a complete application package by the Planning and Development Department, the SCUP request will be scheduled for the next available Planning and Zoning Commission meeting date as a public hearing.
- The Planning and Development Department will provide the applicant with a Notice of Public Hearing sign that must be posted on the property where the SCUP is being requested. The sign must be posted on the property visible and within 20 feet from the abutting street for a minimum of 10 days before the scheduled public hearing.
- The Planning and Development Department will publish notice of the public hearing in the Bay Area Observer and at City Hall in conformance with legal requirements. Additionally, the city will send notice of the public hearing to all property owners within 200 feet of the subject property where the SCUP is being requested.



ZONING MAP

SCUP AMENDMENT #17-9100002

 Subject Parcel

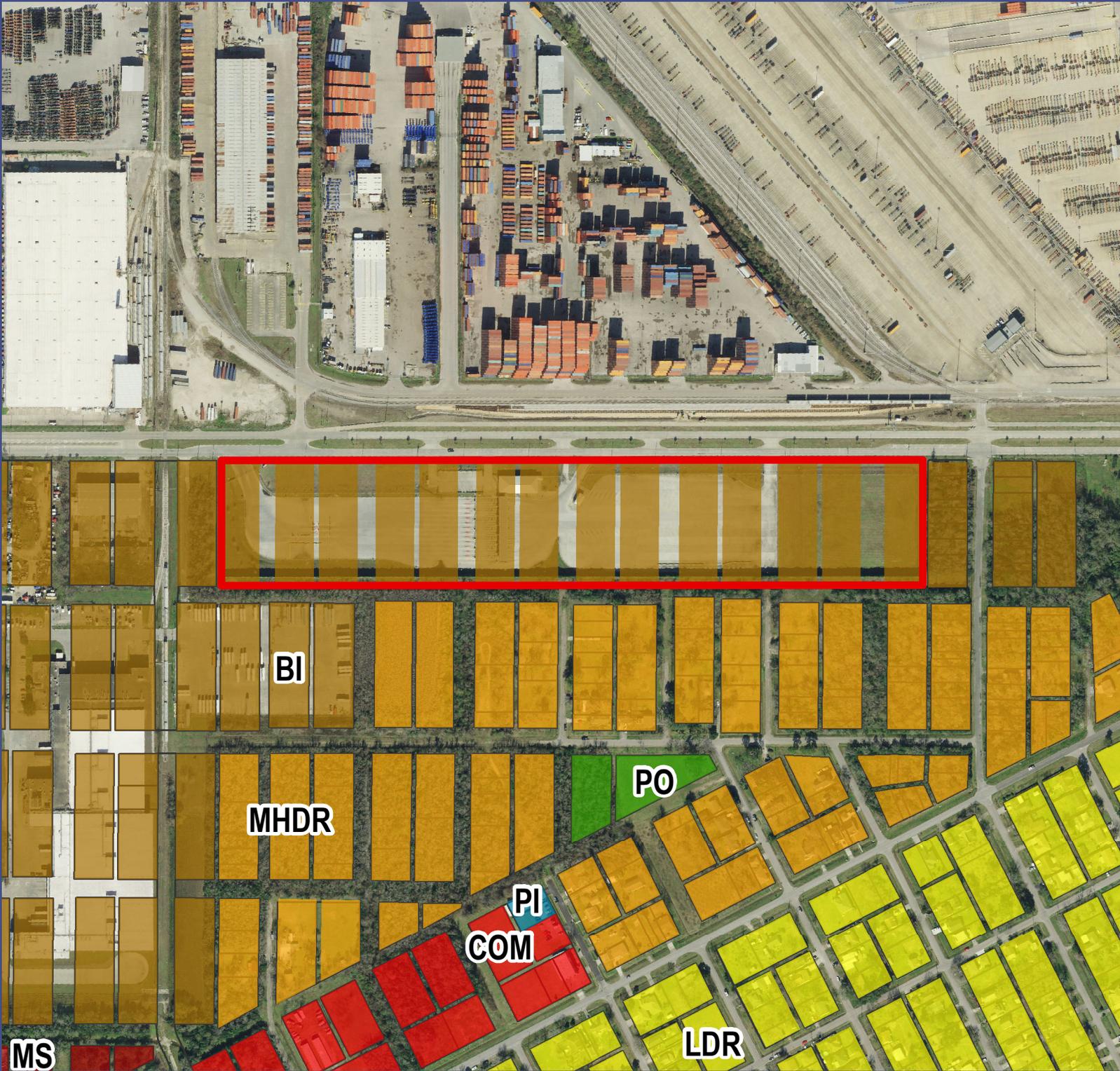


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 432 feet

SEPTEMBER 2017
PLANNING DEPARTMENT





FUTURE LAND USE MAP

SCUP AMENDMENT #17-9100002

 Subject Parcel



This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 432 feet

SEPTEMBER 2017
PLANNING DEPARTMENT



ORDINANCE NO. 1501- BBB

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, CHAPTER 106, MORE COMMONLY REFERRED TO AS THE ZONING ORDINANCE OF THE CITY OF LA PORTE, BY GRANTING A SPECIAL CONDITIONAL USE PERMIT FOR THAT CERTAIN PARCEL OF LAND DESCRIBED AS FOLLOWS, TO-WIT: 20.769 ACRES ALONG EAST BARBOUR'S CUT BOULEVARD, BEING LOTS 17-32 BLOCK 438, LOTS 1-32 BLOCK 439 AND ADJOINING ALLEY, LOTS 1-16 BLOCK 974, LOTS 1-32 OF BLOCKS 975 THRU 979, AND ADJOINING ALLEYS WITHIN THESE BLOCKS AND PORTIONS OF 10TH, 11TH, 12TH AVENUES, BROWNELL, NUGENT, HOLMES AND CARROLL STREETS, OUT OF JOHNSON HUNTER SURVEY, ABSTRACT 35, LA PORTE, HARRIS COUNTY, TEXAS, FOR THE PURPOSE OF DEVELOPING A TRUCK PRE-CHECK FACILITY IN A PLANNED UNIT DEVELOPMENT (PUD) ZONE; 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:

"Section 1. The City Council of the City of La Porte hereby finds, determines and declares that heretofore, to-wit, on the 15th day of May, 2003, at 6:00 p.m. a Public Hearing was held before the Planning and Zoning Commission of the City of La Porte, Texas, pursuant to due notice as required by the Open Meetings Law, Chapter 551, Texas Government Code, to consider the question and the possible reclassification of the zoning classification of the hereinafter described parcels of land. There is attached to this Ordinance as Exhibit "A", and incorporated by reference herein and made a part hereof for all purposes, a copy of Notice of Public Hearing, which the City Council of the City of La Porte hereby finds was properly mailed to all owners of all properties located within two hundred feet (200') of the properties under consideration.

"Section 2. The publisher's affidavit of publication of notice of said hearing is attached hereto as Exhibit "B", incorporated by reference herein and made a part hereof for all purposes.

"Section 3. Immediately following such public hearing on May 15, 2003, the Planning and Zoning Commission of the City of La Porte met in regular session to consider changes in classification, which were the subject of such public hearing. The City Council of the City of La Porte is in receipt of the written recommendations of the City of La Porte Planning and Zoning

Commission, by letter dated May 16, 2003, a true copy of which letter is attached hereto as Exhibit "C", incorporated by reference herein and made a part hereof for all purposes.

"Section 4. Subsequent to receipt of the recommendation of the City of La Porte Planning and Zoning Commission, the City Council of the City of La Porte called a public hearing on the proposed classification changes and the recommendation of the Planning and Zoning Commission on the 9th day of June, 2003, at 6:00 p.m., and pursuant to due notice, to consider the recommendation of the Planning and Zoning Commission regarding the possible reclassification of the zoning classification of the hereinafter described parcels of land. There is attached to this Ordinance as Exhibit "D", incorporated by reference herein and made a part hereof for all purposes, a copy of the notice of public hearing.

"Section 5. The publisher's affidavit of publication of notice of said hearing is attached hereto as Exhibit "E", and incorporated by reference herein and made a part hereof for all purposes.

"Section 6. The conditions of said Conditional Use Permit are as set forth in the incorporated terms of the Special Conditional Use Permit, a true copy of which is attached hereto as Exhibit "F", "F-1", and "F-2", inclusive. The description of said parcels of land classified pursuant to said Special Conditional Use Permit are as follows, to-wit:

20.769 acres along East Barbour's Cut Boulevard; being lots 17-32, block 438, lots 1-32 block 439 and adjoining alley, lots 1-16, block 974, lots 1-32 of blocks 975 thru 979, and adjoining alleys within these blocks and portions of 10th, 11th, 12th Avenues, Brownell, Nugent, Holmes and Carroll Streets, out of the Johnson Hunter Survey, Abstract-35, City of La Porte, Harris County, Texas.

"Section 7. 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 8. The City Council official finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

"Section 9. This Ordinance shall be in effect from and after its passage and approval.

Passed and approved this the *1st* day of *August*, 2003.

CITY OF LA PORTE

By: *Norman Malone*
NORMAN MALONE, Mayor

ATTEST:

By: *Martha Gillett*
MARTHA GILLETT, City Secretary

APPROVED:
By: *Knox W. Askins*
KNOX W. ASKINS, City Attorney

City of La Porte
Special Conditional Use Permit # SCU 03-001

This permit is issued to: Port of Houston Authority
Owner or Agent

P.O. Box 2562 Houston, TX 77252
Address

For Development of: Port of Houston Authority Pre-check truck facility
Development Name

East Barbour's Cut Blvd, La Porte, TX
Address

Legal Description: 20.7 acres of land being lots 17-32 of block 438, lots 1-32 block 439 and adjoining alley, lots 1-16 block 974, lots 1-32 of blocks 975 through 979 and adjoining alleys within these blocks and portions of 10th, 11th, and 12th Aves., Brownell, Nugent, Holmes and Carroll Streets, out of the Johnson Hunter League, A-35 City of La Porte, Harris County, Texas.

Zoning: Planned Unit Development (PUD)

Use: Pre-check truck facility

Permit Conditions:

1. Adhere to the terms of the Property Owners Value Assurance Program (as described in Exhibit F-1).
2. Sign an interlocal agreement with the City of La Porte regarding the Property Owners Value Assurance Program.
3. Comply with the General Plan approved by the City as shown in the attached Exhibit F-2.
4. Ensure that at least 30 percent of the property consists of landscaping and/or screening.
5. Provide detailed landscape and screening plans during site plan submittal. Allow existing trees and shrubs to remain as natural buffer. Provide "in fill" plantings of trees and shrubs.
6. Provide an irrigation system to ensure that all landscaping and screening is properly maintained by the owner/developer.
7. Erect a sound wall constructed with a "rough" texture to decrease the likelihood of graffiti and to increase the likelihood that vines/greenery will attach to the wall.
8. Adhere to the provisions and details shown in facilities lighting plan. Ensuring that all illumination occurs on site and does not affect nearby residences.
9. Enhance the building façade so that it is architecturally and aesthetically pleasing. The Planning and Zoning Commission must approve the design.
10. Prohibit the overnight parking of trucks at the facility between 6 pm and 6 am.
11. Hours of operation shall be no earlier than 7 am and no later than 6 pm.
12. Pay the public hearing costs.
13. Comply with all other applicable laws and ordinances of the City of La Porte and the State of Texas.

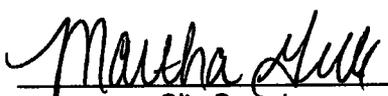
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If construction is terminated after completion of any stage and there is ample evidence that further development is not contemplated, the ordinance establishing such special conditional use permit may be rescinded by the City Council, upon its own motion or upon the recommendation of the Planning and Zoning Commission of the City of La Porte, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

Validation Date: 8-11-03



Director of Planning



City Secretary

**Amended Resolution
Value Assurance Program
For LaPorte Property Owners**

WHEREAS, the Port of Houston Authority of Harris County, Texas (Port Authority) is working with the City of LaPorte, Texas, to replat, rezone, and approve a Planned Unit Development on property the Port Authority plans to use for a Truck Entry Station, (TES) on Barbours Cut Blvd.; and

WHEREAS, the adjacent property owners in Blocks 433, 432, 980, 981, 982, 983, 984, 985, 973, 974, and 988, Town of LaPorte, Harris County, Texas, that are within 400 feet of the TES have concerns about declining property values once construction of the TES is begun and want assurance that, should their current property value decline, the Port Authority will purchase their property; and

WHEREAS, the Port Authority is willing to offer the option to all property owners in the Blocks mentioned above to sign up for the Barbours Cut Terminal Truck Entry Station Value Assurance Program, described below, within 180 days following the date the City of LaPorte, Texas, grants a Special Conditional Use Permit to the Port Authority for the TES.

NOW THEREFORE BE IT RESOLVED THAT, the Port of Houston Authority of Harris County, Texas, establishes the following Barbours Cut Terminal Truck Entry Station Value Assurance Program, for the property owners who sign up for the program:

1. Owners of property in the Blocks described in the Preamble of this Resolution may sign up for the Value Assurance Program after the City of LaPorte issues a Special Conditional Use Permit (SCUP) to the Port Authority for its Truck Entry Station for Barbours Cut Terminal, and those owners may sign up for 180 days after that date. Owners who sign up for the Program must allow the Port Authority to conduct a Phase I site assessment of their property prior to its being enrolled in the Program. The Port Authority will only disqualify from the Program property with material environmental concerns not of the kind typically found in a residential subdivision. For example, lead paint and asbestos siding do not disqualify property from the Program.
2. The Value Assurance Program (Program) is not transferable to subsequent owners of the property. No property may participate in the Program after the 180-day time frame expires.
3. The Port Authority will purchase the above-described property that is unimproved property at the 2003 Harris County Appraisal District Appraised Value. Unimproved property is considered to be vacant land, that is, land with no structures on it. Under the Program, a slab or utilities are not considered improvements.
4. The Port Authority will purchase the above-described property that is improved property at the market value as established by a Texas State Certified Appraiser after the property owner signs up for the Program. The owner of improved property will

select a Texas State Certified Appraiser to assess the current appraised value of the property within 60 days of applying to enter the Program. Should the Port Authority disagree with the value determined by the appraisal, the Port Authority will select a Texas State Certified Appraiser for a second appraisal. If the Port Authority and the property owner cannot agree on using either of the previous appraisals, the Port Authority and the property owner shall jointly select a Texas State Certified Appraiser for a third appraisal to determine final value. If no third Appraiser can be agreed upon by the property owner and the Port Authority, the previous two Appraisers shall jointly select the third Appraiser. All appraisals will be paid for by the Port Authority, provided such charges are within the range of those commonly charged for similar services in Harris County, Texas.

5. The Port Authority's obligation to purchase property under the Program will not begin until the Port Authority receives a Building Permit from the City of LaPorte, Texas, for the Port Authority's Truck Entry Station on Barbour's Cut Blvd.
6. The term of the Value Assurance Program shall be for five years from the date the Building Permit referred to in Paragraph 5, above, is issued by the City of LaPorte to the Port Authority for the TES.
7. The Port Authority will notify all property owners in the Blocks mentioned in the Preamble of this Amended Resolution that are within 400 feet of the TES by regular mail, certified mail, telephone, advertisement, and/or personal meetings. The City of LaPorte will be informed of the notification progress for the Program.
8. The Port Authority shall contact each property owner who has signed up for the Value Assurance Program at 90 days, 60 days, and 30 days prior to expiration of the Program.
9. The Port Authority will use the Application and Contract forms attached to this Amended Resolution. The Port Authority, through its Executive Director, may change these forms with the prior approval of the City of LaPorte, Texas.
10. The Port Authority's obligation to pay money under the Program shall not exceed \$2 million unless this amount is increased by the Port Commission.

PASSED, APPROVED AND ADOPTED This 28th day of July, 2003.

Attest/Seal

**PORT OF HOUSTON AUTHORITY
OF HARRIS COUNTY, TEXAS**

| | |
|---|--|
| By:  | By:  |
| Name: <u>H. Thomas Kornegay</u> | Name: <u>James T. Edmonds</u> |
| Title: <u>Executive Director</u> | Title: <u>Chairman</u> |

Property Owner Application
for the Barbours Cut Truck Entry Station
Value Assurance Program

The Port of Houston Authority of Harris County, Texas adopted a Value Assurance Program for the Barbours Cut Truck Entry Station on December 16, 2002. This resolution was replaced by the amended Program on July 28, 2003. A copy of the Amended Resolution is attached.

I/We _____, am/are owners of the property described below. I am/we are applying for the Value Assurance Program as described in the attached Amended Resolution. That Amended Resolution applies to this application.

Legal Description of the property:

For Improved Property:

The Port Authority will purchase the above-described property that is improved property at the market value as established by a Texas State Certified Appraiser after the property owner signs up for the Program. The owner of improved property will select a Texas State Certified Appraiser to assess the current appraised value of the property within 60 days of applying to enter the Program. Should the Port Authority disagree with the value determined by the appraisal, the Port Authority will select a Texas State Certified Appraiser for a second appraisal. If the Port Authority and the property owner cannot agree on using either of the previous appraisals, the Port Authority and the property owner shall jointly select a Texas State Certified Appraiser for a third appraisal to determine final value. If no third Appraiser can be agreed upon by the property owner and the Port Authority, the previous two Appraisers shall jointly select the third Appraiser. All appraisals will be paid for by the Port Authority, provided such charges are within the range of those commonly charged for similar services in Harris County, Texas.

For Unimproved Property:

The Port Authority will purchase the above-described property that is considered unimproved under the program at the 2003 Harris County Appraisal District Appraised Value.

Property Owner of Record

Date

Real Estate Manager
Port of Houston Authority

Date

C: City of LaPorte, Texas

Property Owners Contract
for the
Value Assurance Program

Legal Description of the property:

CONTRACT SALES PRICE: ALL CASH. \$ _____ (“Sales Price”)

The Port Authority agrees to purchase the above-described property at the request of the property owner at any time during the Value Assurance Program for the Barbours Cut Terminal Truck Entry Station as set out in the Amended Resolution of the Port Authority dated July 28, 2003, at the agreed-upon sales price referenced above.

The Port Authority agrees to purchase the property at the agreed sales price on an “as is” basis as of the time of the appraisal (for improved property) less normal wear and tear and, for both improved and unimproved property, the seller is the fee title owner of the property and able to convey the property to the Port Authority free and clear of all liens and other encumbrances. A standard Texas Real Estate Commission Contract will be used for any purchase, modified as necessary for use by a political subdivision of the State of Texas.

The Port Authority agrees to notify the property owner at intervals of 90 days, 60 days and 30 days prior to the expiration of this contract.

Property Owner of Record

Date

Executive Director
Port of Houston Authority

Date

C: City of LaPorte, Texas

A Meeting of the La Porte

RECEIVED

Planning and Zoning Commission

(Type of Meeting)

MAY 15 2003

Scheduled for

PLANNING DEPT.

May 15, 2003

(Date of Meeting)

to Consider

Special Conditional Use Permit #SCU 03-001

(Type of Request)

I have received notice of the above referenced public hearing.

I am in FAVOR of granting this request for the following reasons:

absolutely Not in favor

I am OPPOSED to granting this request for the following reasons:

I have lived on North Nugent since 1944 and have a good life here. When the lot moved in they chose to play on both side of B. Cut. but when Big Business comes along we change - keep to please their pockets. Hellin Park is named in memory of my the second - Guess you want it too!

IRENE WILLIAM HENSLEY

Name (please print)

202 N, NUGENT

Address

Irene William Hensley

Signature

LA PORTE TX 77571

City, State, Zip

A Meeting of the La Porte

RECEIVED

Planning and Zoning Commission

(Type of Meeting)

MAY 12 2003

Scheduled for

May 15, 2003

(Date of Meeting)

PLANNING DEPT.

to Consider

Special Conditional Use Permit #SCU 03-001

(Type of Request)

I have received notice of the above referenced public hearing.

I am in FAVOR of granting this request for the following reasons:

*Only if they include properties around this area. I own Lts 1-8 Belk 981 - Ohio St.
Lts 28-32 Belk 981 - Brownell*

I am OPPOSED to granting this request for the following reasons:

If they do not include that whole area. As I believe this facility will remove all that area and the property will be worthless.

HELEN M. WESTEN
Name (please print)

10123 BELFAST
Address

Helen M. Westen
Signature

La Porte, TX 77571
City, State, Zip

A Meeting of the La Porte

Planning and Zoning Commission

(Type of Meeting)

Scheduled for

May 15, 2003

(Date of Meeting)

to Consider

Special Conditional Use Permit #SCU 03-001

(Type of Request)

RECEIVED

MAY 09 2003

PLANNING DEPT.

I have received notice of the above referenced public hearing.

I am in FAVOR of granting this request for the following reasons:

I agree with granting the request.

I am OPPOSED to granting this request for the following reasons:

L.V. Kuykendall

Name (please print)

L.V. Kuykendall

Signature

219 N. HOLMES

Address

La Porte, TX 77571

City, State, Zip

RECEIVED
MAY 07 2003
PLANNING DEPT.

A Meeting of the La Porte

Planning and Zoning Commission
(Type of Meeting)

Scheduled for

May 15, 2003
(Date of Meeting)

to Consider

Special Conditional Use Permit #SCU 03-001
(Type of Request)

I have received notice of the above referenced public hearing.

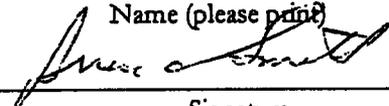
I am in FAVOR of granting this request for the following reasons:

IT MAY ENHANCE THE VALUE AND AID IN
SELLING OUR PROPERTY

I am OPPOSED to granting this request for the following reasons:

BRUCE A. SMITH

Name (please print)



Signature

P.O. BOX 19572

Address

HOUSTON, TX 77228

City, State, Zip

FOR TLS PROPERTIES LTD.

A Meeting of the La Porte

Planning and Zoning Commission

(Type of Meeting)

Scheduled for

May 15, 2003

(Date of Meeting)

to Consider

Special Conditional Use Permit #SCU 03-001

(Type of Request)

RECEIVED

MAY 07 2003

PLANNING DEPT.

I have received notice of the above referenced public hearing.

I am in FAVOR of granting this request for the following reasons:

*We need to move this property
and we would like to sell it*

I am OPPOSED to granting this request for the following reasons:

C E Bergstrom
Name (please print)

C E Bergstrom
Signature

711 W Braeklenrdge
Address

Edna Tx 77957
City, State, Zip

A Meeting of the La Porte

Planning and Zoning Commission

(Type of Meeting)

Scheduled for

May 15, 2003

(Date of Meeting)

to Consider

Special Conditional Use Permit #SCU 03-001

(Type of Request)

RECEIVED

MAY 06, 2003

PLANNING

I have received notice of the above referenced public hearing.

I am in FAVOR of granting this request for the following reasons:

I have no objections

I am OPPOSED to granting this request for the following reasons:

MAUREED MAXWELL

Name (please print)

Maureen Maxwell

Signature

615 S. Nugent St.

Address

La Porte, TX. 77571

City, State, Zip

A Meeting of the La Porte

Planning and Zoning Commission

(Type of Meeting)

Scheduled for

May 15, 2003

(Date of Meeting)

to Consider

Special Conditional Use Permit #SCU 03-001

(Type of Request)

RECEIVED

MAY 05 2003

PLANNING DEPT.

I have received notice of the above referenced public hearing.

I am in FAVOR of granting this request for the following reasons:

I am OPPOSED to granting this request for the following reasons:

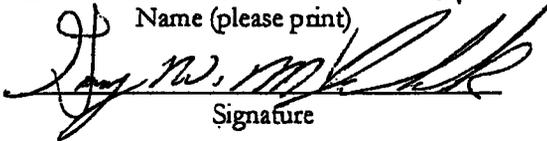
TEARING DOWN TREES, NOISE, EXHAUST FUMES,
FUMES FROM ASPHALT, PROPERTY VALUE, WILDLIFE,
IF THE CITY GRANTS THIS REQUEST, THEN CUT
ME A \$70,000⁰⁰ CHECK AND GIVE ME 60 DAYS TO MOVE!

GARY W. MCINCHAK

Name (please print)

310 N. BROWNELL ST

Address



Signature

LAPORTE, TX. 77571

City, State, Zip

P.S. YOU DON'T LEAVE ENOUGH ROOM FOR
ALL MY COMPLAINTS

Special Conditional Use Permit #SCU 03-001

Requested by: Port of Houston Authority
c/o Brenda K. McDonald, Real Estate Manager
represented by Kent Marsh, Knudson and Associates

Requested for: 20.7 acres of land being lots 17-32 of block 438; lots 1-32 block 439 and adjoining alley; lots 1-16 block 974; lots 1-32 of blocks 975, 976, 977, 978, thru 979; and adjoining alleys within these blocks and portions of 10th, 11th, 12th Avenues, Brownell, Nugent, Holmes and Carroll Streets, out of the Johnson Hunter League, Abstract-35, City of La Porte, Harris County, Texas.

Location: E. Barbour's Cut Boulevard (near the City of La Porte's city limits)

Present Zoning: Planned Unit Development (PUD)

Requested Use: Entry Pre-check Facility

Background: This site consists of 20.7 acres located on East Barbour's Cut Boulevard. The city limits of La Porte lines run parallel to the property line along Barbour's Cut Boulevard. The Port of Houston Authority's container facilities are located on the north of the said property across Barbour's Cut Boulevard. At the site in question, the Port of Houston Authority is proposing a truck pre-check facility with a combined total of 14 truck lanes. The facility would have two entry points and an exit gate along Barbour's Cut Boulevard.

The Planning and Zoning Commission, during its December 19, 2002 meeting, held a public hearing to receive citizen comments regarding rezone request by the Port of Houston Authority. The Commission recommended to Council approval of this rezone from Business Industrial (BI) to Planned Unit Development (PUD). City Council approved your recommendation at their January 13, 2003 meeting.

The purpose of the PUD zoning district is to provide for the development as an integrated coordinated unit as opposed to traditional parcel-by-parcel, piecemeal, sporadic, and unplanned approach to development. The PUD zoning assigned to this tract is to a great extent based on the large amount of undeveloped, unsubdivided acreage located in this area. The PUD development requirements are an effective means to ensure that development of this tract would be in accordance with the sound planning guidelines.

City of La Porte
Special Conditional Use Permit # SCU 03-001

This permit is issued to: Port of Houston Authority
Owner or Agent

P.O. Box 2562 Houston, TX 77252
Address

For Development of: Port of Houston Authority Pre-check truck facility
Development Name

East Barbour's Cut Blvd, La Porte, TX
Address

Legal Description: 20.7 acres of land being lots 17-32 of block 438, lots 1-32 block 439 and adjoining alley, lots 1-16 block 974, lots 1-32 of blocks 975 through 979 and adjoining alleys within these blocks and portions of 10th, 11th, and 12th Aves., Brownell, Nugent, Holmes and Carroll Streets, out of the Johnson Hunter League, A-35 City of La Porte, Harris County, Texas.

Zoning: Planned Unit Development (PUD)

Use: Pre-check truck facility

Permit Conditions:

1. Adhere to the terms of the Property Owners Value Assurance Program (as described in Exhibit F-1).
2. Sign an interlocal agreement with the City of La Porte regarding the Property Owners Value Assurance Program.
3. Comply with the General Plan approved by the City as shown in the attached Exhibit F-2.
4. Ensure that at least 30 percent of the property consists of landscaping and/or screening.
5. Provide detailed landscape and screening plans during site plan submittal. Allow existing trees and shrubs to remain as natural buffer. Provide "in fill" plantings of trees and shrubs.
6. Provide an irrigation system to ensure that all landscaping and screening is properly maintained by the owner/developer.
7. Erect a sound wall constructed with a "rough" texture to decrease the likelihood of graffiti and to increase the likelihood that vines/greenery will attach to the wall.
8. Adhere to the provisions and details shown in facilities lighting plan. Ensuring that all illumination occurs on site and does not affect nearby residences.
9. Enhance the building façade so that it is architecturally and aesthetically pleasing. The Planning and Zoning Commission must approve the design.
10. Prohibit the overnight parking of trucks at the facility between 6 pm and 6 am.
11. Hours of operation shall be no earlier than 7 am and no later than 6 pm.
12. Pay the public hearing costs.
13. Comply with all other applicable laws and ordinances of the City of La Porte and the State of Texas.

Failure to begin construction within 12 months after issuance or as scheduled under the terms of a special conditional use permit shall void the permit as approved, except upon an extension of time granted after application to the Planning and Zoning Commission.

If construction is terminated after completion of any stage and there is ample evidence that further development is not contemplated, the ordinance establishing such special conditional use permit may be rescinded by the City Council, upon its own motion or upon the recommendation of the Planning and Zoning Commission of the City of La Porte, and the previous zoning of the entire tract shall be in full effect on the portion which is undeveloped.

Validation Date: 8-11-03



Director of Planning



City Secretary

REQUEST FOR CITY COUNCIL AGENDA ITEM

| |
|--|
| Agenda Date Requested: <u>October 23, 2017</u> |
| Requested By: <u>Rosalyn Epting</u> |
| Department: <u>Parks & Recreation</u> |

Report: Resolution: Ordinance:

Exhibits: _____

Exhibits: _____

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

SUMMARY & RECOMMENDATION

Staff was approached by Karen Littlejohn, Certified Infant Swimming Resource (ISR) Instructor, about offering an infant self-rescue program for children 6 month to 6 years old at the Recreation & Fitness Center (possibly at outdoor pools when they are in season as well). Since this program can be viewed by some with criticism and controversy, staff is looking for Council’s blessing before moving forward.

The following information on the program was taken directly from the ISR website:

“Founded in 1966, Infant Swimming Resource (ISR), with it’s Self-Rescue® program, is nationally recognized as the safest provider of survival swimming lessons for infants and young children. With over 45 years of research and development, highly trained certified Instructors committed to safety, and a proven history of success, parents can rest assured that their children are receiving the best possible instruction in the world today.

ISR believes pool fences, supervision, and pool alarms are important parts of a necessary multi-layered approach to drowning prevention. However, traditional lines of defense break down, and the over 4,000 drowning deaths per year bear a grim testament to the fact that traditional approaches are missing a key component: the child. ISR’s core conviction is that the child is the most important part of a drowning prevention strategy and our over 300,000 ISR graduates and over 800 documented survival stories are proof that children can save themselves.

Children are curious, capable, and have an uncanny ability to overcome obstacles like pool fences; at ISR we take that ability and teach them skills to potentially save themselves if they find themselves in the water alone.”

A video of the program will be shown, and Ms. Littlejohn will be present to answer any questions regarding the program.

Action Required by Council:

Provide input to staff as to what direction Council would like to go in regards to offering Infant Swimming Resource classes in the City of La Porte.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

REQUEST FOR CITY COUNCIL AGENDA ITEM

| |
|--|
| Agenda Date Requested <u>October 23, 2017</u> |
| Requested By: <u>Corby D. Alexander</u> |
| Department: <u>City Manager</u> |
| Report _____ Resolution: _____ Ordinance: _____ |

Exhibit: Map
Recorded Plat
Sample Record Plat

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

SUMMARY & RECOMMENDATION

As Council is aware, Mr. Drew Adams has come to City Council on a number of occasion to complain of a gate that has been erected at the entrance to a narrow strip located between lots 3 and 4 of the Crescent View subdivision. The initial complaint was that this fence was in a City ROW. Upon examining the original 1926 plat for the subdivision, the City Attorney has determined that the real estate between lots 3 and 4 is not a City ROW. First, the language in the plat dedicates Crescent Avenue “to exclusive use of the present and future owners of the lots shown hereon”, as opposed to the public (the plat is attached to this agenda item). Second, the strip between lots 3 and 4 is not labeled on the plat as a street or alley, and unlike Crescent Avenue, the surface of the strip has never been improved or maintained by the City as a street, thoroughfare, or pedestrian pathway.

The Crescent View plat language is very different from typical verbiage contained in plats used to dedicate streets and alleys to the public. Also attached is sample plat which clearly dedicates streets and alleys to the public (i.e. the City). The latter plat specifically assigns “ownership” to the Public. The Crescent View plat does not. A follow-up title search, recently completed, did not reveal any other plats, easements, or deeds dedicating or conveying the strip between lots 3 and 4 to the public.

The gate was erected without a permit. The gate has been allowed to stay in place as long as it remains open allowing access to the rest of the neighborhood. This accommodation was made in attempt to be fair to both sides and allow time to resolve the issue. The owner of lot 4 has made application for a permit, claiming adverse possession rights to the property against the other subdivision owners. Due to these unresolved issues, the City has not issued the permit.

Mr. Adams has correctly stated that the City has a sanitary sewer line located under the surface of the strip between lots 3 and 4. This line services lots 3 and 4 and was installed at least 60 years ago. Staff has been unable to locate an easement for the referenced sanitary sewer. The City Attorney believes the fact that the line has been in place for so long entitles the City to a prescriptive easement (a public easement gained by uncontested use on private property for at least 10 years), but only as to the use of the sewer lines, and only for use below the surface. He does not believe that a prescriptive easement for subsurface use gives the city a prescriptive easement for use of the surface as a ROW, where the surface has never been used or maintained by the City for any purpose. This line has been slip-lined within the past 2 years by the City as part of routine maintenance. When performing maintenance on any City utility, we typically do not look to ensure written easements are in place.

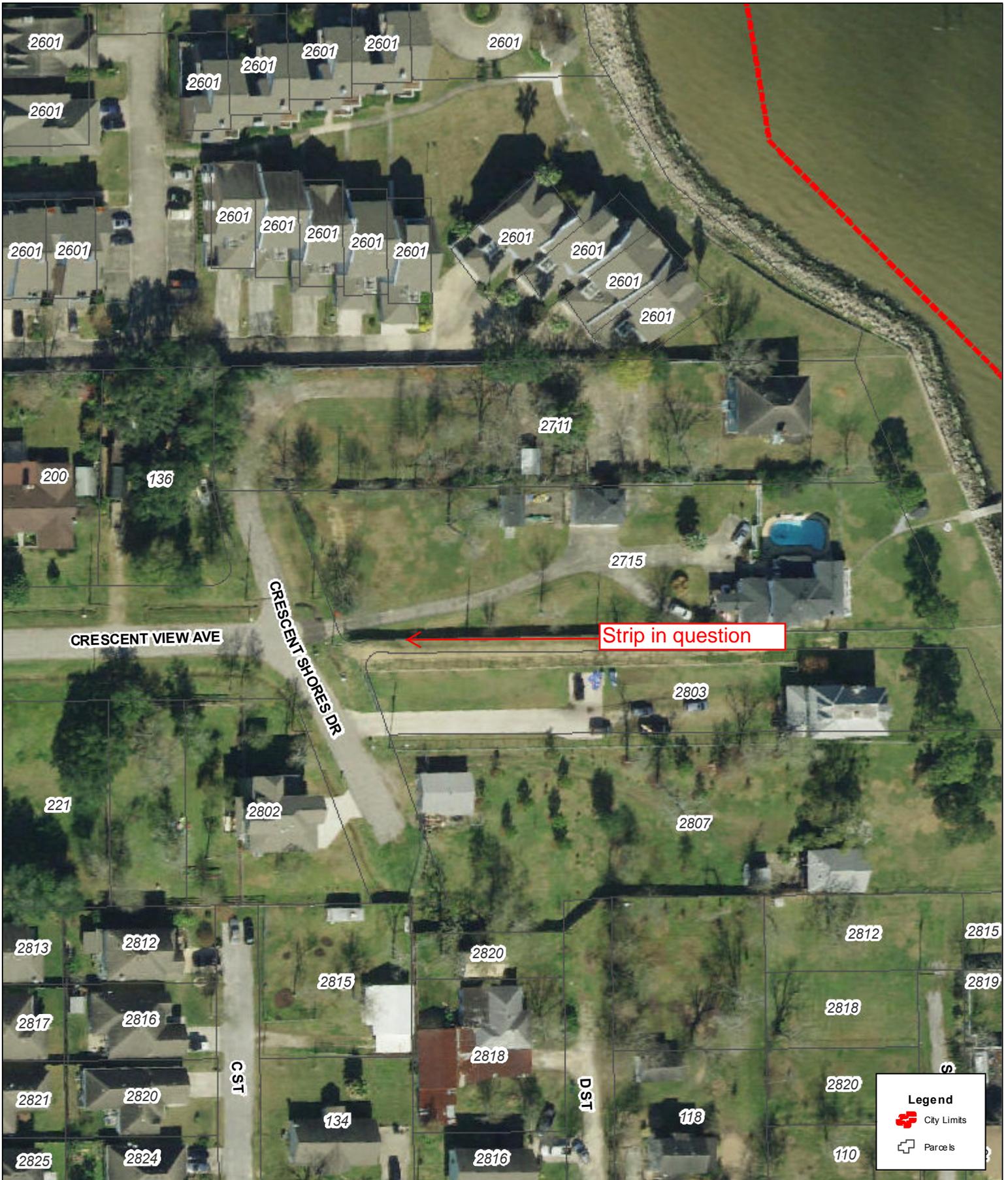
Action Required by Council:

Discussion and or other action gate/fence erected between lots 3 and 4 of the Crescent View subdivision.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of La Porte makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of La Porte from any damage, loss, or liability arising from such use.



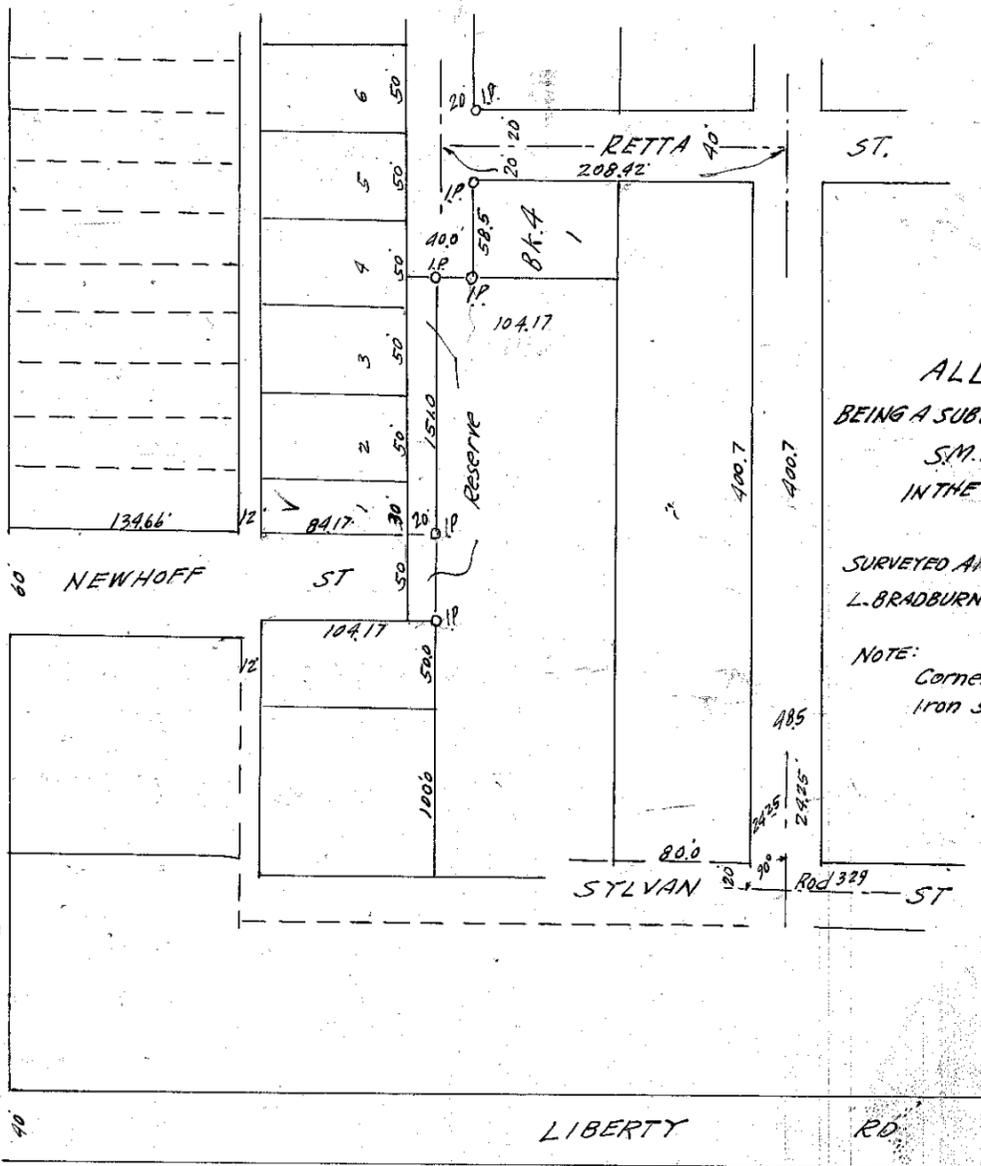
City of La Porte
 604 W. Fairmont Parkway
 La Porte, TX 77571
 (281) 471-5020
 www.laportetx.gov

La Porte GIS Mapping

1" = 94'



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ALLRIGHT ADD.
BEING A SUBDIVISION OF A PORTION OF
S.M. HARRIS SURVEY
IN THE CITY OF HOUSTON TEX
SCALE 1"=100'
SURVEYED AND SUBDIVIDED AUG. 1926
L. BRADBURN APPROVED J.C. MEYER
City Engineer.

NOTE:
Corners marked with
iron stakes as shown.

This Plat of "Allright
Add" an addition to the
City of Houston, Tex. out
of S.M. Harris Survey,
was filed with the City
Council by Wm. Donnelly,

F. J. Guenther, Antoniette Koehler Guenther, Harry Pratt, & Martha Pratt, which was approved
and the streets shown thereon accepted for the public use.

The 18 day of Oct. 1926. M. H. Westerman, Asst. City Secretary.

Filed for record Oct. 19, 1926 at 3:50 o'clock P.M. Recorded Oct. 25, 1926 at 11:25 o'clock A.M.

Albert Townsend Clerk County Court, Harris County, Texas. By M. Fletcher Deputy.

No. 257444

Homebuilders Investment Co.
By President

-To-

Dedication and Map

State of Texas, County of Harris. Homebuilders Investment Company, a Texas Corporation
with domicile in Houston, Harris Co., Texas, owner of the subdivision shown hereon, does hereby
designate same by the name of Crescent View, same being a part of the W. P. Harris Sur. in
Harris County, Texas, as described in deed conveying said property, recorded in Volume 675 page
424 of the Deed Records of Harris Co., Texas; and does hereby dedicate the Avenue thereon shown
as Crescent Avenue to the exclusive use of the present and future owners of the lots shown hereon;
and does hereby reserve out of Lot 3 as shown hereon, a space three feet by twenty feet, including
the artesian water well now situated thereon, from sale to any purchaser of said lot three, and
does hereby give, grant, sell and convey the equal right to use the water from said well or
wells or said reservation to each present and future purchaser or owner of Lots 1, 2, 3, 4, 5, and
6 - such water right to run with the ownership of any and all of said lots, but hereby reserves to
itself the right to the use of water from such well or wells for homes which may hereafter be
erected on Lots 7 to 26 inclusive, together with the privilege of transferring such right to any
future owner or owners of any or all of said lots 7 to 26 inclusive.

In Testimony Whereof witness the hand and seal of said Company at Houston, Texas, this the 11th
day of October, A. D. 1926.

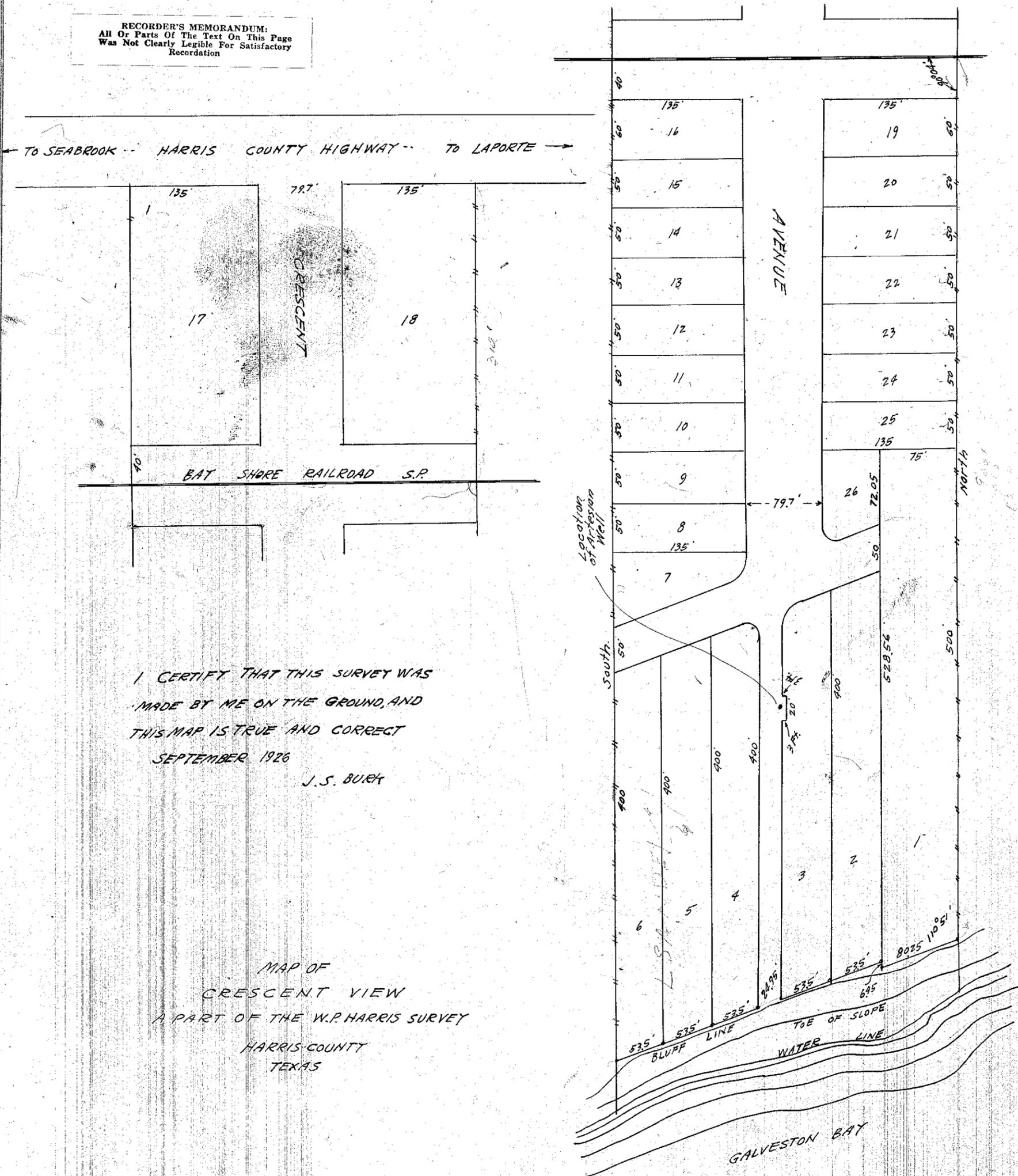
Homebuilders Investment Company, By C. S. Woods, Prest.

Attest: - M. F. Baxtresser, Secretary. (Seal).

1 State of Texas, County of Harris. Before me, a Notary Public in and for Harris
 2 County, Texas, on this day personally appeared C. S. Woods, President and presiding member
 3 of Homebuilders Investment Company, and M. F. Baxtresser, Secretary thereof, both known to
 4 me to be the persons whose names are subscribed to the foregoing instrument of writing, and
 5 they each acknowledged to me that said corporation executed the foregoing instrument by and
 6 through them, as the act and deed of said corporation for the purposes and consideration
 7 therein expressed, and that they executed the same in the capacity therein stated.
 8 Given under my hand and seal of office this the 11th day of October, A. D., 1926.

9 Otto Emal, Notary Public in and for Harris County, Texas. (Seal).

11 RECORDER'S MEMORANDUM:
 12 All Or Parts Of The Text On This Page
 13 Was Not Clearly Legible For Satisfactory
 14 Recordation



31 I CERTIFY THAT THIS SURVEY WAS
 32 MADE BY ME ON THE GROUND, AND
 33 THIS MAP IS TRUE AND CORRECT
 34 SEPTEMBER 1926

35 J. S. BURK

37 MAP OF
 38 CRESCENT VIEW
 39 A PART OF THE W.P. HARRIS SURVEY
 40 HARRIS COUNTY
 41 TEXAS

Filed for record Oct. 19, 1926 at 4:30 o'clock P.M. Recorded Oct. 25, 1926 at 10:40 o'clock A.M.

Albert Townsend Clerk County Court, Harris County, Texas. By M Fletcher Deputy.

No. 258161

Jabe C. Reader, et ux

-To-

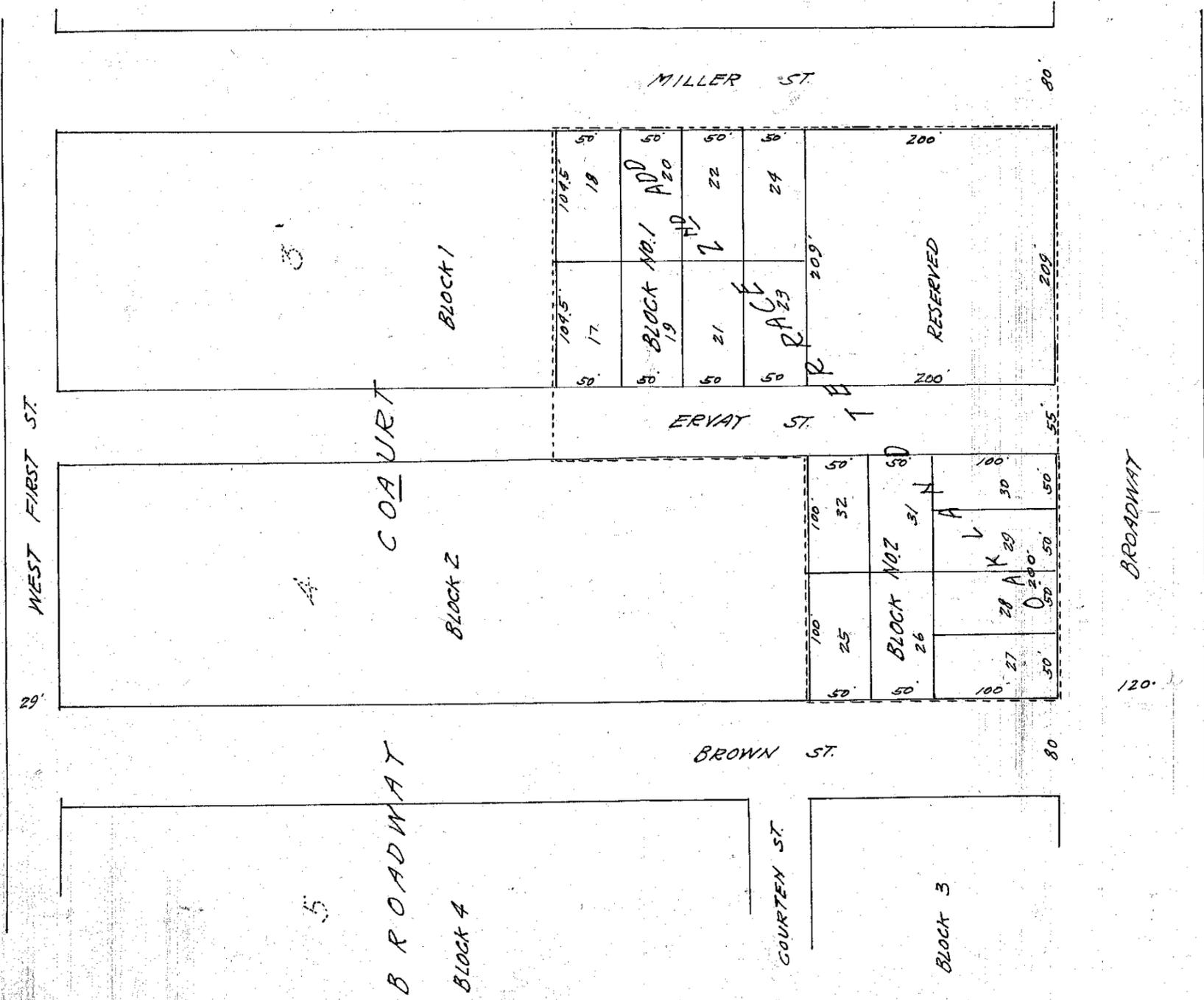
Map & Dedication

We, Jabe C. Reader and wife, Georgia H. Reader hereby adopt the foregoing plat of Oakland Terrace Addition No. 2 to the City of Harrisburg Tex. consisting of Block No. 1 out of Lot No. 3 of Baldwin and Foster Subdivision, and Block No. 2 out of Lot No. 4 of Baldwin and Foster Subdivision and we hereby dedicate the roads thereon shown to the public

Jabe C. Reader, Georgie H. Reader

State of Texas, County of Harris. Before me, the undersigned authority, on this day personally appeared Jabe C. Reader and wife, Georgie H. Reader, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed. And the said Georgie H. Reader, wife of the said Jabe C. Reader, having been examined by me privily and apart from her said husband, and having the same by me fully explained to her, she, the said Georgie H. Reader, acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed and that she did not wish to retract it. Given under my hand and seal of office this the 25 day of October, A. D. 1926.

C. M. Kay, Notary Public in and for Harris County, Texas. (Seal).



27292

MAP OF LA PORTE

Scale 500ft = 1 inch

FIELD NOTES OF PLAT

Beginning at the intersection of the center line of Broadway with the north line of J street as shown in recorded Map of La Porte, thence west along north line of J street 5958ft. thence south 7080ft. thence east 6354ft. thence north 3730ft. thence west 1996ft. thence north 1880ft. thence east 2750ft. thence north 26° east 1550ft. thence north 45° east 350ft. thence north 26° east 200ft. thence north 19° west 350ft. thence north 26° east 1300ft. thence north 40° east 375ft. thence north 37° west 200ft. thence north 27° 16' west 1390ft. thence south 62° 44' west 1891ft. thence south 2780ft. place of beginning

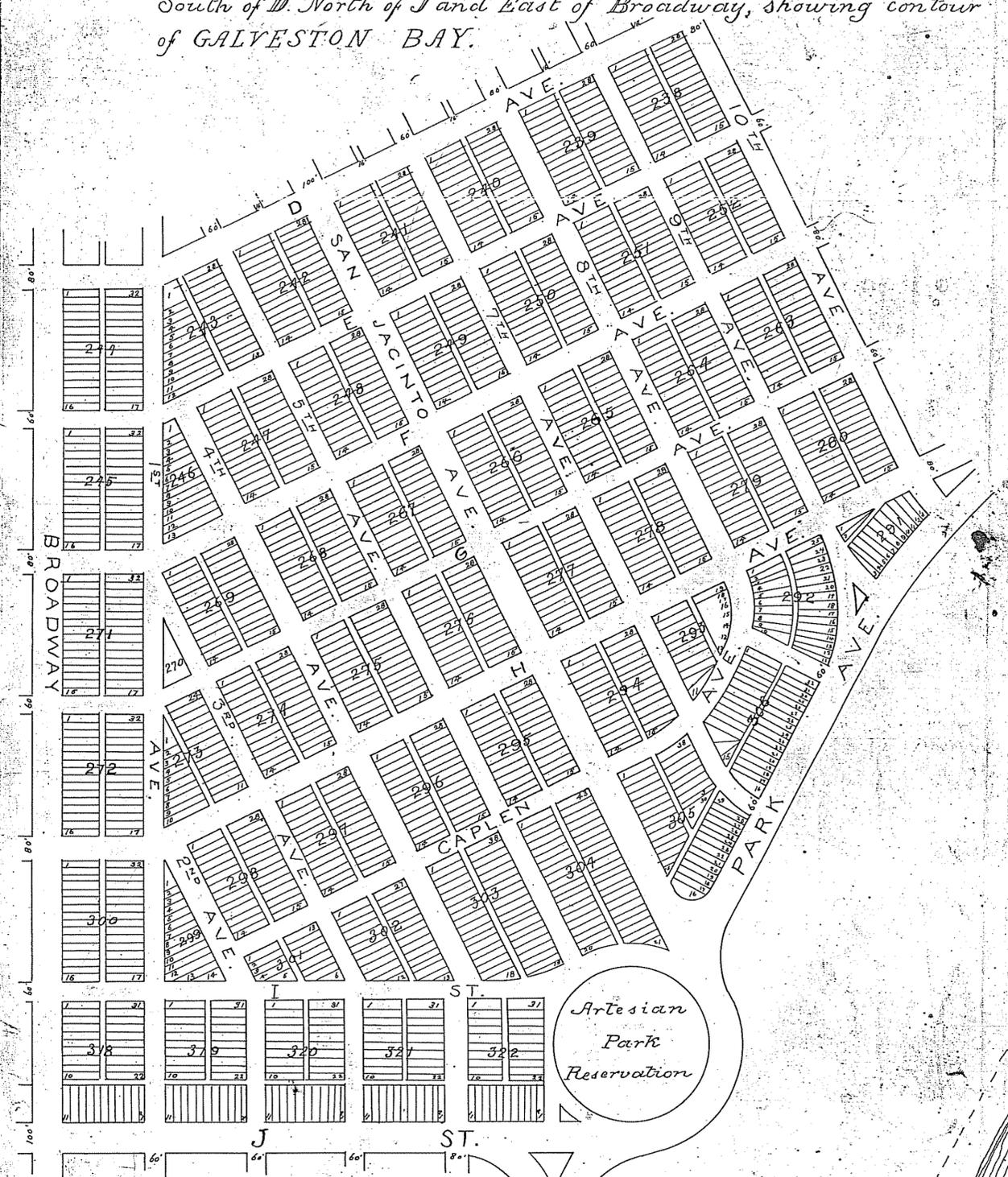
(Signed)
D. Lee Stataper C.E.
Surveyor & Designer

{ C. Woodbridge C.E.
J.H.M.R. Draughtsman

May 19th 1892.
State of Texas }
County of Harris } J. Edward York the owner of that part of the Johnson Hunter League, Harris County, Texas, included in the annexed plat, have subdivided the same into blocks and lots as shown therein, and dedicate the streets and alleys therein shown, to the public as highways for the ordinary use of foot passengers and teams, but no person or corporation shall use said streets and alleys for the purpose of constructing or operating any rail way tram or street car line, nor shall place in or under said streets or alleys any pipes for the conveyance of gas or water, nor erect any poles therein for telephons, telegraph, electric light or other purposes without my consent. I reserve to myself and my heirs and assigns the fee to said streets and alleys and all rights therein except the use of the same by the public as above set forth, And this dedication to the public is made with these express reservations.

Witness my hand this 19th day of May A.D. 1892.
(Signed) Edward York

South of D. North of J and East of Broadway, showing contour of GALVESTON BAY.



State of Texas }
County of Harris } Before me J. E. Solbeck, a notary Public for the County of Harris State of Texas, this 19th day of May 1892 personally appeared Edward York known to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged that he executed the same for the purposes and considerations therein expressed - Given under my hand and seal of office this 19th day of May A.D. 1892. (Signed) J. E. Solbeck, Notary Public, @ Red Bluff, Texas.

DRAWING NUMBER
TOWN OF LA PORTE

PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
REORDER BY NUMBER 0704R

TOWN OF LA PORTE (U.S.)
FINAL PLAT
MYLAR

PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
REORDER BY NUMBER 0704R
POSITION EDGE OF PRINT AND TAPES

Blocks 293-299-306 & 305 divided by incorrectly reserved as to alignment of Captain Ave. See B.P. of old tracing scale 1"=200'

REQUEST FOR CITY COUNCIL AGENDA ITEM

| | |
|--|---|
| <p>Agenda Date Requested <u>October 23, 2017</u></p> <p>Requested By: <u>Corby D. Alexander</u></p> <p>Department: <u>City Manager</u></p> <p>Report _____ Resolution: _____ Ordinance: _____</p> <p>Exhibit: MUD Fact Sheet Draft Land Plan Sample petition to create an in-city-MUD</p> | <p style="text-align: center;"><u>Appropriation</u></p> <p>Source of Funds: <u>N/A</u></p> <p>Account Number: <u>N/A</u></p> <p>Amount Budgeted: <u>N/A</u></p> <p>Amount Requested: <u>N/A</u></p> <p>Budgeted Item: YES NO</p> |
|--|---|

SUMMARY & RECOMMENDATION

The City has been approached Gromax Development and Beazer Home to consider creating an in-city municipal utility district (MUD). MUD's are political subdivisions of the state, but they require the City's consent to be created. **Once created the MUD would levy an ad valorem tax on all properties located within the MUD.** In this case, the requested MUD includes 234 acres of real estate currently owned by PPG on the west side of Bay Area Blvd (north of Fairmont and south of Spencer). PPG property on the eastside of Bay Area is not included in this request for consideration. The tax would be used to reimburse the developer for certain infrastructure costs, including streets, water, sewer, and drainage related infrastructure. Taxes for property owner outside of the MUD would not be impacted.

The MUD differs from the TIRZ (that we are more familiar with) in that the City is able to collect taxes associated with the increased value of the development from day one. The property owner in the MUD would pay the standard City tax, but would also pay an additional tax to the MUD allowing the City to collect on any new value from day one. In a TIRZ, the City would not receive revenue associated with the value increases until the TIRZ expires. Currently, the developer estimates that the total value at completion would be \$190,000,000. At the current tax rate, this additional value would add \$1.25 million in revenue to the general fund annually.

The developer is proposing to building a master planned community to include approximately 700 single family homes, a class-A multi-family development, and a senior living facility. Attached is a draft land plan, the details of which may change slightly as this project comes together.

The agenda item is to allow Council the opportunity to begin vetting the merits and possible concerns associated with creating an in-city MUD.

Pros:

- 700 additional roof tops
- Additional revenue to City's general fund
- Potential catalyst for more development
- Potential for an upscale master plan community
- Additional amenities within the master planned community (ie: pool, club house, etc)
- Additional water and sewer customers for the City of La Porte

Cons:

- Additional tax on the property owners within the MUD
- Demands associated with additional water and sewer service

Action Required by Council:

Consider approval or other action to create an in-City MUD in the City of La Porte. While Council may take action, this item is intended to primarily be a discussion item. Staff can work with the developer to answer any questions or concerns before final consideration.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

IN-CITY MUNICIPAL UTILITY DISTRICTS (MUDS)

- The landowner/developer is solely responsible for paying the costs of creating a MUD. A MUD is created by means of a petition to the Texas Commission on Environmental Quality (the "TCEQ") by the owners of the land within the proposed MUD. The TCEQ will be responsible for reviewing and approving the creation of the MUD. The landowner/developer is responsible for all costs associated with this process.
- The City must consent to the creation of the MUD, and may impose certain requirements regarding the development and issuance of bonds by the MUD. Typically, the conditions imposed relate to the maximum interest rate on bonds sold by the MUD and the terms of the bonds.
- The construction of infrastructure and buildings within the MUD boundaries must comply with all City codes and ordinances. Because the property within the MUD boundaries is within the City's corporate boundaries, the construction of infrastructure and buildings within the MUD boundaries must comply with all City codes and ordinances applicable to such construction just like elsewhere in the City. All construction is subject to inspections by the City.
- The MUD may pay for the water, sanitary sewer, storm sewer and drainage, parks, and road facilities to serve the MUD. The MUD conveys the facilities the City wants to own to the City for ownership and operation by the City. The City provides water and sanitary sewer capacity from its plants to the development within the MUD.
- The MUD and the City will enter into a utility agreement specifying each of their responsibilities with respect to water and sanitary sewer facilities. The utility agreement will address the timing of the provision of water and sanitary sewer capacity to the MUD and any line extensions or capacity issues. It will also specify the MUD's responsibilities and obligations regarding the construction of water distribution and sanitary sewer collection systems within the MUD's boundaries.
- The City collects the water and sewer revenues from the MUD residents. The City bills the residents of the MUD for water and sewer services monthly and collects all revenues for the City. These revenues may be used by the City for any permissible purpose anywhere in the City.
- All property owners within the MUD pay the normal City tax to the City plus an additional tax to the MUD for the cost of the MUD infrastructure and operating expenses. The MUD tax also covers the additional costs associated with a master

planned residential community that has significantly more amenities than a normal residential community.

- Property owners within a MUD are aware of the MUD tax prior to purchase of their property. Each buyer of property within a MUD receives and signs a notification form prior to purchase stating that the property is within the boundaries of the MUD and is subject to taxation by the MUD. MUD signs are also posted at two entrances to the MUD.
- Any complaints related to the MUD are heard and addressed by the MUD's elected Board of Directors, not the City. A MUD is a political subdivision of the State, and is governed by an elected board of directors. Each director must either own land within the MUD or be a registered voter within the MUD to qualify. Any complaints or problems related to the MUD are heard and addressed by its Board of Directors, who are responsible to the voters.
- Neither the City nor the residents outside the boundaries of the MUD are responsible for the cost of public infrastructure within the MUD's boundaries or for reimbursing the developer in the MUD. A MUD reimburses a developer for public infrastructure costs through the sale of bonds. Debt service on the bonds is paid from an ad valorem tax levied only on property within the boundaries of the MUD. The City is not responsible for any payment on the bonds, and the MUD must receive TCEQ approval and approval from the State Attorney General on the sale of all bonds.
- City ad valorem and sales taxes that are generated within the boundaries of the MUD can be used by the City outside the boundaries of the MUD. The City's property tax revenue that is attributable to the additional value created by the developer on the land within the MUD goes entirely to the City to be used for services and infrastructure citywide.
- The City can dissolve the MUD after the developer has been fully reimbursed by the MUD. If the City desires, the City can enter into an agreement with the MUD to dissolve the MUD after the developer has been fully reimbursed, and typically after the MUD's bond debt has been fully retired. If bonds are outstanding at the time the MUD is dissolved, the City must assume the debt.

CITIES WITH IN-CITY MUNICIPAL UTILITY DISTRICTS

Alvin
Baytown
Beaumont
Conroe
Fulshear
Galveston
Georgetown
Houston
Iowa Colony
Katy
La Marque
League City
Magnolia
Manvel
Missouri City
Pearland
Richmond
Rosenberg
Sugar Land
Texas City
Tomball
Webster

Preliminary Drawing
Subject to Change



Preliminary Drawing
Subject to Change

| LOT SUMMARY | | |
|--------------|-----------------|-----|
| 45'x120' | 190 LOTS | 30% |
| 50'x120' | 326 LOTS | 50% |
| 60'x120' | 126 LOTS | 20% |
| TOTAL | 642 LOTS | |

*ALL LOCAL STREETS - 60' ROW
(PER CITY OF LA PORTE STANDARDS)

THIS DRAWING IS A PICTORIAL REPRESENTATION FOR PRESENTATION PURPOSES ONLY AND IS SUBJECT TO CHANGE. FURTHER, SAID DRAWING IS A SCANNED IMAGE ONLY AND IS NOT FOR COMPUTATION OR CONSTRUCTION PURPOSES. THIS DRAWING MAY OR MAY NOT INCORPORATE INFORMATION AND/OR DATA PROVIDED TO BGE | KERRY R. GILBERT & ASSOCIATES BY OTHER CONSULTANTS RELATIVE TO ENGINEERING AND DRAINAGE, FLOOD PLAINS AND ENVIRONMENTAL ISSUES AND SHOULD NOT BE RELIED UPON FOR ANY PURPOSE. NO WARRANTIES, EXPRESS OR IMPLIED, CONCERNING THE ACTUAL DESIGN, LOCATION, AND CHARACTER OF THE FACILITIES SHOWN ON THIS MAP ARE INTENDED. ADDITIONALLY, NO WARRANTY IS MADE TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

a schematic development plan for

LA PORTE TRACT

± 234.6 ACRES OF LAND

prepared for
BEAZER HOMES



— Land Planning Consultants —
23501 Cinco Ranch Blvd., Suite A-250
Katy, Texas 77494

Tel: 281-579-0340



OCTOBER 12, 2017
KGA #0433

PETITION FOR CONSENT TO THE CREATION
OF A MUNICIPAL UTILITY DISTRICT

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF LA PORTE,
TEXAS:

PPG INDUSTRIES, INC. (herein the "Petitioner"), acting pursuant to the provisions of Chapters 49 and 54, Texas Water Code, respectfully petitions the City Council of the City of La Porte, Texas (the "City"), for its written consent to the creation of a municipal utility district and would show the following:

I.

The name of the proposed District shall be HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. _____ (the "District").

II.

The District shall be created and organized under the terms and provisions of Article XVI, Section 59 of the Constitution of Texas and Chapters 49 and 54, Texas Water Code, together with all amendments and additions thereto.

III.

The District shall contain an area of 234.6733 acres of land, more or less, situated in Harris County, Texas. The land is within the corporate limits of the City. All of the land proposed to be included may properly be included in the District. The land proposed to be included within the District is described in Exhibit A, which is attached hereto and incorporated herein for all purposes (the "Property").

IV.

The Petitioner holds fee simple title to the Property. The Petitioner hereby represents that the Petitioner owns a majority in value of the Property, as indicated by the certificates of ownership provided by the Harris County Appraisal District.

V.

The Petitioner certifies that there are no lienholders on the Property.

VI.

Avera Development, LLC and Beazer Homes Texas, LP have entered into earnest money contracts to purchase all of the Land and desire to be considered as a Petitioner for the consent to creation of the District.

VII.

The general nature of the work proposed to be done by the District at the present time is the purchase, design, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of a waterworks and sanitary sewer system for residential and commercial purposes, and the construction, acquisition, improvement, extension, maintenance and operation of works, improvements, facilities, plants, equipment and appliances helpful or necessary to provide more adequate drainage for the District, and to control, abate and amend local storm waters or other harmful excesses of waters, and such other purchase, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of such additional facilities, including roads, parks and recreation facilities, systems, plants and enterprises as shall be consistent with all of the purposes for which the District is created (the "Project").

VIII.

There is, for the following reasons, a necessity for the above-described work. The area proposed to be within the District is urban in nature, is within the growing environs of the City, and is in close proximity to populous and developed sections of Harris County, Texas. There is not now available within the area, which will be developed for single family residential and commercial uses, an adequate waterworks system, sanitary sewer system, or drainage and storm sewer system, or roads, or parks and recreational facilities. The health and welfare of the present and future inhabitants of the area and of the territories adjacent thereto require the purchase, design, construction, acquisition, ownership, operation, repair, improvement and extension of an adequate waterworks system, sanitary sewer system, and drainage and storm sewer system, roads, or parks and recreational facilities. A public necessity, therefore, exists for the creation of the District, to provide for the purchase, design, construction, acquisition, maintenance, ownership, operation, repair, improvement and extension of such waterworks system, sanitary sewer system, and drainage and storm sewer system, roads, and parks and recreational facilities to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

IX.

The Petitioner, by submission of this Petition, requests the City's consent to the creation of the District containing the Land under the same conditions as set forth in Exhibit B, which is attached hereto and incorporated herein for all purposes

X.

A preliminary investigation has been made to determine the cost of the proposed District's waterworks system, sanitary sewer system, and drainage and storm sewer system projects, and it is now estimated by the Petitioner, from such information as it has at this time, that such cost will be approximately \$_____.

XI.

A preliminary investigation has been made to determine the cost of the proposed District's road projects, and it is now estimated by the Petitioner, from such information as it has at this time, that such cost will be approximately \$_____.

XII.

A preliminary investigation has been made to determine the cost of the proposed District's park and recreational facilities, and it is now estimated by the Petitioner, from such information as it has at this time, that such cost will be approximately \$_____.

XIII.

The total cost of the proposed District's projects is estimated by the Petitioner to be approximately \$_____.

WHEREFORE, the Petitioner prays that this petition be heard and that the City Council duly pass and approve an ordinance or resolution granting the consent to the creation of the District and authorizing the inclusion of the Property within the District.

[EXECUTION PAGES FOLLOW]

BEAZER HOMES TEXAS, L.P.,
a Delaware limited partnership

By: Beazer Homes Texas Holdings,
Inc., a Delaware corporation,
its General Partner
(Earnest Money Contract Holder)

By: _____
Name: _____
Title: _____

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on the _____ day of _____, 2017, by _____ of Beazer Homes Texas Holdings, Inc., a Delaware corporation and general partner of Beazer Homes Texas, L.P., a Delaware limited partnership, on behalf of said corporation and limited partnership.

Notary Public, State of Texas

(NOTARY SEAL)

Attachments:
Exhibit A -Description of the Property
Exhibit B - Consent Conditions

AFTER RECORDING, please return to Allen Boone Humphries Robinson LLP, Attn: Linda Sotirake, 3200 Southwest Freeway, Suite 2600, Houston, Texas 77027.

Exhibit A

(Description of the Property - 234.6733 acres)

Exhibit B
(Consent Conditions)



Council Agenda Item October 23, 2017

8. ADMINISTRATIVE REPORTS

- Fiscal Affairs Committee Meeting, Monday, November 13, 2017
- La Porte Development Corporation Board Meeting, Monday, November 13, 2017
- City Council Meeting, Monday, November 13, 2017
- Planning and Zoning Commission Meeting, Thursday, November 16, 2017
- City Council Meeting, Monday, December 11, 2017

9. 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 Earp, Ojeda, J. Martin, K. Martin, Kaminski, Zemanek, Leonard, Engelken and Mayor Rigby

10. ADJOURN
