

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
BILL BENTLEY
Councilmember District 3
KRISTIN MARTIN
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Mayor Pro-Tem
Councilmember District 6

CITY COUNCIL MEETING AGENDA

Notice is hereby given of a Regular Meeting of the La Porte City Council to be held June 25, 2018, 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 Viktoria Gotting, St. John's Episcopal Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Councilmember Kristin Martin.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
 - (a) Proclamation - Ryan Schoppe Day - Mayor Rigby
5. **PUBLIC COMMENTS** (Limited to five minutes per person.)
6. **CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
 - (a) Consider approval or other action regarding minutes of the Regular City Council Meeting held June 11, 2018 - P. Fogarty
 - (b) Consider approval or other action awarding Bid #18013 for Pecan Park Satellite Restroom Facility - R. Epting
 - (c) Consider approval or other action rejecting Bid #18015 for Fire Field Training Facility Addition - D. Ladd
 - (d) Consider approval or other action to award Bid #18018 for the Somerton Drive Waterline and Pavement Replacement, Venture Waterline, and Pecan Park Parking Lot Project - D. Pennell
7. **PUBLIC HEARINGS AND ASSOCIATED ORDINANCES**
 - (a) Public hearing to receive comments regarding the recommendation by the Planning and Zoning Commission to approve Special Conditional Use Permit #18-91000004 to allow for a specialty trade contractor use to be located on a 0.22 acre tract of land described as Lots 3-5, Block 789, Town of La Porte Subdivision in a GC zone; consider approval or other action regarding an Ordinance amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning", by granting Special Conditional Use Permit #18-91000004, to allow for a specialty trade contractor use to be located on a 0.22 acre tract of land described as Lots 3-5, Block 789, Town of La Porte Subdivision, in a GC zone - I. Clowes

- (b) 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 0.28 acre tract of land located on N. 1st St. north of W. Tyler St., and legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision, by changing from "Commercial" to "Low Density Residential"; consider approval or other action regarding an Ordinance amending the City's Future Land Use Map Component of the Comprehensive Plan for a 0.28 acre tract of land located on N. 1st St. north of W. Tyler St, legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision from "Commercial" to "Low Density Residential" - I. Clowes
- (c) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve zone change request #18-92000005, for a change from General Commercial (GC) to Low Density Residential (R-1) for a 0.28 acre tract of land located on N. 1st St. north of W. Tyler St., legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision; consider approval or other action regarding an Ordinance amending Chapter 106 "Zoning" of the Code of Ordinances by changing the zoning classification of a 0.28 acre tract of land located on N. 1st St. north of W. Tyler St., legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision, from General Commercial (GC) to Low Density Residential (R-1) - I. Clowes

8. ORDINANCE

- (a) Consider approval or other action regarding an Ordinance providing for condemnation of dangerous/substandard building located at 9906 Rocky Hollow based on the recommendation of the Dangerous Building Inspection Board - M. Kirkwood **(After the public hearing was closed, this item was postponed from the June 11, 2018, City Council Meeting)**

9. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding an agreement between the City of La Porte and Quest Youth Soccer Club - R. Epting

10. REPORTS

- (a) Receive report of the Fiscal Affairs Committee Meeting held on June 13, 2018- Councilmember Chuck Engelken
- (b) Receive report of the La Porte Development Corporation Board Meeting held June 25, 2018 - Councilmember Nancy Ojeda

11. ADMINISTRATIVE REPORTS

- Zoning Board of Adjustment Meeting, Thursday, June 28, 2018
- Drainage and Flooding Committee Meeting, Monday, July 9, 2018
- City Council Meeting, Monday, July 9, 2018
- Planning and Zoning Commission Meeting, Thursday, July 19, 2018
- City Council Meeting, Monday, July 23, 2018
- Zoning Board of Adjustment Meeting, Thursday, July 26, 2018

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

13. EXECUTIVE SESSION

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, in accordance with the authority contained in:

Texas Government Code, Section 551.071 (2) - Consultation with Attorney: Meet with City Attorney and City Manager to discuss and receive direction regarding negotiations with industry representatives for terms of new Industrial District Agreements.

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

15. 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 June 25, 2018 , agenda of items to be considered by the City Council was posted on the City Hall bulletin board on June 19, 2018.

Patrice Fogarty



**Council Agenda Item
June 25, 2018**

1. **CALL TO ORDER**
2. **INVOCATION** – The invocation will be given by Viktoria Gotting, St. John's Episcopal Church.
3. **PLEDGE OF ALLEGIANCE** The Pledge of Allegiance will be led by Councilmember Kristin Martin.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
 - (a) Proclamation - Ryan Schoppe Day - Mayor Rigby
5. **PUBLIC COMMENTS** (Limited to five minutes per person.)



Proclamation

Office of the Mayor

WHEREAS, La Porte Bulldog Ryan Schoppe has worked very hard to be the best athlete he can be from the time he was introduced to the sport of track at 7 years of age by his father, Russell Schoppe; and

WHEREAS, when Ryan, as a freshman, qualified for both the state cross country meet and the state track meet, he was recognized as one of the top young runners in Texas; and

WHEREAS, on Saturday, May 12, 2018, sophomore Ryan Schoppe dominated the Class 6A boys 3,200-meter run during the UIL State Track & Field Championships in Austin, Texas, earning the state crown, thus ending a 15-year drought at La Porte High School for a state champion in track and field; and

WHEREAS, Ryan is a role model for other runners who can see what putting in the extra time and effort can do to help a talented athlete attain the top rung in his sport; and

WHEREAS, the City of La Porte salutes and honors Ryan Schoppe for his hard work, dedication, and special achievement as the Class 6A 3,200-meter runner in the state of Texas, and extends best wishes to Ryan for continued success in his athletic career.

NOW, THEREFORE, I, Louis R. Rigby, Mayor, along with members of the La Porte City Council, do hereby proclaim Tuesday, June 26, 2018, as

“Ryan Schoppe Day”

In Witness Whereof: I have hereto set my hand and caused the Seal of the City to be affixed hereto, this the 25th day of June, 2018.

City of La Porte

Louis R. Rigby, Mayor





**Council Agenda Item
June 25, 2018**

6. **CONSENT AGENDA** *All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
- (a) Consider approval or other action regarding minutes of the Regular City Council Meeting held June 11, 2018 - P. Fogarty
 - (b) Consider approval or other action awarding Bid #18013 for Pecan Park Satellite Restroom Facility - R. Epting
 - (c) Consider approval or other action rejecting Bid #18015 for Fire Field Training Facility Addition - D. Ladd
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**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
JUNE 11, 2018**

The City Council of the City of La Porte met in a regular meeting on **Monday, June 11, 2018**, 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, Zemanek, J. Martin, K. Martin, Bentley, Kaminski, Engelken, and Earp. 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 Jay Martin.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
 - (a) Presentation – La Porte Police Department’s K-9 Competition Awards at National Conference – Mayor Rigby

Mayor Rigby read a presentation regarding the awards earned by the La Porte Police Department’s K-9 Division at the 2018 National Conference.

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

Charlie Perry, 127 N. 5th Street, addressed Council in regards to the new splash park on Martin Luther King and Tyler and requested stop signs or speed bumps be placed at the location for the safety of the kids.

Richard Warren, 8730 Collingsdale, addressed Council regarding stops signs being placed at Martin Luther King and Tyler.

Mike Patterson, President of Fairmont Park West Homeowners Association, 10119 Stonemont, addressed Council and advised the association intends to keep the pool open and operable.

Linda Poye, 10027 Shell Rock, addressed Council and thanked them for taking interest in the neighborhood pool issues.

Susy Smith, 9722 Shell Rock, addressed Council and thanked them for their support of the neighborhood pool and requested continued support in keeping the pool open.

Mark Follis, 111 N. Broadway, declined to speak.

Donna O'Conner, 217 Sylvan St., addressed Council and thanked them for the work at Happy Harbor; thanked the EOC Staff for their work this past Friday during the shelter in place, and thanked City Manager Corby Alexander and Councilmember Jay Martin for signage directing citizens to Sylvan Beach.

Richard Gomez, 9902 Charmont Rd., addressed Council in regards to the pool in Fairmont Park West and informed Council the Homeowners Association cannot handle the facilities and requested the City maintain the pool.

Chuck Rosa, 812 S. Virginia, addressed Council in support of keeping the pool in Fairmont Park West operable and commented the property located at 9906 Rocky Hollow should not be demolished.

Paula Bridges, 813 River Creek, addressed Council with concerns of warehouses and the number of heavy trucks in the City.

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

- (a) Consider approval or other action regarding the minutes of the Special Called City Council Meeting held on May 21, 2018, and minutes of the Regular City Council Meeting held on May 14, 2018– P. Fogarty
- (b) Consider approval or other action regarding appointment of Casey Copley to the City of La Porte Reserve Officer Program – K. Adcox
- (c) Consider approval or other action authorizing the City Manager to execute a Water Service Agreement and a Sanitary Sewer Service Agreement with Dana Tank Container, Inc., for its facility at 902 Sens Road, in the Battleground Industrial District – D. Pennell
- (d) Consider approval or other action rejecting Bid # 18017 Bayshore Park Waterline Relocation – D. Pennell
- (e) Consider approval or other action authorizing the City Manager to execute a Water and Sanitary Sewer Service Agreement with Clark Dietrich Building System for its facility at 9700 New Decade Drive, in the Bayport Industrial District – D. Pennell
- (f) Consider approval or other action awarding RFP # 18501 for Debris Removal Services – k. Gauthier
- (g) Consider approval or other action awarding RFP #18502 for Debris Monitoring Services – K. Gauthier

Councilmember Engelken made a motion to approve all Consent Agenda items pursuant to staff recommendations. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Councilmember Earp had questions on Items C and F. Public Works Director Don Pennell and Emergency Manager Kristin Gauthier answered the questions.

Councilmember Zemanek had questions on Item C. Public Works Director Don Pennell answered the question.

7. REPORTS

- (a) Receive report from Gabriel, Roeder, and Smith on GASB 75 liability – Mayor Rigby

Mehdi Riazi, Actuarial Consultant with Gabriel, Roeder, and Smith, provided a report on GASB 75 liability.

- (b) Receive report from the Drainage and Flooding Committee – Councilmember J. Martin

Councilmember Jay Martin provided a report of the Drainage and Flooding Committee Meeting held prior to the City Council Meeting and informed the next meeting will be held on July 9, 2018.

8. PUBLIC HEARING AND ASSOCIATED ORDINANCES

- (a) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve an Ordinance adopting a five-year update to the Comprehensive Plan of the City of La Porte; consider approval or other action regarding an Ordinance adopting a five-year update to the Comprehensive Plan of the City of La Porte – I. Clowes

The public hearing opened at 7:05 p.m.

City Planner Ian Clowes presented a summary.

There being no public comments, the public hearing closed at 7:09 p.m.

Councilmember Engelken made a motion to adopt an Ordinance adopting a five-year update to the Comprehensive Plan. Councilmember Earp seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3710: AN ORDINANCE ADOPTING AN UPDATE TO THE COMPREHENSIVE PLAN OF THE CITY OF LA PORTE, UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF LA PORTE, TEXAS, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

- (b) Public hearing to receive comments on the recommendation of the Dangerous Building Inspection Board for condemnation of dangerous/substandard building located at 9906 Rocky Hollow; consider approval or other action regarding an Ordinance providing for condemnation of dangerous/substandard building located at 9906 Rocky Hollow – M. Kirkwood

The public hearing opened at 7:10 p.m.

Deputy Building Official Mike Kirkwood presented a summary.

Nabil Chayeb, 2280 Longspur Ln., League City, spoke and advised he would like to invest in the property and make it habitable. Mr. Chayeb also advised it will take him a maximum of 45 days to have the property on the market for sale.

Susy Smith, 9722 Shell Rock, spoke and advised Council she is also interested in purchasing the property for her daughter to live in.

Chuck Rosa, 812 S. Virginia, spoke and commented the property is not a dangerous building; and the home should not be demolished.

Richard Gomez, 9902 Charmont Rd, spoke in favor of the house being purchased.

Steve Wilson spoke and advised Council he works for Mr. Chayeb, and they have a plan to renovate the property and place it on the market.

There were no additional public comments. The public hearing closed at 7:27 p.m.

Councilmember Zemanek made a motion to postpone and reconsider this item at the June 25, 2018, city council meeting. Councilmember Bentley seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

9. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding an Ordinance selecting a member of the City Council to serve as Mayor Pro Tem of the City of La Porte for the period of June 11, 2018, through May 31, 2019 or until successor appointed – P. Fogarty

City Secretary Patrice Fogarty presented a summary.

Councilmember Kaminski made a motion to nominate Councilmember Ojeda to serve as Mayor Pro Tem of the City of La Porte for the period of June 11, 2018, through May 31, 2019, or until successor appointed. Councilmember K. Martin seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3711: AN ORDINANCE PROVIDING FOR THE ELECTION OF A MEMBER OF THE LA PORTE CITY COUNCIL TO SERVE AS MAYOR PRO-TEM OF THE CITY OF LA PORTE, TEXAS, FOR THE PERIOD JUNE 11, 2018 THROUGH MAY 31, 2019 OR UNTIL A SUCCESSOR HAS BEEN APPOINTED AND HAS QUALIFIED; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

- (b) Discussion and possible action to fill a vacancy on the La Porte Fiscal Affairs Committee – P. Fogarty

City Secretary Patrice Fogarty presented a summary.

Councilmember Engelken made a motion to move Councilmember Kaminski to a regular position and to appoint Councilmember Zemanek to the alternate position on the La Porte Fiscal Affairs Committee. Councilmember Earp seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

- (c) Discussion and possible action regarding existing Interlocal Agreement with the City of Morgan's Point for municipal court services – C. Alexander

City Manager Corby Alexander and Court Administrator Cathy Haney presented a summary.

Councilmember Ojeda made a motion to give notice of termination of the agreement and renegotiate an agreement with the City of Morgan's Point. Councilmember Earp seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

- (d) Discussion and possible action regarding property located at 9801 Rustic Gate Road – R. Epting

Parks and Recreation Director Rosalyn Epting presented a summary, and Mike Patterson, HOA President, also spoke regarding the pool at 9801 Rustic Gate Road. Mike Patterson asked for additional money from the City to get the pool running, with a target of opening July 1.

- (e) Discussion and possible action regarding policy for mutual aid response in neighboring communities by the City of La Porte - R. Nolen

Chief of Emergency Management Services Ray Nolen presented a summary.

Councilmember Zemanek thanked Mr. Nolen and Corby Alexander for their work on this item.

10. ADMINISTRATIVE REPORTS

City Manager Corby Alexander advised Council that Staff will look into the concerns for the placement of stop signs at Martin Luther King and Tyler streets.

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

Councilmember Martin congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference; commented he hopes there is a way to get stop signs placed at Martin Luther King and Tyler; thanked Public Works for placing bollards at the old Happy Harbor property; and commented he hopes access can be granted for the 4th of July fireworks.

Councilmember K. Martin congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference and reminded everyone of the Juneteenth festivities this coming weekend.

Councilmember Kaminski congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference and informed she has received man compliments regarding Klein Retreat.

Councilmember Zemanek congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference and thanked everyone for the effective discussions during the meeting.

Councilmember Bentley congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference and thanked Staff and Council for their professionalism they have shown him and commented he looks forward to the next three years on Council.

Councilmember Engelken congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference; congratulated Councilmember Ojeda on her appointment as Mayor Pro-Tem; and commented it may be time for the City to look at rules for stop signs and put safety first.

Councilmember Earp congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference; agreed with Councilmember Engelken on rules being looked at for placement of stop signs; and thanked EMS for their assistance during his recent medical emergency.

Councilmember Ojeda congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference; thanked Public Works for the recycling signage; commented La Porte's Emergency Management booth was awesome during the Hurricane Workshop; advised she attended Judge Ed Emmet's State of the County Address; commented she has concerns with some of the decisions being made by the Zoning Board of Adjustment; concerns with opening neighborhood pools to the public; and thanked Council for her appointment as Mayor Pro-Tem.

Mayor Rigby congratulated the La Porte Police Department on the K-9 Competition Awards at the National Conference; commented someone needs to be present to take photos during recognitions at Council meetings and displaying the photos on the City website; informed he did the welcome at the triathlon, which turned into a duathlon; and thanked Fire, Emergency Medical Services, Police, and Parks and Recreation departments for coordinating the events.

14. ADJOURN - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 8:37 p.m. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Patrice Fogarty, City Secretary

Passed and approved on June 25, 2018.

Mayor Louis R. Rigby

Corby D. Alexander, City Manager

Date

Bid Tabulation to Sealed Bid #18013 Pecan Park Satellite Restroom

Description	QTY	UOM	Portfolio		TSG
			Aztec	Builders	Industries
Satellite Restroom, as specified	1	LS	\$61,000.00	\$125,000.00	\$163,071.42

Bid tabulation is preliminary and not indicative of award. Other factors may apply

Sealed Bid #18013 - Pecan park Satellite Restroom Facility

NOTIFICATIONS:

Vendor Name	Date	Reason
3J Ryan, Inc.	2018-04-26 10:06:40	Bid Notification
Advanced Starlight International	2018-05-11 09:43:00	Bid Notification
AHRG, Corporation	2018-04-26 10:06:40	Bid Notification
Alert Services, Inc.	2018-04-26 10:06:40	Bid Notification
All Pro General Construction, Ir	2018-04-26 10:06:40	Bid Notification
aztec remodeling & landscaping	2018-04-26 10:06:40	Bid Notification
BAPTIST'S ATHLETIC SUPPL	2018-04-26 10:06:40	Bid Notification
Baukus Electric	2018-04-26 10:06:40	Bid Notification
BidClerk	2018-04-26 10:06:40	Bid Notification
Bill Fritz Sports Corporation	2018-04-26 10:06:40	Bid Notification
CDC News	2018-04-26 10:06:40	Bid Notification
Cherry Companies	2018-05-11 09:43:00	Bid Notification
Civil Concepts	2018-04-26 10:06:40	Bid Notification
CMC Development & Construct	2018-05-11 09:43:00	Bid Notification
CMD	2018-05-11 09:43:00	Bid Notification
Comex Corporation	2018-04-26 10:06:40	Bid Notification
ConstructConnect	2018-04-26 10:06:40	Bid Notification
D Davila	2018-04-26 10:06:40	Bid Notification
Decker Inc	2018-04-26 10:06:40	Bid Notification
DM Construction LLC	2018-04-26 10:06:40	Bid Notification
Dodge Data & Analytics	2018-05-11 09:43:00	Bid Notification
Dort & O'Connor Contractors	2018-04-26 10:06:40	Bid Notification
DT Construction, LP	2018-04-26 10:06:40	Bid Notification
Dun-Rite Contracting Inc	2018-04-26 10:06:40	Bid Notification
Efinger Sporting Goods Co., Inc	2018-04-26 10:06:40	Bid Notification
El Dorado Services Inc.	2018-04-26 10:06:40	Bid Notification
ERC Environmental & Construc	2018-05-11 09:43:00	Bid Notification
Facility Solutions Group	2018-04-26 10:06:40	Bid Notification
General Contractor Services, Ir	2018-04-26 10:06:40	Bid Notification
Grand Cayon Minority Contract	2018-05-11 09:43:00	Bid Notification
Greenscapes Six, LLC	2018-04-26 10:06:40	Bid Notification
HDR Engineering, Inc.	2018-04-26 10:06:40	Bid Notification
Hearn Company	2018-04-26 10:06:40	Bid Notification
HSC	2018-04-26 10:06:40	Bid Notification
ILCOR Builders	2018-04-26 10:06:40	Bid Notification
IMS	2018-05-11 09:43:00	Bid Notification
JDC Services	2018-04-26 10:06:40	Bid Notification
JDR Management	2018-05-11 09:43:00	Bid Notification
JEBCO inc.	2018-04-26 10:06:40	Bid Notification
Kessler Painting	2018-04-26 10:06:40	Bid Notification
LEMCO	2018-04-26 10:06:40	Bid Notification
L & M Contractors. Inc.	2018-04-26 10:06:40	Bid Notification
McDonald Electric	2018-04-26 10:06:40	Bid Notification
MHB Construction, Inc.	2018-04-26 10:06:40	Bid Notification
North America Procurement Co	2018-05-11 09:43:00	Bid Notification
Onvia	2018-05-11 09:43:00	Bid Notification
Patak Construction, Inc.	2018-04-26 10:06:40	Bid Notification
Perkens WS Corporation	2018-05-11 09:43:00	Bid Notification
Pfeiffer & Son, Ltd.	2018-04-26 10:06:40	Bid Notification
PLW Waterworks, LLC	2018-04-26 10:06:40	Bid Notification
Power Vac America, Inc.	2018-04-26 10:06:40	Bid Notification
Ramtech Building Systems, Inc	2018-04-26 10:06:40	Bid Notification
Reed Construction Data	2018-04-26 10:06:40	Bid Notification
R.H. Shackelford, Inc.	2018-04-26 10:06:40	Bid Notification
road runner restoration	2018-04-26 10:06:40	Bid Notification
Royal Media Network	2018-04-26 10:06:40	Bid Notification
Sage Commercial Group	2018-05-11 09:43:00	Bid Notification
South Ranger Construction Inc.	2018-04-26 10:06:40	Bid Notification

T & A Turf and Irrigation, LLC. 2018-04-26 10:06:40
 Taylor & Taylor Construction 2018-05-11 09:43:00
 The J Paul Company 2018-04-26 10:06:40

Bid Notification
 Bid Notification
 Bid Notification

ACCESS:

Vendor Name	Accessed First Time	Documents
Advanced Starlight Internationa	2018-04-30 09:25 AM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
aztec remodeling &landscaping	2018-04-26 11:09 AM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
BidClerk	2018-05-02 12:15 AM CDT	
Cherry Companies	2018-04-27 07:30 AM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
CMC Development & Constructi	2018-05-03 06:15 PM CDT	
CMD	2018-05-02 08:36 AM CDT	
CMS	2018-04-26 11:40 PM CDT	
ConstructConnect	2018-05-14 07:22 AM CDT	
ConstructConnect	2018-05-09 11:52 PM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
Construction Software Technol	2018-04-27 04:31 PM CDT	
Dodge Data & Analytics	2018-05-09 01:44 PM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
Dodge Data & Analytics	2018-05-08 10:11 AM CDT	
DT Construction, LP	2018-04-26 01:11 PM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
El Dorado Services Inc.	2018-04-27 07:39 AM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
ERC Environmental & Construc	2018-05-08 10:28 AM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
General Contractor Services, Ir	2018-04-26 11:27 AM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
Grand Cayon Minority Contract	2018-04-29 11:16 PM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
Hearn Company	2018-04-26 01:04 PM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
HSC	2018-05-10 04:59 PM CDT	
ILCOR Builders	2018-05-01 01:38 PM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
IMS	2018-04-27 09:56 AM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
JDR Management	2018-04-26 11:03 AM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
North America Procurement Co	2018-04-27 08:49 AM CDT	

		Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
Onvia	2018-04-26 01:01 PM CDT	
		Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
Perkens WS Corporation	2018-04-30 01:16 AM CDT	
		Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
Portfolio Builders, Inc.	2018-05-16 09:04 AM CDT	
Ramtech Building Systems, Inc	2018-04-26 01:07 PM CDT	
Reed Construction Data	2018-04-27 08:59 AM CDT	Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf □
		Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
Sage Commercial Group	2018-05-03 11:55 AM CDT	
School Wholesale Supplies LLC	2018-05-05 01:04 AM CDT	
SO	2018-04-27 03:44 AM CDT	
		Bid 18013 Pecan Park Satellite Restroom Facility Final.pdf
Taylor & Taylor Construction	2018-04-30 03:51 PM CDT	
Tukmol General Contractor	2018-04-27 01:04 AM CDT	
Wayne Enterprises	2018-04-27 10:07 AM CDT	

Site Plan – 3636 Canada Rd
Restroom Facility

Field 6

Sidewalk Approximately 20'

South Satellite Restroom

Field 7

Field 8



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>June 25, 2018</u>
Requested By: <u>Donald Ladd</u>
Department: <u>Fire Department</u>
Report: _____ Resolution: _____ Ordinance: _____

<u>Budget</u>
Source of Funds: <u>003</u>
Account Number <u>7085-533-5110</u>
Amount Budgeted: <u>\$76,000</u>
Amount Requested: <u>N/A</u>
Budgeted Item: <u>YES</u>

Exhibit: Access Report
Exhibit: Bid

SUMMARY & RECOMMENDATION

Sealed Bid #18015 for Fire Field Training Facility Addition was opened and publicly read on Tuesday, May 15, 2018. The bid was advertised on April 12 and 19, 2018 in the Bay Area Observer. Sixty-two (62) vendors were notified of the bid with twenty-eight (28) downloading bid documents. Three (3) vendors responded to the bid. Unfortunately, all three (3) bids exceeded budgeted amount.

Staff is requesting the City Council reject all three (3) bids. All bids received were above project budget. Staff will adjust bid package and scope of work before the project is rebid.

Action Required by Council:

Reject Addition Sealed Bid #18015 – Fire Field Training Facility Addition.

Approved for City Council Agenda

Corby D. Alexander

Date

Sealed Bid #18015 - Fire Field Training Facility Addition

Item	Description	Aztec	DT	TUCON
1	Lump Sum, Facility Complete as per specs	82900	194500	141000
2	Gophysical Testing/Report (upon award)	3800	6000	2000
Total		\$86,700.00	\$200,500.00	\$143,000.00

ALT 1	Add insulation to roofing area only, specify	\$2,500.00	\$1,100.00	\$1,146.00
		3", R10	Not specified	Not specified
ALT 2	Doors by size, options:			
		12	\$4,500.00	\$4,700.00
		14	\$5,980.00	\$6,105.00
		16	\$7,300.00	\$7,364.00

Bid tabulation is preliminary and not indicative of award. Other factors may apply

Notifications and Access Report to Sealed Bid #18015 - Fire Field Training Facility Addition

Vendor Name	Date	Reason
3J Ryan, Inc.	2018-04-17 09:41:36	Bid Notification
Advanced Starlight International	2018-04-25 09:22:00	Bid Notification
AHRG, Corporation	2018-04-17 09:41:36	Bid Notification
All Pro General Construction, Inc.	2018-04-17 09:41:36	Bid Notification
Alpha Testing, Inc.	2018-04-25 09:22:00	Bid Notification
American HVAC, Inc	2018-05-09 11:29:00	Bid Notification
aztec remodeling & landscaping company	2018-04-17 09:41:36	Bid Notification
Baukus Electric	2018-04-17 09:41:36	Bid Notification
BidClerk	2018-04-17 09:41:36	Bid Notification
CDC News	2018-04-17 09:41:36	Bid Notification
Civil Concepts	2018-04-17 09:41:36	Bid Notification
CMC Development & Construction Corporation	2018-04-25 09:22:00	Bid Notification
CMD	2018-04-23 10:41:19	Bid Notification
Comex Corporation	2018-04-17 09:41:36	Bid Notification
ConstructConnect	2018-04-18 08:57:00	Bid Notification
Construction Software Technologies	2018-04-25 09:22:00	Bid Notification
Containerhouse International Inc	2018-04-17 09:41:36	Bid Notification
Cox Commercial Construction, LLC	2018-04-25 09:22:00	Bid Notification
D Davila	2018-04-17 09:41:36	Bid Notification
DM Construction LLC	2018-04-17 09:41:36	Bid Notification
Dodge Data & Analytics	2018-05-09 11:29:00	Bid Notification
Dort & O'Connor Contractors	2018-04-17 09:41:36	Bid Notification
DT Construction, LP	2018-04-17 09:41:36	Bid Notification
El Dorado Services Inc.	2018-04-17 09:41:36	Bid Notification
Facility Solutions Group	2018-04-17 09:41:36	Bid Notification
Frost Construction Co., Inc.	2018-04-17 09:41:36	Bid Notification
General Contractor Services, Inc.	2018-04-17 09:41:36	Bid Notification
Grand Cayon Minority Contractors Association and i	2018-04-25 09:22:00	Bid Notification
HDR Engineering, Inc.	2018-04-17 09:41:36	Bid Notification
Hearn Company	2018-04-17 09:41:36	Bid Notification
HSC	2018-04-17 09:41:36	Bid Notification
ILCOR Builders	2018-04-17 09:41:36	Bid Notification
IMS	2018-04-25 09:22:00	Bid Notification
Jahnke and Sons Construction, Inc.	2018-05-07 14:50:01	Bid Notification
JDC Services	2018-04-17 09:41:36	Bid Notification
JDR Management	2018-04-18 08:57:00	Bid Notification
JEBCO inc.	2018-04-17 09:41:36	Bid Notification
JetCo Solutions	2018-04-17 09:41:36	Bid Notification
J.T.B. Services Inc	2018-04-17 09:41:36	Bid Notification
Kessler Painting	2018-04-17 09:41:36	Bid Notification
LEMCO	2018-04-17 09:41:36	Bid Notification
L & M Contractors. Inc.	2018-04-17 09:41:36	Bid Notification
McDonald Electric	2018-04-17 09:41:36	Bid Notification
MCGrath Rentcorp	2018-04-17 09:41:36	Bid Notification
MHB Construction, Inc.	2018-04-17 09:41:36	Bid Notification
North America Procurement Council	2018-04-25 09:22:00	Bid Notification
Onvia	2018-05-09 11:29:00	Bid Notification
Patak Construction, Inc.	2018-04-17 09:41:36	Bid Notification

Perkens WS Corporation	2018-04-25 09:22:00	Bid Notification
PLW Waterworks, LLC	2018-04-17 09:41:36	Bid Notification
Power Vac America, Inc.	2018-04-17 09:41:36	Bid Notification
Ramtech Building Systems, Inc.	2018-04-17 09:41:36	Bid Notification
Reed Construction Data	2018-04-18 08:57:00	Bid Notification
R.H. Shackelford, Inc.	2018-04-17 09:41:36	Bid Notification
road runner restoration	2018-04-17 09:41:36	Bid Notification
Royal Media Network Inc.	2018-04-17 09:41:36	Bid Notification
South Ranger Construction Inc.	2018-04-17 09:41:36	Bid Notification
Star Metal Fabrication, Inc	2018-04-17 09:41:36	Bid Notification
Taylor & Taylor Construction	2018-05-04 06:43:00	Bid Notification
The Gonzalez Group	2018-05-04 06:43:00	Bid Notification
TUCON, LLC	2018-04-25 09:22:00	Bid Notification
United Constructors of Texas	2018-04-17 09:41:36	Bid Notification
Virtual Builders Exchange	2018-04-17 09:41:36	Bid Notification

Vendor Name	Accessed First Time	Documents
Advanced Starlight International	2018-04-24 09:38 AM CDT	#18015 Fire Field Training
Alpha Testing, Inc.	2018-04-20 12:31 PM CDT	#18015 Fire Field Training
American HVAC, Inc	2018-05-09 11:48 AM CDT	#18015 Fire Field Training
aztec remodeling & landscaping company	2018-04-18 12:56 PM CDT	#18015 Fire Field Training
BidClerk	2018-04-21 01:21 AM CDT	#18015 Fire Field Training
classic irrigation	2018-05-08 11:00 AM CDT	
CMC Development & Construction Corporation	2018-04-20 11:27 AM CDT	#18015 Fire Field Training
CMD	2018-04-18 04:08 PM CDT	#18015 Fire Field Training
CMS	2018-04-17 11:40 PM CDT	
Comex Corporation	2018-04-17 10:43 AM CDT	#18015 Fire Field Training
ConstructConnect	2018-04-18 01:11 AM CDT	#18015 Fire Field Training
Construction Software Technologies	2018-04-18 02:41 PM CDT	#18015 Fire Field Training
Containerhouse International Inc	2018-04-17 12:30 PM CDT	#18015 Fire Field Training
Cox Commercial Construction, LLC	2018-04-24 07:25 AM CDT	#18015 Fire Field Training
Dodge Data & Analytics	2018-05-08 10:10 AM CDT	#18015 Fire Field Training
DT Construction, LP	2018-04-17 12:24 PM CDT	#18015 Fire Field Training
Grand Cayon Minority Contractors Association and	2018-04-18 02:01 PM CDT	#18015 Fire Field Training
Hearn Company	2018-04-17 10:52 AM CDT	#18015 Fire Field Training
IMS	2018-04-18 10:37 AM CDT	#18015 Fire Field Training
iSqFt	2018-05-09 01:20 PM CDT	#18015 Fire Field Training
Jahnke and Sons Construction, Inc.	2018-05-07 09:48 AM CDT	#18015 Fire Field Training
JDR Management	2018-04-17 11:43 AM CDT	#18015 Fire Field Training
Kingdom Security, LLC.	2018-04-17 12:48 PM CDT	
Linbeck Group, LLC	2018-05-14 03:28 PM CDT	#18015 Fire Field Training
North America Procurement Council	2018-04-19 11:36 PM CDT	#18015 Fire Field Training
Onvia	2018-04-17 01:01 PM CDT	#18015 Fire Field Training
Perkens WS Corporation	2018-04-18 11:57 PM CDT	#18015 Fire Field Training
Ramtech Building Systems, Inc.	2018-04-17 11:28 AM CDT	
Reed Construction Data	2018-04-18 02:14 AM CDT	#18015 Fire Field Training
School Wholesale Supplies LLC	2018-04-18 01:12 AM CDT	
SO	2018-04-17 03:46 PM CDT	
Taylor & Taylor Construction	2018-04-30 03:49 PM CDT	#18015 Fire Field Training
The Gonzalez Group	2018-04-25 12:02 PM CDT	#18015 Fire Field Training
TUCON, LLC	2018-04-24 11:09 AM CDT	#18015 Fire Field Training

Tukmol General Contractor
Wayne Enterprises

2018-04-18 03:42 AM CDT
2018-04-21 10:00 AM CDT

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REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>June 25, 2018</u>
Requested By: <u>Don Pennell</u>
Department: <u>Public Works</u>
Report: _____ Resolution: _____ Ordinance: _____

<u>Budget</u>
Source of Funds: <u>003/ 015/ 050</u>
Account Number: <u>003-7071-531-1100</u> <u>015-7070-530-1100</u> <u>015-7071-531-1100</u> <u>050-7071-531-1100</u>
Amount Budgeted: <u>\$1,885,789</u>
Amount Requested: <u>\$1,379,296</u>
Budgeted Item: <u>YES</u> NO

Exhibits: **Bid Tab**

Contract Award Recommendation

Copy of Bid Access Report

SUMMARY & RECOMMENDATION

Somerton/Venture:

The FY 17 & 18 budgets includes an allocation for the design and construction of Somerton infrastructure improvements which includes replacing existing waterline and pavement from the Bandridge Water Plant to Spencer Highway. The existing waterline is an 8 inch asbestos cement waterline that is identified for upsizing to a 12 inch PVC waterline in the 2009 Water Master Plan. The Venture waterline will create an additional loop in the water system also identified in the 2009 Water Master Plan. The Somerton pavement rating in the 2013 assessment was rated at 40 percent replacement. The pavement was crack sealed at the time to extend the life of the pavement.

Pecan Park:

The FY 17 budget includes an allocation for the construction of additional parking spaces at Pecan Park. This project includes the installation of approximately 123 additional parking spaces at Pecan Park. The proposed spaces will be located in the northeast corner of the park and infill spaces at locations underutilized.

City Council authorized a design services contract with Binkley Barfield on May 22, 2017 for the design of the Somerton Drive Waterline and Pavement Replacement, Venture Lane Waterline, and Pecan Park Parking Lot Project in the amount of \$200,000.00.

Bid #18018 Somerton Drive Waterline and Pavement Replacement, Venture Lane Waterline and Pecan Park Parking Lot was opened and read on May 24, 2018, 5 bids were received. Notice to Bidders was advertised on May 3rd & May 10th in the Bay Area Observer, posted on Public Purchase and the City's website, 22 vendors accessed the bid documents. Mar-Con Services, LLC. submitted the lowest and best total bid at \$1,295,113.70. Staff recommends awarding the bid to Mar-Con Services, LLC.

Contingency: Staff is requesting an \$84,182.00 contingency equal to 6.5%.

Benefits:

Somerton/Venture – Addresses lower rated concrete street segments identified in the 2013 comprehensive street inspection report and replace aged water line(s) with new material(s) and larger line sizes necessary to provide a looped distribution system.

Pecan Park – Provides more parking spaces for park patrons.

Liabilities:

Somerton/Venture - Deferring the project construction would add to future years of maintenance responsibilities associated with pavement repairs. Water system would not be as efficient without looping system as intended with construction.

Pecan Park – Deferring the project would cause park patrons to continue to park in undeveloped, grass areas, not intended to be utilized for parking.

Operating Costs:

Minimal impact.

Action Required by Council:

Consider approval or other action to award Bid #18018 to Mar-Con Services, LLC, for the Somerton Drive Waterline and Pavement Replacement, Venture Waterline, and Pecan Park Parking Lot Project and authorize the City Manager to enter into a construction contract in the amount of \$1,295,113.70 with a total project funding allocation equal to \$1,379,295.70 including an \$84,182.00 construction contingency.

Approved for City Council Agenda

Corby D. Alexander

Date

TABULATION OF BIDS
SOMERTON DRIVE WATERLINE AND PAVEMENT REPLACEMENT
VENTURE LANE WATERLINE, AND PECAN PARK PARKING LOT

CITY OF LA PORTE
 RECEIVED AND OPENED ON 5/24/2018 AT 2:00 PM



Jeremy A. Austin
 5/29/2018



Prepared By: JAA

Item No.	Item Description	Unit Meas.	Quantity	BIDDER NUMBER 1 Mar-Con Services, LLC 1410 Preston Rd. Bldg. H Pasadena, TX 77503		BIDDER NUMBER 2 Triple B Services, LLP 820 Old Atacocita Rd., Humble, TX 77336		BIDDER NUMBER 3 RAC Industries, LLC 2512 Cocoa Ln. Pasadena, TX 77502		BIDDER NUMBER 4 Angel Brothers Enterprises, Ltd. 5210 West Road, Baytown, TX 77521		BIDDER NUMBER 5 Main Lane Industries, Ltd. 14115 Luthe Rd. Suite 100 Houston, TX 77039		ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	Preparing the Right-of-Way including Mobilization, In Accordance with the Specifications (Max 5% of Total Base Bid Amount)	LS	1	\$39,113.80	\$ 39,113.80	\$ 26,000.00	\$ 26,000.00	\$ 63,540.00	\$ 63,540.00	\$ 32,000.00	\$ 32,000.00	\$ 85,000.00	\$ 85,000.00	\$30,000.00	\$ 30,000.00
2	Furnish, Install and Maintain Traffic Control Devices and appurtenances, in accordance with the Texas Manual on Uniform Traffic Control Devices (Latest Edition), Including Flagmen, Complete-in-Place, In Accordance with the Plans and Specifications	LS	1	\$103,650.50	\$ 103,650.50	\$ 11,000.00	\$ 11,000.00	\$ 11,880.00	\$ 11,880.00	\$ 14,000.00	\$ 14,000.00	\$ 15,000.00	\$ 15,000.00	\$8,000.00	\$ 8,000.00
3	Furnish and Install Block Sodding, Complete-in-Place, In Accordance with the Plans and Specifications	SY	3,928	\$3.20	\$ 12,569.60	\$ 4.50	\$ 17,676.00	\$ 3.90	\$ 15,319.20	\$ 4.00	\$ 15,712.00	\$ 5.00	\$ 19,640.00	\$5.00	\$ 19,640.00
4	Site Restoration Including Replacement of Landscaping, Hardscape, Traffic Signs, Irrigation Systems, etc., In Accordance with Plans and Specifications	LS	1	\$4,247.80	\$ 4,247.80	\$ 15,000.00	\$ 15,000.00	\$ 4,950.00	\$ 4,950.00	\$ 11,500.00	\$ 11,500.00	\$ 35,000.00	\$ 35,000.00	\$8,000.00	\$ 8,000.00
5	Remove and Dispose of Old Concrete Pavement, Concrete Sidewalks, Concrete Driveways, Including Concrete Curb or Gutter and Gutter, All Depths, Complete-in-Place, In Accordance with the Plans and Specifications	SY	8,800	\$3.40	\$ 29,920.00	\$ 3.65	\$ 32,120.00	\$ 3.90	\$ 34,320.00	\$ 13.00	\$ 114,400.00	\$ 2.00	\$ 17,600.00	\$4.00	\$ 35,200.00
6	Roadway Excavation including Stripping, Complete-in-Place, In Accordance with the Plans and Specifications	CY	155	\$10.00	\$ 1,550.00	\$ 23.00	\$ 3,565.00	\$ 14.30	\$ 2,216.50	\$ 76.00	\$ 11,780.00	\$ 200.00	\$ 31,000.00	\$15.00	\$ 2,325.00
7	Prepare and Compact 8" Lime Stabilized Subgrade, Complete-in-Place, In Accordance with the Plans and Specifications	SY	7,594	\$3.30	\$ 25,060.20	\$ 3.50	\$ 26,579.00	\$ 3.90	\$ 29,616.60	\$ 4.25	\$ 32,274.50	\$ 9.00	\$ 68,346.00	\$6.00	\$ 45,564.00
8	Furnish Lime (6% by Dry Weight), Complete-in-Place, In Accordance with the Plans and Specifications	TON	139	\$170.40	\$ 23,685.60	\$ 170.00	\$ 23,630.00	\$ 176.00	\$ 24,464.00	\$ 175.00	\$ 24,325.00	\$ 160.00	\$ 22,240.00	\$180.00	\$ 25,020.00
9	Furnish and Install 7" Reinforced Concrete Pavement, Complete-in-Place, In Accordance with the Plans and Specifications	SY	5,671	\$41.70	\$ 236,480.70	\$ 47.00	\$ 266,537.00	\$ 49.10	\$ 278,446.10	\$ 47.00	\$ 266,537.00	\$ 56.00	\$ 317,576.00	\$55.00	\$ 311,905.00
10	Furnish and Install 7" High Early-Strength Reinforced Concrete Pavement, Complete-in-Place, In Accordance with the Plans and Specifications	SY	1,300	\$48.20	\$ 62,660.00	\$ 74.00	\$ 96,200.00	\$ 60.80	\$ 79,040.00	\$ 67.00	\$ 87,100.00	\$ 75.00	\$ 97,500.00	\$70.00	\$ 91,000.00
11	Furnish and Install Reinforced Concrete Curb, Complete-in-Place, In Accordance with the Plans and Specifications	LF	2,910	\$2.70	\$ 7,857.00	\$ 3.60	\$ 10,476.00	\$ 3.30	\$ 9,603.00	\$ 4.00	\$ 11,640.00	\$ 3.50	\$ 10,185.00	\$5.00	\$ 14,550.00
12	Furnish and Install 4" Reinforced Concrete Sidewalks, Complete-in-Place, In Accordance with the Plans and Specifications	SY	1,351	\$41.50	\$ 56,066.50	\$ 52.00	\$ 70,252.00	\$ 59.40	\$ 80,249.40	\$ 60.00	\$ 81,060.00	\$ 55.00	\$ 74,305.00	\$50.00	\$ 67,550.00
13	Furnish and Install 6" Reinforced Concrete Driveways, Complete-in-Place, In Accordance with the Plans and Specifications	SY	871	\$53.00	\$ 46,163.00	\$ 105.00	\$ 91,455.00	\$ 69.30	\$ 60,360.30	\$ 85.00	\$ 74,035.00	\$ 70.00	\$ 60,970.00	\$70.00	\$ 60,970.00
14	Furnish and Install Temporary Residential Driveway, In Accordance with the Plans and Specifications	EA	23	\$563.30	\$ 12,955.90	\$ 685.00	\$ 15,755.00	\$ 275.00	\$ 6,325.00	\$ 410.00	\$ 9,430.00	\$ 400.00	\$ 9,200.00	\$500.00	\$ 11,500.00
15	Furnish and Install Temporary Commercial Driveway, In Accordance with the Plans and Specifications	EA	3	\$819.60	\$ 2,458.80	\$ 1,250.00	\$ 3,750.00	\$ 495.00	\$ 1,485.00	\$ 540.00	\$ 1,620.00	\$ 1,000.00	\$ 3,000.00	\$650.00	\$ 1,950.00
16	Adjust Existing Manhole to New Grade, Complete-in-Place, In Accordance with the Plans and Specifications	EA	9	\$208.60	\$ 1,877.40	\$ 935.00	\$ 8,415.00	\$ 330.00	\$ 2,970.00	\$ 410.00	\$ 3,690.00	\$ 325.00	\$ 2,925.00	\$300.00	\$ 2,700.00
17	Adjust Existing Valve Box to Finished Grade, Complete-in-Place, In Accordance with the Plans and Specifications	EA	6	\$43.90	\$ 263.40	\$ 620.00	\$ 3,720.00	\$ 275.00	\$ 1,650.00	\$ 350.00	\$ 2,100.00	\$ 220.00	\$ 1,320.00	\$200.00	\$ 1,200.00
18	Furnish and Install ADA Curb Ramps, Complete-in-Place, In Accordance with the Plans and Specifications	EA	12	\$961.80	\$ 11,541.60	\$ 1,250.00	\$ 15,000.00	\$ 1,320.00	\$ 15,840.00	\$ 1,360.00	\$ 16,320.00	\$ 2,000.00	\$ 24,000.00	\$1,500.00	\$ 18,000.00
19	Remove and Dispose of Existing 18" Pipe, Complete-in-Place, In Accordance with the Plans and Specifications	LF	308	\$13.10	\$ 4,034.80	\$ 13.00	\$ 4,004.00	\$ 17.60	\$ 5,420.80	\$ 17.75	\$ 5,467.00	\$ 15.00	\$ 4,620.00	\$25.00	\$ 7,700.00
20	Remove and Dispose of Existing 24" Pipe, Complete-in-Place, In Accordance with the Plans and Specifications	LF	531	\$13.10	\$ 6,956.10	\$ 14.50	\$ 7,699.50	\$ 19.80	\$ 10,513.80	\$ 20.50	\$ 10,885.50	\$ 18.00	\$ 9,558.00	\$30.00	\$ 15,930.00
21	Remove and Dispose of Existing Manhole, Complete-in-Place, In Accordance with the Plans and Specifications	EA	3	\$393.60	\$ 1,180.80	\$ 600.00	\$ 1,800.00	\$ 550.00	\$ 1,650.00	\$ 820.00	\$ 2,460.00	\$ 550.00	\$ 1,650.00	\$500.00	\$ 1,500.00
22	Remove and Dispose of Existing Inlet, Complete-in-Place, In Accordance with the Plans and Specifications	EA	13	\$305.40	\$ 3,970.20	\$ 550.00	\$ 7,150.00	\$ 220.00	\$ 2,860.00	\$ 420.00	\$ 5,460.00	\$ 550.00	\$ 7,150.00	\$500.00	\$ 6,500.00
23	Furnish and Install 18" RCP (Class III C-76), All Depths, Complete-in-Place, In Accordance with the Plans and Specifications	LF	28	\$75.40	\$ 2,111.20	\$ 105.00	\$ 2,940.00	\$ 82.10	\$ 2,298.80	\$ 94.00	\$ 2,632.00	\$ 115.00	\$ 3,220.00	\$100.00	\$ 2,800.00
24	Furnish and Install 24" RCP (Class III C-76), All Depths, Complete-in-Place, In Accordance with the Plans and Specifications	LF	331	\$91.90	\$ 30,418.90	\$ 105.00	\$ 34,755.00	\$ 113.10	\$ 37,436.10	\$ 116.00	\$ 38,396.00	\$ 125.00	\$ 41,375.00	\$120.00	\$ 39,720.00
25	Furnish and Install 36" RCP (Class III C-76), All Depths, Complete-in-Place, In Accordance with the Plans and Specifications	LF	480	\$134.00	\$ 64,320.00	\$ 140.00	\$ 67,200.00	\$ 186.10	\$ 89,328.00	\$ 133.00	\$ 63,840.00	\$ 160.00	\$ 76,800.00	\$185.00	\$ 88,800.00
26	Furnish and Install Type 'C-1' Inlet, Complete-in-Place, In Accordance with the Plans and Specifications	EA	13	\$3,352.80	\$ 43,586.40	\$ 3,750.00	\$ 48,750.00	\$ 2,868.30	\$ 37,287.90	\$ 2,725.00	\$ 35,425.00	\$ 3,200.00	\$ 41,600.00	\$4,000.00	\$ 52,000.00
27	Furnish and Install Storm Manhole, Standard Depth Manhole, Complete-in-Place, In Accordance with the Plans and Specifications	EA	3	\$2,363.50	\$ 7,090.50	\$ 3,900.00	\$ 11,700.00	\$ 3,525.90	\$ 10,577.70	\$ 2,675.00	\$ 8,025.00	\$ 4,200.00	\$ 12,600.00	\$3,500.00	\$ 10,500.00
28	Trench safety System Construction of Storm Sewer, Complete-in-Place, In Accordance with the Plans and Specifications	LF	359	\$0.30	\$ 107.70	\$ 1.00	\$ 359.00	\$ 1.00	\$ 359.00	\$ 1.00	\$ 359.00	\$ 20.00	\$ 7,180.00	\$2.00	\$ 718.00
29	SWPPP Inspection and Maintenance, including Inlet Protection Barrier (Stage I), Inlet Protection Barrier (Stage II), Reinforced Filter Fabric Fence, and Portable Concrete Truck Washout Structures, In Accordance with the Plans and Specifications	LS	1	\$1,450.90	\$ 1,450.90	\$ 3,800.00	\$ 3,800.00	\$ 5,797.00	\$ 5,797.00	\$ 4,240.00	\$ 4,240.00	\$ 6,000.00	\$ 6,000.00	\$10,000.00	\$ 10,000.00
30	Furnish and Install 6" PVC (AWWA C900) Class 150 Waterline, including Fittings, Thrust Blocking, Restrained Joints, and Appurtenances, Complete-in-Place, In Accordance with the Plans and Specifications	LF	40	\$37.00	\$ 1,480.00	\$ 45.00	\$ 1,800.00	\$ 50.00	\$ 2,000.00	\$ 69.00	\$ 2,760.00	\$ 60.00	\$ 2,400.00	\$75.00	\$ 3,000.00

TABULATION OF BIDS
SOMERTON DRIVE WATERLINE AND PAVEMENT REPLACEMENT
VENTURE LANE WATERLINE, AND PECAN PARK PARKING LOT

CITY OF LA PORTE
 RECEIVED AND OPENED ON 5/24/2018 AT 2:00 PM



Jeremy A. Austin
 5/29/2018



Prepared By: JAA

Item No.	Item Description	Unit Meas.	Quantity	BIDDER NUMBER 1 Mar-Con Services, LLC 1410 Preston Rd. Bldg. H Pasadena, TX 77503		BIDDER NUMBER 2 Triple B Services, LLP 820 Old Atacocita Rd., Humble, TX 77336		BIDDER NUMBER 3 RAC Industries, LLC 2512 Cocoa Ln. Pasadena, TX 77502		BIDDER NUMBER 4 Angel Brothers Enterprises, Ltd. 5210 West Road, Baytown, TX 77521		BIDDER NUMBER 5 Main Lane Industries, Ltd. 14115 Luthe Rd. Suite 100 Houston, TX 77039		ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
31	Furnish and Install 8" PVC (AWWA C900) Class 150 Waterline, including Fittings, Thrust Blocking, Restrained Joints, and Appurtenances, Complete-in-Place, In Accordance with the Plans and Specifications	LF	80	\$58.70	\$ 4,696.00	\$ 73.00	\$ 5,840.00	\$ 80.00	\$ 6,400.00	\$ 91.00	\$ 7,280.00	\$ 85.00	\$ 6,800.00	\$80.00	\$ 6,400.00
32	Furnish and Install 8" PVC (AWWA C900) Class 150 Waterline with Steel Casing, Trenchless Construction, including Fittings, Thrust Blocking, Restrained Joints, and Appurtenances, Complete-in-Place, In Accordance with the Plans and Specifications	LF	140	\$100.90	\$ 14,126.00	\$ 105.00	\$ 14,700.00	\$ 152.40	\$ 21,336.00	\$ 134.00	\$ 18,760.00	\$ 155.00	\$ 21,700.00	\$170.00	\$ 23,800.00
33	Furnish and Install 12" PVC (AWWA C900) Class 150 Waterline, including Fittings, Thrust Blocking, Restrained Joints, and Appurtenances, Complete-in-Place, In Accordance with the Plans and Specifications	LF	2,145	\$45.10	\$ 96,739.50	\$ 52.00	\$ 111,540.00	\$ 83.00	\$ 178,035.00	\$ 71.00	\$ 152,295.00	\$ 70.00	\$ 150,150.00	\$100.00	\$ 214,500.00
34	Trench Safety System Waterline Construction (All Depths), Complete-in-Place, In Accordance with the Plans and Specifications	LF	2,150	\$0.10	\$ 215.00	\$ 1.00	\$ 2,150.00	\$ 1.00	\$ 2,150.00	\$ 1.00	\$ 2,150.00	\$ 2.50	\$ 5,375.00	\$1.00	\$ 2,150.00
35	Cut, Plug, and Abandon Existing 6" Waterline, Complete-in-Place, In Accordance with the Plans and Specifications	EA	4	\$579.20	\$ 2,316.80	\$ 200.00	\$ 800.00	\$ 653.80	\$ 2,615.20	\$ 270.00	\$ 1,080.00	\$ 430.00	\$ 1,720.00	\$500.00	\$ 2,000.00
36	Cut, Plug, and Abandon Existing 8" Waterline, Complete-in-Place, In Accordance with the Plans and Specifications	EA	1	\$620.10	\$ 620.10	\$ 235.00	\$ 235.00	\$ 893.70	\$ 893.70	\$ 290.00	\$ 290.00	\$ 500.00	\$ 500.00	\$600.00	\$ 600.00
37	Cut, Plug, and Abandon Existing 12" Waterline, Complete-in-Place, In Accordance with the Plans and Specifications	EA	6	\$698.40	\$ 4,190.40	\$ 335.00	\$ 2,010.00	\$ 1,340.60	\$ 8,043.60	\$ 340.00	\$ 2,040.00	\$ 580.00	\$ 3,480.00	\$750.00	\$ 4,500.00
38	Remove and Salvage Existing Fire Hydrant, Complete-in-Place, In Accordance with the Plans and Specifications	EA	4	\$359.50	\$ 1,438.00	\$ 300.00	\$ 1,200.00	\$ 99.00	\$ 396.00	\$ 505.00	\$ 2,020.00	\$ 230.00	\$ 920.00	\$350.00	\$ 1,400.00
39	Furnish and Install Fire Hydrant Assembly, AWWA 502, Mechanical Joint Inlet, incl. Fire Hydrant, 6" Lead, 6" Gate Valve with Box and Barrel Extensions, ALL DEPTHS, Blue Raised Pavement Marker, Complete-in-Place, In Accordance with the Plans and Specifications	EA	6	\$3,890.20	\$ 23,341.20	\$ 4,200.00	\$ 25,200.00	\$ 3,591.90	\$ 21,551.40	\$ 5,300.00	\$ 31,800.00	\$ 4,500.00	\$ 27,000.00	\$5,000.00	\$ 30,000.00
40	Furnish and Install 6-inch by 6-inch Tapping Sleeve and Valve with Box, Complete-in-Place, In Accordance with the Plans and Specifications	EA	4	\$2,865.70	\$ 11,462.80	\$ 2,600.00	\$ 10,400.00	\$ 3,080.00	\$ 12,320.00	\$ 3,550.00	\$ 14,200.00	\$ 2,500.00	\$ 10,000.00	\$5,000.00	\$ 20,000.00
41	Furnish and Install 8-inch by 8-inch Tapping Sleeve and Valve with Box, Complete-in-Place, In Accordance with the Plans and Specifications	EA	1	\$3,288.90	\$ 3,288.90	\$ 3,000.00	\$ 3,000.00	\$ 3,520.00	\$ 3,520.00	\$ 4,100.00	\$ 4,100.00	\$ 2,800.00	\$ 2,800.00	\$7,000.00	\$ 7,000.00
42	Furnish and Install 12-inch by 12-inch Tapping Sleeve and Valve with Box, Complete-in-Place, In Accordance with the Plans and Specifications	EA	5	\$5,666.10	\$ 28,330.50	\$ 5,700.00	\$ 28,500.00	\$ 6,160.00	\$ 30,800.00	\$ 7,300.00	\$ 36,500.00	\$ 5,000.00	\$ 25,000.00	\$9,000.00	\$ 45,000.00
43	Furnish and Install 8" Wet Connection, Complete-in-Place, In Accordance with the Plans and Specifications	EA	1	\$709.60	\$ 709.60	\$ 880.00	\$ 880.00	\$ 981.70	\$ 981.70	\$ 600.00	\$ 600.00	\$ 1,800.00	\$ 1,800.00	\$2,500.00	\$ 2,500.00
44	Furnish and Install 12" Wet Connection, Complete-in-Place, In Accordance with the Plans and Specifications	EA	1	\$851.60	\$ 851.60	\$ 1,100.00	\$ 1,100.00	\$ 1,673.50	\$ 1,673.50	\$ 830.00	\$ 830.00	\$ 1,100.00	\$ 1,100.00	\$3,500.00	\$ 3,500.00
45	Furnish and Install 8" Gate Valve with Box, AWWA C509 IBBM, NRS, Complete-in-Place, In Accordance with the Plans and Specifications	EA	3	\$1,444.50	\$ 4,333.50	\$ 1,650.00	\$ 4,950.00	\$ 1,458.90	\$ 4,376.70	\$ 1,500.00	\$ 4,500.00	\$ 1,500.00	\$ 4,500.00	\$3,000.00	\$ 9,000.00
46	Furnish and Install 12" Gate Valve with Box, AWWA C509 IBBM, NRS, Complete-in-Place, In Accordance with the Plans and Specifications	EA	7	\$2,390.30	\$ 16,732.10	\$ 2,700.00	\$ 18,900.00	\$ 2,567.80	\$ 17,974.60	\$ 2,600.00	\$ 18,200.00	\$ 2,200.00	\$ 15,400.00	\$5,500.00	\$ 38,500.00
47	Furnish and Install Single Short Service Replacement Incl. Reconnect To Meter, Complete-in-Place, In Accordance with the Plans and Specifications	EA	14	\$583.80	\$ 8,173.20	\$ 950.00	\$ 13,300.00	\$ 770.00	\$ 10,780.00	\$ 475.00	\$ 6,650.00	\$ 1,000.00	\$ 14,000.00	\$850.00	\$ 11,900.00
48	Furnish and Install Long Service Replacement Incl. Reconnect To Meter, Complete-in-Place, In Accordance with the Plans and Specifications	EA	1	\$1,157.40	\$ 1,157.40	\$ 1,400.00	\$ 1,400.00	\$ 1,210.00	\$ 1,210.00	\$ 580.00	\$ 580.00	\$ 1,500.00	\$ 1,500.00	\$1,500.00	\$ 1,500.00
49	Mobilization including Performance and Payment Bonds and Insurance, In Accordance with the Specifications (Max 5% of Total Base Bid Amount)	LS	1	\$2,200.60	\$ 2,200.60	\$ 13,000.00	\$ 13,000.00	\$ 7,150.00	\$ 7,150.00	\$ 7,500.00	\$ 7,500.00	\$ 85,000.00	\$ 85,000.00	\$10,000.00	\$ 10,000.00
50	Remove Tree 0 to 11.99", Complete-in-Place, In Accordance with the Plans and Specifications	EA	12	\$179.80	\$ 2,157.60	\$ 200.00	\$ 2,400.00	\$ 200.00	\$ 2,400.00	\$ 455.00	\$ 5,460.00	\$ 500.00	\$ 6,000.00	\$150.00	\$ 1,800.00
51	Remove Tree 12 to 29.99", Complete-in-Place, In Accordance with the Plans and Specifications	EA	1	\$232.50	\$ 232.50	\$ 340.00	\$ 340.00	\$ 300.00	\$ 300.00	\$ 1,350.00	\$ 1,350.00	\$ 750.00	\$ 750.00	\$1,200.00	\$ 1,200.00
52	Remove Tree 30 to 40", Complete-in-Place, In Accordance with the Plans and Specifications	EA	1	\$796.70	\$ 796.70	\$ 575.00	\$ 575.00	\$ 700.00	\$ 700.00	\$ 3,000.00	\$ 3,000.00	\$ 1,000.00	\$ 1,000.00	\$1,500.00	\$ 1,500.00
53	Plant 4" Tree with 30 gallon container, In Accordance with the Plans and Specifications	EA	6	\$558.60	\$ 3,351.60	\$ 600.00	\$ 3,600.00	\$ 400.00	\$ 2,400.00	\$ 460.00	\$ 2,760.00	\$ 600.00	\$ 3,600.00	\$250.00	\$ 1,500.00
54	Furnish and Install Block Sodding, Complete-in-Place, In Accordance with the Plans and Specifications	SY	3,050	\$3.20	\$ 9,760.00	\$ 4.50	\$ 13,725.00	\$ 4.00	\$ 12,200.00	\$ 4.00	\$ 12,200.00	\$ 6.00	\$ 18,300.00	\$5.00	\$ 15,250.00
55	Site Restoration Including Replacement of Landscaping, Site Grading to Existing or as Shown on Plans, Hardscape, Traffic Signs, Irrigation Systems, etc., In Accordance with Plans and Specifications	LS	1	\$112.90	\$ 112.90	\$ 14,500.00	\$ 14,500.00	\$ 4,950.00	\$ 4,950.00	\$ 11,600.00	\$ 11,600.00	\$ 2,000.00	\$ 2,000.00	\$3,000.00	\$ 3,000.00
56	Borrow, Complete-in-Place, In Accordance with the Plans and Specifications	CY	580	\$3.30	\$ 1,914.00	\$ 10.00	\$ 5,800.00	\$ 12.00	\$ 6,960.00	\$ 28.00	\$ 16,240.00	\$ 1.00	\$ 580.00	\$20.00	\$ 11,600.00
57	Prepare and Compact 6" Lime Stabilized Subgrade, Complete-in-Place, In Accordance with the Plans and Specifications	SY	4,145	\$2.10	\$ 8,704.50	\$ 3.50	\$ 14,507.50	\$ 4.00	\$ 16,580.00	\$ 4.00	\$ 16,580.00	\$ 5.00	\$ 20,725.00	\$5.00	\$ 20,725.00
58	Furnish Lime (6% by Dry Weight), Complete-in-Place, In Accordance with the Plans and Specifications	TON	70	\$170.40	\$ 11,928.00	\$ 170.00	\$ 11,900.00	\$ 180.00	\$ 12,600.00	\$ 175.00	\$ 12,250.00	\$ 180.00	\$ 12,600.00	\$180.00	\$ 12,600.00
59	Furnish and Install 6" Reinforced Concrete Pavement, Complete-in-Place, In Accordance with the Plans and Specifications	SY	4,045	\$38.40	\$ 155,328.00	\$ 46.00	\$ 186,070.00	\$ 47.00	\$ 190,115.00	\$ 43.00	\$ 173,935.00	\$ 44.00	\$ 177,980.00	\$52.00	\$ 210,340.00
60	Furnish and Install 6" White Concrete Wheel Stop, Complete-in-Place, In Accordance with the Plans and Specifications	EA	92	\$55.30	\$ 5,087.60	\$ 60.00	\$ 5,520.00	\$ 50.00	\$ 4,600.00	\$ 78.00	\$ 7,176.00	\$ 49.00	\$ 4,508.00	\$125.00	\$ 11,500.00

TABULATION OF BIDS
SOMERTON DRIVE WATERLINE AND PAVEMENT REPLACEMENT
VENTURE LANE WATERLINE, AND PECAN PARK PARKING LOT

CITY OF LA PORTE
 RECEIVED AND OPENED ON 5/24/2018 AT 2:00 PM



Jeremy A. Austin
 5/29/2018



Prepared By: JAA

Item No.	Item Description	Unit Meas.	Quantity	BIDDER NUMBER 1 Mar-Con Services, LLC 1410 Preston Rd. Bldg. H Pasadena, TX 77503		BIDDER NUMBER 2 Triple B Services, LLP 820 Old Atacocita Rd., Humble, TX 77336		BIDDER NUMBER 3 RAC Industries, LLC 2512 Cocoa Ln. Pasadena, TX 77502		BIDDER NUMBER 4 Angel Brothers Enterprises, Ltd. 5210 West Road, Baytown, TX 77521		BIDDER NUMBER 5 Main Lane Industries, Ltd. 14115 Luthe Rd. Suite 100 Houston, TX 77039		ENGINEER'S OPINION OF PROBABLE CONSTRUCTION COST	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
61	Removal of Concrete Sidewalks, Complete in Place, In Accordance with the Plans and Specifications	SY	116	\$4.40	\$ 510.40	\$ 6.00	\$ 696.00	\$ 5.00	\$ 580.00	\$ 17.50	\$ 2,030.00	\$ 14.00	\$ 1,624.00	\$10.00	\$ 1,160.00
62	Furnish and Install 4" Reinforced Concrete Sidewalks, Complete-in-Place, In Accordance with the Plans and Specifications	SY	144	\$41.80	\$ 6,019.20	\$ 58.00	\$ 8,352.00	\$ 59.40	\$ 8,553.60	\$ 56.00	\$ 8,064.00	\$ 50.00	\$ 7,200.00	\$60.00	\$ 8,640.00
63	Furnish and Install ADA Curb Ramps, Complete-in-Place, In Accordance with the Plans and Specifications	EA	2	\$961.80	\$ 1,923.60	\$ 1,250.00	\$ 2,500.00	\$ 1,375.00	\$ 2,750.00	\$ 1,360.00	\$ 2,720.00	\$ 2,000.00	\$ 4,000.00	\$1,000.00	\$ 2,000.00
64	Furnish and Install Accessible Parking Signage, Complete-in-Place, In Accordance with the Plans	EA	4	\$181.70	\$ 726.80	\$ 200.00	\$ 800.00	\$ 550.00	\$ 2,200.00	\$ 450.00	\$ 1,800.00	\$ 161.00	\$ 644.00	\$350.00	\$ 1,400.00
65	Furnish and Install Thermoplastic Pavement Markings TY I (W) (4") (SLD), In Accordance with the Plans	LF	2,020	\$0.70	\$ 1,414.00	\$ 0.75	\$ 1,515.00	\$ 2.00	\$ 4,040.00	\$ 1.00	\$ 2,020.00	\$ 0.65	\$ 1,313.00	\$1.00	\$ 2,020.00
66	Furnish and Install PREFAB PAV MRK, International Symbol of Accessibility, Complete-in-Place, In Accordance with the Plans	EA	4	\$265.20	\$ 1,060.80	\$ 275.00	\$ 1,100.00	\$ 600.00	\$ 2,400.00	\$ 470.00	\$ 1,880.00	\$ 235.00	\$ 940.00	\$300.00	\$ 1,200.00
67	Furnish and Install 12" HDPE Storm Sewer, All Depths, Complete-in-Place, In Accordance with the Plans and Specifications	LF	66	\$35.10	\$ 2,316.60	\$ 50.00	\$ 3,300.00	\$ 25.60	\$ 1,689.60	\$ 48.00	\$ 3,168.00	\$ 75.00	\$ 4,950.00	\$25.00	\$ 1,650.00
68	Furnish and Install 15" HDPE Storm Sewer, All Depths, Complete-in-Place, In Accordance with the Plans and Specifications	LF	61	\$38.50	\$ 2,348.50	\$ 53.00	\$ 3,233.00	\$ 30.40	\$ 1,854.40	\$ 55.00	\$ 3,355.00	\$ 85.00	\$ 5,185.00	\$30.00	\$ 1,830.00
69	Excavation for Swale, All Depths, Complete-in-Place, In Accordance with the Plans and Specifications	CY	470	\$3.80	\$ 1,786.00	\$ 10.00	\$ 4,700.00	\$ 14.30	\$ 6,721.00	\$ 10.00	\$ 4,700.00	\$ 30.00	\$ 14,100.00	\$15.00	\$ 7,050.00
70	Furnish and Install Grate Inlet, Complete-in-Place, In Accordance with the Plans and Specifications	EA	2	\$1,042.40	\$ 2,084.80	\$ 3,000.00	\$ 6,000.00	\$ 900.00	\$ 1,800.00	\$ 1,250.00	\$ 2,500.00	\$ 1,750.00	\$ 3,500.00	\$3,500.00	\$ 7,000.00
71	Trench safety System Construction of Storm Sewer, Complete-in-Place, In Accordance with the Plans and Specifications	LF	127	\$0.20	\$ 25.40	\$ 1.00	\$ 127.00	\$ 1.00	\$ 127.00	\$ 1.00	\$ 127.00	\$ 2.00	\$ 254.00	\$1.00	\$ 127.00
72	SWPPP Inspection and Maintenance, including Inlet Protection Barrier (Stage I), Inlet Protection Barrier (Stage II), Reinforced Filter Fabric Fence, Portable Concrete Truck Washout Structures, Stabilized Construction Access, and Filter Dam - Type 2, In Accordance with the Plans and Specifications	LS	1	\$5,771.70	\$ 5,771.70	\$ 3,000.00	\$ 3,000.00	\$ 4,200.00	\$ 4,200.00	\$ 220.00	\$ 220.00	\$ 8,000.00	\$ 8,000.00	\$13,000.00	\$ 13,000.00
SUBTOTAL BASE BID ITEMS					\$ 1,295,113.70		\$ 1,482,453.00		\$ 1,550,732.20		\$ 1,595,983.00		\$ 1,787,458.00		\$ 1,766,584.00
TOTAL AMOUNT BID					\$ 1,295,113.70		\$ 1,482,453.00		\$ 1,550,732.20		\$ 1,595,983.00		\$ 1,787,458.00		\$ 1,766,584.00

May 29, 2018

Mr. Don Pennell, Director
City of La Porte
2963 North 23rd Street
La Porte, Texas 77571

**Re: Somerton Drive Waterline and Pavement Replacement, Venture Waterline, and Pecan Park Parking Lot Project
Contractor Award Recommendation
BBI Job No. 170000273**

Dear Mr. Pennell:

Bids were publicly opened and read at 2:00 pm on May 24, 2018 for the above-referenced project. The following is a summary of our bid evaluation.

Bid Tabulation - A copy of the bid tabulation is attached. A summary of the total amount for each of the submitted bids is as follows.

Contractor	Amount of Bid
1. Mar-Con Services, LLC	\$1,295,113.70
2. Triple B Services, LLP	\$1,482,453.00
3. RAC Industries, LLC	\$1,550,732.20
4. Angel Brothers Enterprises, Ltd.	\$1,595,983.00
5. Main Lane Industries, Ltd.	\$1,787,458.00

Bid Bond – Mar-Con Services, LLC provided a bid bond through an “A” rated bonding company. The Contractor’s ability to bond this project indicates a satisfactory level of financial stability.

Mar-Con Services, LLC has been a responsible firm on previous projects for numerous clients and is capable of performing the specified work in a satisfactory manner.

Binkley & Barfield, Inc. recommends that the City of La Porte award the Somerton Drive Waterline and Pavement Replacement, Venture Waterline, and Pecan Park Parking Lot Project to Mar-Con Services, LLC for the amount of One Million, Two Hundred Ninety-Five Thousand, One Hundred Thirteen Dollars and Seventy Cents (\$1,295,113.70).

If you have any questions, or if we can be of any further assistance in this matter, please call me.

Sincerely,

BINKLEY & BARFIELD, INC.
Consulting Engineers



Jeremy Austin, P.E.
Project Manager
Public Infrastructure



JAA: ao; Attachment

Access Report

Agency

City of La Porte (TX)

Bid Number

Bid #18018

Bid Title

Bid #18018- Somerton Drive Waterline and Pavement Replacement, Venture Lane Waterline and Pecan Park Parking Lot Project

Vendor Name	Accessed First Time	Documents
CMC Development & Construct	2018-05-06 01:42 PM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
Bleyl Engineering	2018-05-10 02:35 PM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
Hearn Company	2018-05-03 03:51 PM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
Angel Brothers Enterprises, Ltd	2018-05-04 12:01 PM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
JDR Management	2018-05-04 12:30 AM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
Onvia	2018-05-03 06:01 PM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
BidClerk	2018-05-05 12:21 AM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
Ferguson Waterworks	2018-05-15 08:52 AM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
R. L. Utilities	2018-05-03 05:25 PM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
aztec remodeling &landscaping	2018-05-23 08:53 AM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
Perkens WS Corporation	2018-05-06 11:14 PM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
Dale Dobbins	2018-05-09 06:44 PM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
Tandem Services, LLC	2018-05-24 02:40 PM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
F&L Coatings and Concrete, LL	2018-05-15 11:30 AM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
Horseshoe Construction, Inc	2018-05-09 06:58 AM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
Dodge Data & Analytics	2018-05-08 10:11 AM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
Main Lane Industries, Ltd.	2018-05-15 08:18 AM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
MAR-CON SERVICES, LLC	2018-05-03 03:35 PM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
North America Procurement Co	2018-05-03 04:02 PM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
Advanced Starlight Internationa	2018-05-09 08:12 AM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
RAC Industries, LLC	2018-05-05 09:18 AM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf
Triple B Services, LLP	2018-05-14 11:26 AM CDT	Bid 18018 Contract Documents and Technical Specifications.pdf

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>June 25, 2018</u>
Requested By: <u>Ian Clowes</u>
Department: <u>Planning and Development</u>
Report: <input checked="" type="checkbox"/> Resolution: <input type="checkbox"/> Ordinance: <input checked="" type="checkbox"/>

<u>Appropriations</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:	<u>N/A</u>

- Exhibits:**
- Ordinance**
 - Proposed SCUP**
 - P&Z Recommendation Letter**
 - Applicant Information and Request**
 - Aerial Map**
 - Zoning Map**
 - Land Use Map**

SUMMARY & RECOMMENDATION

Applicant, Tracy Talent Lacombe, on behalf of Victor Ybarra, owner, is seeking approval of a SCUP to allow for a Specialty Trade Contractor (NAICS 238990) to locate in the General Commercial (GC) Zoning District. The property in question is a 0.22 acre tract of land located at 405 S. 16th St. and is legally described as Lots 3-5, Block 789, Town of La Porte Subdivision.

The property is currently occupied by a 2000 square foot building, constructed in 1965. The current tenant, Laramie Crane, has been in the building since 2012 but failed to obtain the proper zoning permits to legally occupy the site. The existing use, crane rental with operator, is classified under Specialty Trade Contractors, and requires approval of a Special Conditional Use Permit (SCUP) to operate within the GC zoning district.

To date, staff has not received any notices in opposition or in favor of the proposed SCUP application.

The Planning and Zoning Commission, at their May 17, 2018 regular meeting, voted 8-0 to recommend approval of the proposed SCUP, as presented with two additional conditions. The commission asked to add the condition that the application be signed by the property owner (this condition has already been completed) and to restrict any commercial vehicles utilized for the approved on site use from parking on the public ROW. Below is a list of all included conditions:

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte’s Development Ordinance and shall comply with all provisions of Chapter 106, “Zoning” of the

City's Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.

2. Permitted use on site will be described as Specialty Trades Contractor.
3. The underlying zoning is GC. All GC requirements will need to be met.
4. No commercial vehicles related to the permitted use on site may be parked in the Public Right-of-way at any time.
5. All necessary documentation for building permit review must be submitted in conjunction with the city's building permit application process for any proposed building improvements.
6. Any substantive modifications to this Special Conditional Use Permit will require an amendment to this SCUP in accordance with Chapter 106, "Zoning" of the City's Code of Ordinances.

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 for SCUP #18-91000004

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. 18-91000004, TO ALLOW FOR A SPECIALTY TRADE CONTRACTOR USE IN A GENERAL COMMERCIAL (GC) ZONING DISTRICT, ON A 0.22 ACRE TRACT OF LAND AND BEING LEGALLY DESCRIBED AS LOTS 3-5, BLOCK 789, TOWN OF LA PORTE SUBDIVISION, LA PORTE, HARRIS COUNTY, TEXAS; 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 #18-91000004, attached hereto as Exhibit A and incorporated by reference for all purposes, to allow for a specialty trade contractor use on a 0.22 acre tract of land, said tract being legally described as Lots 3-5, Block 789, Town of La Porte Subdivision, La Porte, Harris County, Texas, and situated within the General Commercial (GC) zoning district.

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 25th day of JUNE, 2018.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark Askins, Assistant City Attorney

EXHIBIT A

City of La Porte
Special Conditional Use Permit #18-91000004

This permit is issued to: Tracy Talent Lacombe
Owner or Agent

405 S. 16th St.
Address

For Development of: Laramie Crane
Development Name

405 S. 16th St.
Address

Legal Description: Lots 3-5, Block 789, Town of La Porte Subdivision, Harris County, TX

Zoning: GC, General Commercial

Use: Specialty Trades Contractor

Permit Conditions:

This Special Conditional Use Permit (SCUP) is applicable for the subject property, a copy of which shall be maintained in the files of the City’s Planning and Development Department upon approval. Project development shall be in accordance with the following conditions:

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte’s Development Ordinance and shall comply with all provisions of Chapter 106, “Zoning” of the City’s Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.
2. Permitted use on site will be described as Specialty Trades Contractor.
3. The underlying zoning is GC. All GC requirements will need to be met.
4. No commercial vehicles related to the permitted use on site may be parked in the Public Right-of-way at any time.
5. All necessary documentation for building permit review must be submitted in conjunction with the city’s building permit application process for any proposed building improvements.
6. Any substantive modifications to this Special Conditional Use Permit will require an amendment to this SCUP in accordance with Chapter 106, “Zoning” of the City’s Code of Ordinances.

Failure to start construction of the site 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 contract or agreement 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 and Development

City Secretary



May 18, 2018

Honorable Mayor Rigby and City Council
City of La Porte

RE: Special Conditional Use Permit Request #18-91000004

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a regular meeting on May 17, 2018 to hear a Special Conditional Use Permit request by Tracy Talent Lacombe, applicant, on behalf of Victor Ybarra, owner; for a Special Conditional Use Permit to allow for a Specialty Trade Contractor. The subject site is located at 405 S. 16th St., and is legally described as Lots 3-5, Block 789, Town of La Porte Subdivision. The subject site is zoned General Commercial (GC) and Section 106-310 of the Code of Ordinances requires a Special Conditional Use Permit in order for the above referenced use to be permitted within the GC zoning district.

The Commission voted 8-0 to recommend approval of the proposed SCUP with the added condition that no commercial vehicles related to the approved use shall be permitted to park within the public right-of-way.

Respectfully submitted,

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

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



PO Box 1515
La Porte, Texas 77572
Phone: (281) 941-4966 / Fax: (866) 538-9074

April 13, 2018

CITY OF LA PORTE
PLANNING AND DEVELOPMENT DEPARTMENT
604 WEST FAIRMONT PARKWAY
LA PORTE, TX 77571

Re: **SPECIAL CONDITIONAL USE PERMIT APPLICATION**
Property: 405 S 16TH STREET
LA PORTE, TX 77571

To comply with the City's Code of Ordinances to conduct business at the property located at 405 S 16th Street, La Porte, TX, Laramie Crane submits the attached Application for Special Conditional Use Permit for approval.

This application for a special conditional use permit is being submitted in response to a complaint against Laramie Crane by Terry Medders of Medders Constructions.

Laramie Crane has addressed the complaint and is no longer parking any vehicles or equipment on West C Street.

Also, please note that Laramie Crane is no longer parking cranes at this location at all. Cranes are kept off site at another location.

Should you have any questions, or require additional information, please contact me at (281) 941-4966.

Thank you for your time and consideration to this matter.

Sincerely,

Tracy Lacombe
LARAMIE CRANE, LLC



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: 405 S 16th Street

Legal description where SCUP is being requested: LTS 3 4 & 5 - BLK 789 - LA PORTE

HCAD Parcel Number where SCUP is being requested: 0241020890003

Zoning District: General Commercial Lot area: 9,375

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

Description of Request: To allow Laramie Crane, a specialty trade contractor (NAICS 238990), to continue to locate and conduct business in a general commercial zone.

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: Victor Ybarra

Company (if applicable): Arraby Properties, LLC

Address: 3819 River Run Drive

City: Baytown State: TX Zip: 77523

Phone: (832) 715-4555 Email: [REDACTED]

AUTHORIZED AGENT (If other than owner)

Name: Tracy Talent Lacombe

Company (if applicable): Laramie Crane, LLC

Address: PO Box 1515

City: La Porte State: TX Zip: 77572

Phone: (281) 941-4966 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: [Signature] Date: 04/13/2018

Owner(s)' Signature(s): [Signature] Date: 06/04/18

STAFF USE ONLY:

Case Number:

Date Application Received:



Special Conditional Use Permit Application

Planning and Development Department

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:

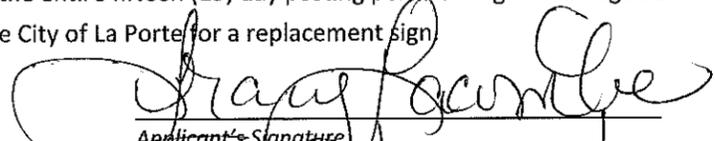
ADDRESS: 405 S 16th Street, La Porte, TX 77571

LEGAL DESCRIPTION: LTS 3 4 & 5 - BLK 789 - LA PORTE

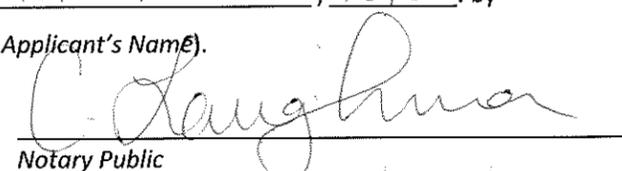
2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date: 04/16/2018.

3. Said sign shall be placed on the property within 20 feet of the abutting street.

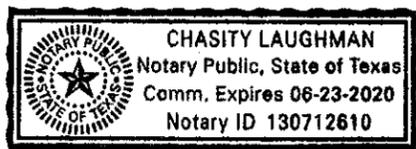
4. Said sign shall remain legible and visible for the entire fifteen (15) day posting period. If sign is damaged or missing, I hereby attest that I will contact the City of La Porte for a replacement sign.


 Applicant's Signature
Tracy Lacombe
 Applicant's Printed Name

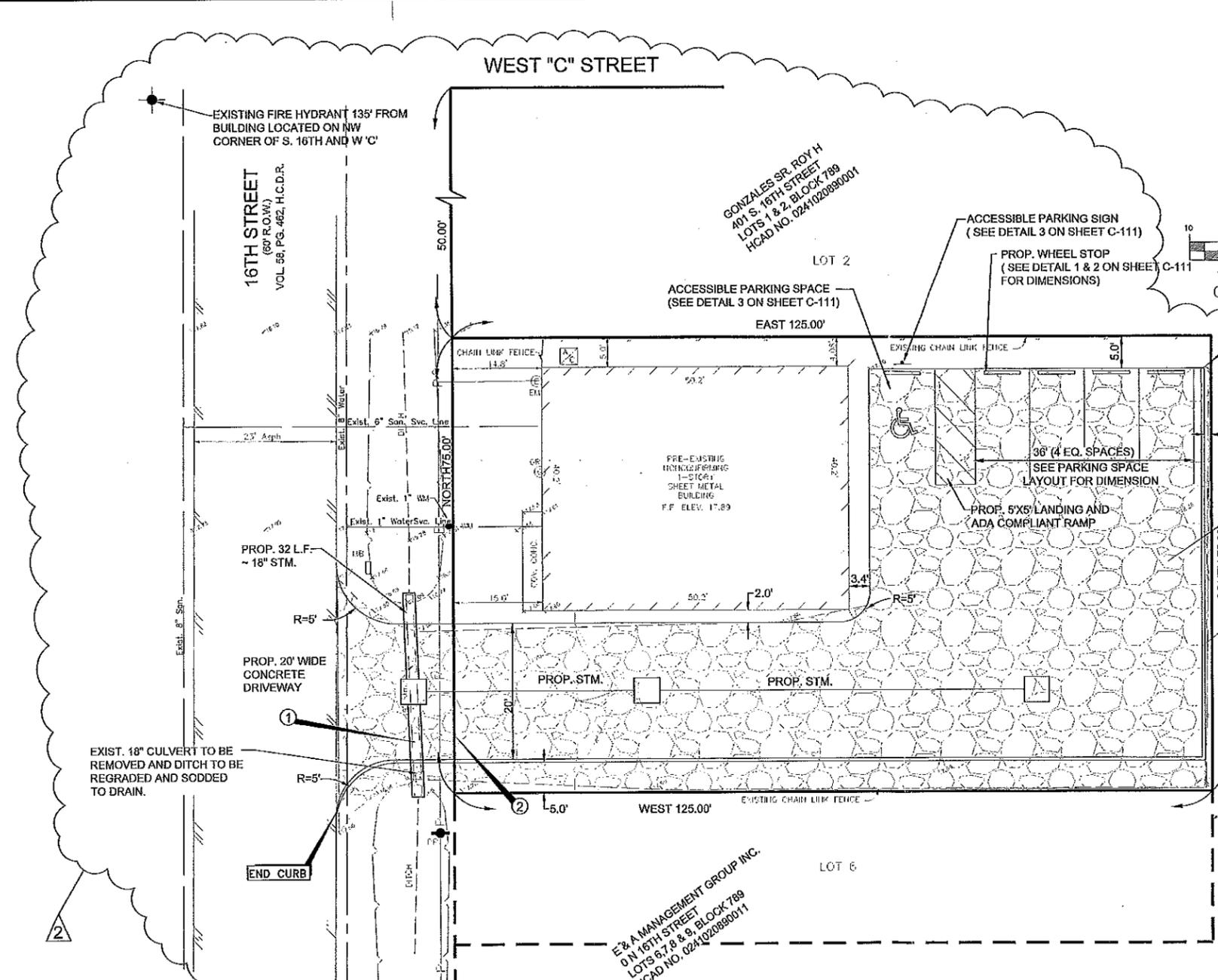
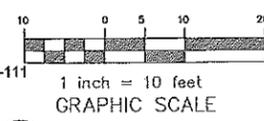
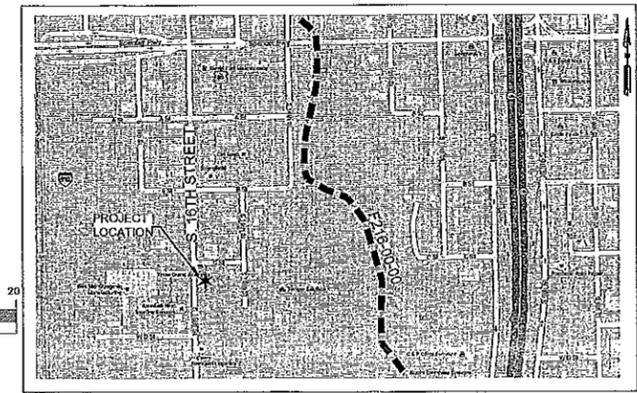
Subscribed and sworn before me this 13 day of April, 2018, by
Tracy Lacombe (Print Applicant's Name).


 Notary Public

My commission expires: 06/23/2020



1	8/22/16	PERMIT REVISION NO. 1	AS
2	2/21/16	PERMIT REVISION NO. 2	AS
		NO.	DATE
		Revisions	



SITE DATA TABLE	
NAME OF DEVELOPMENT:	MAXIM CRANE WORKS
TYPE OF DEVELOPMENT:	COMMERCIAL
OWNER:	YBARRA EUGENE 11022 N. P STREET, LA PORTE TEXAS 77571
DEVELOPER:	ARROWMONT CONSTRUCTORS P.O. BOX 925351
SITE ADDRESS:	S. 405 16TH STREET
SITE LEGAL DESCRIPTION:	LOTS 3, 4 & 5 BLOCK 789
SITE HCAD PARCEL #:	0241020890003
ZONING OF THE PARCEL:	GC
NAICS NUMBER:	532412

- KEY NOTES:**
- EXISTING DRIVEWAY & CULVERT TO BE REMOVED
 - INSTALL EXPANSION JOINT AT THE PROPERTY LINE.

I JUAN G. CASTILLO, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING AND HEREBY CERTIFY THAT ABOVE SITE PLAN IS TRUE AND CORRECT; AND THAT ALL BEARING, ANGLES, CURVE RADIUS, AND CENTRAL ANGLES ARE ACCURATELY SHOWN ON THE SITE PLAN

Juan G. Castillo
 JUAN G. CASTILLO
 TEXAS REGISTRATION NO. 114217

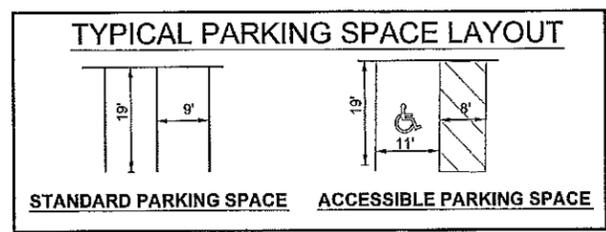
THIS IS TO CERTIFY THAT THE CITY OF LA PORTE, TEXAS HAS APPROVED THIS SITE PLAN AND DEVELOPMENT OF _____ IN CONFORMANCE WITH THE ORDINANCES OF THE CITY OF LA PORTE.

BY: _____ CITY PLANNER
 BY: _____ DIRECTOR, PLANNING DEPARTMENT

CONSTRUCTION NOTES:
 1. EXISTING DRIVEWAY & CULVERT TO BE REMOVED

FLOODPLAIN NOTE
 THIS TRACT IS IN FLOOD ZONE "SHADED X" AND NOT WITHIN THE 100-YEAR FLOOD PLAIN ACCORDING TO FEMA MAP #48201C0945L, DATED JUNE 18, 2007.

SURVEY NOTE: ALL SURVEY INFORMATION SHOWN HEREON WAS PROVIDED TO THE ENGINEER BY OWNER. ENGINEER MAKES NO REPRESENTATION AS TO THE ACCURACY OF SURVEY INFORMATION. CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITIES AND TOPOGRAPHIC INFORMATION PRIOR TO BEGINNING WORK AND NOTIFY ENGINEER OF ANY DISCREPANCIES.



PARKING SPACE ANALYSIS
 PARKING SPACES REQUIRED:
 AS REQUIRED PER CHAPTER 42
 1.0 SPACES PER 7000 SQ. FT. OF BULK WAREHOUSE SPACE
 2,000 SQ. FT. (OFFICE BLDG.) / 7,000 * 1.0 = 0.28
 1 SPACE REQUIRED
 5 PARKING SPACES PROVIDED
 4 STANDARD
 1 ACCESSIBLE

CAS CONSULTANTS
 2910 Dandelion Drive, Sugar Land, Texas
 78048-3303-5274
 Email: JMANC@CASENOS.COM Texas Registered Engineering Firm F-16023

MAXIM CRANE WORKS
 405 S. 16TH STREET
 LA PORTE, TEXAS 77571

SITE PLAN

DRAWING SCALE	1"=10'
DATE:	2/21/16
SHEET:	C-103



AERIAL MAP

SCUP
18-91000004

405 S. 16th St.

Legend

 Subject Parcel

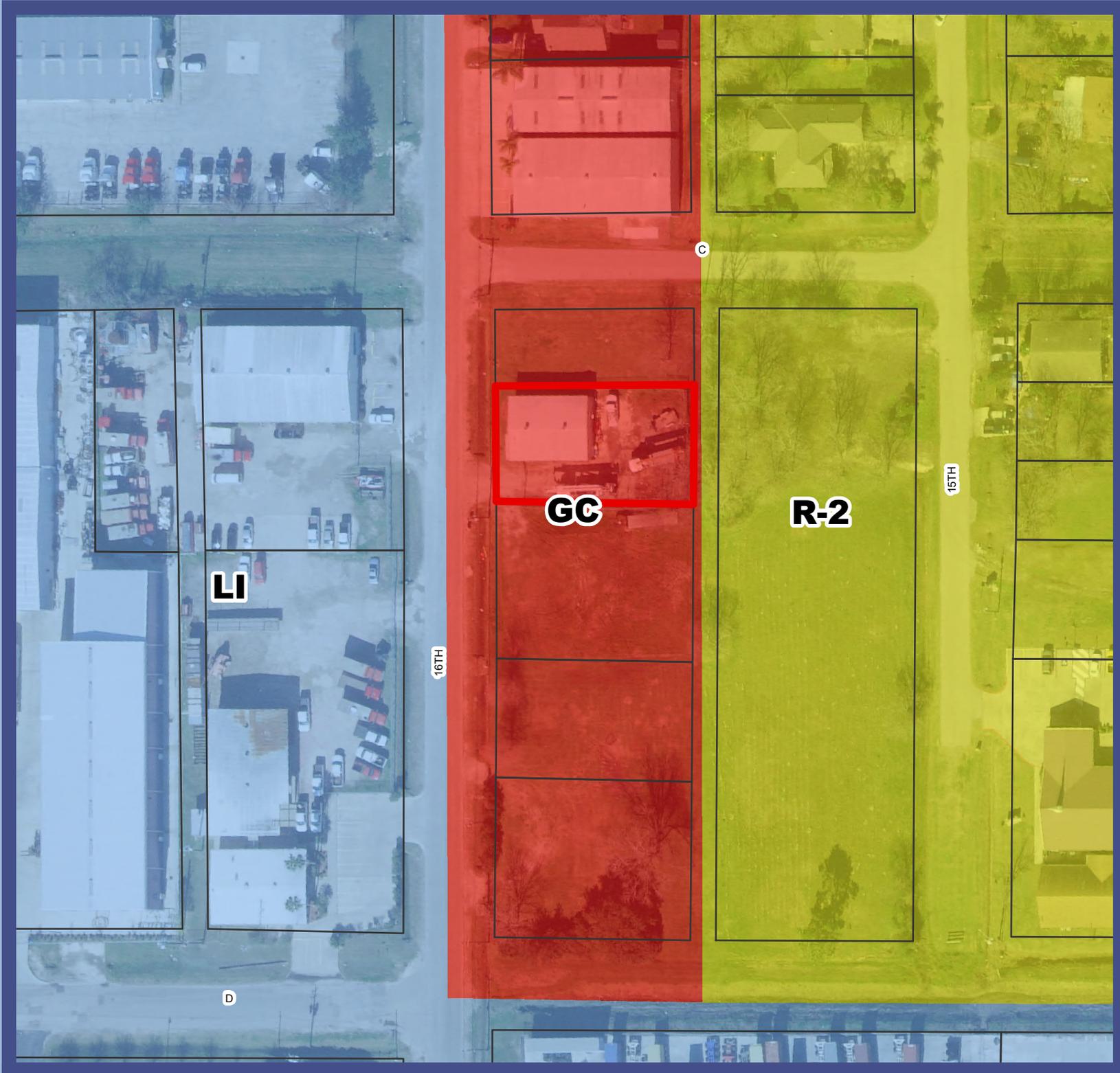


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 84 feet

MAY 2018
PLANNING DEPARTMENT





ZONING MAP

SCUP
18-91000004

405 S. 16th St.

Legend

 Subject Parcel

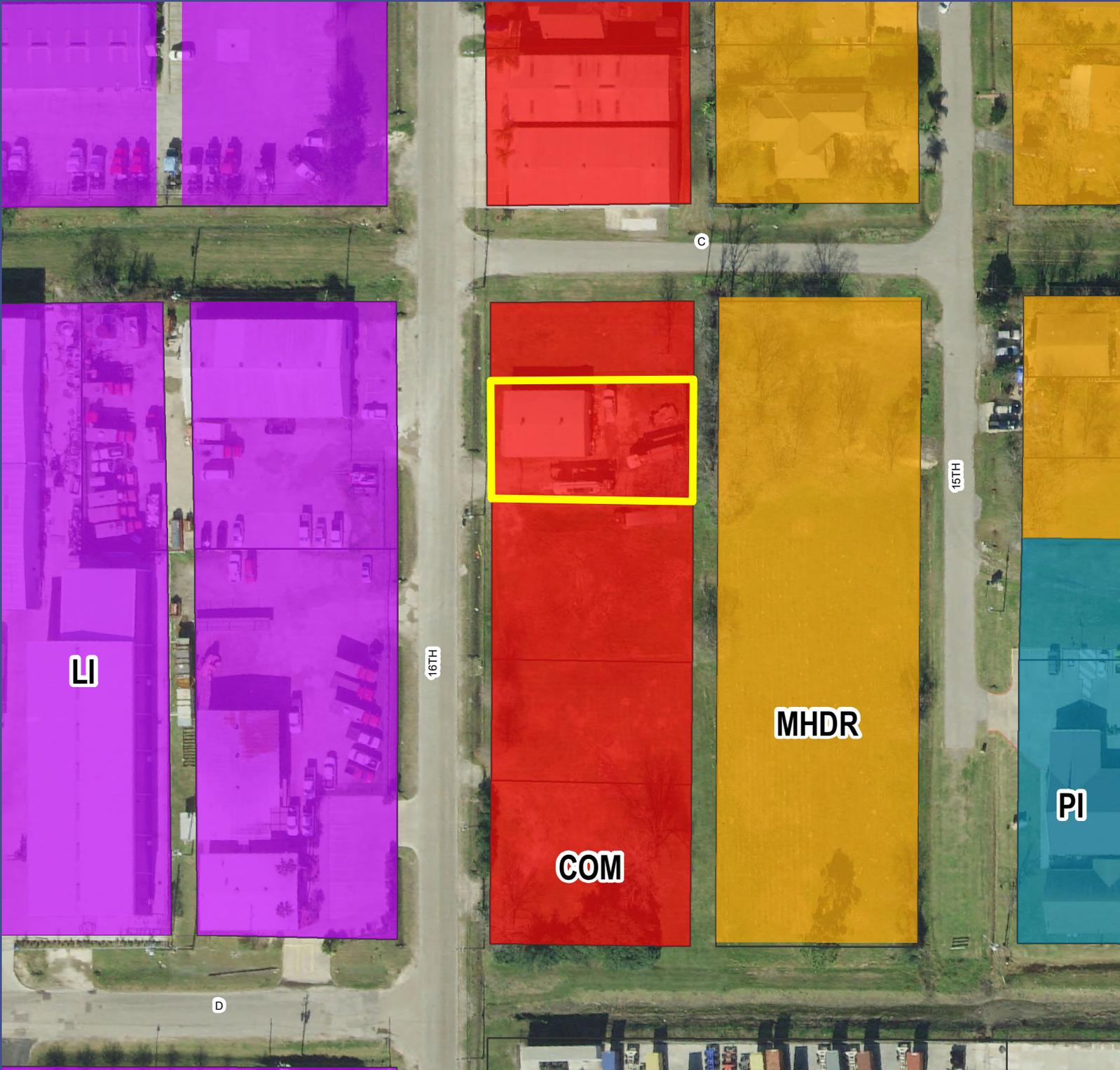


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MAY 2018
PLANNING DEPARTMENT





FLUP MAP

SCUP
18-91000004

405 S. 16th St.

Legend

 Subject Parcel



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MAY 2018
PLANNING DEPARTMENT



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>June 25, 2018</u>
Requested By: <u>Ian Clowes</u>
Department: <u>Planning and Development</u>
Report: <u> X </u> Resolution: <u> </u> Ordinance: <u> X </u>

<u>Appropriations</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:	<u>N/A</u>

- Exhibits:**
- Ordinance**
 - P&Z Recommendation Letter**
 - Existing Land Use Map**
 - Proposed Land Use Map**

SUMMARY & RECOMMENDATION

This item is a request for consideration to amend the city’s Future Land Use Plan in conjunction with a request by , Rosemary Williams, applicant; on behalf of the Estate of M.C. Troncale, owner, who is seeking approval of a zone change from General Commercial (GC) to Single Family Residential (R-1). The property in question is a 0.28 acre tract of land located on N 1st St. north of W Tyler St. and is legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision.

The city’s Future Land Use Plan (FLUP) identifies the subject property as “Commercial”. In order to accommodate the proposed zone change, the FLUP would need to be amended to show the property as “Low Density Residential”.

The Planning and Zoning Commission, at their May 17, 2018 regular meeting, voted 7-0 to recommend approval of the proposed Future Land Use Amendment. Commissioner Lou Ann Martin recused herself due to her involvement in the potential sale of the property

Action Required by Council:

1. Conduct public hearing.
2. Consider action on a recommendation by the Planning and Zoning Commission to approve an Ordinance amending the City’s Future Land Use Plan for a 0.28 acre tract of land known as Tracts 9-12, Block 85, Town of La Porte Subdivision, located on N 1st St. north of W Tyler St. 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 May 17, 2018, 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 0.28 acre tract of land generally located on N 1st St., north of W Tyler St., and legally described as follows: Tracts 9-12, Block 85, Town of La Porte Subdivision, Harris County, Texas, from its present designation of "Commercial" to "Low Density Residential", 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 Map 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 June 25, 2018 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 Map 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 25th day of JUNE 2018.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark Askins, Assistant City Attorney



May 18, 2018

Honorable Mayor Rigby and City Council
City of La Porte

RE: Request #18-92000005 to Amend the Future Land Use Map

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a meeting on May 17, 2018 on a request to amend the City's Future Land Use Plan as adopted in the Comprehensive Plan for a 0.28 acre tract of land located on N 1st St. north of W Tyler St. and legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision. The request was for approval of a change of the future land use designation from "Commercial" to "Low Density Residential" use.

The Commission voted 7-0 to recommend approval of the proposed amendments to the City's Future Land Use Map. Commissioner Lou Ann Martin recused herself due to her involvement in the potential sale of the property.

Respectfully submitted,

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

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

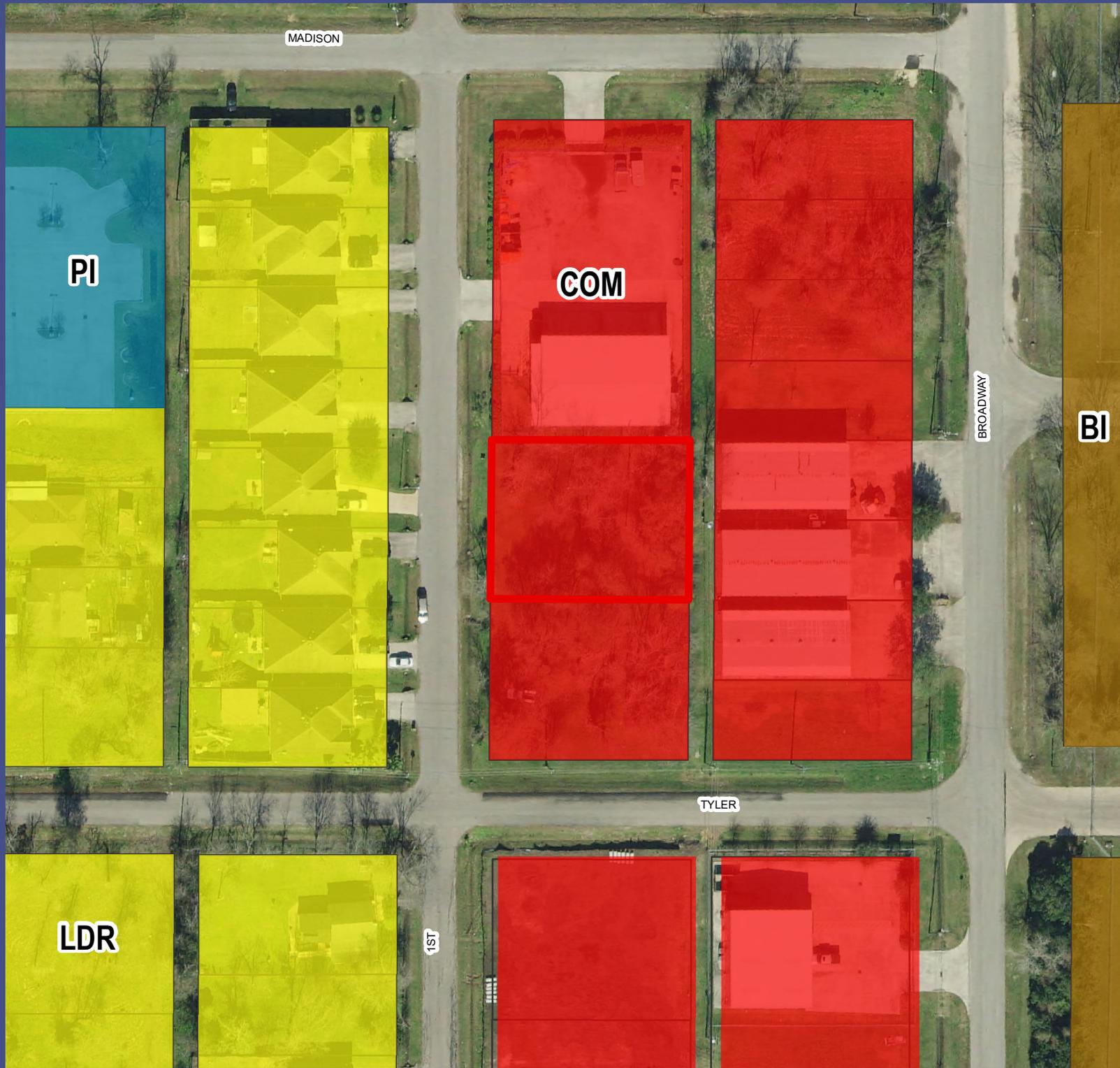


EXHIBIT A

**CURRENT
FLUP MAP**

**Zone Change
18-92000005**

**N. 1st St.
North of Tyler St.**

Legend

 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 = 84 feet



**MAY 2018
PLANNING DEPARTMENT**

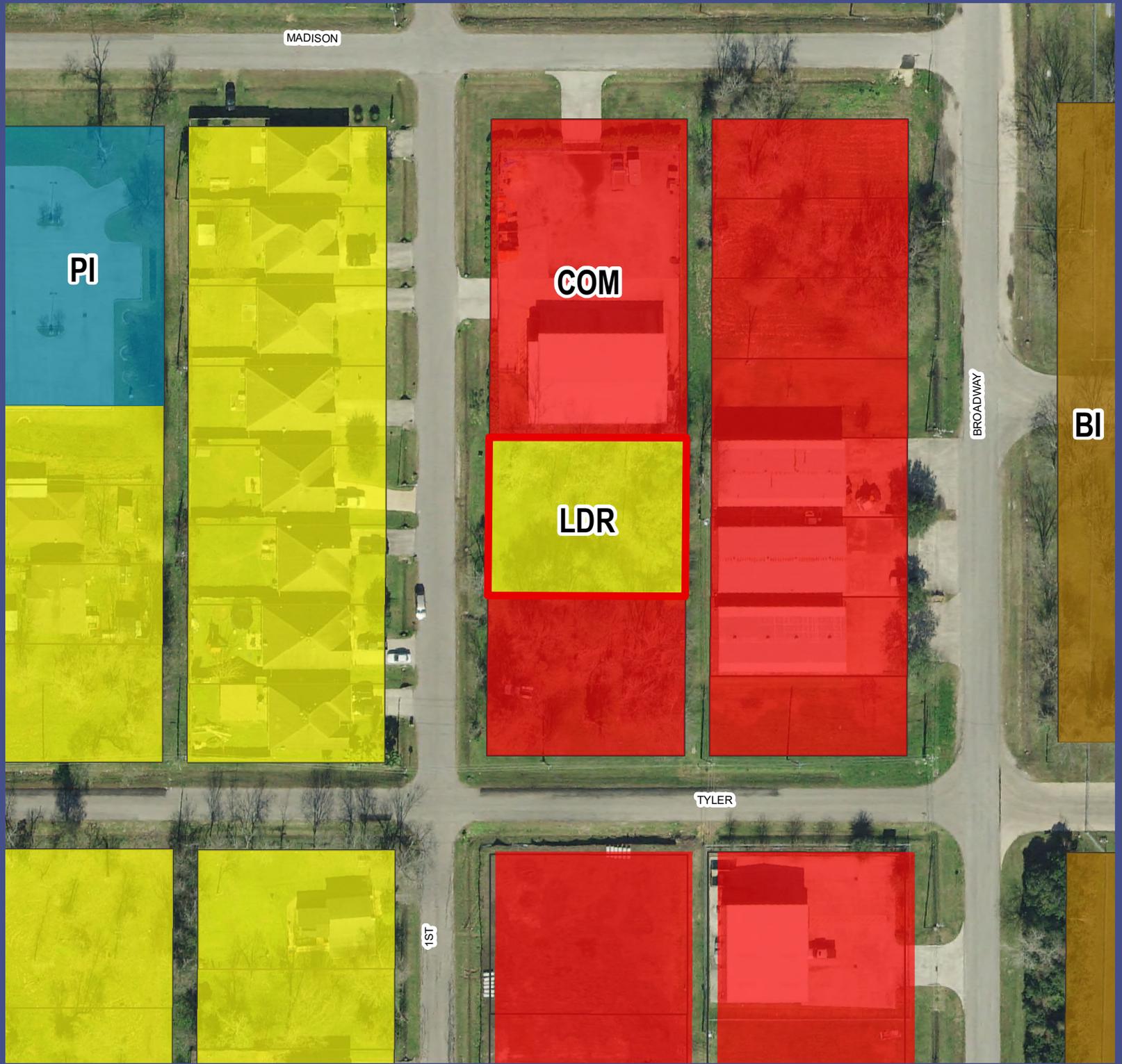


EXHIBIT B

**PROPOSED
FLUP MAP**

**Zone Change
18-92000005**

**N. 1st St.
North of Tyler St.**

Legend

 Subject Parcel



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1 inch = 84 feet



**MAY 2018
PLANNING DEPARTMENT**

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>June 25, 2018</u>
Requested By: <u>Ian Clowes</u>
Department: <u>Planning and Development</u>
Report: <u> X </u> Resolution: <u> </u> Ordinance: <u> X </u>

<u>Appropriations</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:	<u>N/A</u>

- Exhibits:**
- Ordinance**
 - P&Z Recommendation Letter**
 - Applicant Information and Request**
 - Aerial Map**
 - Zoning Map**
 - Land Use Map**

SUMMARY & RECOMMENDATION

The applicant, Rosemary Williams; on behalf of the Estate of M.C. Troncale, owner; is seeking approval of a Zone Change from the General Commercial (GC) zoning district to the Low Density Residential (R-1) zoning district. The property in question is located on N 1st St. north of W Tyler St. and is legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision.

The property is currently undeveloped and is adjacent to single family to the west across the street and existing office warehouse uses to the north and east. The property to the south is currently undeveloped. The current owner has attempted for years to sell the property for commercial uses but the small size and adjacent residential use has made it unsuitable for most commercial buyers.

Staff did not receive any notices in favor or opposition to the proposed zone change.

The Planning and Zoning Commission, at their May 17, 2018 regular meeting, voted 7-0 to recommend approval of the proposed Zone Change. Commissioner Lou Ann Martin recused herself due to her involvement in the potential sale of the property.

Action Required by Council:

1. Conduct public hearing.

2. Consider action on a recommendation by the Planning and Zoning Commission to approve an Ordinance for zone change request #18-92000005, for a 0.28 acre tract of land located on N 1st St. north of W Tyler St. and is legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision.

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 0.28 ACRE TRACT OF LAND LOCATED ON N 1ST ST. NORTH OF W. TYLER ST. AND LEGALLY DESCRIBED AS TRACTS 9-12, BLOCK 85, TOWN OF LA PORTE SUBDIVISION, FROM GENERAL COMMERCIAL (GC) TO LOW DENSITY RESIDENTIAL (R-1); 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 0.28 acre tract of land located on N. 1st St., north of W. Tyler St., and legally described as Tracts 9-12, Block 85, Town of La Porte Subdivision, Harris County, Texas, from General Commercial (GC) to Low Density Residential (R-1).

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 25th day of JUNE, 2018.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:

Clark Askins, Assistant City Attorney



May 18, 2018

Honorable Mayor Rigby and City Council
City of La Porte

RE: Zone Change Request #18-92000005

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a public hearing at the May 17, 2018 on a zone change request by Rosemary Williams, applicant; on behalf of the Estate of M.C. Troncale, owner; for a zone change of Tracts 9-12, Block 85, Town of La Porte Subdivision from General Commercial (GC) to Low Density Residential (R-1). The site is a 0.28 acre tract of land located on N 1st St. north of W Tyler St.

The Commission voted 7-0 to recommend approval of the proposed zone change. Commissioner Lou Ann Martin recused herself due to her involvement in the potential sale of the property.

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 1ST

Legal description where zone change is being requested: LTS 9, 10, 11 + 12 BLK 85 LA PORTE

HCAD Parcel Number where zone change is being requested: 023-206-085-0009

Zoning District: General Commercial Lot area: 12,500

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

Description of Request: Change from General Commercial to Residential-1

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: ESTATE OF M.C. TRONCALE

Company (if applicable): _____

Address: 24219 Mount Auburn DR

City: KATY State: TX Zip: 77494

Phone: _____ Email: _____

AUTHORIZED AGENT (if other than owner)

Name: Rose Mary Williams (AGENT FOR BUYERS)

Company (if applicable): _____

Address: 1319 Windleaf DR

City: LA PORTE TX 77571 State: TX Zip: 77571

Phone: 832-279-5674 Email: _____

OWNER/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: Rose Mary Williams Date: 4-10-18

Owner(s)' Signature(s): Michael Troncale Executor Michael Troncale Date: 4-10-18

STAFF USE ONLY:

Case Number:
18-9200005

Date Application Received:
4/12/18
(CS)



Zone Change Application

Planning and Development Department

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: ON 1ST
LEGAL DESCRIPTION: LTS 9, 10, 11 + 12 BLK 85 LA PORTE
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: _____.
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.

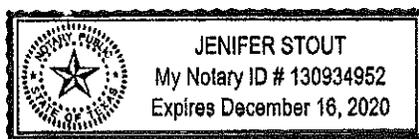
Rosemary Williams
Applicant's Signature
Rose Mary Williams
Applicant's Printed Name

Subscribed and sworn before me this 12th day of April, 2018, by
Rosemary Williams (Print Applicant's Name).

Jenifer Stout
Notary Public

(Seal)

My commission expires: 12/16/2020



Apr 10 13 08:55a

Charles Troncale

2813923687

p.15

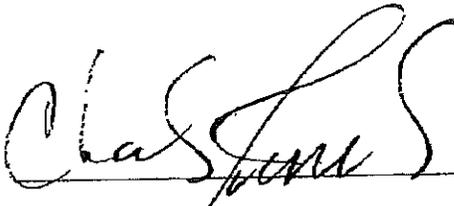
Apr. 9. 2018 5:10PM

No. 3122 P. 1

April 9, 2018

To whom it may concern:

I have been made aware that the developer that is purchasing LTS 9-12 BLK 85 LA PORTE is applying for a Zone Change from General Commercial to Residential 1.


Estate of M C Troncale

Executed
Date 4-9-18

April 9, 2018

We are requesting to change the current zone from General Commercial to Residential 1 in order to build single family dwellings in the area. There are already single family dwellings across the street from the property's we are purchasing. The following are homes in the area-425 N 1st,421 N 1st,417 N 1st,405 N 1st,401 N 1st,409 N 1st,413 N 1st,331 N 1st,327 N 1st,325 N 1st.

Don Tran

Abeiro Montoya



EXHIBIT A

AERIAL MAP

Zone Change
18-92000005

N. 1st St.
North of Tyler St.

Legend

 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 = 84 feet

MAY 2018
PLANNING DEPARTMENT



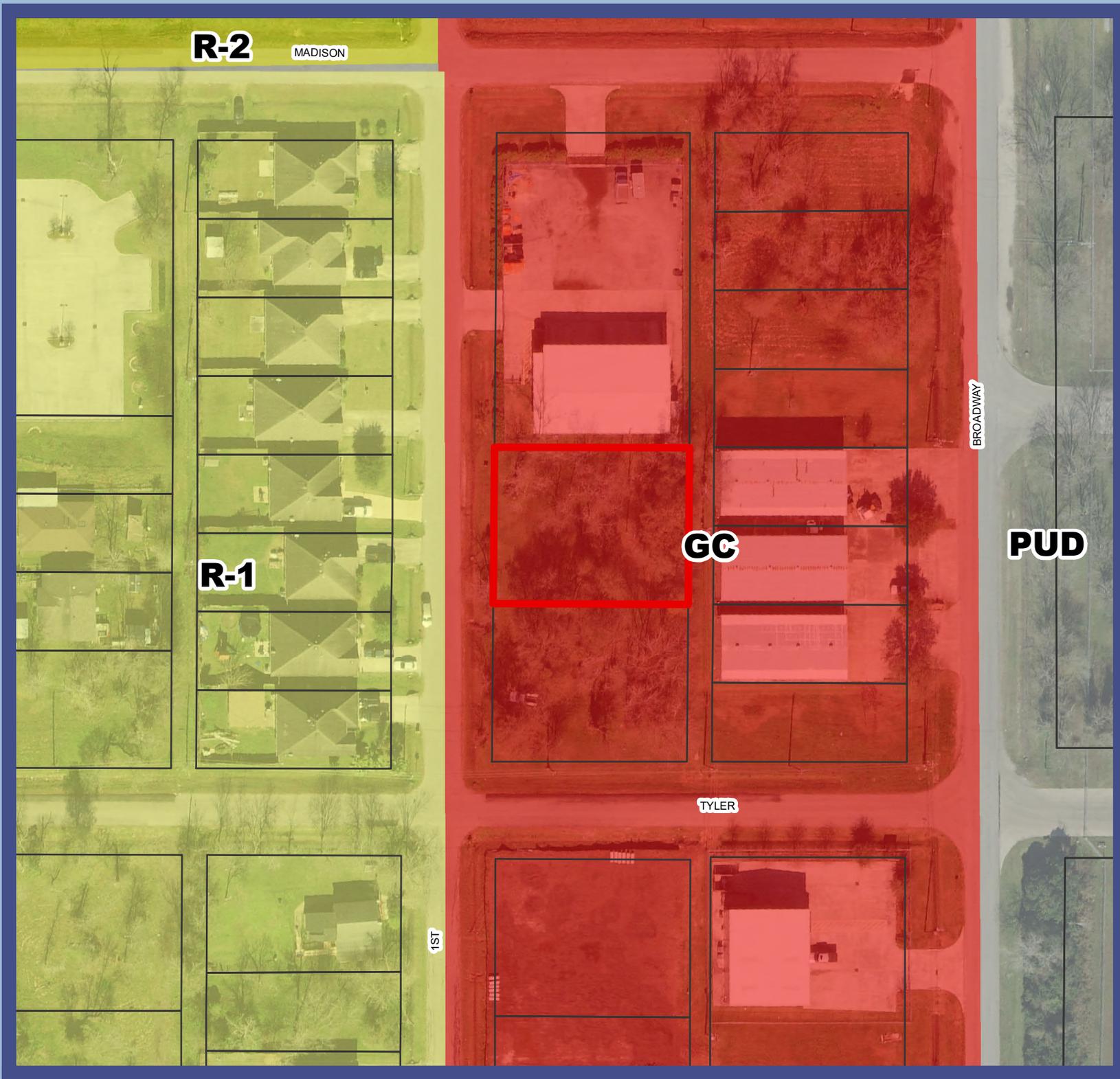


EXHIBIT B
ZONING MAP

Zone Change
18-92000005

N. 1st St.
North of Tyler St.

Legend

 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 = 84 feet

MAY 2018
 PLANNING DEPARTMENT



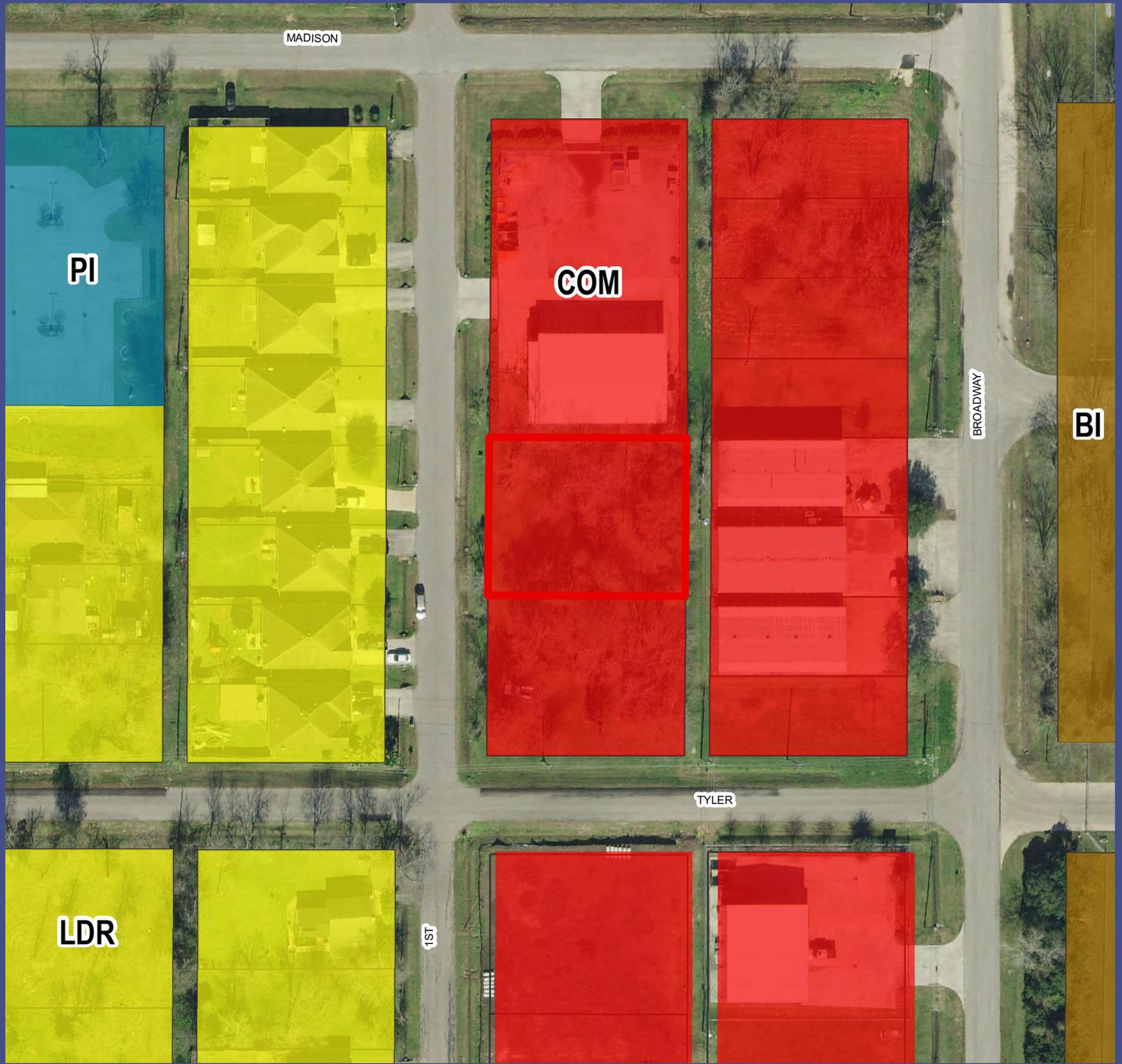


EXHIBIT C

FLUP MAP

**Zone Change
18-92000005**

**N. 1st St.
North of Tyler St.**

Legend

 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 = 84 feet



**MAY 2018
PLANNING DEPARTMENT**

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>June 25, 2018</u>
Requested By: <u>Mike Kirkwood</u>
Department: <u>Planning and Development</u>
Report: <input checked="" type="checkbox"/> Resolution: <input type="checkbox"/> Ordinance: <input checked="" type="checkbox"/>

<u>Budget</u>
Source of Funds: <u>General Funds</u>
Account Number: <u>#001-9092-524-6021</u>
Amount Budgeted: <u>\$71,800</u>
Amount Requested: <u>TBD</u>
Budgeted Item: YES X NO

Exhibits: Ordinance

Exhibits: Dangerous Building Inspection Reports

Exhibits _____

SUMMARY & RECOMMENDATION

On April 23, 2018, Council reviewed the findings of the Dangerous Building Inspection Board and a June 11, 2018, public hearing date was granted to consider formal action on the structure located at 9906 Rocky Hollow. At the June 11, 2018, hearing, Council postponed further action until June 25, 2018, at which time the City Attorney will provide additional information.

Subsequent to this meeting, as required by Chapter 82, Article VIII of the Code of Ordinances, a notice was published twice (May 31 & June 7) in the Bay Area Observer and posted to the City of La Porte public bulletin board. Also, certified letters (voluntary consent to demolish form and public notice) were mailed to the building owners. City staff also posted the required notices to each property.

As of June 12, 2018, the total taxes owed on the property are \$15,630.55. After speaking with the City's tax attorneys, they stated it could take 4 – 6 months to get a court date; and the entire process would take 6 – 8 months to put the property up for a tax sale.

The purpose is to receive property owner, citizen, and staff input as to why the buildings should or should not be condemned and demolished. Council is being asked to consider condemnation of the structures.

Action Required by Council:

Consider approval or other action regarding an Ordinance providing for condemnation of a dangerous/substandard building located at 9906 Rocky Hollow.

Approved for City Council Agenda

Corby Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE DECLARING THE BUILDING LOCATED AT LOT 14, BLOCK 40, OF FAIRMONT PARK WEST, SECTION FOUR (4), A SUBDIVISION IN HARRIS COUNTY, TEXAS, MORE COMMONLY KNOWN AS 9906 ROCKY HOLLOW RD. TO BE IN FACT A NUISANCE, SUCH BUILDING BEING IDENTIFIED AS ONE PRIMARY RESIDENTIAL DWELLING BUT INCLUDING ALL SLABS, PARKING BAYS AND DRIVEWAYS, AND ORDERING SUCH BUILDING CONDEMNED; FINDING THAT ESTATE OF WENDELL KEITH ADAMS IS THE RECORD OWNER OF SAID PROPERTY; ORDERING THE SAID OWNER TO ENTIRELY REMOVE OR TEAR DOWN SUCH BUILDING; ORDERING THE SAID OWNER TO COMMENCE SAID REMOVAL OR DEMOLITION WITHIN TEN (10) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; AND TO COMPLETE SAID REMOVAL OR DEMOLITION WITHIN FORTY-FIVE (45) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; ORDERING THE DANGEROUS BUILDING INSPECTION BOARD TO PLACE A NOTICE ON SAID BUILDING; ORDERING THE CITY SECRETARY TO FORWARD A COPY OF THIS ORDINANCE TO SAID OWNER; PROVIDING FOR THE REMOVAL OF SAID BUILDING BY THE CITY OF LA PORTE IF NOT REMOVED BY SAID OWNER IN THE MANNER PROVIDED HEREIN; PROVIDING AN EFFECTIVE DATE HEREOF; AND FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW.

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

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

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

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

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

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

WHEREAS, it has heretofore come to the attention of the Board that one primary residential dwelling situated at LOT 14, BLOCK 40, OF FAIRMONT PARK WEST, SECTION FOUR (4) A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 284, PAGE 93 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, which is more commonly known as 9906 ROCKY HOLLOW RD., Harris County, Texas, has become dangerous or substandard and thereby a public nuisance, as established in Section 82-473 of the Code of Ordinances of the City of La Porte; and

WHEREAS, said Board has heretofore made and filed its written report, dated MARCH 29, 2018 finding said building to be in fact a dangerous building;

WHEREAS, City Council received such report, and ordered notice to the record owner and lienholders of said property that a hearing as provided in Section 82-477 of said Ordinance would be held at 6:00 PM on JUNE 11, 2018, at 604 W. Fairmont Parkway, at the Council Chambers, City Hall, City of La Porte, Texas, at which time the Council would hear further evidence for and against the conclusions of the Board;

WHEREAS, the City of La Porte has heretofore served notice upon said owner by posting a notice on the subject property at 9906 ROCKY HOLLOW RD. on or about MAY 23, 2018; and by registered mail, return receipt requested, which notice was shown by USPS as delivered to his last known address of 16297 Dockbar Court, Friendswood, Texas 77546, on or about MAY 26, 2018 (RETURNED); a date more than ten (10) days before the date set for the public hearing; as required by law, such notice included a statement that that the owner was required to submit at the public hearing proof of the scope of work that may be required to bring the structure into compliance and the time it would take to reasonably perform the work; furthermore, notice of the aforementioned public hearing date was published in the Bay Area Observer on MAY 31, 2018 and JUNE 7, 2018;

WHEREAS, the City of La Porte has additionally served notice upon James B. Nutter and Company, lienholder against the subject property pursuant to Deed of Trust dated March 1, 2014 and recorded under Harris County Clerk File No. T572069, by registered mail, return receipt requested, which notice was shown by USPS as delivered to said lienholder on or about MAY 29, 2018, at its last known address of 4153 Broadway, Kansas City, Missouri 64111, a date more than ten (10) days before the date set for the public hearing; as required by law, such notice included a statement that that the lienholder was required to submit at the public hearing proof of the scope of work that may be required to bring the structure into compliance and the time it would take to reasonably perform the work;

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

WHEREAS, City Council, after due deliberation, and within fifteen (15) days after the termination of the JUNE 11, 2018 public hearing, is required to make its decision in writing and enter its order; and

WHEREAS, after the conclusion of the said public hearing the City Council entered an order condemning the residential dwelling structure at 9906 Rocky Hollow Rd. on JUNE 25, 2018, a day which is within fifteen (15) days after the termination of the hearing; NOW THEREFORE:

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

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

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

Section 3. The City Council hereby finds, determines and declares such building, being one primary residential dwelling, to be a public nuisance, and orders such building condemned.

Section 4. The City Council hereby finds, determines and declares that ESTATE OF WENDELL KEITH ADAMS is the record owner of the property on which the aforementioned primary residential dwelling is situated, and that as such record owner, the said ESTATE OF WENDELL KEITH ADAMS has been duly and legally notified of those proceedings; furthermore, the City Council hereby finds, determines and declares that James B. Nutter and Company is the sole lienholder against the property pursuant to Deed of Trust dated March 1, 2014 and recorded under Harris County Clerk File No. T572069, and that the said James B. Nutter and Company has been duly and legally notified of those proceedings.

Section 5. The City Council hereby orders the said ESTATE OF WENDELL KEITH ADAMS to entirely remove or demolish such building, including all slabs, parking bays and driveways, and further orders the said ESTATE OF WENDELL KEITH ADAMS to commence such removal within ten (10) days from the effective date of this Ordinance, and to complete said removal or demolition within forty-five (45) days from the effective date of this ordinance.

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

Section 7. The City Council hereby orders the City Secretary to forward a certified copy of this Ordinance, to the record owner of said property and to any and all lienholders or mortgagees, by registered mail, return receipt requested; file a copy of this Ordinance in the office

of the City Secretary; and, publish in the official newspaper of the city a notice containing: 1) the street address or legal description of the property, 2) the date of the public hearing, 3) a brief statement indicating the results of the hearing, and 4) instructions stating where a complete copy of this Ordinance may be obtained.

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

Section 9. The City Council officially finds, determines, and recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

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

PASSED AND APPROVED this the 25th day of JUNE, 2018.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Patrice Fogarty, City Secretary

APPROVED:



Clark T. Askins, Assist. City Attorney

City of La Porte
DANGEROUS BUILDING INSPECTION FORM

DATE: 3/29/18
STREET ADDRESS: 9906 Rocky Hollow Rd
HCAD OWNER: Wendell Keith Adams; 16297 Dockbar Court; Friendswood TX 77546
DEED OWNER: Wendell Keith Adams; 9906 Rocky Hollow Rd; La Porte TX 77571
LEGAL: LT 14; Blk 40, Fairmont Park West. Sec. 4
OCCUPANCY TYPE: Residence ZONING R-1
NON-CONFORMING ISSUES: _____
FACILITIES AVAILABLE: WATER: 4 SEWER: 4
ELECTRICAL: 4 GAS: N
NO. OF DWELLING UNITS: 1
VACANT: YES OCCUPIED: _____

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

Sec. 82-473. Declaration of Public Nuisance and Hazard.

A. **Dangerous or Substandard Buildings or Structures.**
A building or structure shall be considered dangerous or substandard whenever it is determined by the Board, that any or all of the following is applicable:

1. A building that is vacant, and is not up to current building code standards. These vacant buildings can be either open to trespass or boarded up;

_____ 2. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the building code for new buildings of similar structure, purpose or location;

3. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property;

_____ 4. Whenever the building or structure, or any portion thereof, because of (a) dilapidation, deterioration, or decay; (b) faulty construction; (c) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting the building; (d) the deterioration, decay, or inadequacy of its foundation, or (e) any other cause, is likely to partially or completely collapse;

5. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose of which it is being used;

_____ 6. Whenever the building or structure has been so damaged by fire, wind, earthquake, or flood, or has become so dilapidated or deteriorated as to become (a) a public nuisance, (b) a harbor for vagrants, or as to (c) enable persons to resort thereto for the purpose of committing unlawful acts;

7. Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air, or sanitation facilities, or otherwise, is determined by the Board to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease;

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

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

1. Whenever any protective or safety device specified in The Electrical Code and of this title is not provided or is inoperative, defective, dilapidated, or deteriorated so as to threaten to fail or function as originally intended;

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

_____ 3. Whenever any installation or any portion thereof which is damaged by fire, wind, earthquake, flood or any other cause so as to constitute a potential hazard to life, health, property or safety;

4. Whenever any installation or any portion thereof was constructed, installed, altered or maintained in violation of the building code and/or fire code so as to constitute a potential hazard to life, health, property or safety.

FINDINGS AND CONCLUSIONS OF THE BOARD OF INSPECTION:

OPTION # : _____ (_____)

Michael P. [Signature] 4/13/18
 BUILDING OFFICIAL'S OFFICE DATE

[Signature] 4-03-18
 FIRE MARSHAL'S OFFICE DATE

[Signature] 4/13/18
 FIRE CHIEF'S OFFICE DATE

BUILDING EVALUATION CHECKLIST

A = Adequate D = Deficient N/A = Not Applicable

<u>I. STRUCTURAL</u>		<u>COMMENT / EXPLANATION</u>
A. Foundation		
1. Slab	_____ A	_____
2. Pier & Beam		
a. Footings	_____ N/A	_____
b. Sills	_____	_____
c. Joists	_____	_____
B. Walls		
1. Exterior	_____ A	_____
2. Interior	_____ D	Holes in walls
C. Means of Egress		
1. Doors		
a. Interior	_____ D	Damage and missing
b. Exterior	_____ D	Back Door Damaged
2. Porches, Steps, Stairs		
	_____ A	_____
3. Windows	_____ D	Broken Glass and Damaged Window Frames

7. The Association shall maintain a written policy on criminal background checks by October 1, 2018. All board members, coaches, employees, and volunteers shall be background checked on an annual basis.
8. The agreement term is one year, ending December 31, 2018.
9. The agreement automatically renews for two (2) one-year periods.
10. Should either party desire not to renew the agreement after a term, written notice must be given thirty (30) days prior to the end of the term.
11. During the term, either party may cancel the agreement without cause providing sixty (60) days written notice.
12. The annual report will be a combined expense statement/balance sheet as approved by the City's Controller and mutually agreed to by the City and the Association along with supporting documentation.
13. The Annual Report on the Association's Fiscal Condition will be due to the City sixty (60) days after the end of each fiscal year. Failure to provide requested financial information within the prescribed time limit will prompt a formal notification from the City to the Association of that the agreement is in Danger of Default and a request for satisfaction of the requirement within an additional fifteen (15) days from the date of official notification. If the requirement for financial statement submission is not met by that time, or arrangements to submit not made to the City's satisfaction within that time, the agreement will be considered in Default.
14. During the terms of this agreement, all checks written by the Association will be required to have two (2) signatures.
15. Exhibit A was changed from 9 fields to 6 fields. In the previous agreement Quest had the additional use of 3 fields at Fairmont Park, which is no longer the case.

Staff recommends that Council discuss the changes and give input on additional changes.

Action Required by Council:

Consider approval or other action authorizing the City Manager to execute an agreement between the City of La Porte and Quest Youth Soccer Club.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

**AGREEMENT BETWEEN THE CITY OF LA PORTE, TEXAS
AND THE QUEST YOUTH SOCCER CLUB
REGARDING THE USE OF SOCCER FACILITIES**

BECAUSE, the City of La Porte, Texas (the “City”) is the owner and operator of various soccer facilities as part of the parks and recreational facilities of the community; and

Because, the Quest Youth Soccer Club (the “Association”) has contributed funds in the past years towards the construction of various amenities and facilities at the various soccer facilities owned by the City, which funds have been matched by the City; and

Deleted: , which funds have been matched by the City,

Because, the City wishes to recognize and commend the funding that has been provided by the Association;

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS; That in consideration of the mutual covenants of the mutual covenants, agreements and benefits to both parties, it is agreed as follows;

I.

The present soccer facilities covered in this agreement are those specific areas listed in “Exhibit A” which is attached and made a part of this agreement. The City will manage all operations related to facility and grounds maintenance at the soccer facilities designated in all structures, fencing, parking lots, sidewalks, turf areas, and major field maintenance at the soccer facilities listed in Exhibit A. The Association will be responsible for routine marking, net replacement and maintenance of the soccer facilities designated as youth soccer facilities, either existing or in the future. From time to time the official field sizes may change to meet new league requirements. Should field size change for any youth soccer field specified herein, the City will assist the Association in field realignment. Any changes made in existing or newly created fields, will require prior approval from the City; and any newly created fields or realigned fields will be governed by applicable terms of this agreement.

II.

The City will provide limited use of the soccer facilities as described in Exhibit “A”, to the Association for conduct of its league games, practice games, tournament games, and league playoff games from January through December for each year that this Agreement is in effect. Use is limited to standard park operating hours, which are from 7:00a.m. until 11:00 p.m. each day during the year. The Association shall have exclusive right and responsibility for scheduling, or organizing and conducting soccer league games, practice games, tournament and league playoff games at the soccer facilities listed in Exhibit A during the period covered by this Agreement. All play will be designated for recreational play only (non-select, non-competitive). One day a week will be designated for select play, as determined by the Association.

Subcontracting of fields by Association will not be allowed. The City reserves the right to close the fields for field maintenance purposes.

III.

The City has provided, with assistance from the Association, a Concession/Restroom/Office Facility (the "Facility"), as listed in Exhibit A. The Facility is the property of the City. Except as set out here in Paragraph 3 below, the City agrees to maintain utility service that contributes to their safe and efficient operation. The restroom portion of the Facility is a shared facility for various uses at Northwest Park and is the property of the City. The City will provide daily weekday custodial services for the restroom facility and provide necessary supplies for the restroom facility. The City has also provided, with assistance from the Association, a Storage Facility, as listed in Exhibit A. The Storage Facility, and permanent attachments to said facility, are the property of the City. Unless specifically marked, parking spaces at Northwest Park are not reserved and are available on a first-come, first-served basis.

Deleted: concession/restroom/office
Deleted: , and permanent attachment to said facility, are
Deleted: to the other systems

IV.

The Association agrees to operate the concession portion of Facility in Section III exclusively and to provide materials, equipment, supplies, and personnel necessary for operation. Further; the Association is responsible for furnishing telephone service as well as equipment for the Facility at the youth soccer facilities, including but not limited to the following: microwaves, refrigerators, ice machines, freezers, and all other electrical appliances. The Association is responsible for maintenance of all furnished equipment in the concession building portion of the Facility. The Association agrees to clean the restroom facilities, in addition to the City's regular cleaning schedule on an as needed basis, during the Associations use of the facilities, to assure that the restrooms are clean and operable. The Association agrees to clean the concession portion of the facility at its expense. All revenues produced by concession operations shall belong to the Association. The Association is responsible for meeting all applicable laws, ordinances, and codes regarding the following: sales tax, safety, and any other issue relative to concession operations, and conduct of all its activities at the youth soccer facilities. Alcoholic beverage use, sales, or possession is prohibited by Ordinance at youth soccer facilities located on City property.

Deleted: to
Deleted: Concession/Restroom/Office

In addition, the Association agrees to the following concession operations processes, if the concession stand at the Facility is used:

- Inventory will be kept of everything being sold in the concession stand.
- A cash register with capability to track sales or a Point of Sale system will be used to maintain all inventory and sales.
- Any and all workers making \$600 or more a year will receive a Form 1099 from Association, unless they are hired through a staffing company.
- Deposits will be made the next business day.
- All monies will be kept in the safe until deposited.
- City staff will spot check all concessions deposits and/or inventory on a random basis.

V.

When dealing with staff/officials, the Association agrees to file the appropriate Form 1099 and any other required IRS filings. Payments to staff/officials shall reconcile to game schedules that will be provided by the Association.

VI.

Use of facility by the public will be limited to the following conditions. During the period not covered by this Agreement, the public shall have the right to use the various soccer facilities Complex for use at any time during park operating hours. During the period covered by this Agreement, the public shall have the right to play ~~soccer or other field sports games~~ at the soccer facilities listed in Exhibit A, at any time during park operating hours when no practice game, league game, tournament game, or playoff game is scheduled; or the fields have not been *Specially Prepared* for such games. Special preparation shall include marking, net installation, watering, painting, or other activity that would be disrupted or spoiled by indiscriminate use of facilities by the public.

Deleted: pickup games

Deleted: pickup

VII.

The Association shall indemnify and hold harmless the City, its officers, directors, agents, and employees from and against any and all claims, damages, losses, expense, and liabilities, including attorney's fees which may be asserted against or incurred by the City arising, directly or indirectly, from any activities conducted or services performed by the Association under this agreement, or from any event occurring on the premises owned by the City during any period in which activities are being performed, conducted, or sponsored on the premises by the Association.

VIII.

The Association shall keep and maintain during the term of this agreement, a comprehensive general liability policy, with the City named as an additional named insured, with limits of liability of not less than one million dollars (\$1,000,000.00) combined single limit bodily injury and property damage per occurrence, with a minimum deductible of One Thousand (\$1,000.00) per occurrence. Thirty (30) days prior notice of policy cancellation shall be provided to the City. Effective policy must not exclude participants in the Association's scheduled or unscheduled activities at the facilities. Other policy exclusions are permissible, provided that they do not contradict the terms of this Agreement. The Association shall furnish the City with a Certificate of Insurance evidencing such coverage. Such insurance shall include contractual liability insuring the indemnity agreements contained in this agreement.

IX.

The Association shall maintain a written policy on criminal background checks by October 1, 2018. All board members, coaches, employees, and volunteers shall be subject to background checks by the Association on an annual basis.

X.

The Association shall not assign, transfer, convey; sublet or otherwise dispose of the agreement, or any part, to any person, partnership, company, corporation, club or association without prior written consent of the City of La Porte.

XI.

This instrument contains the entire agreement between the parties relating to the rights granted in the agreement and the obligations assumed as a part of the agreement. Any representation or modifications concerning this agreement shall have no force or effect unless modified in writing, and signed by each party to the agreement. Notifications pertaining to any part of this Agreement shall be made as follows:

THE CITY: City of La Porte
Parks & Recreation Department
La Porte, Texas 77571
Attention: Director

The Association: Quest Youth Soccer Club
P.O. Box 2033
La Porte, Texas 77572-2033

XII.

The Initial Term of this Agreement shall be for a one year period, beginning on January 1, 2018 and ending at 11:59 p.m. on December 31, 2018.

The Agreement shall automatically renew for two (2) one-year Renewal Terms on January 1, 2019, absent either Party providing thirty (30) days written notice, as outlined below. Should either party desire to not renew this agreement after the Initial Term or after the first renewal term, written notice must be given 30 days prior to the end of the term. During any Term, either Party may terminate the Agreement without cause at any time by providing sixty (60) days written notice to the other party.

During the term of this agreement, the Association and the City may enter into separate agreements regarding future capital improvement projects or other soccer facilities that may be contemplated in the City.

Deleted: This agreement shall be in force for a period of five (5) years beginning with the date of its execution. At the end of the term of the agreement, both the City and the Association have the option to continue the agreement for and additional five (5) years term. Such option shall be executed in writing by the President of the Association and the City Manager or his designee. Should either party choose not to exercise their option, the agreement shall be considered at an end.

XIII.

The Association shall maintain a favorable financial position during the term of this agreement. The Association will provide an official annual report on the Association's fiscal condition to the City, comprised of a combined expense statement/balance sheet as approved by the City and mutually agreed to by the City and the Association along with supporting documentation. The City reserves the right to review the internal financial control structure of the Association and to perform other audit steps as necessary to protect its interests. The Annual Report on the

Deleted: balance sheet, revenue statement and expense statement.

Association's Fiscal Condition will be due to the City sixty (60) days after the end of the Association's fiscal year. Failure to provide requested financial information within the prescribed time limit will prompt a formal notification from the City to the Association of that the agreement is in danger of Default and a request for satisfaction of the requirement within an additional fifteen (15) days from the date of official notification. If the requirement for financial statement submission is not met by that time, or arrangements to submit not made to the City's satisfaction within that time, the agreement will be considered to be in Default.

During the terms of this agreement, all checks written by the Association will be required to have two (2) signatures.

XIV.

If any section, sentences, phrases, clause, or any part of any section, sentences, phrases, or clause, of this Agreement shall, for any reason, not be legally or factually valid, such invalidity shall not affect the remaining portions of this Agreement.

IN TESTIMONY WHEREOF, this instrument has been executed in duplicate, each to have the effect of an original as follows:

A. It has been executed on behalf of the City on the ____th day of June 2018, by its City Manager and attested by its City Secretary, pursuant to an Ordinance of the City Council of the City of La Porte, authorizing such execution; and

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Deleted: April 2003

B. It has been executed on behalf of the Association on the ____th day of June 2018, by its President and attested by its Vice President, pursuant to authorization from the Board of Directors of the Quest Youth Soccer Club, authorizing such execution.

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Deleted: Secretary

CITY OF LA PORTE

QUEST YOUTH SOCCER CLUB

Deleted: LA PORTE

By: _____
Corby D. Alexander, City Manager

By: _____
Scott Sotelo, President

Deleted: Debra B. Feazelle

Deleted: Randy Sayers

Attest:

Attest:

By: _____
Patrice Fogarty, City Secretary

By: _____
Victor Cantu, Vice President

Deleted: Martha Cillett

Deleted: Bridgette Barens, Administrator

APPROVED AS TO FORM:

Clark T. Askins, Assistant City Attorney

AGREEMENT BETWEEN THE CITY OF LA PORTE
AND THE QUEST YOUTH SOCCER CLUB
REGARDING THE USE OF SOCCER FACILITIES

EXHIBIT A

There are currently six (6) designated youth soccer fields covered by this agreement at the date of execution. Additional fields may be added in the future as a part of this agreement by signature of both parties. The designated youth soccer facilities covered by this agreement are as follows:

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NORTHWEST PARK

At the date of execution of this agreement, there are six youth soccer fields located at Northwest Park, 10200 N. "P" Street, La Porte, Texas.

La Porte #1 – designated as the soccer field on the northeast corner of the park; bounded on the north by AP @ Street; on the east by Big Island Slough; and on the west, by the east parking lot.

La Porte #2 – designated as the soccer field directly south of the La Porte #4.

La Porte #3 – designated as the soccer field on the northwest corner of the park; bounded on the north by AP @ Street; on the west by the park boundary; and on the east, by the west parking lot.

La Porte #4 – designated as the soccer field directly south of La Porte #6.

La Porte #5 – designated as the soccer field directly east of La Porte #7.

La Porte #6 – designated as the soccer field directly south of La Porte #7.

Concessions/Restroom/Office Facility located approximately 150 feet northwest of the Northwest Swimming Pool in Northwest Park.

Storage Facility located 25 feet southwest of the Concession/Restroom/Office Facility in Northwest Park.

Deleted: **FAIRMONT PARK** ¶

At the date of execution of this agreement, there are three youth soccer fields located at Fairmont Park, 3544 Farrington, La Porte, Texas. ¶

La Porte #1 – designated as the soccer field located directly southwest of the intersection of Farrington and Collingswood Streets. ¶

La Porte #2 – designated as the soccer field directly west of La Porte #1. ¶

La Porte #3 – designated as the soccer field directly south and west of La Porte #2.

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**AGREEMENT BETWEEN THE CITY OF LA PORTE, TEXAS
AND THE QUEST YOUTH SOCCER CLUB
REGARDING THE USE OF SOCCER FACILITIES**

BECAUSE, the City of La Porte, Texas (the “City”) is the owner and operator of various soccer facilities as part of the parks and recreational facilities of the community; and

Because, the Quest Youth Soccer Club (the “Association”) has contributed funds in the past years towards the construction of various amenities and facilities at the various soccer facilities owned by the City, which funds have been matched by the City; and

Because, the City wishes to recognize and commend the funding that has been provided by the Association;

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS; That in consideration of the mutual covenants of the mutual covenants, agreements and benefits to both parties, it is agreed as follows;

I.

The present soccer facilities covered in this agreement are those specific areas listed in “Exhibit A” which is attached and made a part of this agreement. The City will manage all operations related to facility and grounds maintenance at the soccer facilities designated in all structures, fencing, parking lots, sidewalks, turf areas, and major field maintenance at the soccer facilities listed in Exhibit A. The Association will be responsible for routine marking, net replacement and maintenance of the soccer facilities designated as youth soccer facilities, either existing or in the future. From time to time the official field sizes may change to meet new league requirements. Should field size change for any youth soccer field specified herein, the City will assist the Association in field realignment. Any changes made in existing or newly created fields, will require prior approval from the City; and any newly created fields or realigned fields will be governed by applicable terms of this agreement.

II.

The City will provide limited use of the soccer facilities as described in Exhibit “A”, to the Association for conduct of its league games, practice games, tournament games, and league playoff games from January through December for each year that this Agreement is in effect. Use is limited to standard park operating hours, which are from 7:00a.m. until 11:00 p.m. each day during the year. The Association shall have exclusive right and responsibility for scheduling, or organizing and conducting soccer league games, practice games, tournament and league playoff games at the soccer facilities listed in Exhibit A during the period covered by this Agreement. All play will be designated for recreational play only (non-select, non-competitive). One day a week will be designated for select play, as determined by the Association.

Subcontracting of fields by Association will not be allowed. The City reserves the right to close the fields for field maintenance purposes.

III.

The City has provided, with assistance from the Association, a Concession/Restroom/Office Facility (the "Facility"), as listed in Exhibit A. The Facility is the property of the City. Except as set out here in Paragraph 3 below, the City agrees to maintain utility service that contributes to their safe and efficient operation. The restroom portion of the Facility is a shared facility for various uses at Northwest Park and is the property of the City. The City will provide daily weekday custodial services for the restroom facility and provide necessary supplies for the restroom facility. The City has also provided, with assistance from the Association, a Storage Facility, as listed in Exhibit A. The Storage Facility, and permanent attachments to said facility, are the property of the City. Unless specifically marked, parking spaces at Northwest Park are not reserved and are available on a first-come, first-served basis.

IV.

The Association agrees to operate the concession portion of Facility in Section III exclusively and to provide materials, equipment, supplies, and personnel necessary for operation. Further; the Association is responsible for furnishing telephone service as well as equipment for the Facility at the youth soccer facilities, including but not limited to the following: microwaves, refrigerators, ice machines, freezers, and all other electrical appliances. The Association is responsible for maintenance of all furnished equipment in the concession building portion of the Facility. The Association agrees to clean the restroom facilities, in addition to the City's regular cleaning schedule on an as needed basis, during the Associations use of the facilities, to assure that the restrooms are clean and operable. The Association agrees to clean the concession portion of the facility at its expense. All revenues produced by concession operations shall belong to the Association. The Association is responsible for meeting all applicable laws, ordinances, and codes regarding the following: sales tax, safety, and any other issue relative to concession operations, and conduct of all its activities at the youth soccer facilities. Alcoholic beverage use, sales, or possession is prohibited by Ordinance at youth soccer facilities located on City property.

In addition, the Association agrees to the following concession operations processes, if the concession stand at the Facility is used:

- Inventory will be kept of everything being sold in the concession stand.
- A cash register with capability to track sales or a Point of Sale system will be used to maintain all inventory and sales.
- Any and all workers making \$600 or more a year will receive a Form 1099 from Association, unless they are hired through a staffing company.
- Deposits will be made the next business day,
- All monies will be kept in the safe until deposited.
- City staff will spot check all concessions deposits and/or inventory on a random basis.

V.

When dealing with staff/officials, the Association agrees to file the appropriate Form 1099 and any other required IRS filings. Payments to staff/officials shall reconcile to game schedules that will be provided by the Association.

VI.

Use of facility by the public will be limited to the following conditions. During the period not covered by this Agreement, the public shall have the right to use the various soccer facilities Complex for use at any time during park operating hours. During the period covered by this Agreement, the public shall have the right to play soccer or other field sports games at the soccer facilities listed in Exhibit A, at any time during park operating hours when no practice game, league game, tournament game, or playoff game is scheduled; or the fields have not been *Specially Prepared* for such games. Special preparation shall include marking, net installation, watering, painting, or other activity that would be disrupted or spoiled by indiscriminate use of facilities by the public.

VII.

The Association shall indemnify and hold harmless the City, its officers, directors, agents, and employees from and against any and all claims, damages, losses, expense, and liabilities, including attorney's fees which may be asserted against or incurred by the City arising, directly or indirectly, from any activities conducted or services performed by the Association under this agreement, or from any event occurring on the premises owned by the City during any period in which activities are being performed, conducted, or sponsored on the premises by the Association.

VIII.

The Association shall keep and maintain during the term of this agreement, a comprehensive general liability policy, with the City named as an additional named insured, with limits of liability of not less than one million dollars (\$1,000,000.00) combined single limit bodily injury and property damage per occurrence, with a minimum deductible of One Thousand (\$1,000.00) per occurrence. Thirty (30) days prior notice of policy cancellation shall be provided to the City. Effective policy must not exclude participants in the Association's scheduled or unscheduled activities at the facilities. Other policy exclusions are permissible, provided that they do not contradict the terms of this Agreement. The Association shall furnish the City with a Certificate of Insurance evidencing such coverage. Such insurance shall include contractual liability insuring the indemnity agreements contained in this agreement.

IX.

The Association shall maintain a written policy on criminal background checks by October 1, 2018. All board members, coaches, employees, and volunteers shall be subject to background checks by the Association on an annual basis.

X.

The Association shall not assign, transfer, convey; sublet or otherwise dispose of the agreement, or any part, to any person, partnership, company, corporation, club or association without prior written consent of the City of La Porte.

XI.

This instrument contains the entire agreement between the parties relating to the rights granted in the agreement and the obligations assumed as a part of the agreement. Any representation or modifications concerning this agreement shall have no force or effect unless modified in writing, and signed by each party to the agreement. Notifications pertaining to any part of this Agreement shall be made as follows:

THE CITY:	City of La Porte Parks & Recreation Department La Porte, Texas 77571 Attention: Director
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The Association:	Quest Youth Soccer Club P.O. Box 2033 La Porte, Texas 77572-2033
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XII.

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During the term of this agreement, the Association and the City may enter into separate agreements regarding future capital improvement projects or other soccer facilities that may be contemplated in the City.

XIII.

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Association's Fiscal Condition will be due to the City sixty (60) days after the end of the Association's fiscal year. Failure to provide requested financial information within the prescribed time limit will prompt a formal notification from the City to the Association of that the agreement is in danger of Default and a request for satisfaction of the requirement within an additional fifteen (15) days from the date of official notification. If the requirement for financial statement submission is not met by that time, or arrangements to submit not made to the City's satisfaction within that time, the agreement will be considered to be in Default.

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XIV.

If any section, sentences, phrases, clause, or any part of any section, sentences, phrases, or clause, of this Agreement shall, for any reason, not be legally or factually valid, such invalidity shall not affect the remaining portions of this Agreement.

IN TESTIMONY WHEREOF, this instrument has been executed in duplicate, each to have the effect of an original as follows:

- A. It has been executed on behalf of the City on the ____th day of June 2018, by its City Manager and attested by its City Secretary, pursuant to an Ordinance of the City Council of the City of La Porte, authorizing such execution; and
- B. It has been executed on behalf of the Association on the ____th day of June 2018, by its President and attested by its Vice President, pursuant to authorization from the Board of Directors of the Quest Youth Soccer Club, authorizing such execution.

CITY OF LA PORTE

QUEST YOUTH SOCCER CLUB

By: _____
Corby D. Alexander, City Manager

By: _____
Scott Sotelo, President

Attest:

Attest:

By: _____
Patrice Fogarty, City Secretary

By: _____
Victor Cantu, Vice President

APPROVED AS TO FORM:

Clark T. Askins, Assistant City Attorney

AGREEMENT BETWEEN THE CITY OF LA PORTE
AND THE QUEST YOUTH SOCCER CLUB
REGARDING THE USE OF SOCCER FACILITIES

EXHIBIT A

There are currently six (6) designated youth soccer fields covered by this agreement at the date of execution. Additional fields may be added in the future as a part of this agreement by signature of both parties. The designated youth soccer facilities covered by this agreement are as follows:

NORTHWEST PARK

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La Porte #2 – designated as the soccer field directly south of the La Porte #4.

La Porte #3 – designated as the soccer field on the northwest corner of the park; bounded on the north by AP @ Street; on the west by the park boundary; and on the east, by the west parking lot.

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La Porte #5 – designated as the soccer field directly east of La Porte #7.

La Porte #6 – designated as the soccer field directly south of La Porte #7.

Concessions/Restroom/Office Facility located approximately 150 feet northwest of the Northwest Swimming Pool in Northwest Park.

Storage Facility located 25 feet southwest of the Concession/Restroom/Office Facility in Northwest Park.



**Council Agenda Item
June 25, 2018**

- 10 (a) Receive report of the Fiscal Affairs Committee Meeting held June 13, 2018 – Councilmember Chuck Engelken**

- 10 (b) Receive report of the La Porte Development Corporation Meeting held June 25, 2018 – Councilmember Nancy Ojeda**



Council Agenda Item June 25, 2018

11. ADMINISTRATIVE REPORTS

- Zoning Board of Adjustment Meeting, Thursday, June 28, 2018
- Drainage and Flooding Committee Meeting, Monday, July 9, 2018
- City Council Meeting, Monday, July 9, 2018
- Planning and Zoning Commission Meeting, Thursday, July 19, 2018
- City Council Meeting, Monday, July 23, 2018
- Zoning Board of Adjustment Meeting, Thursday, July 26, 2018

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

13. EXECUTIVE SESSION

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, in accordance with the authority contained in:

Texas Government Code, Section 551.071 (2) - Consultation with Attorney: Meet with City Attorney and City Manager to discuss and receive direction regarding negotiations with industry representatives for terms of new Industrial District Agreements.

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

15. ADJOURN
