

LOUIS R. RIGBY
Mayor
BRANDON LUNSFORD
Councilmember At Large A
STEVE GILLETT
Councilmember At Large B
DANNY EARP
Councilmember District 1



CHUCK ENGELKEN
Councilmember District 2
BILL BENTLEY
Mayor Pro-Tem
Councilmember District 3
THOMAS GARZA
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Councilmember District 6

CITY COUNCIL MEETING AGENDA

Notice is hereby given of a Regular Meeting of the La Porte City Council to be held July 22, 2019, 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 Pastor Philp Dunn, Lighthouse Baptist Church.
PLEDGES – Will be led by Councilmember Brandon Lunsford.
U.S. Flag
Texas Flag: Honor the Texas Flag. I pledge allegiance to thee, Texas, one state, under God, one, and indivisible.
3. **PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS**
 - (a) Recognition - Float Entry Winners for the 4th of July Parade [Mayor Louis R. Rigby]
 - (b) Recognition of the Employees of the Second Quarter 2019 - Sharon Harris, Deputy City Secretary, and LPPD Patrol Officer Luis Gonzalez. [Mayor Louis R. Rigby]
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)
5. **CONSENT AGENDA** *(Approval of Consent Agenda items authorizes each to be implemented in accordance with staff recommendations provided. An item may be removed from the consent agenda and added to the Statutory Agenda for full discussion upon request by a member of the Council present at this meeting.)*
 - (a) Approve the minutes of the City Council meeting held on July 8, 2019. [Mayor Louis R. Rigby]
 - (b) Award Bid Number #19015 for Hillridge Water Plant Improvements Phase II. [Ray Mayo, Interim Public Works Director]
6. **PUBLIC HEARINGS AND ASSOCIATED ORDINANCES**
 - (a) The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2019-3748 amending the Code of Ordinances of the City of La Porte, Chapter 106 'Zoning' by granting Special Conditional Use Permit #19-91000004, to allow for the redevelopment of the existing pre-check truck facility on a 20.769-acre tract of land located at 900 E. Barbours Cut Blvd., and legally described as Reserve A, Block 1, Port of Houston Authority, followed by discussion and possible action to consider adopting Ordinance 2019-3748 amending the Code of Ordinances of the City of La Porte, Chapter 106 'Zoning' by granting Special Conditional Use Permit #19-91000004, to allow for the redevelopment of the existing pre-check truck facility on a 20.769-acre tract of land located at 900 E. Barbours Cut Blvd., and legally described as Reserve A, Block 1, Port of Houston Authority. [Ian Clowes, City Planner]

- (b) The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2019-3749 amending the Code of Ordinances of the City of La Porte, Chapter 106 'Zoning' by granting Special Conditional Use Permit #19-91000005, to allow for additional senior living units in the Morgan's Landing development on a 9-acre tract of land located at 3300 Bay Area Blvd., and legally described as Reserve C, Block 1, Bay Area 28, followed by discussion and possible action to consider adopting Ordinance 2019-3749 amending the Code of Ordinances of the City of La Porte, Chapter 106 'Zoning' by granting Special Conditional Use Permit #19-91000005, to allow for additional senior living units in the Morgan's Landing development on a 9-acre tract of land located at 3300 Bay Area Blvd., and legally described as Reserve C, Block 1, Bay Area 28. [Ian Clowes, City Planner]
- (c) The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2019-3750 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 5.051 acre tract of land located at the NE corner of S. 16th St. and the W. M St. ROW, legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision, by changing the land use designation from "Commercial" to "Light Industrial", followed by discussion and possible action regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2019-3750 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 5.051 acre tract of land located at the NE corner of S. 16th St. and the W. M St. ROW, legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision, by changing the land use designation from "Commercial" to "Light Industrial". [Ian Clowes, City Planner]
- (d) The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2019-3751 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Zone Change #19-92000002, a change from General Commercial (GC) to Planned Unit Development (PUD) for a 5.051 acre tract of land located at the NE corner of S. 16th St. and the W. M St. ROW, legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision, followed by discussion and possible action to consider adopting Ordinance 2019-3751 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Zone Change #19-92000002, a change from General Commercial (GC) to Planned Unit Development (PUD) for a 5.051 acre tract of land located at the NE corner of S. 16th St. and the W. M St. ROW, legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision. [Ian Clowes, City Planner]
- (e) The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2019-3752 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit #19-91000003 to allow for an industrial office/warehouse facility on a 5.051 acre tract of land, legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision in the Planned Unit Development (PUD) zoning district; Discussion, and possible action to consider adopting Ordinance 2019-3752 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit #19-91000003 to allow for an industrial office/warehouse facility on a 5.051 acre tract of land, legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision in the Planned Unit Development (PUD) zoning district. [Ian Clowes, City Planner]
- (f) The City Council will hold a public hearing to receive comments regarding a recommendation by the La Porte Fire Control, Prevention, and Emergency Medical Services District Board to adopt proposed budget for the fiscal year which begins October 1, 2019, as approved by the Board of Directors of the District at its meeting held on June 18, 2019; consider approval of proposed budget of the La Porte Fire Control, Prevention, and Emergency Medical Services District. [Donald Ladd, Assistant Fire Chief]

- (g) The City Council will hold a public hearing to receive comments regarding a recommendation by staff to deny retail electric rate increase proposed by CenterPoint Energy Houston Electric, LLC for customers within the City of La Porte; discussion and possible action to consider adopting Ordinance 2019-3753, denying retail electric rate increase proposed by CenterPoint Energy Houston Electric, LLC., for customers within the City of La Porte. [Corby Alexander, City Manager]

7. STATUTORY AGENDA

- (a) Presentation, discussion, and possible action to adopt Ordinance 2019-3754, amending the La Porte Code of Ordinances Chapter 22, "Businesses", regarding regulation of massage business establishments. [Councilpersons Garza, Lunsford, and Bentley]
- (b) Presentation, discussion, and possible action on a presentation regarding salary for certain City positions [Matt Hartleib, Human Resources Manager]

8. REPORTS

- (a) Receive report of the La Porte Development Corporation Board Meeting. [Councilmember Nancy Ojeda]

9. ADMINISTRATIVE REPORTS

- Drainage and Flooding Committee Meeting, Monday, August 12, 2019
- Budget Workshop Meetings, week of August 12th
- Planning and Zoning Commission Meeting, Thursday, August 15, 2019
- Zoning Board of Adjustment Meeting, Thursday, August 22, 2019
- City Council Meeting, Monday, August 26, 2019

10. **COUNCIL COMMENTS** *Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy from the Mayor, Councilmembers, and City staff, for which no formal action will be discussed or taken.*

11. EXECUTIVE SESSION

City Council will meet in closed session pursuant to Texas Government Code Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - regarding City Secretary Lee Woodward.

City Council will meet in closed session pursuant to Texas Government Code Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - regarding City Manager Corby Alexander.

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

13. ADJOURNMENT

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (281-470-5019), two working days prior to the meeting for appropriate arrangements.

If, during the course of the meeting and discussion of any items covered by this notice, City Council determines that a Closed or Executive Session of the Council is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 - consultation with counsel on legal matters; Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 - deliberation regarding a prospective gift; Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; Section 551.076 - implementation of security personnel or devices; Section 551.087 - deliberation regarding economic development negotiation; Section 551.089 - deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

CERTIFICATE

I, Lee Woodward, City Secretary, do hereby certify that a copy of the July 22, 2019, City Council agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.LaPorteTX.gov, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING _____

TIME OF POSTING _____

TAKEN DOWN _____

Lee Woodward, City Secretary



Council Agenda Item July 22, 2019

- 1. CALL TO ORDER**
- 2. INVOCATION** – The invocation will be given by Pastor Philp Dunn, Lighthouse Baptist Church.
PLEDGES – Will be led by Councilmember Brandon Lunsford.
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- 3. PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS**
 - (a)** Recognition - Float Entry Winners for the 4th of July Parade [Mayor Louis R. Rigby]
 - (b)** Recognition of the Employees of the Second Quarter 2019 - Sharon Harris, Deputy City Secretary, and LPPD Patrol Officer Luis Gonzalez. [Mayor Louis R. Rigby]
- 4. PUBLIC COMMENTS** (Limited to five minutes per person.)

The Rotary Club of La Porte hosted an impressive and very successful Fourth of July Parade. This annual tradition has grown throughout the years and this year, awards were given to the best floats.

Over a dozen floats competed, and we are pleased to recognize this year's winners:

- Most Original Float went to Scout Troop 930 with their "One Last Parade Flag Retirement" float.
- 1st Place - Next Level Dance – Dance Across America
- 2nd Place - Frank's Collision with George and Martha Washington
- 3rd Place - Cross Fit 146 - Make America Fit Again

Also, we give heartfelt thanks to our La Porte Rotary organization, the volunteers from our Citizens Police Academy, the LPHS Interact students and City staff that participated in making the July 4th Parade something the citizens of La Porte are very proud of.

A special "thank you" to the founder of our Independence Day parade, George Watkins - Thank you, George, and thanks to everyone in connection with the event. It is something we look forward to every year, and are very proud to have in our City.

Presentation to be made at the meeting



Council Agenda Item July 22, 2019

5. **CONSENT AGENDA** *(Approval of Consent Agenda items authorizes each to be implemented in accordance with staff recommendations provided. An item may be removed from the consent agenda and added to the Statutory Agenda for full discussion upon request by a member of the Council present at this meeting.)*
- (a) Approve the minutes of the City Council meeting held on July 8, 2019. [Mayor Louis R. Rigby]
 - (b) Award Bid Number #19015 for Hillridge Water Plant Improvements Phase II. [Ray Mayo, Interim Public Works Director]

LOUIS RIGBY
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Councilperson District 4
JAY MARTIN
Councilperson District 5
NANCY OJEDA
Councilperson District 6

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LA PORTE JULY 8, 2019

The City Council of the City of La Porte met in a regular meeting on Monday, July 8, 2019, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at 6:00 p.m., with the following in attendance:

Councilpersons present: Louis Rigby, Brandon Lunsford, Steve Gillett, Danny Earp, Chuck Engelken, Bill Bentley, Thomas Garza, Jay Martin, Nancy Ojeda

Councilpersons absent: None

Council-appointed officers present: Corby Alexander, City Manager; Lee Woodward, City Secretary; Clark Askins, Assistant City Attorney

CALL TO ORDER – Mayor Rigby called the meeting to order at 6:00 p.m.

2. INVOCATION – The invocation was given by Pastor Ben Rosenberger of Bayshore Baptist Church.

PLEDGES – The pledges of allegiance to the U.S. and Texas flags were led by Councilperson Steve Gillett.

3. PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS

(a) Proclamation in recognition of Park and Recreation Month. [Mayor Louis R. Rigby]

4. PUBLIC COMMENTS (Limited to five minutes per person.) There were no comments offered.

5. CONSENT AGENDA (*Approval of Consent Agenda items authorizes each to be implemented in accordance with staff recommendations provided. An item may be removed from the Consent Agenda and added to the Statutory Agenda for full discussion upon request by a member of the Council present at this meeting*)

(a) Approve the minutes of the meeting held on June 24, 2019. [Mayor Louis R. Rigby]

(b) Approve renewal of contract with SHI (Software House International) for use of the Microsoft Office 365 platform. [Grady Parker, IT Manager]

(c) Approve an interlocal agreement between Harris County and the City of La Porte regarding the extension of a freeway non-consent towing program to the City of La Porte, for the towing of disabled vehicles from roadways. [Ron Parker, Chief of Police]

(d) Authorize the City Manager to execute a professional services agreement with Lockwood Andrews & Newman, Inc., to provide preliminary engineering services for the Northside Neighborhood Drainage Improvement Project, in the amount of \$59,530.00. [Lorenzo Wingate, P.E., City Engineer]

Councilperson Engelken moved to approve the consent agenda; the motion was adopted, 9-0.

6. STATUTORY AGENDA

(a) Presentation, discussion, and possible action directing staff to revise the listing of Capital Improvement Projects for funding in Fiscal Year 2019-2020. [Michael Dolby, Finance Director]

Mayor Rigby moved to direct staff to revise the listing of General Fund Capital Improvement Plan (CIP) projects for funding in Fiscal Year 2019-2020 by removing the South 7th Street Paving and Drainage for \$2,865,000; considering the revised design for Five Points Restroom and Pavilion in August; and changing the Public Works Facility (Design) to a Preliminary Engineering Report (PER) for \$75,000; and to research

alternate funding for the remaining projects; the motion was adopted, 8-1, Councilperson Garza voting against.

(b) Presentation, discussion, and possible action to approve a nominations(s) to fill an open position(s) on the Fiscal Affairs Committee [Mayor Louis R. Rigby]

No nominations were made.

7. REPORTS

(a) Receive a report on the Drainage and Flooding Committee meeting. [Councilperson Jay Martin]

Councilperson Martin reported on the Drainage and Flooding Committee meeting held at 5:00 p.m., noting updates were received from Jeremy Ratcliff of the Harris Council Flood Control District (HCFCD) and City Engineer Lorenzo Wingate.

8. ADMINISTRATIVE REPORTS

- Planning and Zoning Commission Meeting, Thursday, July 18, 2019
- City Council Meeting, Thursday, July 22, 2019
- Zoning Board of Adjustment Meeting, Thursday, July 25, 2019

City Manager Corby Alexander said there were no reports to be given.

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

Councilpersons congratulated the Parks and Recreation Department on their proclamation; thanked City employees and the Rotary Club for a wonderful Fourth of July parade and events; offered gratitude to LPPD, Code Enforcement, and other City departments who helped out a local veteran in recovery; recognized the City Manager and Finance Director for the CIP discussion and suggested bringing forth guidelines for future budget discussions; thanked EMS for the good job they do all the time; acknowledged the assistance of the City Manager and staff on a proposed electric line project for working with Harris County to find a better solution; gave appreciation to the staff and Council for patience while a new member worked through tonight's budget discussion; reported on a visit this morning with former Mayor Virginia Cline.

ADJOURN – Without objection, Mayor Rigby adjourned the meeting at 7:57 p.m.

Lee Woodward, City Secretary



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>7-22-19</u>
Requested By: <u>Ray Mayo</u>
Department: <u>Public Works</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance

Appropriation	
Source of Funds:	<u>003</u>
Account Number:	<u>00370855335120</u>
Amount Budgeted:	<u>\$ 1,210,689</u>
Amount Requested:	<u>\$ 1,128,750</u>
Budgeted Item:	<input checked="" type="radio"/> Yes <input type="radio"/> No

Exhibits: Bid Tabulation
Engineer's Estimate
Engineer's Letter of Recommendation
Access Report Public Purchase
Access Report CivCast
W. W. Payton Bid

SUMMARY

Sealed bid #19015 for the Hillridge Water Plant Improvements Phase II Re-bid was publicly opened and read on June 25, 2019. The bid was advertised in the Bay Area Observer on May 2 and May 9, 2019, and posted on the City of La Porte website, Public Purchase and CivCast. There were ninety-seven (97) vendors notified with thirty-seven (37) downloading the bid documents from Public Purchase. The access report for CivCast indicated two-hundred eleven (211) plan holders. Six contractors submitted bids. W.W. Payton Corporation submitted the lowest bid in the amount of \$1,075,000.

The previous bid #19011 returned only one respondent. The bid was rejected by City Council on May 13, 2019. The bidding period was extended to allow for more responses and the construction time was extended to 365 days for substantial completion.

References were checked for W.W. Payton Corporation, all returned favorable responses. Staff recommends awarding the project to W.W. Payton Corporation in the amount of \$1,075,000.00 with a total project allocation of 1,128,750.00 which includes a 5% construction contingency in the amount of \$53,750.00.

Project Benefits, Liabilities and Operating Costs

Benefits:

- The proposed project will provide a Booster Plant building that meets code and current TCEQ standards.

- The project will upgrade the electrical service to the facility and will incorporate an energy efficient motor control center.
- The project will increase the pumping capacity and equipment redundancy by adding one 40 Horsepower booster pump.

Liabilities:

- The scope and cost of the proposed work would likely increase if the proposed project is deferred for an extended period of time.

Operating Costs:

- It is anticipated that maintenance costs and electrical costs will decrease with the addition of a new structure with energy efficient components.

RECOMMENDED MOTION

Move to consider approval or other action to award Bid 19015, Hillridge Water Plant Improvements Phase II Rebid to W.W. Payton Corporation and authorize the City Manager to enter into a construction contract in the amount of \$1,075,000.00, with a total project allocation of \$1,128,750.00 including a 5% construction contingency in the amount of \$53,750.00.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

				W.W. Payton Corporation		R & B Group		Sustanite Support Services		B5 Construction Company		Black Castle General Contractors		Resicom	
ITEM NO.	ITEM DESCRIPTION	UNIT	QUAN.	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
A. BASE BID ITEMS:															
1	Mobilization, complete in place, the sum of: (5% maximum)	L.S.	1	\$ 40,000.00	\$ 40,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 55,667.00	\$ 55,667.00	\$ 61,200.00	\$ 61,200.00	\$ 59,000.00	\$ 59,000.00
2	Site Work, including site stripping, grading, seeding or sodding, complete in place, the sum of:	L.S.	1	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 50,000.00	\$ 50,000.00	\$ 8,132.00	\$ 8,132.00	\$ 48,600.00	\$ 48,600.00	\$ 25,000.00	\$ 25,000.00
3	Construct 50'x20' (1,000 SF) Booster Station Precast Concrete Building, including but not limited to foundation, bedding and backfill, handrails, floor drains, drain line, roof, sidewalk, pipe bollards, MCC Room and equipment, chlorine feed room and equipment, and all associated architectural, structural, mechanical, and electrical appurtenances shown on plans and described in specifications, complete in place, the sum of:	L.S.	1	\$ 375,000.00	\$ 375,000.00	\$ 530,000.00	\$ 530,000.00	\$ 337,500.00	\$ 337,500.00	\$ 433,528.00	\$ 433,528.00	\$ 380,500.00	\$ 380,500.00	\$ 429,077.00	\$ 429,077.00
4	One (1) Horizontal Split Case Booster Pumps (1,000 gpm @ 120-ft head), or equivalent, complete in place, the sum of:	L.S.	1	\$ 30,000.00	\$ 30,000.00	\$ 17,000.00	\$ 17,000.00	\$ 25,000.00	\$ 25,000.00	\$ 21,245.00	\$ 21,245.00	\$ 36,100.00	\$ 36,100.00	\$ 34,037.00	\$ 34,037.00
5	Two (2) Horizontal Split Case Booster Pumps, (650 gpm @ 120-ft Head), or equivalent, complete in place, the sum of:	L.S.	1	\$ 40,000.00	\$ 40,000.00	\$ 7,000.00	\$ 7,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,391.00	\$ 20,391.00	\$ 47,800.00	\$ 47,800.00	\$ 49,000.00	\$ 49,000.00
6	Station Piping to include all booster pump suction and discharge header piping as identified on the plans, including valves, fittings, and any requirements for proper operation of the plant as shown on plans and as described in the specifications, complete in place, the sum of:	L.S.	1	\$ 60,000.00	\$ 60,000.00	\$ 40,000.00	\$ 40,000.00	\$ 75,000.00	\$ 75,000.00	\$ 52,402.00	\$ 52,402.00	\$ 105,000.00	\$ 105,000.00	\$ 398,000.00	\$ 398,000.00
7	Yard Piping to include all onsite water mains and drain lines outside booster station building as identified on the plans, including proposed flanged connection to Ground Storage Tank, valves, fittings, wet connections, drain lines connection to downspouts and grate inlet, and any trench safety requirements as shown on plans and as described in specifications, complete in place, the sum of:	L.S.	1	\$ 30,000.00	\$ 30,000.00	\$ 40,000.00	\$ 40,000.00	\$ 150,000.00	\$ 150,000.00	\$ 132,288.00	\$ 132,288.00	\$ 85,700.00	\$ 85,700.00	\$ 224,000.00	\$ 224,000.00
8	Removal of bends, abandonment of water lines and suction lines, and installation of blind flanges as shown on plans and as described in specifications, complete in place, the sum of:	L.S.	1	\$ 2,000.00	\$ 2,000.00	\$ 1,000.00	\$ 1,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,528.00	\$ 5,528.00	\$ 37,100.00	\$ 37,100.00	\$ 4,500.00	\$ 4,500.00
9	Wet connection to existing 12" water line, including two 12" gate valves and boxes, as shown on plans and as described in specifications, complete in place, the sum of:	L.S.	1	\$ 6,000.00	\$ 6,000.00	\$ 10,000.00	\$ 10,000.00	\$ 7,000.00	\$ 7,000.00	\$ 13,811.00	\$ 13,811.00	\$ 19,900.00	\$ 19,900.00	\$ 11,400.00	\$ 11,400.00
10	Remove and replace 6" thick concrete pavement and driveway, including sawcutting, subgrade, reinforcement and joints, complete in place, the sum of:	S.Y.	145	\$ 150.00	\$ 21,750.00	\$ 75.00	\$ 10,875.00	\$ 100.00	\$ 14,500.00	\$ 220.00	\$ 31,900.00	\$ 24.00	\$ 3,480.00	\$ 128.00	\$ 18,560.00
11	Remove and replace existing 8-ft chain link fence, install double 8-ft wide swing access gate and pedestrian gate as shown on plans and as described in specifications, complete in place, the sum of:	L.S.	1	\$ 5,250.00	\$ 5,250.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,036.00	\$ 5,036.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00
12	Chlorine disinfection system, including but not limited to, scale for 150# chlorine cylinder, gas chlorinators, automatic switchovers, injectors, solenoid valves and bypasses, gas sensors and alarms, wall-mounted self-contained breathing apparatus, high pressure booster pump, piping, feed lines, 1" schedule 80 PVC injection line, pipe connections, chlorine injection manhole, electrical, and all other items as shown on plans and as described in specifications for a complete and operational chlorine disinfection system, complete in place, the sum of:	L.S.	1	\$ 30,000.00	\$ 30,000.00	\$ 25,000.00	\$ 25,000.00	\$ 14,000.00	\$ 14,000.00	\$ 27,777.00	\$ 27,777.00	\$ 24,600.00	\$ 24,600.00	\$ 45,000.00	\$ 45,000.00
13	Electrical System Installation: Provide and install all work shown on the plans and described in specifications including as follows: provide and install motor control center, lighting and receptacles, pump motor feeders and terminal boxes, electrical service equipment, autosensory controls, generator quick connect, and all required appurtenances as shown on plans and as described in specifications for a complete operating system, complete in place, the sum of:	L.S.	1	\$ 371,000.00	\$ 371,000.00	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 300,000.00	\$ 302,309.00	\$ 302,309.00	\$ 333,900.00	\$ 333,900.00	\$ 389,000.00	\$ 389,000.00
TOTAL BASE BID ITEMS (A):					\$ 1,016,000.00		\$ 1,045,875.00		\$ 1,053,000.00		\$ 1,110,014.00		\$ 1,189,880.00		\$ 1,692,574.00
B. SUPPLEMENTAL BID ITEMS:															
14	Install extra cement stabilized sand	C.Y.	100	\$ 20.00	\$ 2,000.00	\$ 20.00	\$ 2,000.00	\$ 40.00	\$ 4,000.00	\$ 39.20	\$ 3,920.00	\$ 20.00	\$ 2,000.00	\$ 20.00	\$ 2,000.00
15	12"x12" TS&V, complete in place, the sum of:	EA.	1	\$ 7,500.00	\$ 7,500.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 5,465.00	\$ 5,465.00	\$ 8,700.00	\$ 8,700.00	\$ 8,100.00	\$ 8,100.00
TOTAL SUPPLEMENTAL BID ITEMS (B):					\$ 9,500.00		\$ 8,000.00		\$ 10,000.00		\$ 9,385.00		\$ 10,700.00		\$ 10,100.00
C. CASH ALLOWANCE ITEMS:															
CA-1	Electrical Service: Include an "Allowance" for electrical service by the local Electrical Service Provider. Exact amount will be reimbursed to Contractor upon submittal of invoice from Electrical Service Provider for a lump sum of:	C.A.	1	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
CA-2	Controller Programming: Include an "allowance" for controller programming per Section 16-904 - "Controller," for a lump sum of:	C.A.	1	\$ 24,500.00	\$ 24,500.00	\$ 24,500.00	\$ 24,500.00	\$ 24,500.00	\$ 24,500.00	\$ 24,500.00	\$ 24,500.00	\$ 24,500.00	\$ 24,500.00	\$ 24,500.00	\$ 24,500.00
TOTAL CASH ALLOWANCE ITEMS (C):					\$ 49,500.00		\$ 49,500.00		\$ 49,500.00		\$ 49,500.00		\$ 49,500.00		\$ 49,500.00
TOTAL BASE BID ITEMS (A):					\$ 1,016,000.00		\$ 1,045,875.00		\$ 1,053,000.00		\$ 1,110,014.00		\$ 1,189,880.00		\$ 1,692,574.00
TOTAL SUPPLEMENTAL BID ITEMS (B):					\$ 9,500.00		\$ 8,000.00		\$ 10,000.00		\$ 9,385.00		\$ 10,700.00		\$ 10,100.00
TOTAL CASH ALLOWANCE ITEMS (C):					\$ 49,500.00		\$ 49,500.00		\$ 49,500.00		\$ 49,500.00		\$ 49,500.00		\$ 49,500.00
TOTAL BID (A + B + C):					\$ 1,075,000.00		\$ 1,103,375.00		\$ 1,112,500.00		\$ 1,168,899.00		\$ 1,250,080.00		\$ 1,752,174.00

Represents Error Corrected by Engineer

Opinion of Probable Cost



Project		System		
City of La Porte Hillridge Water Plant		Booster Pump Station - February 23, 2018		
Construction Costs				
Item	Quantity	Unit	Unit Cost	Total Cost
Civil				
4" Thick Sidewalk	285	SF	\$ 8	\$ 2,280
Remove, disposal and Replace Class A Concrete for 6" Driveway	1200	SF	\$ 15	\$ 18,000
Remove Existing Fence	75	FT	\$ 8	\$ 600
8' Chain Link Fence	90	FT	\$ 60	\$ 5,400
Chain Link Fence, Access Gate, 12' Wide	1	EA	\$ 1,000	\$ 1,000
Subtotal				\$ 27,280
Structural				
Monorail runway beam	39	LF	\$ 82	\$ 3,179
Reinforced concrete floor slab, 6" thick	1000	SF	\$ 8	\$ 8,000
Reinforced concrete grade beams	209	LF	\$ 55	\$ 11,495
Fill removal & disposal	112	BCY	\$ 20	\$ 2,240
Granular fill placement & compaction, 6" thick	700	SF	\$ 3	\$ 2,100
Select fill placement & compaction	70	BCY	\$ 31	\$ 2,170
Subtotal				\$ 29,184
Architectural				
Precast Concrete Pump/Control Building	1000	SF	\$ 174	\$ 174,000
Subtotal				\$ 174,000
Process				
8" Gate Valve	2	EA	\$ 1,550	\$ 3,100
10" Gate Valve	1	EA	\$ 2,500	\$ 2,500
12" Gate Valve	1	EA	\$ 3,000	\$ 3,000
12" Gate Valve and Box	2	EA	\$ 3,250	\$ 6,500
8" Check Valve	2	LF	\$ 4,400	\$ 8,800
10" Check Valve	1	EA	\$ 7,100	\$ 7,100
8" Water Line, Ductile Iron Piping and Fittings	85	LF	\$ 80	\$ 6,800
10" Water Line, Ductile Iron Pipe and Fittings	50	LF	\$ 100	\$ 5,000
12" Water Line, Ductile Iron Pipe and Fittings	165	LF	\$ 120	\$ 19,800
600 gpm 40 hp Pump	2	EA	\$ 19,200	\$ 38,400
1,100 gpm 60 hp Pump	1	EA	\$ 25,800	\$ 25,800
New Tank Penetration for Suction Line	1	LS	\$ 15,000	\$ 15,000
Chlorination Equipment	1	LS	\$ 35,000	\$ 35,000
Subtotal				\$ 176,800
Mechanical & Plumbing				
louvers, fans, and split system	1	LS	\$ 20,500	\$ 20,500
Subtotal				\$ 20,500
Electrical				
Motor Control Center	1	LS	\$ 185,000	\$ 185,000
Autosensory Panel	1	LS	\$ 55,000	\$ 55,000
Conduit & Conductors	1	LS	\$ 60,000	\$ 60,000
Miscellaneous Equipment	1	LS	\$ 47,500	\$ 47,500
Subtotal				\$ 347,500
Direct Costs				
Subtotal of Direct Costs				\$ 775,264
Additions/Contingency				
Contingency	15.0%	%		\$ 116,290
Sub-Total with Contingency				\$ 891,554
Mobilization and Demobilization	5.0%	%		\$ 44,578
Contractor OH&P	10.0%	%		\$ 89,155
Insurance and Bonds	2.0%	%		\$ 17,831
Prime Construction Contract Total				\$ 1,043,118



July 2, 2019

Mr. Ray Mayo
Assistant Director of Public Works
City of La Porte, Texas
2963 N. 23rd Street
La Porte, TX 77571

**Re: Letter of Recommendation
Hillridge Water Plant Improvements Project – Phase II
City of La Porte, Texas
City Bid #19015
HDR Job No. 16-064 / 19-014**

Dear Mr. Mayo:

On June 25, 2019, the City received six (6) bids for the above referenced project. The following is a summary of our bid evaluation.

Bid Tabulation Sheet – Six (6) construction firms participated in the bidding process. Each bid was checked for mathematical errors and/or bid irregularities. Errors were discovered on three of the bids. Appropriate corrections to the errors were made and included in the attached bid tabulation. The errors did not affect the order of the bids.

The project was bid with Base Bid items, Supplemental Items, and Cash Allowance Items. The Base Bid included the construction of a 50'x20' Precast Concrete Booster Station Building and the installation of the chlorine disinfection system and the electrical system. Cash Allowance Items were included for electrical service and controller programming.

The corrected bid totals for the project received from the six firms are as follows:

Contractor	Total Bid Amount
W.W. Payton Corporation	\$1,075,000.00
R&B Group, Inc.	\$1,103,375.00
Sustanite Support Services, LLC	\$1,112,500.00
B5 Construction Company, Inc.	\$1,168,899.00
Black Castle General Contractor	\$1,250,080.00
Resicom, Inc.	\$1,752,174.00

A copy of the bid tabulation is attached in Section 1 of this report.

Telephone Conversations with References – HDR contacted references provided by the lowest responsive bidder, W.W. Payton Corporation, and asked them to respond to a questionnaire. HDR received overall good ratings on their previous projects of similar size and nature. The references

indicated that they were satisfied with the work W.W. Payton had performed and would use them again in the future. A copy of the questionnaires are attached in Section 2 of this report.

In addition, W.W. Payton has also recently completed a project of similar size and nature with HDR for another local municipal client. HDR was satisfied with their overall performance and quality of workmanship.

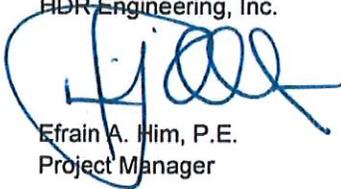
Required Bid Documents & Statement of Qualifications – W.W. Payton submitted all of the required City of La Porte forms with their bid and provided a Statement of Qualifications Package including information about the company, references, completed and working projects and equipment owned. A copy of the submitted forms and the statement of qualifications are attached in Section 3 of this report.

In summary, W.W. Payton Corporation appears to be a responsible firm that should be capable of performing the specified work in a satisfactory manner. For these reasons listed above, HDR recommends that the City of La Porte award the Hillridge Water Plant Improvements – Phase II Project to W.W. Payton Corporation for a total bid amount of One Million, Seventy Five Thousand Dollars and Zero Cents (\$1,075,000.00).

If you have any questions, please feel free to contact us.

Sincerely,

HDR Engineering, Inc.

A handwritten signature in blue ink, appearing to read "E. Him", is written over the typed name and title.

Efrain A. Him, P.E.
Project Manager



CONTRACTOR REFERENCE FORM

Date: 7/1/2019

Project: Hillridge Water Plant Improvements, Phase II

Owner: City La Porte, Texas

Construction Cost: \$1.1 Million

Contractor: W. W. Payton Corporation

Year Completed: On-Going

Reference Name: Teague Harris,
P.E.

Company: IDS Engineering Group

Email: Spoke on the phone,
713-462-3178

Dear Mr. Harris,

W. W. Payton Corporation is the apparent low bidder for the City of La Porte Hillridge Water Plant Improvements Project, Phase II, and has submitted your name as a reference. Reference responses will be included in HDR's Bid Evaluation and Letter of Recommendation for this project.

HDR would appreciate your time in rating your experience with this Contractor. Please circle the number corresponding to the response which best indicates your opinion of the Contractor as it relates to each item.

	Excellent	Above Average	Average	Below Average	Poor	
Rate the Contractor's overall performance and quality of work	10	9	8	7	6	5 4 3 2 1 No Opinion
Rate the Contractor's construction supervision & project management teams	10	9	8	7	6	5 4 3 2 1 No Opinion
Rate the Contractor's ability to complete the project within the time allotted	10	9	8	7	6	5 4 3 2 1 No Opinion
Were there any change orders on the project? If so, what were the reasons? Were they reasonable?	<u>Yes, always reasonable, fair and honest.</u> <u>Provide similar costs to other contractors</u>					
Rate the Contractor's responsiveness to warranty work requests, and the quality of the warranty work.	10	9	8	7	6	5 4 3 2 1 No Opinion
Rate the Contractor's restoration and clean-up work.	10	9	8	7	6	5 4 3 2 1 No Opinion

Would you want to work with this Contractor again?

Yes

Thank you for your time in participating in the proposal evaluation process for this project.

Sincerely,

Ryan Nokelby, P.E.
Project Manager

Additional notes:

Mr. Harris says W.W. Payton is one of the best contractors for water plant work and that this line of work is the Contractor's specialty. He even says that he requests W.W. Payton to bid on any relevant work IDS has

hdrinc.com



CONTRACTOR REFERENCE FORM

Date: 7/1/2019

Project: Hillridge Water Plant Improvements, Phase II

Owner: City La Porte, Texas

Construction Cost: \$1.1 Million

Contractor: W. W. Payton Corporation

Year Completed: On-Going

Reference Name: Tommy Woolley Company: City of Conroe

Email: twoolley@cityofconroe.org

Dear Mr. Woolley,

W. W. Payton Corporation is the apparent low bidder for the City of La Porte Hillridge Water Plant Improvements Project, Phase II, and has submitted your name as a reference. Reference responses will be included in HDR's Bid Evaluation and Letter of Recommendation for this project.

HDR would appreciate your time in rating your experience with this Contractor. Please circle the number corresponding to the response which best indicates your opinion of the Contractor as it relates to each item.

	Excellent	Above Average	Average	Below Average	Poor	
Rate the Contractor's overall performance and quality of work	10	9	8	7	6	5 4 3 2 1 No Opinion
Rate the Contractor's construction supervision & project management teams	10	9	8	7	6	5 4 3 2 1 No Opinion
Rate the Contractor's ability to complete the project within the time allotted	10	9	8	7	6	5 4 3 2 1 No Opinion
Were there any change orders on the project? If so, what were the reasons? Were they reasonable?	<u>Yes, one for extra geotechnical services. Yes, only \$800 for an additional services needed for the tank.</u>					
Rate the Contractor's responsiveness to warranty work requests, and the quality of the warranty work.	10	9	8	7	6	5 4 3 2 1 No Opinion
Rate the Contractor's restoration and clean-up work.	10	9	8	7	6	5 4 3 2 1 No Opinion

Would you want to work with this Contractor again? Yes, we would hire them again

Thank you for your time in participating in the proposal evaluation process for this project.

Additional notes:

Sincerely,

Ryan Nokelby, P.E.
Project Manager

hdrinc.com



CONTRACTOR REFERENCE FORM

Date: 7/1/2019

Project: Hillridge Water Plant Improvements, Phase II

Owner: City La Porte, Texas

Construction Cost: \$1.1 Million

Contractor: W. W. Payton Corporation

Year Completed: On-Going

Reference Name: Jim Cartwright, P.E. Company: Langford Engineering

Email: Spoke on the phone, 713-461-3530

Dear Mr. Baker,

W. W. Payton Corporation is the apparent low bidder for the City of La Porte Hillridge Water Plant Improvements Project, Phase II, and has submitted your name as a reference. Reference responses will be included in HDR's Bid Evaluation and Letter of Recommendation for this project.

HDR would appreciate your time in rating your experience with this Contractor. Please circle the number corresponding to the response which best indicates your opinion of the Contractor as it relates to each item.

	Excellent	Above Average	Average	Below Average	Poor	
Rate the Contractor's overall performance and quality of work	10	9	8	7	6	5 4 3 2 1 No Opinion
Rate the Contractor's construction supervision & project management teams	10	9	8	7	6	5 4 3 2 1 No Opinion
Rate the Contractor's ability to complete the project within the time allotted	10	9	8	7	6	5 4 3 2 1 No Opinion
Were there any change orders on the project? If so, what were the reasons? Were they reasonable?	<u>Good to work with on change orders; does what is needed, and not to drive up project price</u>					
Rate the Contractor's responsiveness to warranty work requests, and the quality of the warranty work.	10	9	8	7	6	5 4 3 2 1 No Opinion
Rate the Contractor's restoration and clean-up work.	10	9	8	7	6	5 4 3 2 1 No Opinion
Would you want to work with this Contractor again?	<u>Yes</u>					

Thank you for your time in participating in the proposal evaluation process for this project.

Sincerely,

Ryan Nokelby, P.E.
Project Manager

Additional notes:

W.W. Payton has done an extensive rehab of Water Plant #1 in Harris County MUD #33 that is similar in scope to that of the proposed Hillridge Project. Mr. Cartwright noted that the Contractor worked very well with a re-scoping of a previous project.

hdrinc.com

QUALIFICATION STATEMENT

Submitted to: City of La Porte

By: W. W. PAYTON CORPORATION (Corporation)

Principal Office: 30655 F.M. 529, BROOKSHIRE, TEXAS 77423

Mailing Address: P.O. BOX 1056, KATY, TEXAS 77492-1056

The signatory of this questionnaire guarantees the truth and accuracy of all statements and of all answers to interrogatories hereafter made.

1. **How many years has your organization been in business as a general contractor under your present Business name?** 28

2. **How many years' experience in this type of construction work has your organization had:**
 - (a) as a general contractor? 28
 - (b) as an electrical contractor? 28

3. **What projects has your organization completed?**
See the attached Supplemental Information (SI-1)

4. **Have you ever failed to complete any work awarded you?** No

If so, where and why? N/A

5. **Have you completed any projects within the area of this project?** Yes

If so, when, where & what? We have completed various water plants within Harris, Fort Bend, Brazoria, Galveston & Montgomery Counties. We do all phases of construction including civil, mechanical and electrical with our construction forces.

6. **The work, if awarded you, will have the personal supervision of whom?**
 - a. For administrative management? Eric A. Sliva / Chad J. Payton
 - b. For general construction superintendence? Dana L. Nelson
 - 1) What experience does the designated General Construction Superintendent have in this type of work?
All excavation & dirt, all structural items, all mechanical & electrical (including SCADA) and various Other items.

QUALIFICATION STATEMENT

7. **What equipment do you own that is available for the proposed work?**

We own our own bulldozers, backhoes, loaders and various sizes of trucks and trailers. All hand, power & motorized tools and equipment required to accomplish the construction connected with this proposed contract is owned by W. W. Payton Corporation and are maintained in a new or first-class service condition. Other equipment required on a temporary or occasional basis is rented or leased, as required. We also have required instrumentation & test equipment for electrical work.

8. **Do you have adequate bonding capacity to provide a performance bond and labor and material payment bond for this project? What is your available bonding capacity?**

Yes

\$ 35,000,000.00

9. **List the construction projects your organization has underway on this date.**

Please see the attached Supplemental Information (SI-2)

10. **Banking Reference** - Austin County State Bank
436 South Front Street – Bellville, Texas 77418
Ph: (979) 865-4200 Contact: Jim O’Jibway

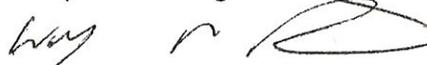
11. **Accountant** - Morris, Ligon & Rodriguez
13333 Southwest Freeway #190, Sugar Land, Texas 77478
Ph: (713) 242-2400 Contact: Steve Ligon

12. **Surety Company** - Hartford Fire Insurance Company
c/o Marsh & McLennan Agency
2500 City West BLVD, Suite 2400
Houston, Texas 77042
Ph: (713) 780-6100 Contact: Glen Odell, Agent

QUALIFICATION STATEMENT

W. W. Payton Corporation

(Name of Organization)



Wesley W. Payton – President

STATE OF TEXAS

COUNTY OF WALLER

Wesley W. Payton, being duly sworn, deposes and says that he is the President of the above W. W. Payton Corporation and that the answers to the foregoing questions and all statements there in contained are true and correct.

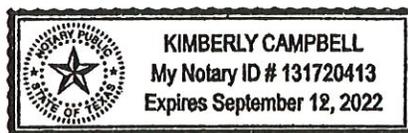
Sworn to before me this

25th day of June, 2019



(Notary Public)
Kimberly Campbell

My Commission Expires: 9-12-2022



Access Report

Agency

City of La Porte (TX)

Bid Number

19015

Bid Title

HILLRIDGE WATER PLANT IMPROVEMENTS PHA

Vendor Name	Accessed First Time	Most Recent Access
aztec remodeling & landscaping	2019-05-02 09:56 AM CDT	2019-06-18 10:41 AM CDT
Tukmol General Contractor	2019-05-03 02:29 AM CDT	2019-05-03 02:29 AM CDT
North America Procurement Co	2019-05-08 02:21 AM CDT	2019-06-21 03:26 AM CDT
Horseshoe Construction, Inc	2019-05-02 06:53 PM CDT	2019-06-11 08:32 AM CDT
Perkens WS Corporation	2019-05-09 06:33 AM CDT	2019-06-23 11:51 PM CDT
PierCon Solutions	2019-06-20 03:08 PM CDT	2019-06-20 03:08 PM CDT
Control Panels USA, Inc.	2019-05-02 10:56 AM CDT	2019-05-02 10:57 AM CDT
CMS	2019-05-02 11:40 PM CDT	2019-06-24 11:40 PM CDT
Highlander Contracting, LLC	2019-05-02 10:56 AM CDT	2019-05-02 10:56 AM CDT
Wayne Enterprises	2019-05-02 01:23 PM CDT	2019-06-25 01:21 PM CDT
T & C Construction, Ltd	2019-05-02 04:16 PM CDT	2019-05-02 04:19 PM CDT
Hendee Enterprises	2019-05-02 09:59 AM CDT	2019-05-02 10:01 AM CDT
The Blue Book Building & Cons	2019-05-23 10:46 PM CDT	2019-05-23 10:46 PM CDT
SAK Construction, LLC	2019-05-02 04:52 PM CDT	2019-05-02 04:52 PM CDT
Monroe Pump Service Inc.	2019-05-03 01:03 PM CDT	2019-05-03 01:06 PM CDT
R J Construction Company, Inc	2019-05-02 12:23 PM CDT	2019-05-02 12:28 PM CDT
ConstructConnect	2019-05-02 12:30 PM CDT	2019-05-02 01:25 PM CDT
SO	2019-05-02 04:24 PM CDT	2019-05-02 04:24 PM CDT
BidClerk	2019-05-03 04:39 AM CDT	2019-06-25 12:08 AM CDT
Hearn Company	2019-05-16 08:42 AM CDT	2019-05-16 08:42 AM CDT
SmartProcure	2019-05-06 09:31 AM CDT	2019-06-24 08:13 PM CDT
W.W. Payton Corportion	2019-05-02 09:15 AM CDT	2019-06-27 09:18 AM CDT
Dodge Data & Analytics	2019-05-02 10:20 AM CDT	2019-07-02 04:30 AM CDT
Construction Software Technol	2019-05-02 02:12 PM CDT	2019-06-25 02:54 PM CDT
Construction Journal	2019-05-06 03:38 AM CDT	2019-05-24 02:45 PM CDT
IMS	2019-05-03 03:13 AM CDT	2019-05-03 03:13 AM CDT
Freese and Nichols, Inc.	2019-05-09 04:01 PM CDT	2019-05-09 04:01 PM CDT
ConstructConnect	2019-05-09 04:42 AM CDT	2019-05-09 04:42 AM CDT
Webtech	2019-05-03 06:41 AM CDT	2019-06-15 05:59 AM CDT
BrainSurface LLC	2019-05-11 02:46 AM CDT	2019-05-11 02:46 AM CDT
Ferguson - Plant Division	2019-06-21 01:06 PM CDT	2019-06-21 01:06 PM CDT
BBI	2019-05-06 09:53 AM CDT	2019-05-06 09:53 AM CDT
ferguson WW	2019-06-10 08:22 AM CDT	2019-06-10 08:48 AM CDT
Onvia	2019-05-02 01:01 PM CDT	2019-06-20 03:54 PM CDT
Dodge Data & Analytics	2019-05-06 03:26 PM CDT	2019-05-06 03:26 PM CDT
Advanced Starlight Internationa	2019-05-08 09:02 AM CDT	2019-06-22 11:46 AM CDT
Boyer, Inc.	2019-05-02 09:45 AM CDT	2019-06-17 05:51 PM CDT
ConstructConnect	2019-05-02 04:06 PM CDT	2019-06-17 05:00 PM CDT
HDR Engineering, Inc.	2019-05-02 09:24 AM CDT	2019-05-02 09:35 AM CDT

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I -Rebid.pdfAddendum No. 1 - 19015 Hillridge Water Plant Ph II.pdfOriginal Pre-Bid Meeting Minutes 3-7

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City of La Porte - Hillridge Water Plant Improvements Phase II-REBID CivCAST Planholders List 7-2-19

Company	Company Type	Contact Name	Contact Phone	Contact Fax	Email	Notes
SCHIER CONSTRUCTION CO., INC	General Contractor	Brenda Carlson	281-469-1822	281-469-1373	brenda@schierconstruction.com	Download Plans
Bussell & Sons, LLC	General Contractor	Kenneth Gassiot	2813519801	2813516454	kgassiot@bussellandsons.com	Download Plans
C4 Partners	General Contractor	Toni Johnson	281-373-0367 x120	281-373-4587	tjohnson@c4partners.net	Download Plans
Sustanite Support Services	General Contractor	Bart Adams	281-615-1449		Bids@s3-sustanite.com	Download Plans
Brookstone	General Contractor	Ryan Busking	2819149796		rbusking@brookstone-tx.com	Download Plans
Resicom, Inc	General Contractor	Ike Anya	713-666-7775	713-666-0775	ike@resicominc.com	Download Plans
Schier Construction Co., Inc.	General Contractor	Jim Schier	281-469-1822	281-469-1373	jims@schierconstruction.com	Download Plans
Resicom, Inc.	General Contractor	Michelle Turner	713-666-7775	713-666-0775	construction@resicominc.com	Download Plans
B-5 construction	General Contractor	charlie Bell	2813563264		charlie.bell@tejasunderground.com	Download Plans
Flatiron	General Contractor	Blane Len	972-482-1040		blane@flatironcorp.com	Download Plans
Gadberry Construction	General Contractor	Dustin Gadberry	214-325-5628		dustin@gccorp.net	Download Plans
Gael, Inc.	General Contractor	John Roughneen	281 734 2030		johnroughneen@att.net	Download Plans
C & C Water Services	General Contractor	Garrett Huebner	8327617793		garrett@c-cwaterservices.com	Download Plans
Double Oak	General Contractor	Jen Renfrow	936.931.9301	936.931.9305	bids@doubleoakinc.com	Download Plans
ALCO, LLC	General Contractor	Brandon Harrison	409-860-4459	409-860-3857	bharrison@alco.com	Download Plans
DSP Industrial, Inc.	General Contractor	Duane Partlow	281 932-9380		dspindustrial@yahoo.com	Download Plans
Allico	General Contractor	Billy Patterson	409-860-4459	409-860-3857	bpatterson@allico.com	Download Plans
W.W. Payton Corporation	General Contractor	Chad Payton	281-371-7068	281-371-7069	bids@wwpayton.com	Download Plans
Gemini Contracting Services, Inc.	General Contractor	Jim VanSchuyver	713-453-4691	713-453-5361	info@gemini-contracting.com	Download Plans
C3 Constructors	General Contractor	Chris Wade	9362232610		estimating@c3constructors.com	Download Plans
B-5 Construction Company	General Contractor	Sara Taylor	281-356-3264	281-356-3640	sara.taylor@b-5construction.com	Download Plans
Industrial Solution, Inc.	General Contractor	Willie Bowman	409-926-9331		willie@industrial-solution.com	Download Plans
R & B Group, Inc.	General Contractor	Elizabeth Morse	713-862-5800	713-862-5807	emorse@randbgroup.com	Interested, Download Plans
T Gray Utility & Rehab Co.	General Contractor	George Tamez	281 745 3353	281 254 7995	george.tamez@tgrayutility.com	Download Plans
Wharton-Smith	General Contractor	Kenneth Marcell	225-754-0550		kmarcell@whartonsmith.com	Download Plans, Not Bidding
FUSED Industries LLC	General Contractor	Scott C Caudill	434-987-7955		scott.caudill@fusedindustries.com	Download Plans, Interested
N & S Construction, LP	General Contractor	Frank Oliver	281-440-1414	281-440-5050	foiver@nsconstruction.net	Download Plans
SER Construction Partners, LLC.	General Contractor	Eric Garza	713-473-7900	713-473-7919	eric@serconstruction.net	Download Plans
TexasChile	General Contractor	JOSE BRAUN	8325173180		braun@txchile.com	Download Plans
Flintco, LLC.	General Contractor	Julio Gaviria	281-767-6300	281-767-6301	julio.gaviria@flintco.com	Download Plans
D G MEDINA CONSTRUCTION, LLC	General Contractor	D Medina	832-598-2234		bids@dgm Medina.com	Download Plans, Not Bidding
H K CONCRETE LLC	General Contractor	LUIS MENDEZ	2814522434		hkkoncrete@gmail.com	Download Plans
F & L Coatings and Concrete, LLC	General Contractor	Christel Ferrie	281-316-2203	281-316-1991	christel@fcoatings.com	Download Plans
Black Castle General Contractor	General Contractor	Rodney A. Schwarzlose	830-387-4623		rodneys@blackcastlecg.com	Download Plans
Black Castle General Contractor	General Contractor	Kaley Nickel	832 939 3625		kaleyn@blackcastlecg.com	Download Plans
Gilleland Smith Contracting, Inc.	General Contractor	Damon Gilleland	(281) 676-8231	(281) 936-1223	damon@gillelandsmith.com	Download Plans
D&L Quality Painting, INC.	General Contractor	Bob Bokemeyer	281-458-3588	281-458-2415	bbokemeyer@dlpainting.com	Download Plans
Star Construction Services	General Contractor	Stephen Wheaton	2816913364		srw@scs-prostar.com	Download Plans
Waste Corporation of Texas LP	SubContractor	Sandra Carpenter	832-570-7319	8325707319	scarpenter@wcamerica.com	Interested
SITELENS	SubContractor	Lupe Garcia	281-903-0244		lupe@siteleins.co	Download Plans
Andrew-Jordan Industrial	SubContractor	Michael Chambers	(832) 243-6888	(832) 486-9239	mchambers@ajielectric.com	Download Plans, Interested
Hydro Resources, Mid-Continent Inc	SubContractor	Amy Majors	5128584375	5128584666	AMajors@HydroResources.com	Download Plans
Control Panels USA, Inc.	SubContractor	Jason Triggs	210-420-7732		jtriggs@controlpanelsusa.net	Download Plans
Prime Controls	SubContractor	Jason Ford	281-253-2126		j.ford@prime-controls.com	Download Plans
J&A Coating, LLC	SubContractor	Kimberly Anderson	9036391022	9036391225	kim@jaccoatings.com	Download Plans
Mesa Contracting	SubContractor	J.D Trotter	972-424-5333	972-424-5338	jtrotter@mesacontracting.net	Download Plans, Not Bidding
Rangeline Tapping	SubContractor	Jarred Tompkins	346-600-3390		jarred@rangeline.com	Interested
Power Lift Foundation Systems, Inc.	SubContractor	Steve Barbour	800-441-5438		sbarbour@powerliftfoundation.com	Download Plans
BL Technology, Inc.	SubContractor	Candace Ekonomakis	832-698-8000	832-698-8081	CEkonomakis@bli.com	Download Plans
The Murillo Company	SubContractor	Sean Zadeh	4695639039		azadeh@murillocompany.com	Download Plans
Backwater Fence	SubContractor	Chris Morton	8326806107		cmorton@backwaterfence.com	Download Plans
Texas Industrial Control Manufacturing	SubContractor	Coy Sisson	281-296-8300	281-296-8302	CoySisson@icmtx.com	Download Plans
American Inshore Divers Corp.	SubContractor	Mike Aiken	281-581-2443		info@aids.us.com	Download Plans
Garland Heating and Air Conditioning	SubContractor	David Echols	9722783506	9722783506	dechols@garlandheatingandair.com	Download Plans, Interested
Corrosion Control Resources	SubContractor	Drew Johnson	8774326730	8663972297	drew@corrosioncr.com	Download Plans
JTB Services Inc	SubContractor	Brian Bulgier	713-941-4141	713-941-3405	bnbulgier@jtbervices.com	Download Plans
Titan Quality Power Services	SubContractor	Jeremiah Barnett	346-322-2530		jeremiahbarnett@titanqps.com	Download Plans
Hi-Tech Electric, Inc.	SubContractor	Manuel Castillo	2814875100	2814875600	mcastillo@hitechelectric.com	Download Plans
Grimsley Electric, Inc.	SubContractor	Trey Bauchman	325-641-0564	325-646-7784	trey@grimsleyelectric.com	Download Plans
Terrafirma Earth Technologies	SubContractor	Nasser Amiry	281-710-2535	281-652-5584	namiry@tfearth.com	Download Plans
Millennium Plus, Inc.	SubContractor	Bob Gardiner	281-648-3437		bob@mpielectric.com	Download Plans
Mickie Service Company	SubContractor	Andrew Latiolais	210.823.7176		andrew@mickieservice.com	Download Plans
MultiVolt Electric	SubContractor	Dathan Dalton	2542951985		dathan@multivoltelectric.com	Download Plans
Electrical Automation Controls	SubContractor	F. ACOSTA	2813629600		FlorenioAcosta@EACtx.com	Download Plans
Loran C Company	SubContractor	Dale McChesney	281-331-6991	281-331-5339	dalemchesney@loranccompany.com	Download Plans
K4 Environmental LLC	SubContractor	Jody Kirgan	832-413-5959		jody@k4ellc.com	Download Plans
NATIONAL FENCE COMPANY	SubContractor	DON YOUNG	281-590-5000	281-590-5088	bids@nationalfence.com	Download Plans, Not Bidding
Pfeiffer & Son, Ltd.	SubContractor	Bill Baker	281-471-4222	281-471-6856	bill@pfeifferandson.com	Download Plans
EAC	SubContractor	Chad Hyman	281-362-9600	281-296-8302	chadhyman@eactx.com	Download Plans
Bland Insulation	SubContractor	Donald Bland	903-887-7473	903-887-7472	blandinsulation@embarqmail.com	Download Plans
LandPro, Inc.	SubContractor	Jessica Kendall	281-591-7372		estimating@landproinc.net	Download Plans
Mersino Global Pump	SubContractor	Matt Shakerian	3462412881		matt.shakerian@globalpump.com	Interested, Download Plans
J.W. Reneau Roofing Co.	SubContractor	Larry Reneau	281-442-1451	281-442-0508	ldreneau@msn.com	Download Plans
Belectric LLC	SubContractor	Bobby Rosenbusch	281-766-1325	281-356-3640	bobby.rosenbusch@brelectllc.com	Download Plans
Landpro, Inc.	SubContractor	Richard Stafford	281-591-7372	281-591-7375	richard@landproinc.net	Download Plans
Chlorinator Maintenance Construction	SubContractor	James Manuel	713472-1201	713-477-1221	jamesmanuel@me.com	Download Plans
Foster Fence LTD	SubContractor	Alex Carlson	832-584-0643		acarlson@fosterfence.com	Download Plans
Universal Coating Specialists, LLC.	SubContractor	Keith Blakley	281-442-6400	832-437-2145	keith@ucs-tx.com	Download Plans
Chlorinator Maintenance Inc.	SubContractor	Pam Manuel	7134721201	7134727717	pmanuel71@outlook.com	Download Plans
A&H Services	SubContractor	Allen Lott	832-492-4930		ahservices@yahoo.com	Download Plans
Texas Industrial Control Manufacturing	SubContractor	Storm Ruffin	936-703-5102		stormruffin@icmtx.com	Download Plans
Fitch Services Inc.	SubContractor	Lee Fitch	832-467-0926	832-467-0928	fitchservices@sbcglobal.net	Download Plans
foster fence	SubContractor	Jose Posada	2814567273		jposada@fosterfence.com	Download Plans
Tank Builders, Inc.	SubContractor	Kent Kromer	817-510-0160	817-510-0166	kekromer@tankbuildersinc.com	Download Plans
Clarion Electrical, LLC	SubContractor	Nathan Ladner	281-373-0367		nladner@clarionelec.com	Download Plans
Clarion Electrical LLC	SubContractor	Mike Leach	346-818-7090	281-373-4587	mleach@clarionelec.com	Download Plans
Ace Controls LLC	SubContractor	Agmed Aguirre	713-589-5494	713-589-5559	agmed.aguirre@acecontrolsllc.com	Download Plans
M.A.K. Fencing, Inc	SubContractor	Fred Keyes	8329190295		makfencing@gmail.com	Download Plans
Clean Seal America Inc.	SubContractor	Bobby Wright	7134196139		cleansealamerica@hotmail.com	Download Plans
C & C Fence Corp	SubContractor	Anna Howard	713-947-9888	713-947-9932	ahoward@ccfence.com	Download Plans
Holes Inc.	SubContractor	Eddie Jester	281-469-7070	281-469-6207	edjester@holesinc.com	Download Plans
Bastrop Alamo Masonry	SubContractor	Randy Ray	5127187895		bamasonryllc@gmail.com	Download Plans
Ferguson Waterworks	Supplier	Victor Rodriguez	8329959713		victor.rodriguez1@ferguson.com	Download Plans
Pumps of Houston, Inc.	Supplier	Sabrina Hoffart	832-448-5923	281-931-1083	shoffart@pumpsofhouston.com	Download Plans
Ferguson Waterworks	Supplier	Dave Williams	9185056524		dave.williams@ferguson.com	Download Plans
FERGUSON PLANT DIVISION	Supplier	VANESA GARZA	210-662-4902	210-662-4825	vanesa.garza@ferguson.com	Download Plans
Hammer & Steel	Supplier	Denise Mayberry	9362578790		dmayberry@hammersteel.com	Download Plans
The Valve Agency Inc	Supplier	Heather Wray	281-883-4331	972-200-1442	sales@thevalveagency.com	Download Plans
Industrial Networking Solutions	Supplier	Ravi Chhabra	972-248-7466		rchhabra@industrialnetworking.com	Download Plans

City of La Porte - Hillridge Water Plant Improvements Phase II-REBID CivCAST Planholders List 7-2-19

Company	Company Type	Contact Name	Contact Phone	Contact Fax	Email	Notes
Waukesha-Pearce Industries	Supplier	Nathan Parker	713-551-0434	713-551-0799	parker@wpi.com	Download Plans
Benningfield Steel Fabrication, LLC	Supplier	Tim Thomas	832-831-3691	832-831-3692	tim@benningfieldsteel.com	Download Plans, Not Bidding
Weisinger Incorporated	Supplier	Dean C. Wilburn	936-756-7721	936-756-7723	dwilburn@weisingerinc.com	Download Plans
Pump Solutions	Supplier	Brett Rose	817-403-6638	817-684-0905	brett@pumpsolutions.net	Download Plans
Smith Pump Company	Supplier	Matt Ramburger	1-254-776-0377	1-254-399-8274	matrr@smithpump.com	Download Plans
Environmental Improvements, Inc.	Supplier	Blake Roye	713-461-1111		blake@ei2hou.com	Download Plans
Hartwell Environmental	Supplier	David Alston	281-351-8501	281-351-8323	dalston@hartwellenv.com	Download Plans
Ferguson WW Plant Div	Supplier	Tom Ellis	512-635-1865	512-930-2388	tom.ellis@ferguson.com	Download Plans
Macaulay Controls	Supplier	Sarah Guzman	713-412-8159		SGuzman@macaulaycontrols.com	Download Plans
Macaulay Controls Company	Supplier	Nicole Peters	2812820100		npeters@macaulaycontrols.com	Download Plans
WWaterTech, Inc.	Supplier	Cathy Aldrich	9363725272		caldrich@wwatertechinc.com	Download Plans
Sigma Industries, Inc	Supplier	Syed Kamal	303-782-6944	303-782-6964	sigmaid2003@yahoo.com	Download Plans
knape Associates	Supplier	Renee Evans	713-467-2777		renee@knapeassociates.com	Download Plans
Newman Regency Group	Supplier	Paul Pilisi	281-980-7448	281-980-7447	paul@newmanregency.com	Download Plans
Knape Associates	Supplier	Peter Wuensch	713-467-2777		peter@knapeassociates.com	Download Plans
JDC Fluid Equipment, LLC	Supplier	Tommy Truitt	281-586-7087	281-586-7088	tommy@jdcfluid.com	Download Plans
Weisinger Inc.	Supplier	Gary Bielak	936-756-7721	936-756-7723	gbielak@weisingerinc.com	Download Plans
Cohen Industrial Supply Co.	Supplier	Toi Copenhaver	7134673300	713-467-3397	tcopenhaver@cohenpipe.com	Download Plans
Control Process Systems, Inc	Supplier	Tammy Collins	918-445-5205	918-446-8812	tcollins@ctrlol.com	Download Plans
Pumps of Houston Inc.	Supplier	Fred Jensen	281-736-5317	903-626-5399	fredj@pumpsofhouston.com	Download Plans
Brittix International Pipe Supply	Supplier	Alan Dolezal	713-991-6107	713-991-3128	alan@brittixpipe.com	Download Plans
Xylem Inc. / Godwin Pumps	Supplier	Dan Fain	281-864-9200	281-864-9205	dan.fain@xyleminc.com	Download Plans
Geo Con Supply, LLC.	Supplier	anthony harley	2818277045		tharley@geoconsupply.com	Download Plans
R Bruce Consulting	Supplier	Robert Larrabee	972-345-5857		rbruce2805@gmail.com	Download Plans
Pumps of Houston	Supplier	Jacob Strunk	8329826405		jstrunk@pumpsofhouston.com	Download Plans
Macaulay Controls Company	Supplier	Karl Hollway	2812820100	281-282-0077	khollway@macaulaycontrols.com	Download Plans
Ferguson Waterworks	Supplier	Jack Towler	(832) 995-4091		jack.towler@ferguson.com	Download Plans
Herc Rentals	Supplier	Kyle Watkins	281-253-2356		kyle.watkins@hercrentals.com	Download Plans
The Reynolds Company	Supplier	Perry Bourgeois	713-934-6026		plbourgeois@reynco.com	Download Plans
Cohen Industrial	Supplier	Carlos Gonzalez	7134673300		cgonzalez@cohenpipe.com	Download Plans
WHOLESALE ELECTRIC	Supplier	JAMES PETTIT	713-320-9629		jp Pettit@wholesaleelectric.com	Download Plans
Precision Pump Systems	Supplier	Maddie Zerbe	3462931596		mzerbe@precisionpumpsystems.com	Download Plans, Interested
Mayer Electric	Supplier	Hector Diaz	713-345-2345		hdiaz@mayerelectric.com	Download Plans
WETS LLC (Water Equipment & Treatment Services)	Supplier	Keyur Gorji	7134093366		keyur@wetsinc.com	Download Plans
Bartos Industries	Supplier	Bid Coordinator	214-350-6871		bidding@bartosindustries.com	Download Plans
wildcat electric	Supplier	andy stell	832-325-2746		astell@wildcaterlectric.com	Download Plans
Metrotex	Supplier	Steve Lowe	713-473-3900		sglowe@metrotexfab.com	Download Plans
GEXPRO ELECTRICAL SUPPLY	Supplier	Scarlet Covert	713-939-5208	713-939-5159	scarlet.covert@gexpro.com	Download Plans
RE Campbell Company	Supplier	Dusty Barrett	7139578721	(713) 957-8026	Dusty@reccampbell.com	Download Plans
HUGH CUNNINGHAM COMPANIES	Supplier	RICK DAWSON	888-647-6585	800-900-0380	rdawson@hughcunningham.com	Download Plans
Environmental Improvements	Supplier	Joey Justice	713-461-1111	713-461-1821	jjustice@ei2austin.com	Download Plans
The Reynolds Company	Supplier	Kevin Hare	713-934-6090		khare@reynco.com	Download Plans
JORDAN'S MANUFACTURING	Supplier	HAROLD MILLER	8176561033	817-656-4281	hm.jordansmfg@gmail.com	Download Plans
Precision Pump Systems	Supplier	Quinton Merritt	7137838530		qmerritt@precisionpumpsystems.com	Download Plans
Global Treat Inc.	Supplier	Cameron Vandergriff	281 370 3425	2813703571	cameron@globaltreat.com	Download Plans
Lewis Industrial Sales	Supplier	Risher Lewis	281-923-4005		baheptig@gmail.com	Download Plans
Katy Steel Company	Supplier	Rob McKee	281-391-7047	281-391-3848	robmckee@consolidated.net	Download Plans
Eldridge Ventilation	Supplier	Clayton Settle	7137807200		csettle@eldridgeusa.com	Download Plans
CED Houston	Supplier	Lance Leonard	281-873-4233		lleonard@cedhouston.com	Download Plans
Handling Systems & Conveyors	Supplier	Cesar Valero	817-223-8164		cesar.valero@hsc-ir.com	Download Plans
TURTLE & HUGHES, INC.	Supplier	JACOB MAST	7132305257		JACOB.MAST@TURTLE.COM	Download Plans
Summit Electric Supply	Supplier	Carlos Fernandez	713-230-6300		cfernandez@summit.com	Download Plans
Core and Main	Supplier	Jaunda Payne	713-466-9067		Jaunda.Payne@coreandmain.com	Download Plans
Core & Main	Supplier	Laura Trujillo	713-466-9067	713-849-0413	laura.trujillo@coreandmain.com	Download Plans
JCS Industries, Inc.	Manufacturer	Jackie Whitmore	281-353-2100 Ext 810	281-353-0657	jwhitmore@jcsindustries.us.com	Download Plans
JCS Industries, Inc.	Manufacturer	Scotty Whitmore	2813532100	2813530657	scotty@jcsindustries.us.com	Download Plans
ICP	Manufacturer	Bob Hook	918-286-6350		bhook100@cox.net	Download Plans
Behrens and Associates Environmental Noise Control	Manufacturer	Evan Langston	8179943442		elangston@baenc.com	Download Plans
Cummins	Manufacturer	John Solheim	7134409286		john.solheim@cummins.com	Download Plans
Sherwin-Williams	Manufacturer	Trey Collier	8326275422	713-473-4510	trey.collier@sherwin.com	Download Plans
United Blower, Inc.	Manufacturer	Jennifer Smith	770-479-3000	770-479-3111	jsmith@unitedblower.com	Download Plans
Control Panels USA, Inc	Manufacturer	John McClanahan	512-863-3224		jmcclanahan@controlpanelsusa.net	Download Plans
Stewart & Stevenson	Manufacturer	Karla Rodriguez	7136716291		krdriguez@ssss.com	Download Plans
Kryton International	Manufacturer	Shane Mullinix	512-818-7778		smullinix@kryton.com	Download Plans
The Barry Group, LLC	Manufacturer	Kimberly Sims	972-312-8448		ksims@barrygroupllc.com	Download Plans
LOC Scientific Inc.	Manufacturer	Chelsea Bolin	6787304523		bolinc@locinc.com	Download Plans
BlackGuard PVC Coated Products by N.E.C., Inc	Manufacturer	Keith Conley	7138986888		keith@nec-inc.com	Download Plans
E-Tel Sales	Manufacturer	Doug Huber	2814140066		dhuber@etelinc.com	Download Plans
Bexar Concrete Works I, Ltd.	Manufacturer	Nisha Urbina	210-497-3773	210-497-3810	abenisha.urbina@bexarconcrete.com	Download Plans
THREE PHASE LLC	Manufacturer	Robert Jennejohn	512-230-5922	(512) 730-9231	rjennejohn@3phaz.com	Download Plans
Clayton Control Systems	Manufacturer	Walter Latham	713-996-8885	713-996-8889	waltlatham@claytoncontrolsystems.com	Download Plans
BC&T Metal Works, LLC	Manufacturer	Benedicto Turriarartes	8323294221		benny@bcmettalworks.net	Download Plans
Lonestar Prestress Mfg., Inc.	Manufacturer	Leo Rowe	713-896-0994	713-896-0762	lrowe@lonestarpstress.com	Download Plans
Siemens Industry, Inc.	Manufacturer	Scott LeMaire	346-206-9240		scott.lemaire@siemens.com	Download Plans
gate	Manufacturer	Chris Lodico	281-485-3273	281-485-7466	jphillips@gateconcrete.com	Download Plans
Eaton Corporation	Manufacturer	Robert Patterson	713-849-1624		robertmpatterson@eaton.com	Download Plans
HDR Inc.	Engineer	Ryan Nokolby	713-622-9264	713-622-9265	Ryan.Nokolby@hdrinc.com	Download Plans
Burrer Engineering, Inc.	Engineer	Eric Burrer	281-841-9405		eric@burrereng.com	Download Plans
Baird Gilroy & Dixon, LLC	Engineer	Jon-Paul Dixon	281-529-5005		jdixon@bgdeng.com	Download Plans
Odyssey Engineering Group	Engineer	Mark Hodges	281-306-0240		MHodges@odysseyeng.com	Download Plans
Tolunay-Wong Engineers, Inc	Engineer	Mary Catherine Francis	713-722-7064		mcf Francis@twinc.com	Download Plans
Bleyl Engineering	Engineer	Austen Beck	936-271-9600		Abeck@bleylengineering.com	Download Plans
Cardno Inc	Engineer	Leivon Caddie	512-516-2493	512-520-2571	leivon.caddie@cardno.com	Download Plans
DN Tanks	Engineer	Ryan Wessels	361-799-9566		ryan.wessels@dntanks.com	Download Plans
IHI E&C Int. Corp.	Engineer	Matthew Malie	832-770-2727		matthew.malie@ihi-ec.com	Download Plans
Langford Engineering, Inc.	Engineer	Timothy Hardin	7134613530	7139327505	tim.h@langfordeng.com	Download Plans
Jones & Carter, Inc.	Engineer	Kyle Kaspar	713-777-5337		kkaspar@jonescarter.com	Download Plans
Langford Engineering, Inc.	Engineer	Cartwright Jim	7134613530		jim.c@langfordeng.com	Download Plans
Alpha Testing	Engineer	Trey Virgadamo	8324238642		tvirgadamo@alphatesting.com	Download Plans
CDM Smith Inc.	Engineer	Gerald Furrier	713-423-7337	281-589-8295	Furrier3@gmail.com	Download Plans
Hatch Associates	Engineer	Tim Gobrogge	7134679961		tim.gobrogge@hatch.com	Download Plans
Meers Engineering	Engineer	Leland Godbee	325-691-1200	325-691-1206	leland.godbee@meersengineering.com	Download Plans
Landev Engineers	Engineer	Lawrence Goldberg	7138692402	7138696702	lgoldberg@landevengineers.com	Download Plans
Shrader Engineering	Engineer	Craig Shrader	713-467-9961		marketing@shrader.net	Download Plans
ABB	Architect	Matt Graven	281-451-9533		mgraven71@gmail.com	Download Plans
AMTEK Information Sevice, Inc. - Houston	Plan Room	Todd Kimball	(713) 868-0010		amtek.houston@amtekusa.com	Download Plans
Virtual Builders Exchange	Plan Room	John Miller	210-564-6900	210-564-6902	jmiller@virtualbx.com	Download Plans
Prime Vendor Inc.	Plan Room	Bid Clerk Bid Clerk	800-746-9554	800-746-8307	govtbids@prime-vendor.com	Download Plans
Construction Journal	Plan Room	Pamela Exton	8007855165	8005817204	bids@constructionjournal.com	Download Plans

City of La Porte - Hillridge Water Plant Improvements Phase II-REBID CivCAST Planholders List 7-2-19

Company	Company Type	Contact Name	Contact Phone	Contact Fax	Email	Notes
Paint Bid Tracker	Other	Will Dodds	412-431-8300	412-431-5428	wdodds@paintbidtracker.com	Download Plans
Construction Bid Source	Other	Sherri Schweickert	8887869450	8887869450	sherri@constructionbidsource.com	Download Plans
SPI	Other	Devin Monk	5125313953		dmonk@spartnerships.com	Download Plans
ENTRAM CORP	Other	JOHN FALCONE	888-888-0900		contact@envirobidnet.com	Download Plans
Contractors Register, Inc.	Other	Maria Deg	800-431-2584		govbidops@thebluebook.com	Download Plans
Technical Assurance	Other	JILLIAN MCKENZIE	281-296-9997		JMCKENZIE@TECHNICAL-ASSURANCE.COM	Download Plans
Peter Move	Other	Peter Malon	(281) 469-1855		peter562h@yahoo.com	Download Plans
Municipal Valve and Equipment	Other	Michael Robertson	512-847-9725		mrobertson@municipalvalve.com	Download Plans
METRO TEX FABRICATORS	Other	ADRIAN GARCIA	713-473-3900		agarcia@metrotexfab.com	Download Plans
Schroder Material Handling	Other	Leslie Cox	8642779933		schroderap@gmail.com	Download Plans
Alsay Incorporated	Not Specified	Charlie Liesberger	281-444-6960	281-444-7081	charlie.liesberger@alsaywater.com	Download Plans
Dobs Data	Not Specified	Dale Dobbins	713-468-6303		dobsdata@msn.com	Download Plans
Wingo Service Company, Inc.	Not Specified	Al Sheldt	2813679990		asheldt@wingocompanies.com	Download Plans

TOTAL PLANHOLDERS - 211

BID FORM
BID 19015-HILLRIDGE WATER PLANT IMPROVEMENTS PHASE II-REBID

DATE: 6-25-19

Bid of W.W. Payton Corporation an individual proprietorship, a corporation organized and existing under laws of the State of Texas, ~~a partnership consisting of~~ _____, for the Hillridge Water Plant Improvements Phase II, for the City of La Porte, Harris County, Texas.

Gentlemen:

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

BASE BID

Total of Item A, B & C

TOTAL BASE BID \$ 1,075,000.00 *wj*

Written One Million Seventy Five Thousand & No/100 Dollars *wj*

It is understood and agreed that the work shall be complete in full within 350 calendar days after the date on which work is to be commenced as established by the Contract Documents.

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

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

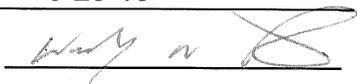
It is understood that the bid security accompanying this proposal shall be returned to the undersigned unless, in case of the acceptance of this proposal the undersigned should fail to enter into a construction contract and execute bonds as provided in the specifications. In the event the undersigned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

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

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

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

Date 6-25-19

Signed 

By Wesley W. Payton - President
(Title)

Company W.W. Payton Corporation

P.O. BOX 1056, Katy, Texas 77492
(Address)

(281) 371-7068
(Telephone Number)

bids@wwpayton.com
(Email Address)


Witness Marilyn R. Payton - Secretary

SEAL (if Bidder is a Corporation)

Acknowledge receipt of Addenda Below:

Addendum No.	<u>1</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Date Received	<u>6-17-19</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>

**CITY OF LA PORTE, TEXAS
HILLRIDGE WATER PLANT IMPROVEMENTS - PHASE II**

**BID PROPOSAL
Exhibit "A"**

A. BASE BID ITEMS					
BID ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	COST
1	Mobilization, complete in place, the sum of: (5% maximum)	1	L.S.	40,000.00	40,000.00
2	Site Work, including site stripping, grading, seeding or sodding, complete in place, the sum of:	1	L.S.	5,000.00	5,000.00
3	Construct 50'x20' (1,000 SF) Booster Station Precast Concrete Building, including but not limited to foundation, bedding and backfill, handrails, floor drains, drain line, roof, sidewalk, pipe bollards, MCC Room and equipment, chlorine feed room and equipment, and all associated architectural, structural, mechanical, and electrical appurtenances as shown on plans and as described in specifications, complete in place, the sum of:	1	L.S.	375,000.00	375,000.00
4	One (1) Horizontal Split Case Booster Pumps (1,000 gpm @120-ft Head), or equivalent, complete in place, the sum of:	1	L.S.	30,000.00	30,000.00
5	Two (2) Horizontal Split Case Booster Pumps (650 gpm at 120-ft Head), or equivalent, complete in place, the sum of:	1	L.S.	40,000.00	40,000.00
6	Station Piping to include all booster pump suction and discharge header piping as identified on the plans, including valves, fittings, and any requirements for proper operation of the plant as shown on plans and as described in specifications, complete in place, the sum of:	1	L.S.	60,000.00	60,000.00
7	Yard Piping to include all onsite water mains and drain lines outside booster station building as identified on the plans, including proposed flanged connection to Ground Storage Tank, valves, fittings, wet connections, drain lines connection to downspouts and grate inlet, and any trench safety requirements as shown on plans and as described in specifications, complete in place the sum of:	1	L.S.	30,000.00	30,000.00
8	Removal of bends, abandonment of water lines and suction lines, and installation of blind flanges as shown on plans and as described in specifications, complete in place, the sum of:	1	L.S.	2,000.00	2,000.00
9	Wet connection to existing 12" water line, including two 12" gate valves and boxes, as shown on plans and as described in specifications, complete in place the sum of:	1	L.S.	6,000.00	6,000.00
10	Remove and replace 6" thick concrete pavement and driveway, including sawcutting, subgrade, reinforcement and joints, complete in place, the sum of:	145	S.Y.	150.00	21,750.00
11	Remove and replace existing 8-ft chain link fence, install double 8-ft wide swing access gate and pedestrian gate as shown on plans and as described in specifications, complete in place, the sum of:	1	L.S.	5,250.00	5,250.00
12	Chlorine Disinfection System, including but not limited to, scale for 150# chlorine cylinder, gas chlorinators, automatic switchovers, injectors, solenoid valves and bypasses, gas sensor and alarm, wall-mounted self-contained breathing apparatus, high pressure booster pump, piping, feed lines, 1" schedule 80 PVC injection line, pipe connections, chlorine injection manhole, electrical, and all other items as shown on plans and as described in specifications for a complete and operational chlorine disinfection system, complete in place, the sum of:	1	L.S.	30,000.00	30,000.00
13	Electrical System Installation: Provide and install all work shown on plans and described in specifications including as follows: Provide and install motor control center, lighting and receptacles, pump motor feeders and terminal boxes, electrical service equipment, autosensory controls, generator quick connect, and all required appurtenances as shown on plans and as described in specifications for a complete operating system for a lump sum of:	1	L.S.	371,000.00	371,000.00
TOTAL BASE BID ITEMS (A):					1,016,000.00

**CITY OF LA PORTE, TEXAS
HILLRIDGE WATER PLANT IMPROVEMENTS - PHASE II**

**BID PROPOSAL
Exhibit "A"**

B. SUPPLEMENTAL BID ITEMS					
BID ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	COST
14	Install extra cement stabilized sand, complete in place the sum of:	100	C.Y.	<u>20.00</u> \$20.00 (2)	<u>2,000.00</u> \$2,000.00
15	12" x 12" TS&V, complete in place the sum of:	1	EA.	7,500.00	7,500.00
TOTAL SUPPLEMENTAL BID ITEMS (B):					9,500.00

C. CASH ALLOWANCE ITEMS					
BID ITEM	DESCRIPTION	UNIT	QTY	UNIT PRICE	COST
CA-1	Electrical Service: Include an "Allowance" for electrical service by the local Electrical Service Provider. Exact amount will be reimbursed to Contractor upon submittal of invoice from Electrical Service Provider for a lump sum of:	1	C.A.	\$25,000.00 (1)	\$25,000.00
CA-2	Controller Programming: Include an "allowance" for controller programming per Section 16-904 - "Controller," for a lump sum of:	1	C.A.	\$24,500.00 (1)	\$24,500.00
TOTAL CASH ALLOWANCE ITEMS (C):					\$49,500.00

TOTAL BID (A + B + C)	1,075,000.00
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Footnotes for Exhibit A

- 1) Fixed Unit Price determined prior to Bid. Cannot be adjusted by the Bidder.
- 2) Minimum Bid Price determined prior to Bid. Can be increased by the Bidder, but not decreased, by crossing out the Minimum and inserting revised price on the line above. Cannot be decreased by the Bidder.

City of La Porte Forms, Certifications, Notifications

- Respondent Affidavit **(Required)**
- Certification by Bidder **(Required)**
- Protection of Resident Workers **(Required)**
- Indemnity Hold Harmless Agreement **(Required)**
- Conflict of Interest Questionnaire **(Required)**
- Local Bidder Preference Form **(Optional)**
- Reference Form **(Required)**
- House Bill 89 Verification **(Required)**
- FORM 1295 (Notification, due after award)

**CITY OF LA PORTE
RESPONDENT AFFIDAVIT**

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

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

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

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

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

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

Respectfully submitted:

Business Name: W.W. Payton Corporation

Address: P.O. BOX 1056

Katy, Texas 77492

Printed Name: Wesley W. Payton - President

Authorized Signature: 

Date: 6-25-19

**CITY OF LA PORTE
CERTIFICATION OF RESPONDENT**

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

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

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

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

Or

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

(Initial one of the above)

Business Name: W.W. Payton Corporation

Address: P.O. BOX 1056

Katy, Texas 77492

Printed Name: Wesley W. Payton - President

Authorized Signature: 

Date: 6-25-19

CITY OF LA PORTE
PROTECTION OF RESIDENT WORKERS COMPLIANCE

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

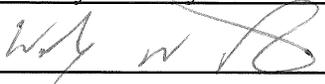
The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9).

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

Business Name: W.W. Payton Corporation

Address: P.O. BOX 1056
Katy, Texas 77492

Printed Name: Wesley W. Payton - President

Authorized Signature: 

Date: 6-25-19

CITY OF LA PORTE
INDEMNITY HOLD HARMLESS AGREEMENT

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

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

Business Name: W.W. Payton Corporation

Address: P.O. BOX 1056
Katy, Texas 77492

Printed Name: Wesley W. Payton - President

Authorized Signature: 

Date: 6-25-19

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

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

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

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

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

OFFICE USE ONLY

Date Received

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

Wesley W. Payton

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

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

N/A

Name of Officer

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

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

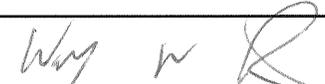
Yes No

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

Yes No

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

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

7 
Signature of vendor doing business with the governmental entity
Wesley W. Payton - President

6-25-19

Date

References:

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

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

Company Name	Contact	Address	Telephone	E-mail
(please see the attached 2 sheets)				

Company Name	Contact	Address	Telephone	E-mail

Company Name	Contact	Address	Telephone	E-mail

Company Name	Contact	Address	Telephone	E-mail

Company Name	Contact	Address	Telephone	E-mail

W.W. PAYTON CORPORATION

REFERENCES

1. AEI Engineering, Inc.
616 Cypress Creek Parkway, Suite 250
Houston, Texas 77090
Ph: 281-350-7027
Attn: Mr. Ross Crawford
Projects: West Memorial MUD
BP Improvements @ WP 1 & 2
Montgomery County MUD 15
Water Plant #2

Charterwood MUD
Conversion to Bleach System
2. Brown & Gay Engineers, Inc.
10777 Westheimer, Suite 400
Houston, Texas 77077
Ph: 281-558-8700
Mr. Doug Baker, P.E.
Projects: Harris County MUD #433
Water Plant #2
Clay Development
Pederson Road Water Plant

Harris County MUD #71
Water Plant #3
3. LJA Engineering & Surveying, Inc.
2929 Briarpark Drive, Suite 600
Houston, Texas 77042-3703
Ph: 281-782-4932
Mr. Gregg Haan, P.E.
Projects: Fort Bend County MUD 134A
Water Plant #2
Harris County MUD 530
Water Plant #1

Harris County MUD 531
Water Plant #1
4. Langford Engineering
1080 W. Sam Houston Parkway North, Suite 200
Houston, Texas 77043-5014
Ph: 713-461-3530
Mr. Jim Cartwright, P.E. and John Davis
Projects: Harris County MUD #33
Improvements to WTP #1
& Remote Well #1
Inverness Forest ID
Water Plant Improvements

Far Hills MUD
Water Plant Improvements

W.W. PAYTON CORPORATION

REFERENCES

5. Costello, Inc.
9990 Richmond Avenue, Suite 450 North Building
Houston, Texas 77042
Ph: 713-783-7788
Mr. Bill Zollman, P.E.
Projects: Harris County ID 18
Water Plant #1 (Serving Exxon campus)
- Montgomery County MUD #105
Water Plant #1
6. City of Conroe
300 W. Davis
Conroe, Texas 77305
Ph: 936-522-3122
Mr. Tommy Woolley
Projects: City of Conroe
Cooling Tower at Water Well #24
- Panorama Village
Hydro. Tank Addition
7. Jones & Carter
6330 West Loop South, Suite 150
Bellaire, Texas 77401
Ph: 713-777-5337
Mr. Toby McQueary, P.E.
Projects: Grand Mission MUD #1
Water Plant #3 – Phase I
- City of Rosenberg
Water Plant #8
- Montgomery County MUD #119
Water Plant #2 – Phase I
8. IDS Engineering Group
13430 NW Freeway, Suite 700
Houston, Texas 77040
Ph: (713) 462-3178
Mr. Teague Harris, P.E.
Projects: Harris County MUD #372
Booster Pump Station
- Nottingham County MUD
Water Well & Generator

House Bill 89 VERIFICATION

I, Wesley W. Payton (Person's name), the undersigned representative and authorized agent of W.W. Payton Corporation (Company or Business name)

being an adult over the age of seventeen (17) years, do hereby verify that the company named above, as required under the provisions of Subtitle F, Title 10, Texas Government Code Chapter 2270:

1. Does not boycott Israel currently; and
2. Will not boycott Israel during the term of the contract the above named Company, has with City of La Porte, Texas.

Pursuant to Section 2270.001, Texas Government Code:

1. "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes; and
2. "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or any limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business associations that exist to make a profit.

6-25-19

DATE


Wesley W. Payton - President
SIGNATURE OF COMPANY REPRESENTATIVE

City of La Porte

Section 00431
Bid Bond Form

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

IN WITNESS WHEREOF, the said Principal and Surety do sign and seal this instrument this 25th
day of June, 2019.

W.W. Payton Corporation
Principal/Contractor

By:

Wesley W. Payton, President

Hartford Fire Insurance Company
Surety

By:

Sharon Cavanaugh, Attorney-in-Fact

Address: 30655 FM 529

Brookshire, Texas 77423

Address: 3000 Internet Blvd.

Frisco, Texas 75034

NOTE: Attach Power of Attorney

POWER OF ATTORNEY

Direct Inquiries/Claims to:

THE HARTFORD

BOND, T-12

One Hartford Plaza

Hartford, Connecticut 08155

Bond.Claims@thehartford.com

call: 888-266-3488 or fax: 860-767-5835

KNOW ALL PERSONS BY THESE PRESENTS THAT:

Agency Name: MARSH & MCLENNAN AGENCY LLC

Agency Code: 61-610074

- Hartford Fire Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Casualty Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Accident and Indemnity Company, a corporation duly organized under the laws of the State of Connecticut
- Hartford Underwriters Insurance Company, a corporation duly organized under the laws of the State of Connecticut
- Twin City Fire Insurance Company, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of Illinois, a corporation duly organized under the laws of the State of Illinois
- Hartford Insurance Company of the Midwest, a corporation duly organized under the laws of the State of Indiana
- Hartford Insurance Company of the Southeast, a corporation duly organized under the laws of the State of Florida

having their home office in Hartford, Connecticut, (hereinafter collectively referred to as the "Companies") do hereby make, constitute and appoint, up to the amount of Unlimited :

Sharon Cavanaugh, C.W. Adams, Roxanne G. Brune, Sharen Groppell, David R. Groppell, Francine Hay, Beverly A. Ireland, Edward L. Moore, Kurt A. Risk, James W. Tomforde, Gloria Villa of HOUSTON, Texas

their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign its name as surety(ies) only as delineated above by , and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

In Witness Whereof, and as authorized by a Resolution of the Board of Directors of the Companies on May 6, 2015 the Companies have caused these presents to be signed by its Senior Vice President and its corporate seals to be hereto affixed, duly attested by its Assistant Secretary. Further, pursuant to Resolution of the Board of Directors of the Companies, the Companies hereby unambiguously affirm that they are and will be bound by any mechanically applied signatures applied to this Power of Attorney.



John Gray

John Gray, Assistant Secretary

M. Ross Fisher

M. Ross Fisher, Senior Vice President

STATE OF CONNECTICUT }
 COUNTY OF HARTFORD } ss. Hartford

On this 5th day of January, 2018, before me personally came M. Ross Fisher, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Hartford, State of Connecticut; that he is the Senior Vice President of the Companies, the corporations described in and which executed the above instrument; that he knows the seals of the said corporations; that the seals affixed to the said instrument are such corporate seals; that they were so affixed by authority of the Boards of Directors of said corporations and that he signed his name thereto by like authority.



CERTIFICATE

Kathleen T. Maynard

Kathleen T. Maynard

Notary Public

My Commission Expires July 31, 2021

I, the undersigned, Assistant Vice President of the Companies, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is still in full force effective as of
 Signed and sealed at the City of Hartford. June 25, 2019



Kevin Heckman
 Kevin Heckman, Assistant Vice President



Claims Inquiries Notice

Hartford Fire Insurance Company
Hartford Casualty Insurance Company
Hartford Accident and Indemnity Company
Hartford Underwriters Insurance Company

Twin City Insurance Company
Hartford Insurance Company of Illinois
Hartford Insurance Company of the Midwest
Hartford Insurance Company of the Southwest

Please address inquiries regarding Claims for all surety and fidelity products issued by The Hartford's underwriting companies to the following:

Phone Number : 888-266-3488
Fax – Claims : 860-757-5835 or 860-221-3965
E-mail : bond.claims@thehartford.com

Mailing Address : The Hartford
BOND, T-12
One Hartford Plaza
Hartford, CT 06155

IMPORTANT NOTICE

To obtain information or make a complaint:
You may contact your Agent.

You may call The Hartford's Consumer Affairs toll-free telephone number for information or to make a complaint at:
1-800-451-6944

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights, or complaints at:
1-800-252-3439

You may write the Texas Department of Insurance:
P.O. Box 149104
Austin, TX 78714-9104
Fax: (512) 490-1007
Web: www.tdi.texas.gov
E-mail: ConsumerProtection@tdi.texas.gov

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim, you should contact the (agent) (company) (agent or the company) first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY:

This notice is for information only and does not become a part or condition of the attached document.



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>07.22.19</u> Requested By: <u>Ian Clowes, City Planner</u> Department: <u>Planning & Development</u> <input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance
--

Appropriation	
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:	<input type="radio"/> Yes <input type="radio"/> No

Exhibits: **Ordinance No. 2019-3748**
 Proposed SCUP
 P&Z Recommendation Letter
 Aerial Map
 Zoning Map
 Applicant Information

SUMMARY & RECOMMENDATION

Applicant, Jeff Davis, is seeking approval of an amendment to the existing Special Conditional Use Permit (SCUP) to allow for the redevelopment of the existing pre-check truck facility. The specific tract is located at 900 E. Barbours Cut Blvd. and is legally described as Reserve A, Block 1, Port of Houston Authority.

The property is owned and operated by the Port Authority of Houston and houses one of their pre-check trucking facilities. The site is operating under an existing SCUP which was approved in 2003. The current SCUP was amended in October of 2017 to allow for extended hours of operation. This was due to an increase in traffic at the port and thus, an increase in trucks being processed through the pre-check facility.

The new request is to amend six (6) of the original thirteen (13) conditions in order to facilitate a proposed redevelopment and expansion of the current pre-check truck facility. The amendments are as follows:

Condition #3 - "Comply with the General Plan approved by the City."

- The Port Authority requests that Permit Condition No. 3 be amended to reflect an amended General Plan approved by the City, which reflects the updated Site Plan (See Exhibit D).

Condition #4 - "Ensure that at least 30 percent of the property consists of landscaping and/ or screening."

- The Port Authority requests that Permit Condition No. 4 be amended to add "landscaped ponds (either dry or wet) with native grasses at completion of the project" to the 30% requirement.

Condition # 5 - "Provide detailed landscape and screening plans during site plan submittal. Allow existing trees and shrubs to remain as natural buffer. Provide "in fill" planting of trees and shrubs."

- The Port Authority requests that the second and last sentences of Permit Condition No. 5 be amended to read as follows: "Allow existing trees and shrubs exterior to the sound wall to remain as a natural buffer. Provide "in fill" ponds with native grasses and planting of drought-tolerant trees along the boulevard R.O.W., which provides for one year of established watering."

Condition #6 - "Provide an irrigation system to ensure that all landscaping and careening is properly maintained by the owner/ developer."

- The Port Authority requests that Permit Condition No. 6 be deleted, as irrigation is not needed for native grass and drought tolerant trees per La Porte Zoning Ordinances.

Condition # 7 - "Adhere to the provisions and details shown in facilities lighting plan. Ensure that all illumination occurs on site and does not affect nearby residences."

- The Port Authority requests that the Permit Condition No. 7 be revised to delete the current text and replace it with, "The revised lighting plan shall adhere to the requirements of applicable City Ordinances."

Condition #8 - "Enhance the building facade so that it is architecturally and aesthetically pleasing. The Planning and Zoning Commission must approve the design."

- Since there is only a small electrical and IT building proposed in the new design, the Port Authority requests that Permit Condition No. 8 be replaced with, "The Planning and Zoning Commission must approve the design of the new building and canopies".

Notices of the Public Hearing, along with comment sheets, were sent to all property owners within 200' of the subject parcel. Staff did not receive any returned comment sheets for the proposed SCUP.

The Planning and Zoning Commission, at their June 20, 2019 regular meeting, voted 7-0 to recommend approval of the proposed SCUP, as presented with no additional conditions. Proposed SCUP (Exhibit A) is attached.

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 #19-91000004

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2019-3748

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. 19-91000004, AN AMENDMENT TO SPECIAL CONDITIONAL USE PERMIT NO. 17-91000002, FOR THAT CERTAIN PARCEL OF LAND LEGALLY DESCRIBED AS 20.769 ACRES ALONG EAST BARBOURS CUT BOULEVARD, BEING RESERVE A, BLOCK 1, PORT OF HOUSTON AUTHORITY, LA PORTE, HARRIS COUNTY, TEXAS; FOR THE PURPOSE OF THE REDEVELOPMENT OF THE EXISTING PRE-CHECK TRUCK FACILITY AT 900 EAST BARBOURS CUT BLVD., AND LOCATED IN A PLANNED UNIT DEVELOPMENT (PUD) ZONE; MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF;

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

Section 1. Chapter 106 “Zoning” of the Code of Ordinances is hereby amended by granting Special Conditional Use Permit #19-91000004, an amendment to Special Conditional Use Permit No. 17-91000002, attached hereto as Exhibit A and incorporated by reference for all purposes, to allow for the redevelopment of the existing pre-check truck facility on property generally located at 900 East Barboours Cut Blvd, said property being a 20.769 acre tract being legally described as Reserve A, Block 1, Port of Houston Authority, La Porte, Harris County, Texas.

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

Section 3. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 4. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, TX. Gov’t Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 5. The City Council of the City of La Porte hereby finds that public notice was properly mailed to all owners of all properties located within two hundred feet (200') of the properties under consideration.

Section 6. The City Council of the City of La Porte hereby finds, determines, and declares that all prerequisites of law have been satisfied and hereby determines and declares that the amendments to the City of La Porte Zoning Classification contained in this Ordinance as amendments thereto are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

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

PASSED AND APPROVED this the 22nd day of JULY, 2019.

CITY OF LA PORTE, TEXAS

By:

Louis R. Rigby, Mayor

ATTEST:

Lee Woodward, City Secretary

APPROVED AS TO FORM:

Clark Askins, Assistant City Attorney

City of La Porte
Special Conditional Use Permit #19-9100004

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

P.O. Box 2562 Houston, TX 77252
Address

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

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

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

Zoning: Planned Unit Development (PUD)

Use: Pre-check truck facility

Permit Conditions:

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

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

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

Validation Date: _____

Director of Planning

City Secretary

City of La Porte
Special Conditional Use Permit #19-9100004

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

P.O. Box 2562 Houston, TX 77252
Address

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

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

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

Zoning: Planned Unit Development (PUD)

Use: Pre-check truck facility

Permit Conditions:

1. Adhere to the terms of the Property Owners Value Assurance Program (as described in Exhibit F-1).
2. Sign an interlocal agreement with the City of La Porte regarding the Property Owners Value Assurance Program.
3. Comply with the amended General Plan as approved by the Planning and Zoning Commission.
4. Ensure that at least 30 percent of the property consists of landscaping and/or screening which shall include landscaped ponds (either dry or wet) with native grasses at completion of the project.
5. Provide detailed landscape and screening plans during site plan submittal. Allow existing trees and shrubs exterior to the sound wall to remain as a natural buffer. Provide "in fill" ponds with native grasses and planting of drought-tolerant trees along the boulevard R.O.W., which provides for one year of established watering.
6. Erect a sound wall constructed with a "rough" texture to decrease the likelihood of graffiti and to increase the likelihood that vines/greenery will attach to the wall.
7. The revised lighting plan shall adhere to the requirements of applicable City Ordinances.
8. The Planning and Zoning Commission must approve the design of the new building and canopies.
9. Prohibit the overnight parking of trucks at the facility between 6 pm and 6 am.
10. Hours of operation shall be no earlier than 7 am and no later than 11 pm.
11. Comply with all other applicable laws and ordinances of the City of La Porte and the State of Texas.

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

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

Validation Date: _____

Director of Planning

City Secretary



June 21, 2019

Honorable Mayor Rigby and City Council
City of La Porte

RE: Special Conditional Use Permit Request #19-91000004

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a special meeting on June 20, 2019 to hear a Special Conditional Use Permit request by Jeff Davis, applicant; on behalf of Port of Houston Authority of Harris County, Texas, owner; for a Special Conditional Use Permit Amendment to allow for a redevelopment of the existing pre-check truck facility for the Port of Houston. The subject site is located at 900 E. Barbours Cut Blvd and is legally described as Reserve A, Block 1, Port of Houston Authority. The subject site is zoned Planned Unit Development (PUD) and Section 106-659 of the Code of Ordinances requires a Special Conditional Use Permit for development within a PUD district.

The Commission voted 7-0 to recommend approval of the proposed SCUP amendment.

Respectfully submitted,

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



AERIAL MAP

SCUP AMENDMENT #19-9100004

 Subject Parcel

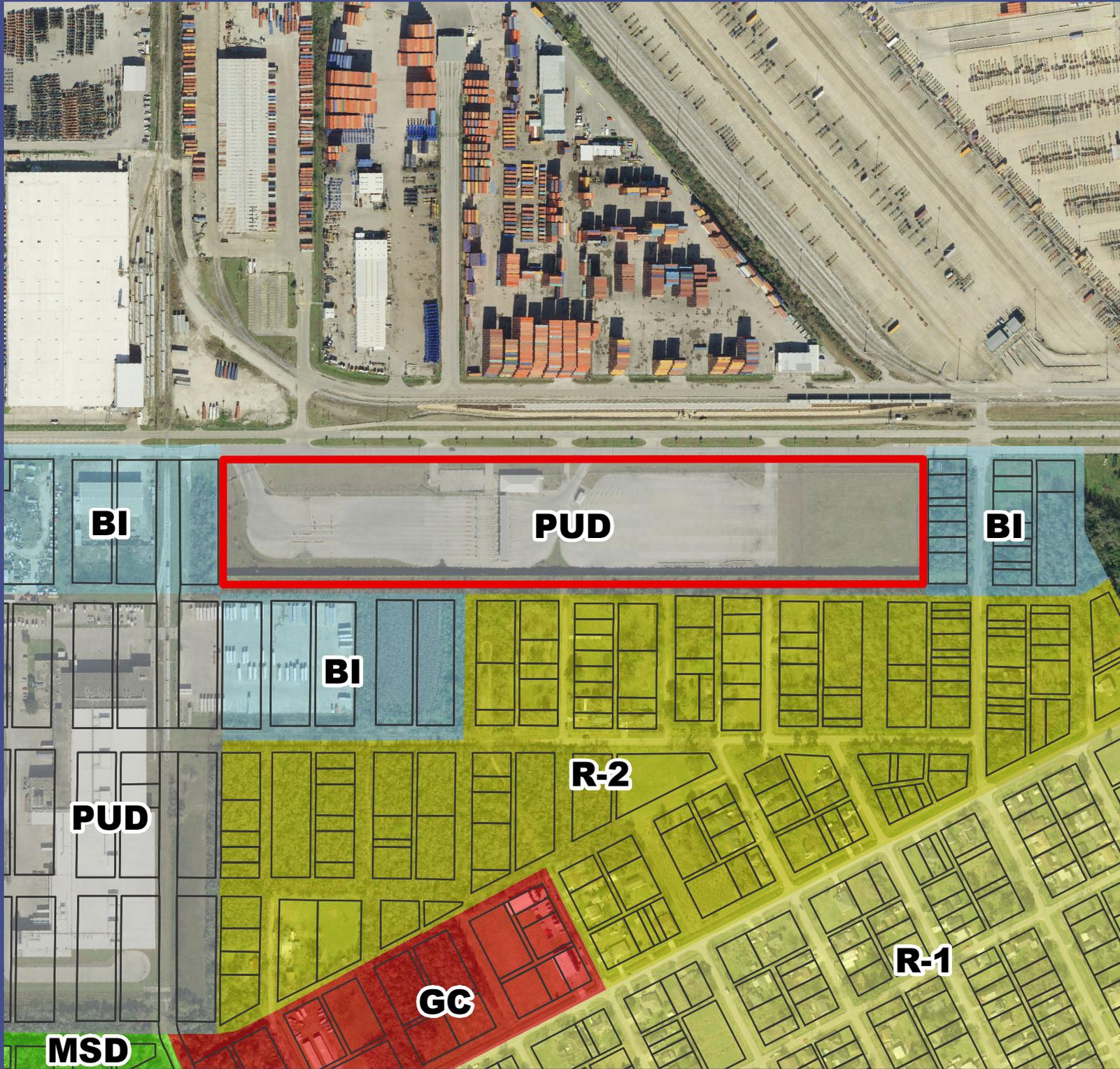


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 432 feet



JULY 2019
PLANNING DEPARTMENT



ZONING MAP

**SCUP AMENDMENT
#19-9100004**

 Subject Parcel



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

1 inch = 432 feet



**JULY 2019
PLANNING DEPARTMENT**



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: 521-629 E. Barbours Cut Blvd, La Porte, TX 7757

Legal description where SCUP is being requested: 20.7 acre tract being legally described as Reserve A, Block 1, Port of Houston Authority, La Porte, Harris County, Texas of the Johnson Hunter League, A-35 City of La Porte, Harris County, Texas

Zoning District: Planned Unit Development Lot area: 20.7

Description of Request: Amendment of Special Conditional Use Permit No. 03-001 permit condition.

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

PROPERTY OWNER(S) INFORMATION

Name: _____

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

City: Houston State: Texas Zip: 77029

Phone: (713) 670-2676 Email: jdavis@poha.com

AUTHORIZED AGENT (If other than owner)

Name: _____

Company (if applicable): _____

Address: _____

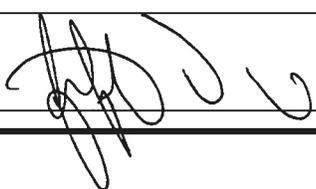
City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature: _____ Date: _____

Owner(s)' Signature(s):  _____ Date: 5/21/19

STAFF USE ONLY:

Case Number: _____

Date Application Received: _____



PORT HOUSTON
THE INTERNATIONAL PORT OF TEXAS

May 21, 2019

Mr. Ian Clowes
Planning and Development Department
City of La Porte
604 West Fairmont Parkway
La Porte, TX 77571

**Subject: Application for Second Amendment of Special Conditional Use
(Permit No. SCUP 03-011)**

Dear Mr. Clowes:

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

The City issued the SCUP to the Port Authority in August 2003. The SCUP was amended in or about October 2017 at the request of the Port Authority. As set forth in the Port Authority's letter dated August 17, 2017 in support of the first amendment to the SCUP, since the initial issuance of the SCUP, the Port Authority has carried out the permit conditions, including, but not limited to landscaping, irrigation, installing a screen wall with greenery, installing neighborhood-friendly lighting, and completing the required Property Owners Value Assurance Program, the result of which was the creation of a significant "green" buffer area between the facility and the community.

To permit the Port Authority's operations to continue to keep pace with the ongoing changes in the industry since the prior SCUP amendment in 2017, the Port Authority is seeking to further update its business processes at the Pre-Check Truck Gate. These changes will permit the facility to operate more efficiently and enable more truck queueing on our facility rather than Barbours Cut Boulevard. This will not only better support terminal operations, but also lessen the impact on neighboring communities.

Accordingly, the Port Authority seeks to amend SCUP 03-011 Permit Conditions Nos. 3, 4, 5, 6, 8, and 9 as set forth in more detail below:

3. "Comply with the General Plan approved by the City."

The Port Authority requests that Permit Condition No. 3 be amended to reflect an amended General Plan approved by the City, which reflects the updated Site Plan (attached).

4. "Ensure that at least 30 percent of the property consists of landscaping and/ or screening."

The Port Authority requests that Permit Condition No. 4 be amended to add "landscaped ponds (either dry or wet) with native grasses at completion of the project" to the 30% requirement.

5. "Provide detailed landscape and screening plans during site plan submittal. Allow existing trees and shrubs to remain as natural buffer. Provide "in fill" planting of trees and shrubs."

The Port Authority requests that the second and last sentences of Permit Condition No. 5 be amended to read as follows: "Allow existing trees and shrubs exterior to the sound wall to remain as a natural buffer. Provide "in fill" ponds with native grasses and planting of drought-tolerant trees along the boulevard R.O.W., which provides for one year of established watering."

6. "Provide an irrigation system to ensure that all landscaping and careening is properly maintained by the owner/ developer."

The Port Authority requests that Permit Condition No. 6 be deleted, as irrigation is not needed for native grass and drought tolerant trees per La Porte Zoning Ordinances.

7. "Adhere to the provisions and details shown in facilities lighting plan. Ensuring that all illumination occurs on site and does not affect nearby residences."

The Port Authority requests that the Permit Condition No. 8 be revised to delete the current text and replace it with, "The revised lighting plan shall adhere to the requirements of applicable City Ordinances."

8. "Enhance the building façade so that it is architecturally and aesthetically pleasing. The Planning and Zoning Commission must approve the design."

Since there is only a small electrical and IT building proposed in the new design, the Port Authority requests that Permit Condition No. 9 be replaced with, "The Planning and Zoning Commission must approve the design of the new building and canopies".

This redesign of the existing facility is expected to have a beneficial effect on the surrounding communities by decreasing truck traffic congestion on Barbours Cut Boulevard and State Highway 146.

This amendment application will serve as an update to the August 16, 2017 SCUP amendment application.

We appreciate your consideration of the Port Authority's application. We believe that the local benefit of these proposed changes could facilitate minimal impact on the surrounding communities.

Sincerely,

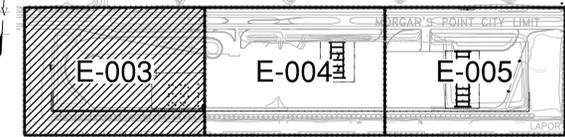
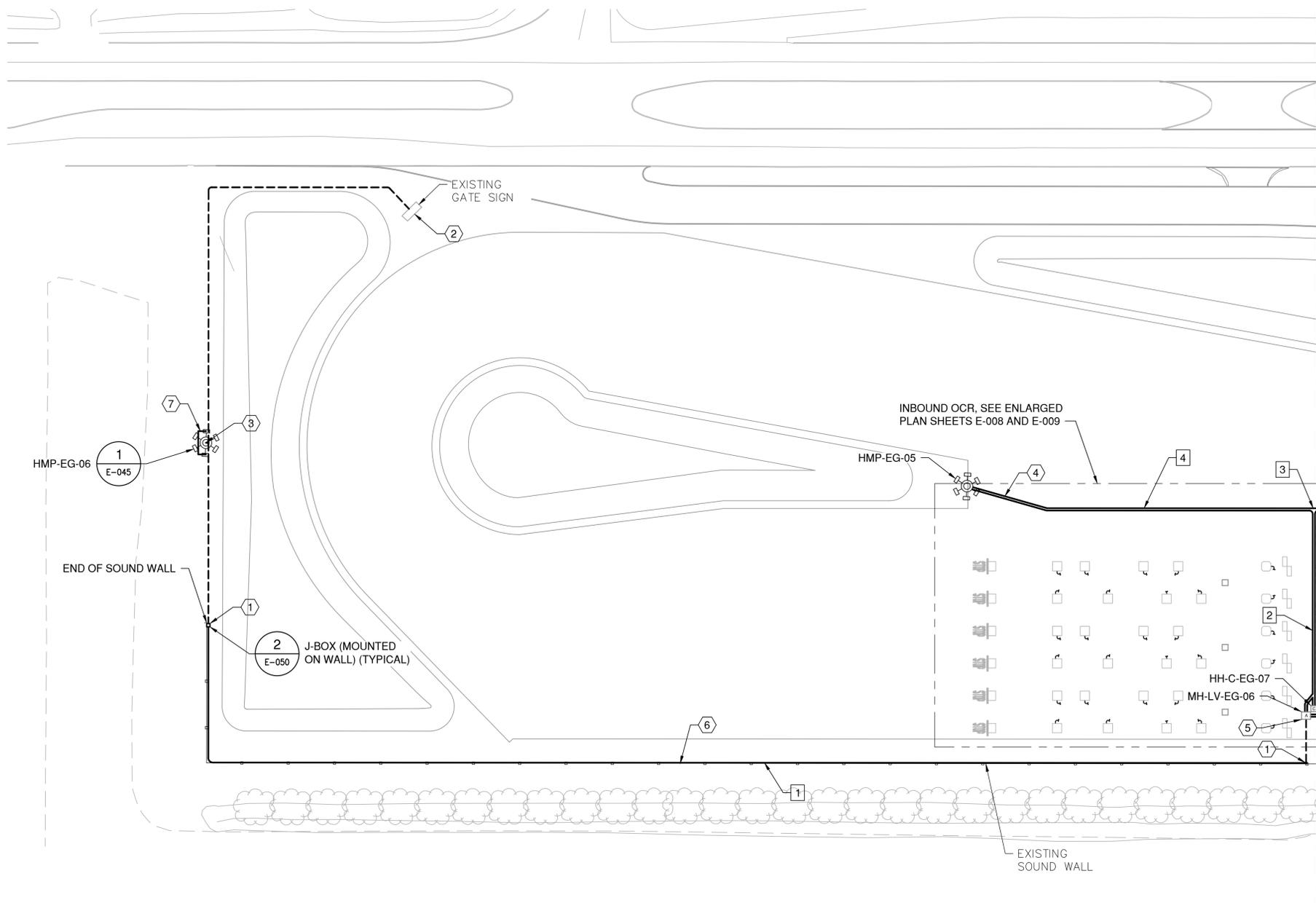


Jeff Davis
Chief Port Operations Officer

JD/HR:rj

Cc: Mr. Harvey Ross – Port Authority

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KEY PLAN

NOTES:

1. SEE SHEET E-001 FOR ELECTRICAL NOTES, LEGEND, AND ABBREVIATIONS.
2. SEE SHEETS E-034 TO E-041 FOR FEEDER CONDUIT AND WIRE SIZES.

CONSTRUCTION NOTES:

- | | | | | | | | | |
|---|------|------|------|------|------|------|------|------|
| 1 | P131 | P132 | P139 | C134 | C135 | | | |
| 2 | P126 | P127 | P129 | P130 | C130 | C131 | C132 | C133 |
| 3 | P126 | P127 | C130 | C131 | | | | |
| 4 | P129 | P130 | C132 | C133 | | | | |

KEYED NOTES:

- 1 MOUNT JUNCTION BOX ON EXISTING SOUND WALL. ROUTE CONDUIT UP WALL AND ENTER BOTTOM OF JUNCTION BOX. CLEAR MINIMAL VEGETATION AS NEEDED TO INSTALL JUNCTION BOX.
- 2 REPLACE EXISTING SIGN LIGHTS WITH LED MODEL: LITHONIA QTE LED P2 120 OR EQUIVALENT.
- 3 INSTALL 2-2" CONDUITS FOR POWER ROUTED FROM MH-LV-EG-06 AND 2-2" CONDUITS FOR COMMUNICATIONS ROUTED FROM HH-C-EG-07 TO HMP-EG-06.
- 4 INSTALL 2-2" CONDUITS FOR POWER ROUTED FROM MH-LV-EG-06 AND 2-2" CONDUITS FOR COMMUNICATIONS ROUTED FROM HH-C-EG-07 TO HMP-EG-05.
- 5 TAP SECURITY LIGHT FEEDERS CIRCUITS IN MANHOLE.
- 6 ROUTE CONDUITS ON WALL 4' ABOVE GRADE. CLEAR MINIMAL VEGETATION AS NEEDED TO INSTALL CONDUITS TO WALL.
- 7 MODIFY AND EXTEND EXISTING FENCE TO FORM 5' x 15' FENCE AROUND HMP.

MATCH LINE
(FOR CONTINUATION SEE SHEET E-004)



PORT OF HOUSTON AUTHORITY

CONSULTANT:
HATCH
HATCH ASSOCIATES
CONSULTANTS, INC.
750 TOWN & COUNTRY BLVD., SUITE 650
HOUSTON, TX 77024
TEL: 713.467.9951 | WEB: www.hatch.com
TSP# NO. 314

SUBCONSULTANT:

SEAL:
This document is released for the purpose of interim review under the authority of VICTOR LEE, P.E., Lic. 127907. It is not to be used for construction or bidding purposes.
MAY 10, 2019

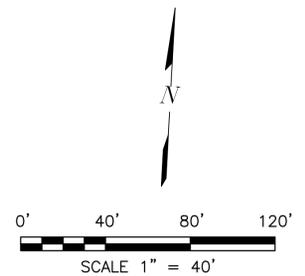
PROJECT TITLE:
EXPANSION OF GATE FACILITIES AT BARBOURS CUT TERMINAL

SHEET TITLE:
ELECTRICAL - ENTRY GATE - PARTIAL PLAN - SHEET 1

REV	DATE	DESCRIPTION
A	1/10/2019	35% REVIEW
B	4/4/2019	65% REVIEW
C	5/10/2019	100% REVIEW

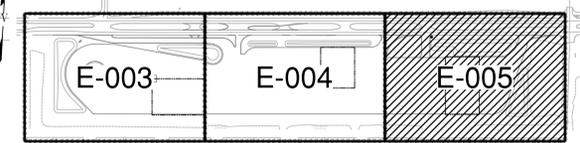
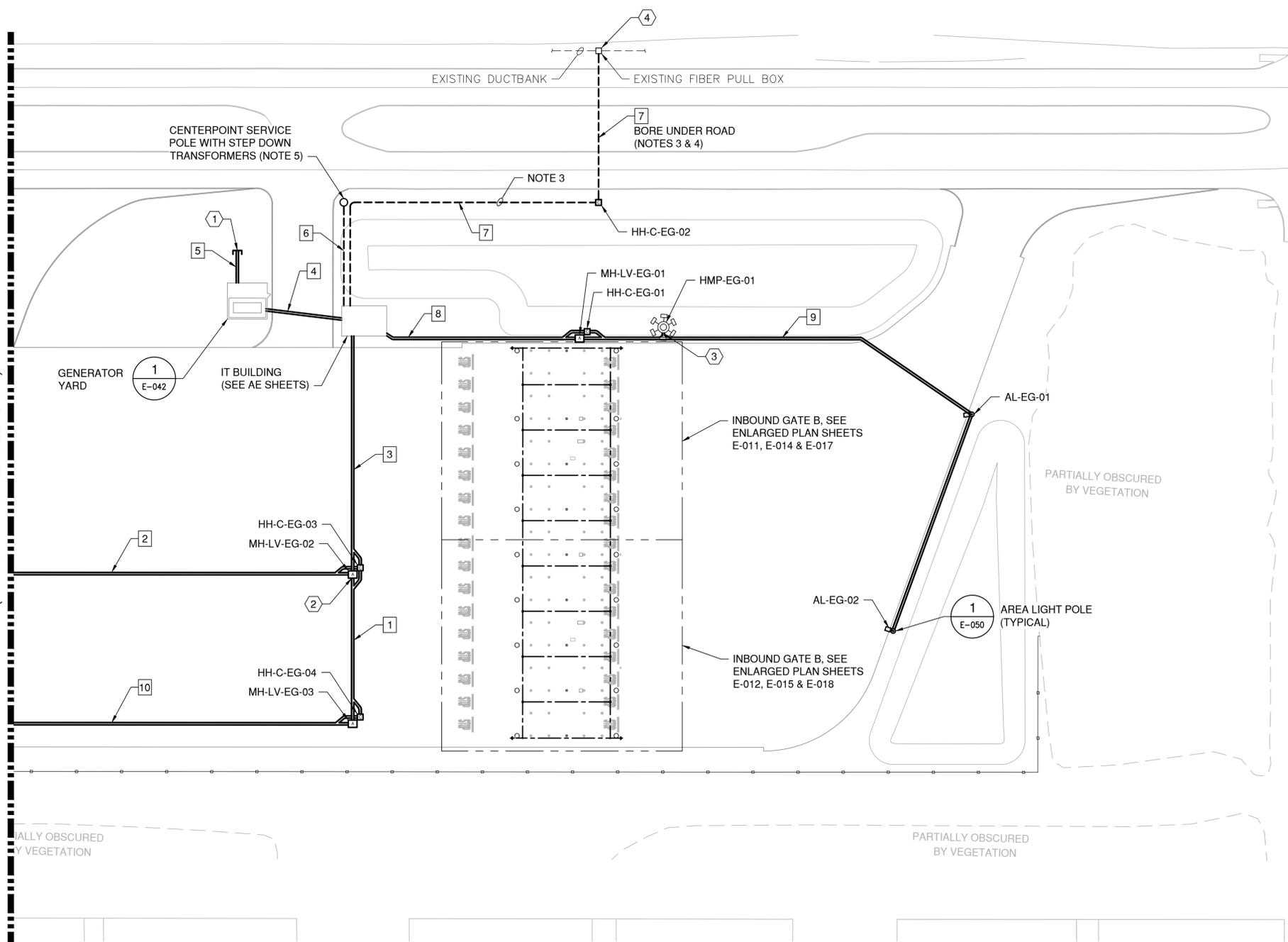
DESIGNER:	VL
CADD:	BEF
CHECKER:	EE
DATE:	5/10/19
SCALE:	1"=40'

DRAWING NO. C60-D17-001	
SHEET NO. E-003	REV. NO. C



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MATCH LINE
(FOR CONTINUATION SEE SHEET E-004)



KEY PLAN

NOTES:

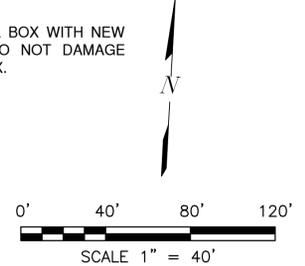
1. SEE SHEET E-001 FOR ELECTRICAL NOTES, LEGEND, AND ABBREVIATIONS.
2. SEE SHEETS E-034 TO E-041 FOR FEEDER CONDUIT AND WIRE SIZES.
3. PRIOR TO CONSTRUCTION OF PROPOSED DUCTBANK AND BORE, CONTRACTOR TO FIELD VERIFY EXACT LOCATION AND DEPTHS OF EXISTING UTILITIES AND NOTIFY PHA OF ANY ISSUES THAT MAY IMPACT CONSTRUCTION. CONTRACTOR SHALL DETERMINE THE LOCATION AND DEPTHS OF BORE TO AVOID EXISTING UTILITIES AND OTHER OBSTRUCTIONS.
4. PROVIDE BORE SPACERS IN CASING PER MANUFACTURERS INSTRUCTIONS FOR 4-4" CONDUITS IN 18" CASING. FILL CASING VOIDS WITH GROUT UPON COMPLETION OF INSTALLATION IN ACCORDANCE WITH SPACER MANUFACTURER'S INSTRUCTIONS.
5. COORDINATE LOCATION OF CENTERPOINT SERVICE POLE WITH UTILITY COMPANY.

CONSTRUCTION NOTES:

1	P105	P124	P125	P128	P130	P131
	P132	P139	C114	C115		
2	P106	P107	P119	P120	P122	P123
	C116	C117	C118	C119	C120	C121
	C122	C123				
3	P105	P106	P107	P117	P118	P120
	P121	P123	P124	P125	P128	P130
	P131	P132	P139	C112	C113	
4	P101	P102	P136	P137	P138	
5	P104					
6	P100					
7	C100	C101				
8	P108	P109	P115	P116	P133	
	C102	C103				
9	P133	C136	C137	C138		
10	P105	P124	P125	P127	P128	P130
	P131	P132	P139	C124	C125	

KEYED NOTES:

- ① FOR FUTURE 15KV LOOP CONNECTOR.
- ② TAP SECURITY LIGHT FEEDER CIRCUITS IN MANHOLE.
- ③ INSTALL 2-2" CONDUITS FOR POWER ROUTED FROM MH-LV-EG-01 AND 2-2" CONDUITS FOR COMMUNICATIONS ROUTED FROM HH-C-EG-01 TO HMP-EG-01.
- ④ PENETRATE EXISTING PULL BOX WITH NEW CONDUITS. USE CARE TO NOT DAMAGE EXISTING FIBER IN PULL BOX.



PORT OF HOUSTON AUTHORITY

CONSULTANT:
HATCH
HATCH ASSOCIATES
CONSULTANTS, INC.
750 TOWN & COUNTRY BLVD., SUITE 650
HOUSTON, TX 77024
TEL: 713.467.9951 | WEB: www.hatch.com
FORM NO. 314

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PROJECT TITLE:
EXPANSION OF GATE FACILITIES AT BARBOURS CUT TERMINAL

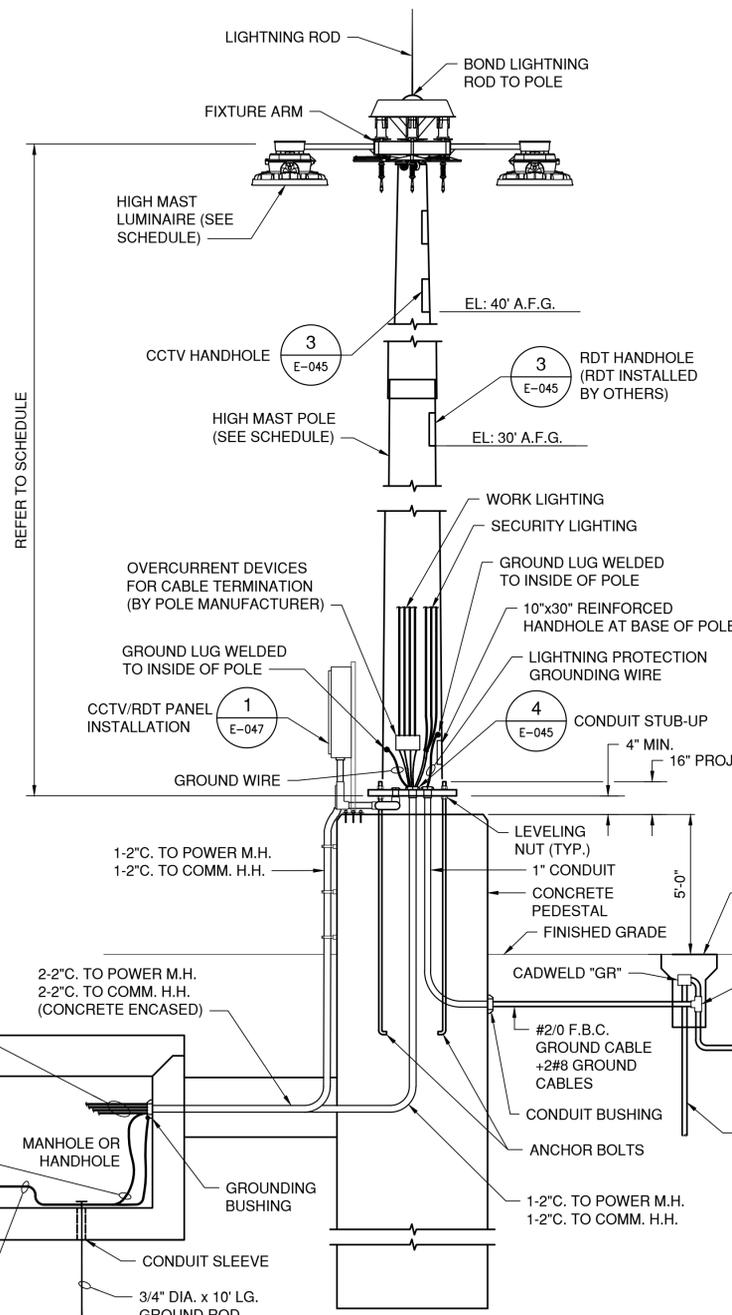
SHEET TITLE:
ELECTRICAL - ENTRY GATE - PARTIAL PLAN - SHEET 3

REV	DATE	DESCRIPTION
A	1/10/2019	35% REVIEW
B	4/4/2019	65% REVIEW
C	5/10/2019	100% REVIEW

DESIGNER: VL
CADD: BEF
CHECKER: ML
DATE: 4/4/19
SCALE: 1"=40'

DRAWING NO.
C60-D17-001
SHEET NO. **E-005** REV. NO. **C**

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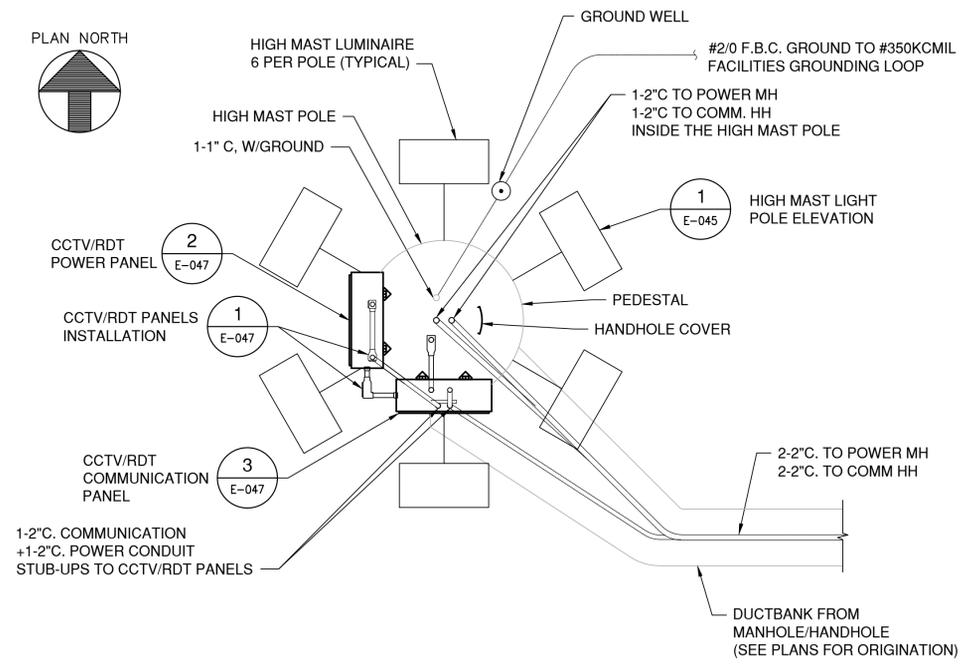


1 HIGH MAST LIGHT POLE ELEVATION
N.T.S.

- NOTE:**
- HIGH MAST POLE FIXTURES, POLE AND EQUIPMENT SHOWN FOR DIAGRAMMATICAL PURPOSES ONLY. COORDINATE WITH EXISTING VENDOR TO PROVIDE COMPLETE LIGHTING SYSTEM.
 - HMP-EG-01 TO HAVE 3-500W FIXTURES INSTALLED AND ORIENTED TOWARDS THE PROJECT BOUNDARY AND 3-1000W FIXTURES INSTALLED AND ORIENTED AWAY FROM PROJECT BOUNDARY. HMP-EG-06 TO HAVE 4-250W FIXTURES INSTALLED AND ORIENTED TOWARDS THE PROJECT BOUNDARY AND 2-1000W FIXTURES INSTALLED AND ORIENTED AWAY FROM PROJECT BOUNDARY. ALL OTHER HMP'S TO HAVE 6-1000W FIXTURES. COORDINATE WITH FIXTURE MANUFACTURER TO MAINTAIN PHOTOMETRIC REQUIREMENTS.

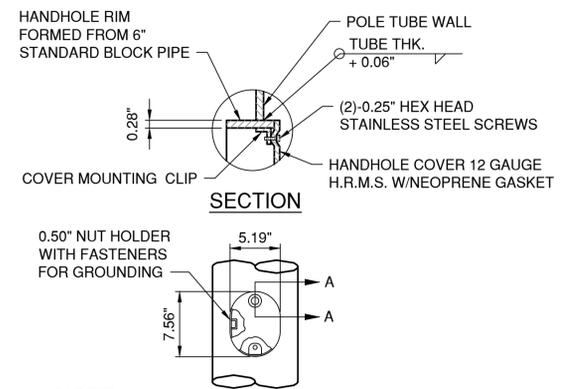
ENTRY GATE HIGH MAST POLE AND AREA LIGHT LOCATIONS

HMP/AL	SOUTHING	WESTING
HMP-EG-01	2610.81	10266.07
HMP-EG-02	2694.45	10788.25
HMP-EG-03	2644.57	11197.70
HMP-EG-04	2559.84	11449.28
HMP-EG-05	2514.01	11780.93
HMP-EG-06	2417.79	12262.34
AL-01	2684.75	10064.69
AL-02	2831.23	10142.71



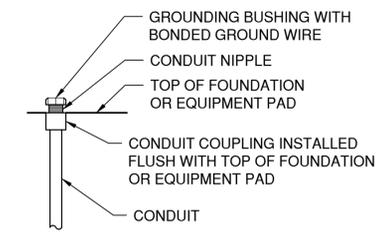
- NOTE:**
- ADDITIONAL EQUIPMENT MAY BE PRESENT AT POLE BASE. REFER TO PLAN SHEETS FOR EQUIPMENT REQUIREMENTS, AND DETAILS ON THIS SHEET.

2 HIGH MAST POLE DETAIL
N.T.S.



- NOTE:**
- INSTALL J-HOOK ON INTERIOR OF POLE OPPOSITE OF HANDHOLE COVERPLATE.

3 CCTV/RDT HANDHOLE DETAIL
N.T.S.



- NOTE:**
- FOR STUBBED-UP OR TERMINATED CONDUITS, SUBSTITUTE RECESSED PLUG FOR NIPPLE. ROBOY PRPLG (1-10) OR APPROVED EQUAL.

4 CONDUIT STUB-UP DETAIL
N.T.S.

HIGH MAST FIXTURE AND POLE SCHEDULE

TYPE	FIXTURE DESCRIPTION	CATALOG NUMBER	LAMP	WATTS	VOLTS	TOTAL FIXTURES	SECURITY FIXTURES/ POLES	WORKING FIXTURES/ POLES	LUMINAIRE COMMENTS	POLE DESCRIPTION	NUMBER OF POLES	POLE COMMENTS
HMP	HIGH MAST AREA LIGHTS	CONSTELLATION *	LED	250 - 1000	480	6	2	4	HIGH MAST SYSTEM WITH 6 - 250W - 1000W AREA LIGHTS; CONSULT MANUFACTURER FOR FIXTURE ANGLES AND WATTAGE , IP65, ALUMINUM DIE CAST (NOTE 2)	60' POLE WITH LOWERING RING ASSEMBLY	6	BLACK POWDER COATING OVER GALVANIZING; MEET AASHTO LTS-6 STANDARDS FOR 132MPH WIND LOAD; REFER TO SPECIFICATION 26 56 40.01 FOR COMPLETE LIST OF REQUIREMENTS

* REFER TO SPECIFICATIONS FOR PHOTOMETRIC REQUIREMENTS.



PORT OF HOUSTON AUTHORITY

CONSULTANT:
HATCH
HATCH ASSOCIATES CONSULTANTS, INC.
750 TOWN & COUNTRY BLVD., SUITE 650
HOUSTON, TX 77024
TEL: 713.467.9951 | WEB: www.hatch.com
TYPE NO. 314
SUBCONSULTANT:

SEAL:
This document is released for the purpose of interim review under the authority of VICTOR LEE, P.E., Lic. 127907. It is not to be used for construction or bidding purposes.
MAY 10, 2019

PROJECT TITLE:
EXPANSION OF GATE FACILITIES AT BARBOURS CUT TERMINAL

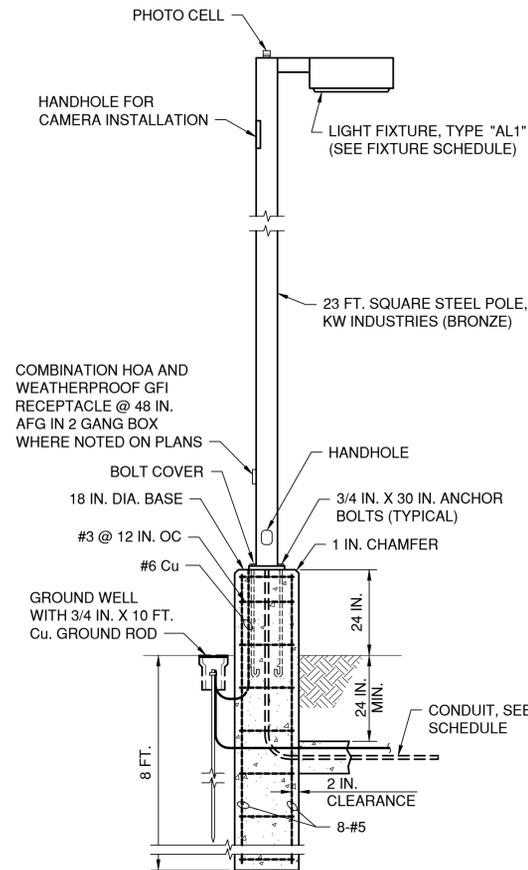
SHEET TITLE:
HIGH MAST LIGHTING SCHEDULE, CIRCUITING PLAN AND DETAILS - ENTRY GATE

REV	DATE	DESCRIPTION
A	1/10/2019	35% REVIEW
B	4/4/2019	65% REVIEW
C	5/10/2019	100% REVIEW

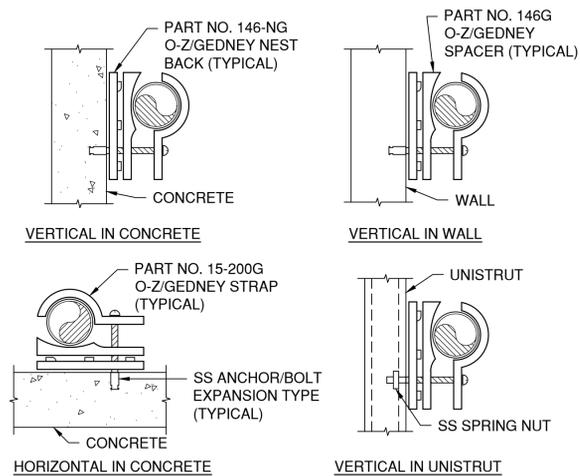
DESIGNER: VL
CADD: BEF
CHECKER: EE
DATE: 5/10/19
SCALE:

DRAWING NO.
C60-D17-001
SHEET NO.
E-045 REV. NO.
C

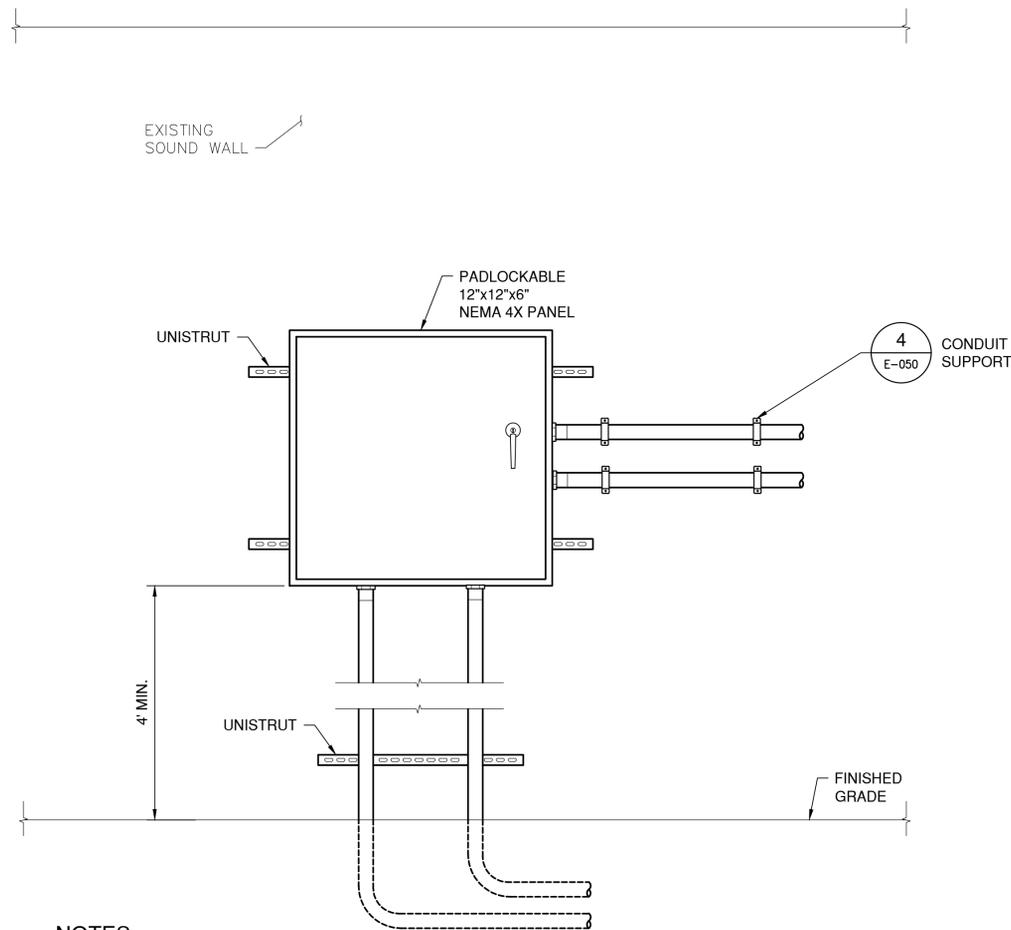
C:\pwworking\hatch\hatch\145\C60-D17-001-E-050.dwg May 20 2019



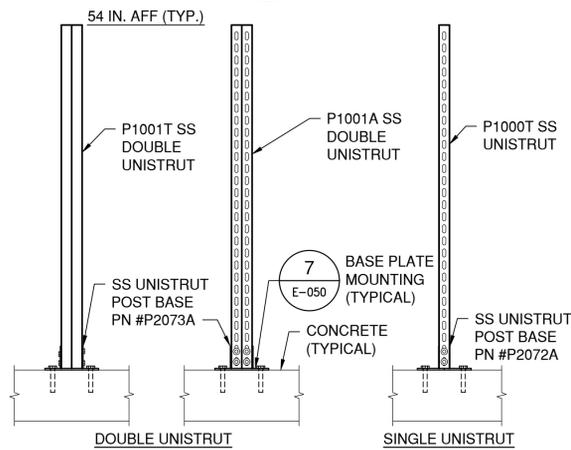
1 AREA LIGHT POLE DETAIL
N.T.S.



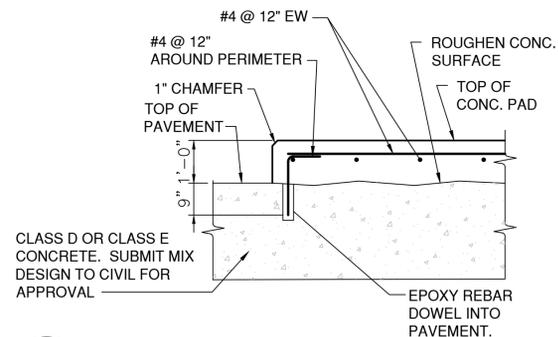
4 CONDUIT SUPPORT DETAIL
N.T.S.



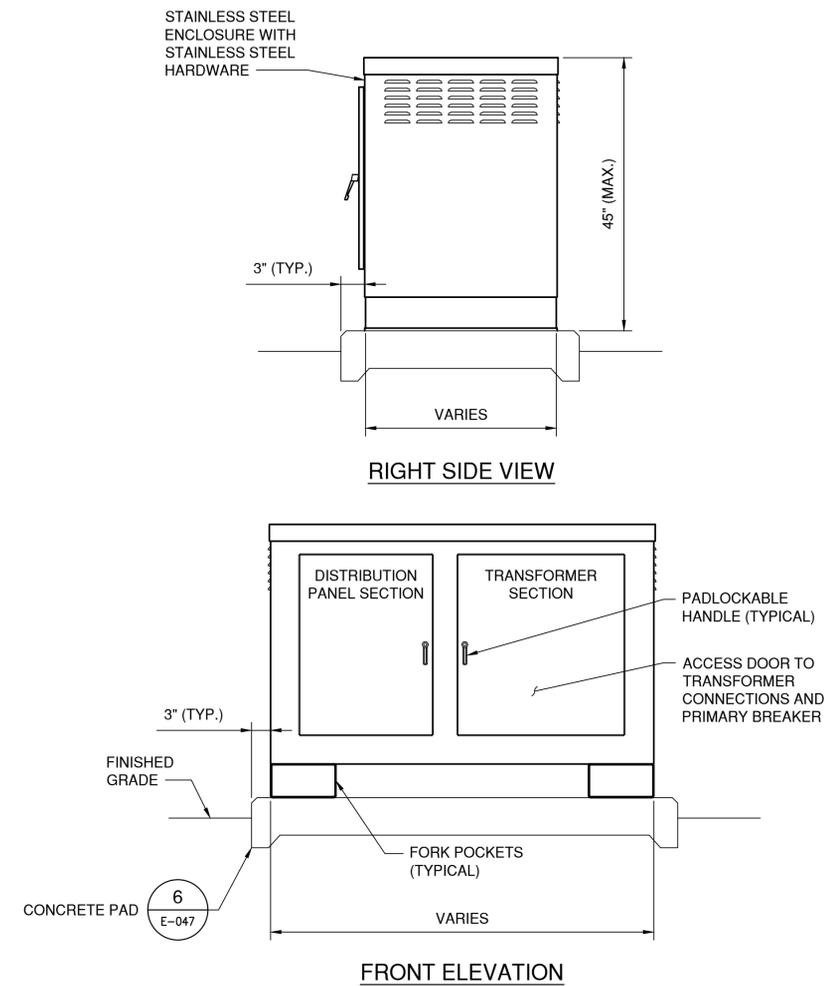
2 JUNCTION BOX MOUNTED ON WALL
N.T.S.



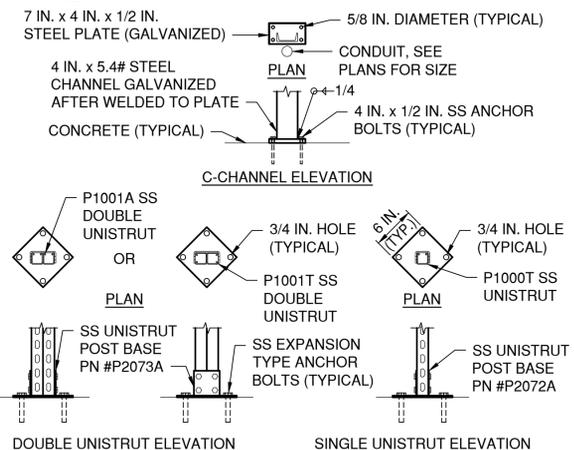
5 UNISTRUT SUPPORT DETAIL
N.T.S.



6 TYPICAL EQUIPMENT PAD DETAIL
N.T.S.



3 LOW PROFILE DISTRIBUTION UNIT DETAIL
N.T.S.



7 BASE PLATE MOUNTING DETAIL
N.T.S.

- NOTES:**
- CLEAR VEGETATION ON WALL TO ENSURE INSTALLATION OF JUNCTION BOX AND CONDUIT TO WALL.
 - SECURELY INSTALL JUNCTION BOX AND CONDUITS TO WALL WITH UNISTRUT AND CONDUIT CLAMPS EVERY 10 FEET PER NEC 358.30.
 - INSTALLATION TO BE PROFESSIONALLY ORGANIZED WITH MINIMAL USABLE MOUNTING HARDWARE.



PORT OF HOUSTON AUTHORITY

CONSULTANT:
HATCH
HATCH ASSOCIATES
CONSULTANTS, INC.
750 TOWN & COUNTRY BLVD., SUITE 650
HOUSTON, TX 77024
TEL: 713.467.9951 | WEB: www.hatch.com
TYPE NO. 314

SEAL:
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MAY 10, 2019

PROJECT TITLE:
EXPANSION OF GATE FACILITIES AT BARBOURS CUT TERMINAL

SHEET TITLE:
ELECTRICAL DETAILS - SHEET 2

REV	DATE	DESCRIPTION
A	1/10/2019	350% REVIEW
B	4/4/2019	65% REVIEW
C	5/10/2019	100% REVIEW

DESIGNER: VL
CADD: BEF
CHECKER: EE
DATE: 5/10/19
SCALE: NONE

DRAWING NO.
C60-D17-001
SHEET NO. **E-050** REV. NO. **C**



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>07.22.19</u>
Requested By: <u>Ian Clowes, City Planner</u>
Department: <u>Planning & Development</u>
<input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance

Appropriation	
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:	<input type="radio"/> Yes <input type="radio"/> No

Exhibits: **Ordinance No. 2019-3749**
 Proposed SCUP
 P&Z Recommendation Letter
 Aerial Map
 Zoning Map
 Applicant Information

SUMMARY & RECOMMENDATION

Applicant, Paul Grohman of Gromax Development, is seeking approval of an amendment to the existing Special Conditional Use Permit (SCUP) which was permitted in 2017 to allow for the mixed use single family development. The specific tract, which is part of the greater 235 acre development, is located at 3300 Bay Area Blvd. and is legally described as Reserve C, Block 1, Bay Area 28 Subdivision.

The property is currently undeveloped. The 9 acre site, that will be impacted by this SCUP amendment, is part of an overall 235 acre development that will include single family residential, along with multifamily and a small commercial tract. The single family and multi-family portions of the development are currently under construction. The current SCUP approved in December of 2017 allows for up to 100 units for the senior care facility component. The applicant would like to increase the amount to 240 units.

Staff did not receive any returned comment sheets for the proposed SCUP.

The Planning and Zoning Commission, at their June 20, 2019 regular meeting, voted 7-0 to recommend approval of the proposed SCUP, as presented. Below is a list of all proposed conditions

1. Project Description, as provided by the developer, shall be included as an exhibit to this SCUP document.
2. The community will consist of the land uses shown in Table 1:

Table 1

Land Use	Acreage*
Single-Family (R-2)	143.9
Multi-Family (R-3)	19.3
Senior (Assisted Living and/or skilled nursing)	7.5
Neighborhood Commercial (GC)	1.5
Recreation Center & Park	4.1
Amenitized Lake/Detention and Walking Trail	21.1
Drainage/Detention	14.4
Loop Street/Landscape Reserves	22.9
Total	234.7

*Acreages may vary

- The community will consist of the single-family lot sizes shown in Table 2:

Table 2

Lot Width	Number	Percentage*
45 feet	190	29.6%
50 feet	326	50.8%
60 feet	126	19.6%
Total	642	100.0%

*Percentages may vary

- The exact percentages in Table 2 and the acreages in Table 1 may vary by 5%, with an exception for the proposed multifamily use.
- The placement of lot sizes within different pods of the development as proposed on the attached schematic plan and General Plan may shift or change places as needed.
- The placement and exact boundaries between the commercial, multi-family, and senior housing tracts may shift within their corner of the General Plan.
- The multifamily land use would be to specify that it may not increase more than 5% of the specified acreage on the General Plan and listed within Table 1, but that its acreage could be reduced by greater than 5%.
- The maximum number of single-family lots may not exceed 675, the number of multifamily units may not exceed 350, and the senior assisted living/skilled nursing units may not exceed ~~400~~ 240 units
- The walking trails around the detention basin and sidewalks around the internal loop street are proposed to be 5'-wide (five-foot wide) concrete trails/sidewalks.
- Trails/sidewalks and the other open spaces throughout the community will be landscaped to meet and exceed the established landscaping minimums.
- Recreation Center will include, but are not limited to: a swimming pool & splash pad area, changing rooms/cabana, fitness facility, tennis courts, a playground, trails/sidewalks, and other related activities/amenities.
- Recreation areas in the development (lakeside trail, Recreation Center, and a small pocket park) shall total approximately ±7.3 acres, not including the lake.
- The lake is proposed to have a wet bottom and will contain no less than 6 fountains.
- Single-Family Lot Size Minimums

Category	Proposed Minimum	Proposed PUD Standard
Minimum Lot Width	45 feet for no more than 35% of the lots	At build-out of all lots, the average lot width will meet or exceed 50 feet
Minimum Lot Area	5,400 sq. ft. for no more than 35% of the lots	At build-out of all lots, the average lot area will meet or exceed 6,000 sq. ft.

15. Minimum front building line will be 20' on cul-de-sac and "knuckle" lots. Front building line will be 25' for the rest of the single family lots.
16. Multi-family Density will not exceed 19.6 units per acre and total units will not exceed 350.

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 #19-91000005

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2019-3749

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. 19-91000005, AN AMENDMENT TO SPECIAL CONDITIONAL USE PERMIT NO. 17-91000005, TO ALLOW FOR ADDITIONAL SENIOR LIVING UNITS IN THE MORGAN'S LANDING SUBDIVISION, ON A 9 ACRE TRACT OF LAND LEGALLY DESCRIBED AS RESERVE C, BLOCK 1, BAY AREA 28 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 #19-91000005, an amendment to Special Conditional Use Permit #17-91000005, attached hereto as Exhibit A and incorporated by reference for all purposes, to allow for additional senior living units in the Morgan’s Landing Subdivision on a 9 acre tract of land legally described as Reserve C, Block 1, Bay Area 28 Subdivision, La Porte, Harris County, Texas, and being part of a 235 acre tract of land legally described as a portion of a 485.14 acre tract in the Richard Pearsall Survey, A-265, Harris County, Texas, and situated within a Planned Unit Development (PUD) 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 22nd day of JULY, 2019.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Lee Woodward, City Secretary

APPROVED AS TO FORM:

Clark Askins, Assistant City Attorney

**City of La Porte
Special Conditional Use Permit #19-91000005**

This permit is issued to: Paul Grohman, Gromax Dev.
Owner or Agent

Address

For Development of: La Porte Tract – Master Planned Community
Development Name

West side of Bay Area Blvd. (3300 Bay Area Blvd)
Address

Legal Description: 235 acre tract of land legally described as a portion of a 485.14 Acre Tract in Richard Pearsall Survey, A-265, Harris County, La Porte, TX

Zoning: PUD, Planned Unit Development

Use: Single Family, Senior Living, Multi-family, Commercial

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. Project Description, as provided by the developer, shall be included as an exhibit to this SCUP document.
2. The community will consist of the land uses shown in Table 1:

Table 1

Land Use	Acreage*
Single-Family (R-2)	143.9
Multi-Family (R-3)	19.3
Senior (Assisted Living and/or skilled nursing)	7.5
Neighborhood Commercial (GC)	1.5
Recreation Center & Park	4.1
Amenitized Lake/Detention and Walking Trail	21.1
Drainage/Detention	14.4
Loop Street/Landscape Reserves	22.9
Total	234.7

**Acreages may vary*

3. the community will consist of the single-family lot sizes shown in Table 2:

Table 2

Lot Width	Number	Percentage*
45 feet	190	29.6%
50 feet	326	50.8%
60 feet	126	19.6%
Total	642	100.0%

**Percentages may vary*

4. The exact percentages in Table 2 and the acreages in Table 1 may vary by 5%, with an exception for the proposed multifamily use.
5. The placement of lot sizes within different pods of the development as proposed on the attached schematic plan and General Plan may shift or change places as needed.
6. The placement and exact boundaries between the commercial, multi-family, and senior housing tracts may shift within their corner of the General Plan.
7. The multifamily land use would be to specify that it may not increase more than 5% of the specified acreage on the General Plan and listed within Table 1, but that its acreage could be reduced by greater than 5%.
8. The maximum number of single-family lots may not exceed 675, the number of multifamily units may not exceed 350, and the senior assisted living/skilled nursing units may not exceed ~~100~~ 240 units
9. The walking trails around the detention basin and sidewalks around the internal loop street are proposed to be 5'-wide (five-foot wide) concrete trails/sidewalks.
10. Trails/sidewalks and the other open spaces throughout the community will be landscaped to meet and exceed the established landscaping minimums.
11. Recreation Center will include, but are not limited to: a swimming pool & splash pad area, changing rooms/cabana, fitness facility, tennis courts, a playground, trails/sidewalks, and other related activities/amenities.
12. Recreation areas in the development (lakeside trail, Recreation Center, and a small pocket park) shall total approximately ±7.3 acres, not including the lake.
13. The lake is proposed to have a wet bottom and will contain no less than 6 fountains.
14. Single-Family Lot Size Minimums

Category	Proposed Minimum	Proposed PUD Standard
Minimum Lot Width	45 feet for no more than 35% of the lots	At build-out of all lots, the average lot width will meet or exceed 50 feet
Minimum Lot Area	5,400 sq. ft. for no more than 35% of the lots	At build-out of all lots, the average lot area will meet or exceed 6,000 sq. ft.

15. Minimum front building line will be 20' on cul-de-sac and "knuckle" lots. Front building line will be 25' for the rest of the single family lots.
16. Multi-family Density will not exceed 19.6 units per acre and total units will not exceed 350

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



June 21, 2019

Honorable Mayor Rigby and City Council
City of La Porte

RE: Special Conditional Use Permit Request #19-91000005

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a special meeting on June 20, 2019 to hear a Special Conditional Use Permit request by Paul Grohman of Gromax Development, applicant; for a Special Conditional Use Permit Amendment to allow for additional senior living units in the Morgan's Landing Subdivision. The subject site is located at 3300 Bay Area Blvd and is legally described as Reserve C, Block 1, Bay Area 28 Subdivision. The subject site is zoned Planned Unit Development (PUD) and Section 106-659 of the Code of Ordinances requires a Special Conditional Use Permit for development within a PUD district.

The Commission voted 7-0 to recommend approval of the proposed SCUP amendment.

Respectfully submitted,

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

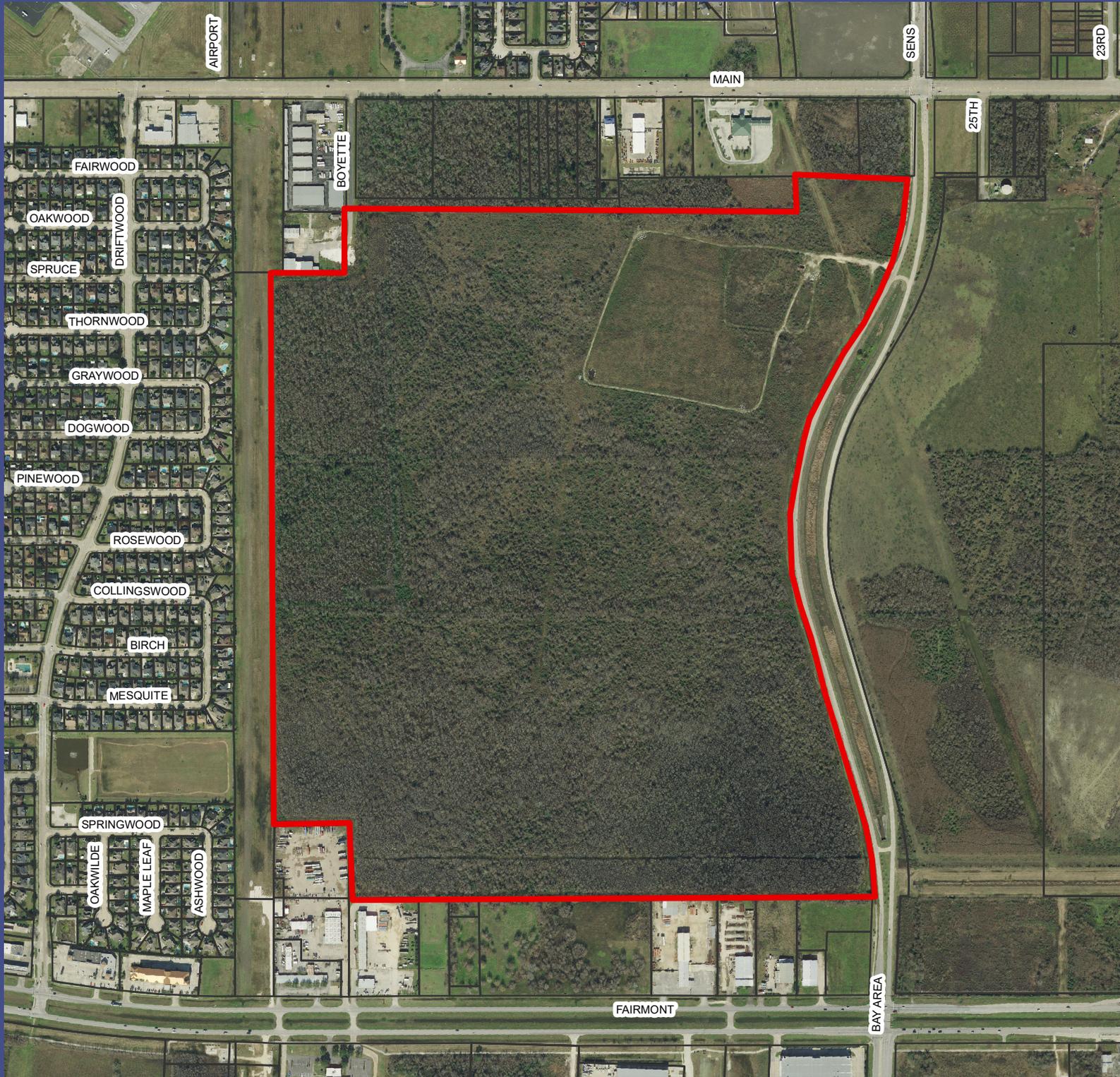


EXHIBIT A

AERIAL MAP

SCUP

#19-9100005

**West Side of
Bay Area Blvd.**

 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 = 702 feet



**JUNE 2019
PLANNING DEPARTMENT**

EXHIBIT B
ZONING MAP

SCUP
#19-9100005

West Side of
Bay Area Blvd.

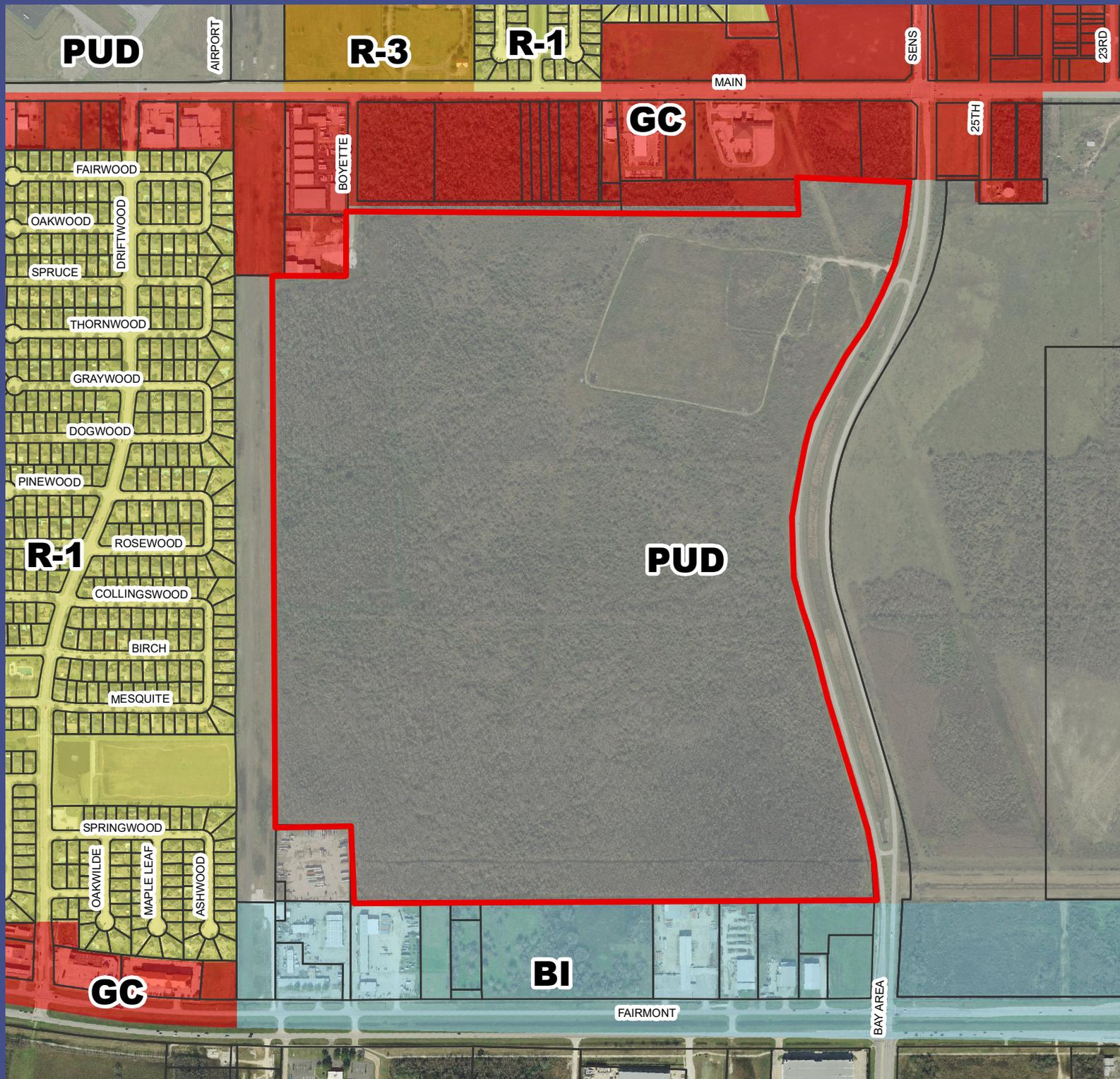
 Subject Parcel



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 = 702 feet

JUNE 2019
PLANNING DEPARTMENT





Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: 3501 Bay Area Blvd. LaPorte, Texas 77571

Legal description where SCUP is being requested: RES A BLK 1 (PUD) BAY AREA 28, RES C BLK1 (PUD) BAY AREA 28

HCAD Parcel Number where SCUP is being requested: 1404630010001, 1404630010003

Zoning District: _____ Lot area: _____

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

Description of Request: Total number of units will not exceed 240, request that the cap be set at 240. The units may include independent, assisted, memory care, and skilled nursing.

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: CSBP LAND INVESTMENTS, LP

Company (if applicable): CSBP LAND INVESTMENTS, LP

Address: 1300 POST OAK LANE SUITE 1650

City: HOUSTON State: TX Zip: 77581

Phone: 713-333-1600 Email: RC@CSRP.COM

AUTHORIZED AGENT (if other than owner)

Name: PAUL GROHMAN

Company (if applicable): GROMAX DEVELOPMENT

Address: 4201 W. BROADWAY

City: PEARLAND State: TX Zip: 77581

Phone: 281-412-9210 Email: PAUL@GROMAXTEXAS.COM

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature:  Date: 5-20-2019

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

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: 3501 Bay Area Blvd, LaPorte TX. 77571

LEGAL DESCRIPTION: RESA BLK I (PUD) BAY AREA 28
RESC BLK I (PUD) BAY AREA 28

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.

Applicant's Signature

Paul Grohman

Applicant's Printed Name

Subscribed and sworn before me this 20 day of May, 2019, by

Paul Grohman (Print Applicant's Name).

Cindy Jay Martin

Notary Public

(Seal)

My commission expires: 1-16-2021



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>July 22, 2019</u>
Requested By: <u>Ian Clowes, City Planner</u>
Department: <u>Planning & Development</u>
<input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance

Appropriation	
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:	<input type="radio"/> Yes <input checked="" type="radio"/> No

Exhibits: **Ordinance No. 2019-3750**
 P&Z Recommendation Letter
 Proposed Land Use Map
 Existing 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 Justin Bennett of Phelan-Bennett Development, applicant, on behalf of Carrington F. Weems owner, who is seeking approval of a Zone Change from the General Commercial (GC) zoning district to the Planned Unit Development (PUD) zoning district. The proposed zone change would allow for the development of an industrial office/warehouse building on the site. The property in question is located at the NE corner of S. 16th St. and the W. M St. ROW, and is legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, 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, staff recommends amending the existing FLUP map to show the property as "Light Industrial".

The requested item was previously heard by the Planning and Zoning Commission on March 21, 2019 where it was recommended for approval on a 9-0 vote. The City Council heard the item at their May 13, 2019 meeting where a motion to deny the item was upheld by a vote of 5-4.

This request is in conjunction with a request for a Special Conditional Use Permit (SCUP) to allow for the construction of a 109,000 square foot industrial facility. The applicant failed to gain approval of the previous SCUP request and has since

resubmitted with minor changes. These changes would limit the building size to no greater than 109,000 square feet, limit the total number of bay doors to 9 and limit the truck maneuverability on site.

The Planning and Zoning Commission, at their June 20, 2019 regular meeting, voted 4-3 to recommend approval of the proposed Future Land Use Amendment.

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 5.051 acre tract of land located at the NE corner of S. 16th St. and the W. M St. ROW and is legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision.
-

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2019-3750

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 June 20, 2019, the La Porte Planning and Zoning Commission reviewed the Future Land Use Map component of the Comprehensive Plan for the purpose of considering proposed amendments thereto, to change the designation for that 5.051 acre tract of land located at the northeast corner of S. 16th St. and the W. M St. ROW, and legally described as follows: Lots 1-32, Block 1144 and Lots 1-32 Block 1143, La Porte Subdivision, City of La Porte, Harris County, Texas, from its present designation of "Commercial", to "Light Industrial", and at the conclusion of such review the La Porte Planning and Zoning Commission voted to recommend the adoption of said proposed amendments to the Future Land Use Plan component of the Comprehensive Plan, to the La Porte City Council;

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 July 22, 2019 meeting, and receipt of the recommendations of the Planning and Zoning Commission of the City of La Porte, Texas.

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

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

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

Section 4 This Ordinance shall be in effect from and after its passage and approval.
Passed and approved this the 22nd day of JULY, 2019.

CITY OF LA PORTE, TEXAS

By: _____

Louis R. Rigby, Mayor

ATTEST:

By: _____

Lee Woodward, City Secretary

APPROVED:

By: _____

Clark Askins, Assistant City Attorney



June 21, 2019

Honorable Mayor Rigby and City Council
City of La Porte

RE: Request #19-92000002 to Amend the Future Land Use Map

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a meeting on June 20, 2019 for a request to amend the City's Future Land Use Plan as adopted in the Comprehensive Plan for a 5.051 acre tract of land located at the NE corner of S. 16th St. and the W. M St. ROW, and is legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision. The request was for approval of a change of the future land use designation from "Commercial" use to "Light Industrial" use

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

Respectfully submitted,

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



EXHIBIT A

PROPOSED LAND USE MAP

**Zone Change
#19-92000002**

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

 Subject Property



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

1 inch = 212 feet

JULY 2019

PLANNING DEPARTMENT





CURRENT LAND USE MAP

**Zone Change
#19-9200002**

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

 Subject Property



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

1 inch = 212 feet

JULY 2019

PLANNING DEPARTMENT





REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>July 22, 2019</u>
Requested By: <u>Ian Clowes, City Planner</u>
Department: <u>Planning & Development</u>
<input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance

Appropriation	
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:	<input type="radio"/> Yes <input checked="" type="radio"/> No

Exhibits: **Ordinance No. 2019-3751**
 P&Z Recommendation Letter
 Aerial Map
 Zoning Map
 Future Land Use Map
 Applicant Information

SUMMARY & RECOMMENDATION

Justin E. Bennet of Phelan-Bennett Development, applicant, on behalf of Carrington F. Weems, owner seeks approval of a Zone Change from the General Commercial (GC) zoning district to the Planned Unit Development (PUD) zoning district. The subject property is located at the NE corner of S. 16th St. and the W. M St. right of way (ROW) and is legally described as Lots 1-32, Block 1144 and Lots 17-32 & Tracts 1-16, Block 1143, La Porte Subdivision.

The 5.051 acre property is currently undeveloped. The applicant requests a zone change to PUD with a Special Conditional Use Permit (SCUP), allowing for construction of a single 109,000 square foot office/warehouse industrial building. If approved, the applicant will apply for a street/alley closure for the remaining city ROW (15th St. and 2 alleys).

The requested item was previously heard by the Planning and Zoning Commission on March 21, 2019 where it was recommended for approval on a 9-0 vote. The City Council heard the item at their May 13, 2019 meeting where a motion to deny the item was upheld by a vote of 5-4.

This request is in conjunction with a request for a Special Conditional Use Permit (SCUP) to allow for the construction of a 109,000 square foot industrial facility. The applicant failed to gain approval of the previous SCUP request and has since

resubmitted with minor changes. These changes would limit the building size to no greater than 109,000 square feet, limit the total number of bay doors to 9 and limit the truck maneuverability on site.

Staff mailed public notice to all property owners located within 200 feet of the subject property and received one (1) comment sheet in opposition of the proposed request.

The Planning and Zoning Commission, at their June 20, 2019 regular meeting, voted 4-3 to recommend approval of the proposed Zone Change.

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 #19-92000002, for a 5.051 acre tract of land located at the NE corner of S. 16th St. and the W. M St. ROW and legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2019-3751

AN ORDINANCE AMENDING CHAPTER 106 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, BY CHANGING THE ZONING CLASSIFICATION OF A 5.051 ACRE TRACT OF LAND LOCATED AT THE NORTHEAST CORNER OF S. 16TH ST. AND THE W. M STREET R.O.W. AND LEGALLY DESCRIBED AS LOTS 1-32, BLOCK 1144 AND LOTS 1-32, BLOCK 1143, LA PORTE SUBDIVISION, FROM GENERAL COMMERCIAL (GC) TO PLANNED UNIT DEVELOPMENT (PUD); MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF;

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

Section 1. Chapter 106 “Zoning” of the Code of Ordinances is hereby amended by changing the zoning classification of the following described property, to wit: a 5.051 acre tract of land located at the NE corner of S. 16th St. and the W. M Street R.O.W. and legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision, Harris County, Texas, from General Commercial (GC) to Planned Unit Development (PUD).

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

Section 3. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 4. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council is posted at a place convenient to the public at the City Hall of the city for the time required by law preceding this meeting, as required by Chapter 551, TX. Gov’t Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

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

Section 6. It is directed that the Official Zoning Map of the City of La Porte, Texas be changed to reflect the zoning classification established by this ordinance

Section 7. The City Council of the City of La Porte hereby finds, determines, and declares that all prerequisites of law have been satisfied and hereby determines and declares that the amendments to the City of La Porte Zoning Map and Classification contained in this Ordinance as amendments thereto are desirable and in furtherance of the goals and objectives stated in the City of La Porte's Comprehensive Plan.

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

PASSED AND APPROVED this the 22nd day of JULY, 2019.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Lee Woodward, City Secretary

APPROVED:

Clark Askins, Assistant City Attorney



June 21, 2019

Honorable Mayor Rigby and City Council
City of La Porte

RE: Zone Change Request #19-92000002

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a public hearing at the June 20, 2019 meeting on a zone change request by Justin Bennet of Phelan-Bennett Development, applicant; on behalf of Carrington F. Weems, owner; for a zone change of property legally described Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision, from General Commercial (GC) to Planned Unit Development (PUD). The site is a 5.051 acre tract of land located at the NE corner of S. 16th St. and the W. M St. ROW.

The Commission voted 4-3 to recommend approval of the proposed zone change.

Respectfully submitted,

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



FLUP MAP

**Zone Change
#19-9200002**

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

 Subject Property



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

1 inch = 212 feet



**JULY 2019
PLANNING DEPARTMENT**



Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 0 North 16th Street, La Porte, Texas 77571
Legal description where zone change is being requested: LTS 1 THRU 32 Block 1144 LTS 17 THRU 32 & TRS 1 THRU 16 BLK 1143 LA PORTE
HCAD Parcel Number where zone change is being requested: 0242030430001
Zoning District: General Commercial Lot area: 177,855 Square-Feet
A request for approval of a zone change is hereby made to the City of La Porte.
Description of Request: Rezone to Planned Unit Development to re-plot and develop into one single lot for a new building.

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

PROPERTY OWNER(S) INFORMATION

Name: F. Carrington Weems, II
Company (if applicable): _____
Address: 1603 Clay Street
City: Houston State: Texas Zip: 77019
Phone: (713) 416-1562 Email: carringtonweems@yahoo.com

AUTHORIZED AGENT (If other than owner)

Name: Justin E. Bennett
Company (if applicable): Phelan-Bennett, LLC
Address: 5301 Polk Street, Building 25
City: Houston State: Texas Zip: 77023
Phone: 713-502-2704 Email: jbennett@phelandevco.com

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: 5/15/2019
Owner(s)' Signature(s): [Signature] Date: 5/15/2019

STAFF USE ONLY:

Case Number:

Date Application Received:

June 28, 2019

The City of La Porte
Attention: City Mayor/City Council
604 West Fairmont Parkway
La Porte, Texas 77571

Re: South 16th Street Development
Zoning Change/Special Conditional Use Permit

Mr. Mayor and Council Members:

Since my last presentation to La Porte City Council with respect to the above-reference project requests, I have made several building design changes to address concerns expressed by Council Members. Please refer to Exhibit A, which depicts the revisions to the building site plan and elevations.

As I previously presented, I believe it is noteworthy to explain the intended future use of the proposed facility. As designed, my industrial building is single-side loaded, and it can accommodate one to two users ranging from 30,000 square-feet up to 108,000 square-feet. Given the smaller size of the building combined with the fact that it **cannot** provide a cross-dock loading configuration (i.e. in-bound loading on one side and out-bound loading on the opposite side) nor can the building offer trailer storage on site, this will discourage a heavy truck operation to locate at this project. The facility also has only one point of access along South 16th Street, which would deter a warehousing group that required multiple points of access for a significant number of truck trips per day. Moreover, with the additional design limitations that I have placed on the facility, specifically a reduced number of dock doors and reduced dock maneuvering space, this industrial building will be less attractive to a high-trucking warehouse use.

The following design changes have been made to the building:

- The number of dock doors has been reduced by **50%** to 7 dock doors.
- The length of the dock maneuvering area has been reduced from 125 Feet to 102 Feet.
- Passenger vehicle parking has been added along the South property line.
- The dock maneuvering area has been further set back from South 16th Street.

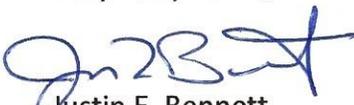
Attached as Exhibit B is a design manual developed by NAIOP, a leading national commercial real estate association and HPA, Inc., one of the nation's largest industrial architects. This manual designates minimum design features for "warehouse" design. As depicted on Exhibit B,

the minimum truck turning radius for standard semi-trucks designates the minimum maneuvering distance for a single truck, which is 111 Feet and the minimum maneuvering distance for multiple trucks, which is 131 Feet. The manual further states that a 131-foot to 130-foot maneuvering yard is the most functional for users. Therefore, by reducing the dock maneuvering area to 102 feet in my proposed industrial building, this site feature will discourage a high trucking operation due to this operational inefficiency relative to semi-truck loading/unloading and circulation.

I respectfully request your favorable consideration of my Zoning Change and Special Conditional Permit Use Requests.

I look forward to our visit on July 22, 2019, and please contact me if you have any questions regarding this matter.

Very Truly Yours,



Justin E. Bennett

cc: F. Carrington Weems



High Frequency Truck Route

W Fairmont Pkwy

Vacant Land

Hospitality

Fairfield Inn
140 Rooms
5 Floors-65' High
(to be constructed)

Hotel

SITE

Vacant Land

West L Street will never be improved (natural landscape buffer/screening)

Truck Yard/
Industrial

Truck Yard

Rail Yard

Industrial

Industrial

Industrial

Industrial

Industrial

Regional Detention

Industrial

146

State Hwy 146

Cypress Cove St

S 8th St

Beach St

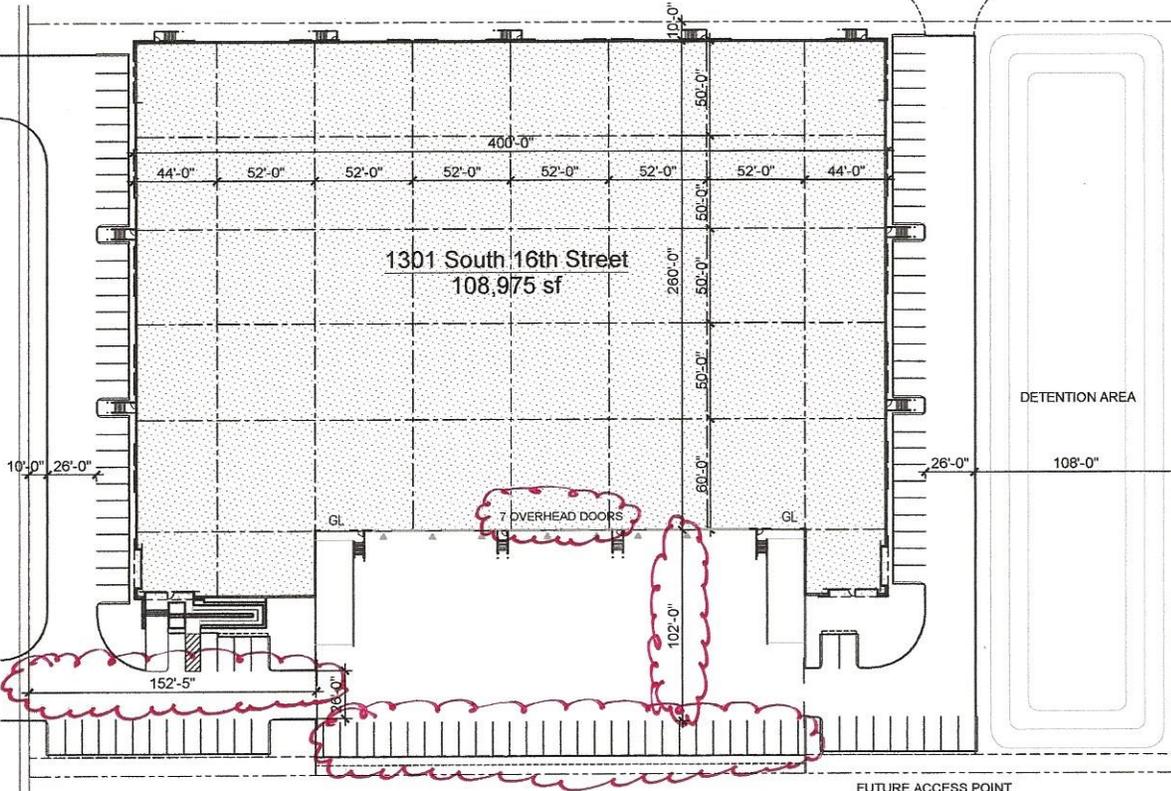
LAND USE LEGEND

- Commercial
- Light Industrial
- Planned Unit Development

WEST L STREET (UNIMPROVED)
USED FOR FIRE DEPARTMENT ACCESS

FIRE DEPARTMENT APPARTUS
ACCESS ROAD - 80,000 psf CAPACITY
(DECOMPOSED GRANITE)

SOUTH 16th STREET
(HIGH FREQUENCY TRUCK ROUTE)



1301 South 16th Street
108,975 sf

DETENTION AREA

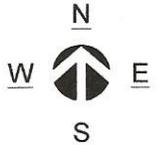
7 OVERHEAD DOORS

102'-0"

152'-5"

CHANGES TO SITE PLAN:

1. REDUCED DOCK DOORS BY 50% TO 7 DOCK DOORS.
2. REDUCED DOCK MANEUVERING AREA BY 23'-0" TO 102'-0".
3. ADDED PASSENGER VEHICLE PARKING ALONG SOUTH PROPERTY LINE OPPOSITE DOCK DOORS.
4. INCREASED DOCK SETBACK FROM SOUTH 16TH STREET TO 152'-5".



SITE PLAN / FLOOR PLAN
Scheme 10

28 June 2019

WEST M STREET (UNIMPROVED)

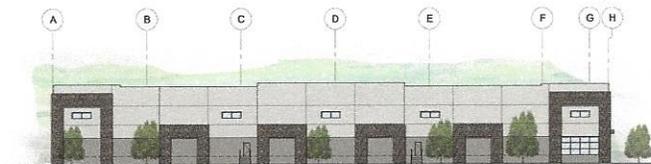
FUTURE ACCESS POINT

1301 South 16th Street
La Porte, Texas

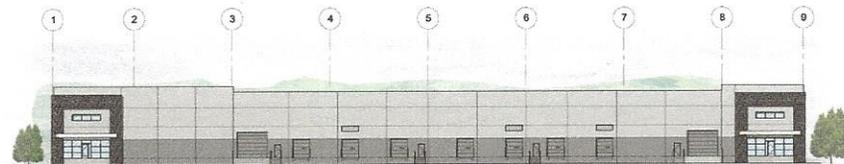


PHELAN-BENNETT
DEVELOPMENT 5301 Polk Street - Building 25 - Houston, Texas 77003

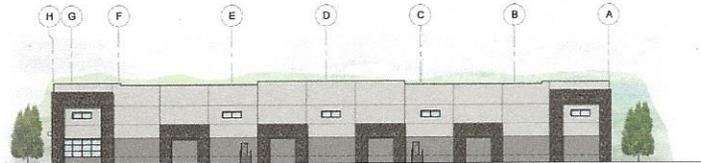
 Carlie Coatsworth Architects, Inc.



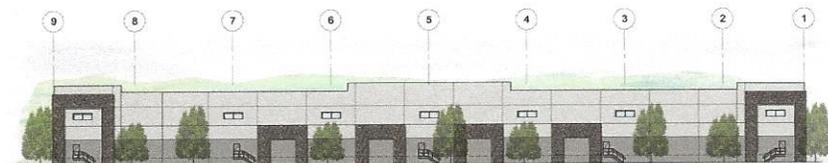
WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION



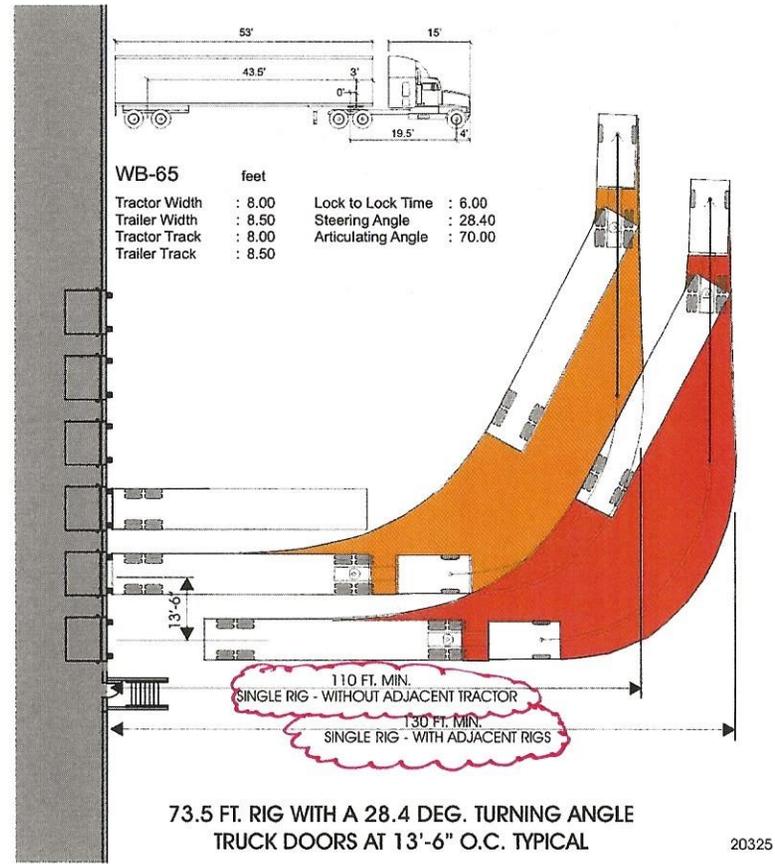
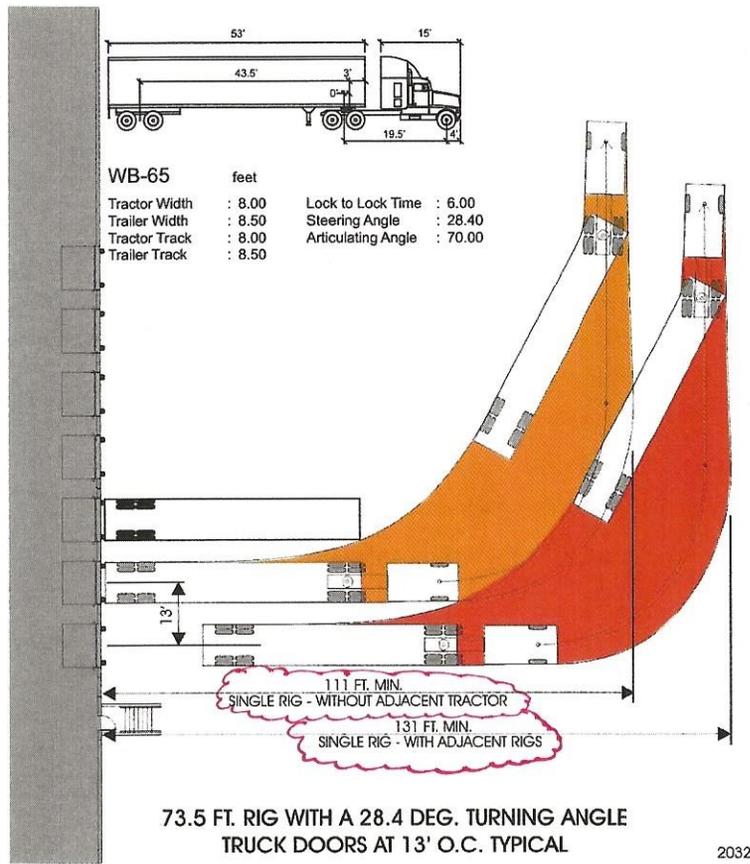
NORTH ELEVATION

-  PAINT 1 - LIGHT FIELD PAINT
-  PAINT 2 - MEDIUM BASE PAINT
-  STONE 1 - DARKER SHADE STONE
-  GLAZING

Building Elevations

1301 South 16th Street
La Porte, Texas

PRELIMINARY ELEVATIONS
SCHEME 10
26 June 2019



These two diagrams illustrate the minimum turning radius requirements for a "normal" WB-65 interstate rig in backing in and pulling out of a typical dock condition. The door spacing shown here of 13' O.C. and 13' 6" O.C. are derived from an objective of maximizing the number of doors in a facility and will be discussed later. They are the most commonly utilized door spacings in the Southern California market. The WB-65 configuration is representative of the maximum size rig in California (57' trailers are allowed only on smaller tractors as they are limited to a 65' overall rig length). The 131'-130' yard indicated here provides the most functionality for the user by allowing a single swing turn in the largest California rig when there is a full rig parked at the adjacent door.

West L Street Will Remain Unimproved

Fire Department Turnaround in right of way to be converted to driveway upon construction of road. Area to be paved with "Grass Blocks"

Proposed Future Street Trees to be installed upon construction of West L Street

South 16th Street

PROPOSED BUILDING

Detention Pond

Future West M Street

Proposed Street Trees to be installed upon construction of West M Street

PROPOSED LANDSCAPE DEVELOPMENT:

- A. West L Street:
Trees: Live Oaks
Shrubs: Dwarf Oleander, Waxleaf Ligustrum
- B. South 16th Street:
Trees: Shumard Oaks
Shrubs: Dwarf Waxmyrtles, Dwarf Oleander
- C. West M Street:
Trees: Mexican Sycamore
Shrubs: Dwarf Waxmyrtles, Dwarf Oleander
- D. Landscape Plantings Around Building:
Trees: American Holly, Japanese Blueberry
Shrubs: Indian Hawthorns, Drift Red Roses, Little John Bottlebrush, Iris, Variegated Flax Lilies.
- E. All unpaved areas to be hydromulched
Common Bermuda.

Landscape Development Plan
for Proposed 99,659 SF. Building Site
La Porte, Texas



Wong & Associates, Inc.
P.O. Box 2028 Bellaire, Texas 77402-2028
Tel. 713-777-9198 Cell : 713-557-9298
Member: American Society of Landscape Architects

TELEPHONE INVESTMENTS, INC.
19 PECAN GORGE COURT
SUGAR LAND, TEXAS 77479

June 27, 2019

City of La Porte
City Mayor
Members of City Council
604 West Fairmont Parkway
La Porte, Texas 77571

Re: Phelan-Bennett Development – Proposed South 16th Street Project
Zoning Change and Special Conditional Use Permit Request

Dear Mr. Mayor and Members of City Council:

Telephone Investments, Inc. owns that certain 2.29 acres of undeveloped land along South 13th Street and M Street in La Porte, Texas.

My partners and I understand that our immediate neighbor to the West has requested City Council's approval with respect to a zoning change (Commercial to Planned Unit Development) and a Special Conditional Use Permit for the development of a 108,000 square-foot industrial/distribution type facility.

I have met with Justin Bennett of Phelan-Bennett Development who is the applicant regarding the above-referenced requests. Mr. Bennett provided my partners and me a detailed overview of his proposed project. We understand the design, function and speculative nature of his project, and we approve of this use of the neighboring land and his related industrial improvements.

This letter shall serve as our full support of Mr. Bennett's project, and we believe his intended zone change to Planned Unit Development and related Special Conditional Use Permit request is consistent with a land use/improvement adjacent to a high frequency truck court within the vicinity of an established industrial park.

As adjacent neighbors to Mr. Bennett's proposed project, we respectfully request City Council's approval of the same.

Very Truly Yours,



Nizar Manesia
Telephone Investments, Inc.



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>07.22.19</u>
Requested By: <u>Ian Clowes, City Planner</u>
Department: <u>Planning & Development</u>
<input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance

Appropriation	
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:	<input type="radio"/> Yes <input type="radio"/> No

Exhibits: **Ordinance No. 2019-3752**
Proposed SCUP
P&Z Recommendation Letter
Aerial Map
Zoning Map
Applicant Information

SUMMARY & RECOMMENDATION

Applicant, Justin Bennet of Phelan-Bennett Development; on behalf of Carrington F. Weems, owner, is seeking approval of a Special Conditional Use Permit (SCUP) to allow for an office/warehouse facility in the PUD zoning district; on approximately 5.051 acres of land, legally described as Lots 1-32, Block 1144 and Lots 17-32 & Tracts 1-16, Block 1143, La Porte Subdivision. The subject site is located at the NE Corner of S. 16th St. and W. M St.

The property is currently undeveloped. The owner of the property is in the process of changing the zoning from GC to PUD. The proposed SCUP, will allow them to construct a spec office/warehouse facility. Preliminary layouts for the project show a 109,000 square foot building fronting onto S. 16th St. with the truck docks to the south. The truck bays will be screened from view of S. 16th and SH 146 by architectural elements on the proposed building.

The requested item was previously heard by the Planning and Zoning Commission on March 21, 2019 where it was recommended for approval on a 9-0 vote. The item was not heard by the City Council due to the failure of the requested zone change, making the SCUP unnecessary.

Staff did not receive any returned comment sheets for the proposed SCUP.

The Planning and Zoning Commission, at their June 20, 2019 regular meeting, voted 4-3 to recommend approval of the proposed SCUP, as presented with three (3) additional conditions. Below is a list of all proposed conditions.

1. All uses permitted in the City of La Porte Zoning Ordinance Use Chart under BI and LI (Sec. 106-310, Table A “Commercial and Industrial Uses” of the City of La Porte Code of Ordinances) as may be amended from time to time, are permitted with the exception of any uses required to be located adjacent to a high frequency truck route.
2. Number of “dock high doors” shall be limited to no more than 7 for a total number of large garage type doors not to exceed 9.
3. Total square footage of the building footprint shall not exceed 109,000 square feet.
4. All surfaces on site intended for parking, drive aisles, or outside storage must be paved with either asphalt or concrete.
5. The following uses/activities shall NOT be permitted on the property:
 - a. Shipping/tank containers, equipment or raw materials stored “off chassis” overnight anywhere on the property
 - b. Stacking of shipping/tank containers anywhere on the property.
 - c. Uses required to be located adjacent to a high frequency truck route.
6. The requirements for development will be in accordance with Sec 106-522, Table A “Industrial Area Requirements”, of the City of La Porte Code of Ordinances, as may be amended from time to time.
7. The building facade of the building erected on the property will meet the Tier 2 design guideline requirements for the BI zoning district.
8. The front of the building will face 16th Street.
9. The truck docks will be designed such that they are screened from view from 16th Street.
10. The development will meet all guidelines and permitting requirements of the Code of Ordinances of the City of La Porte in effect as of the date of permitting, including all set back requirements.
11. Screening will be provided along the northern and eastern property line and will meet the requirements of Sec. 106-444 of the City of La Porte Code of Ordinances.
12. All driving surfaces will be dust free in accordance with City of La Porte Code of Ordinances.
13. On site detention will be provided

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 #19-91000003

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2019-3752

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. 19-91000003, TO ALLOW FOR AN INDUSTRIAL OFFICE/WAREHOUSE USE IN A PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT, ON A 5.051 ACRE TRACT OF LAND AND BEING LEGALLY DESCRIBED AS LOTS 1-32, BLOCK 1144 AND LOTS 1-32, BLOCK 1143, 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 #19-91000003 attached hereto as Exhibit A and incorporated by reference for all purposes, to allow for an Industrial Office/Warehouse use on a 5.051 acre tract of land located at the NE corner of S. 16th St. and the W. M Street R.O.W. and legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision, La Porte, Harris County, Texas, and situated within a Planned Unit Development (PUD) 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 22nd day of JULY, 2019.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Lee Woodward, City Secretary

APPROVED:

Clark Askins, Assistant City Attorney

EXHIBIT A

**City of La Porte
Special Conditional Use Permit #19-9100003**

This permit is issued to: Justin E. Bennet of Phelan-Bennet Development
Owner or Agent

5301 Polk St., Bldg. 25, Houston, TX 77023
Address

For Development of: Spec Office/Warehouse
Development Name

0 S. 16th Street, La Porte. TX (HCAD 0242030430001)
Address

Legal Description: Lots 1-32 of Block 1144 (including the 15' alley), Lots 1-32 of Block 1143 (including the 15' alley) and the 15th Street ROW from West L Street to West M Street

Zoning: PUD, Planned Unit Development

Use: Industrial Office/Warehouse

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. All uses permitted in the City of La Porte Zoning Ordinance Use Chart under BI and LI (Sec. 106-310, Table A "Commercial and Industrial Uses" of the City of La Porte Code of Ordinances) as may be amended from time to time, are permitted with the exception of any uses required to be located adjacent to a high frequency truck route.
2. Number of "dock high doors" shall be limited to no more than 7 for a total number of large garage type doors not to exceed 9.
3. Total square footage of the building footprint shall not exceed 109,000 square feet.
4. All surfaces on site intended for parking, drive aisles, or outside storage must be paved with either asphalt or concrete.
5. The following uses/activities shall NOT be permitted on the property:
 - a. Shipping/tank containers, equipment or raw materials stored "off chassis" overnight anywhere on the property
 - b. Stacking of shipping/tank containers anywhere on the property.
 - c. Uses required to be located adjacent to a high frequency truck route.
6. The requirements for development will be in accordance with Sec 106-522, Table A "Industrial Area Requirements", of the City of La Porte Code of Ordinances, as may be amended from time to time.
7. The building facade of the building erected on the property will meet the Tier 2 design guideline requirements for the BI zoning district.
8. The front of the building will face 16th Street.

9. The truck docks will be designed such that they are screened from view from 16th Street.
10. The development will meet all guidelines and permitting requirements of the Code of Ordinances of the City of La Porte in effect as of the date of permitting, including all set back requirements.
11. Screening will be provided along the northern and eastern property line and will meet the requirements of Sec. 106-444 of the City of La Porte Code of Ordinances.
12. All driving surfaces will be dust free in accordance with City of La Porte Code of Ordinances.
13. On site detention will be provided.

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



June 21, 2019

Honorable Mayor Rigby and City Council
City of La Porte

RE: Special Conditional Use Permit Request #19-91000003

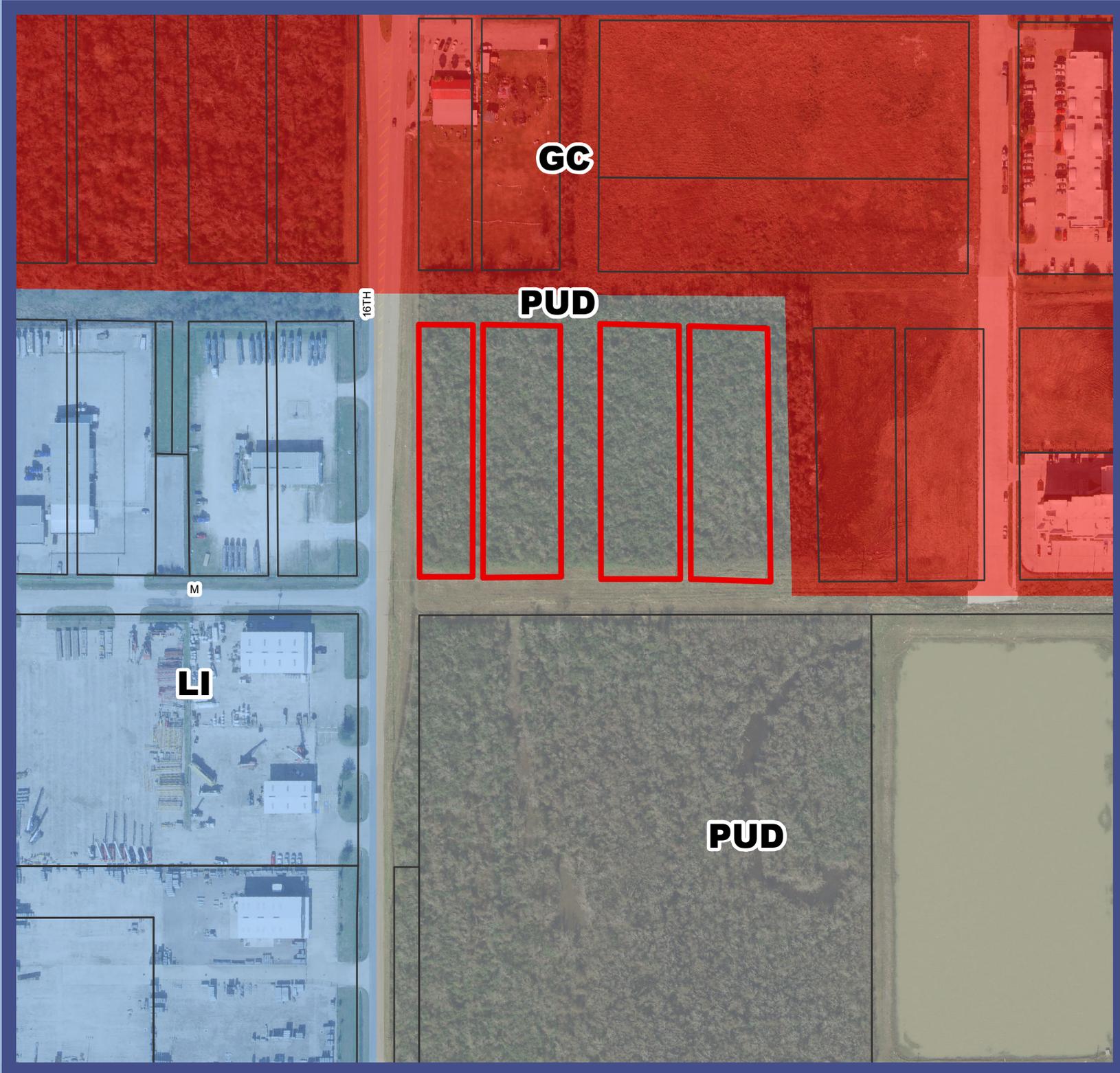
Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a regular meeting on June 20, 2019 to hear a Special Conditional Use Permit request by, Justin Bennet of Phelan-Bennett Development, applicant; on behalf of Carrington F. Weems, owner; for a Special Conditional Use Permit to allow for an industrial office/warehouse use. The subject site is located at the NE corner of S. 16th St. and the W. M St. ROW, and is legally described as Lots 1-32, Block 1144 and Lots 1-32, Block 1143, La Porte Subdivision. The subject site is zoned Planned Unit Development (PUD) and Section 106-659 of the Code of Ordinances requires a Special Conditional Use Permit in order for the above referenced use to be permitted within the PUD zoning district.

The Commission voted 4-3 to recommend approval of the proposed SCUP with a number of additional conditions. These conditions have been added to the final SCUP document.

Respectfully submitted

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



ZONING MAP

SCUP

#19-91000003

NE Corner
S. 16th and W. M

 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 = 211 feet



JULY 2019
PLANNING DEPARTMENT



Special Conditional Use Permit Application

Planning and Development Department

604 West Fairmont Parkway

La Porte, Texas 77571

281-470-5057

OVERVIEW

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

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

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

SUBMITTAL REQUIREMENTS

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

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

PROCESS

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



Special Conditional Use Permit Application

Planning and Development Department

- The Planning and Zoning Commission public hearing will be held in the City Council Chamber at City Hall (604 W. Fairmont Parkway). At the meeting, the Planning and Zoning Commission will conduct a public hearing and provide a recommendation to the City Council on the proposed SCUP. If additional information is requested by the Commission, the public hearing may be continued to a future meeting date.
- The Commission and City Council may impose special conditions on an SCUP in an attempt to ensure compatibility of the proposed development with surrounding properties and the community as a whole.
- The Commission is tasked to review the proposed SCUP and offer a recommendation to the City Council for approval, denial, or approval with conditions.
- Following the Commission's public hearing, their recommendation on the proposed SCUP is then forwarded to City Council for consideration.
- For the City Council public hearing, the Planning and Development Department will publish notice of the public hearing in the Bay Area Observer and post notice at City Hall in conformance with legal requirements.
- The City Council public hearing will be held in the City Council Chamber at City Hall (604 W. Fairmont Parkway). At the meeting, the City Council will conduct a public hearing and render a decision on the proposed SCUP. However, if additional information is requested by the City Council, the public hearing may be continued to a future meeting date.
- The following is an excerpt from the City of La Porte's Code of Ordinances pertaining to SCUP requests.

CODE REQUIREMENTS

Conditional Use Permits

Sec. 106-216. - General conditions for all conditional uses in all zoning districts.

- (a) A special conditional use permit may be granted by the city council for the construction of a building and/or the establishment of a use as described in this or any other section, upon a tract of land in single ownership or under unified control.
- (b) Upon application for a special conditional use permit and submission of a general plan, major development site plan, minor development site plan, or preliminary plat (as the case may be), the city planning and zoning commission shall conduct a public hearing, duly advertised and with proper notice being given to all parties affected, as provided in [section 106-171](#) (Amendment procedures). The general site plan, major development site plan, minor development site plan, or preliminary plat shall be drawn to scale and shall show the arrangement of the project in detail, including parking facilities, location of buildings, building uses to be permitted, means of ingress and egress, and other pertinent information, together with the information required by the development ordinance of the city.
- (c) After public hearing and upon recommendation of the city planning and zoning commission, the city council may modify the final planned unit development plan and issue a special conditional use permit containing such requirements and safeguards as are necessary to protect adjoining property.
- (d) Failure to begin construction within one year 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.

June 28, 2019

The City of La Porte
Attention: City Mayor/City Council
604 West Fairmont Parkway
La Porte, Texas 77571

Re: South 16th Street Development
Zoning Change/Special Conditional Use Permit

Mr. Mayor and Council Members:

Since my last presentation to La Porte City Council with respect to the above-reference project requests, I have made several building design changes to address concerns expressed by Council Members. Please refer to Exhibit A, which depicts the revisions to the building site plan and elevations.

As I previously presented, I believe it is noteworthy to explain the intended future use of the proposed facility. As designed, my industrial building is single-side loaded, and it can accommodate one to two users ranging from 30,000 square-feet up to 108,000 square-feet. Given the smaller size of the building combined with the fact that it **cannot** provide a cross-dock loading configuration (i.e. in-bound loading on one side and out-bound loading on the opposite side) nor can the building offer trailer storage on site, this will discourage a heavy truck operation to locate at this project. The facility also has only one point of access along South 16th Street, which would deter a warehousing group that required multiple points of access for a significant number of truck trips per day. Moreover, with the additional design limitations that I have placed on the facility, specifically a reduced number of dock doors and reduced dock maneuvering space, this industrial building will be less attractive to a high-trucking warehouse use.

The following design changes have been made to the building:

- The number of dock doors has been reduced by **50%** to 7 dock doors.
- The length of the dock maneuvering area has been reduced from 125 Feet to 102 Feet.
- Passenger vehicle parking has been added along the South property line.
- The dock maneuvering area has been further set back from South 16th Street.

Attached as Exhibit B is a design manual developed by NAIOP, a leading national commercial real estate association and HPA, Inc., one of the nation's largest industrial architects. This manual designates minimum design features for "warehouse" design. As depicted on Exhibit B,

the minimum truck turning radius for standard semi-trucks designates the minimum maneuvering distance for a single truck, which is 111 Feet and the minimum maneuvering distance for multiple trucks, which is 131 Feet. The manual further states that a 131-foot to 130-foot maneuvering yard is the most functional for users. Therefore, by reducing the dock maneuvering area to 102 feet in my proposed industrial building, this site feature will discourage a high trucking operation due to this operational inefficiency relative to semi-truck loading/unloading and circulation.

I respectfully request your favorable consideration of my Zoning Change and Special Conditional Permit Use Requests.

I look forward to our visit on July 22, 2019, and please contact me if you have any questions regarding this matter.

Very Truly Yours,



Justin E. Bennett

cc: F. Carrington Weems

High Frequency Truck Route

W Fairmont Pkwy

Vacant Land

Hospitality

Fairfield Inn
140 Rooms
5 Floors-65' High
(to be consutracted)

Hotel

S 13th St

SITE

Vacant Land

West L Street will never be improved (natural landscape buffer/screening)

Truck Yard/
Industrial

Truck Yard

Rail Yard

Industrial

Industrial

Regional Detention

Industrial

Industrial

Industrial

Industrial

LAND USE LEGEND

Commercial

Light Industrial

Planned Unit Development

High Frequency Truck Route

S 13th St

W 10th St

146

State Hwy 141

Gypress Cove St

S 8th St

Beach St

WEST L STREET (UNIMPROVED)
USED for FIRE DEPARTMENT ACCESS

FIRE DEPARTMENT APPARTUS
ACCESS ROAD - 80,000 psf CAPACITY
(DECOMPOSED GRANITE)

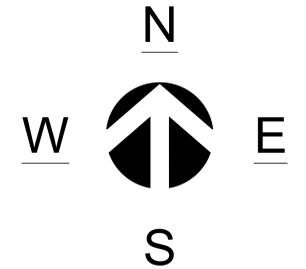
SOUTH 16th STREET
(HIGH FREQUENCY TRUCK ROUTE)

1301 South 16th Street
108,975 sf

DETENTION AREA

CHANGES TO SITE PLAN:

1. REDUCED DOCK DOORS BY 50% TO 7 DOCK DOORS.
2. REDUCED DOCK MANEUVERING AREA BY 23'-0" TO 102'-0".
3. ADDED PASSENGER VEHICLE PARKING ALONG SOUTH PROPERTY LINE OPPOSITE DOCK DOORS.
4. INCREASED DOCK SETBACK FROM SOUTH 16TH STREET TO 152'-5".



SITE PLAN / FLOOR PLAN
Scheme 10

28 June 2019

WEST M STREET (UNIMPROVED)

FUTURE ACCESS POINT

400'-0"

44'-0"

52'-0"

52'-0"

52'-0"

52'-0"

52'-0"

52'-0"

44'-0"

260'-0"

10'-0"

50'-0"

50'-0"

50'-0"

50'-0"

50'-0"

60'-0"

26'-0"

108'-0"

26'-0"

152'-5"

102'-0"

7 OVERHEAD DOORS

GL

GL

p:\2019\19500_pheplan development\19500-50 psd\reports, LVI\19500-50 scheme, I.D site plan floor plan elevations for psn
20200723.rvt

West L Street Will Remain Unimproved

Fire Department Turnaround in right of way to be converted to driveway upon construction of road. Area to be paved with "Grass Blocks"

Proposed Future Street Trees to be installed upon construction of West L Street

South 16th Street

PROPOSED BUILDING

Detention Pond

Future West M Street

Proposed Street Trees to be installed upon construction of West M Street

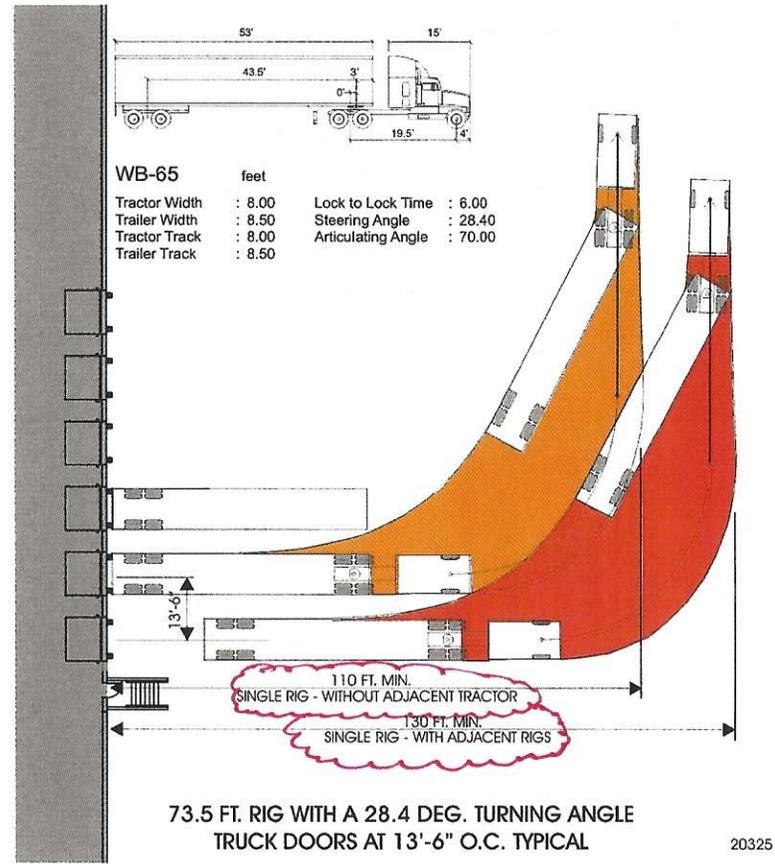
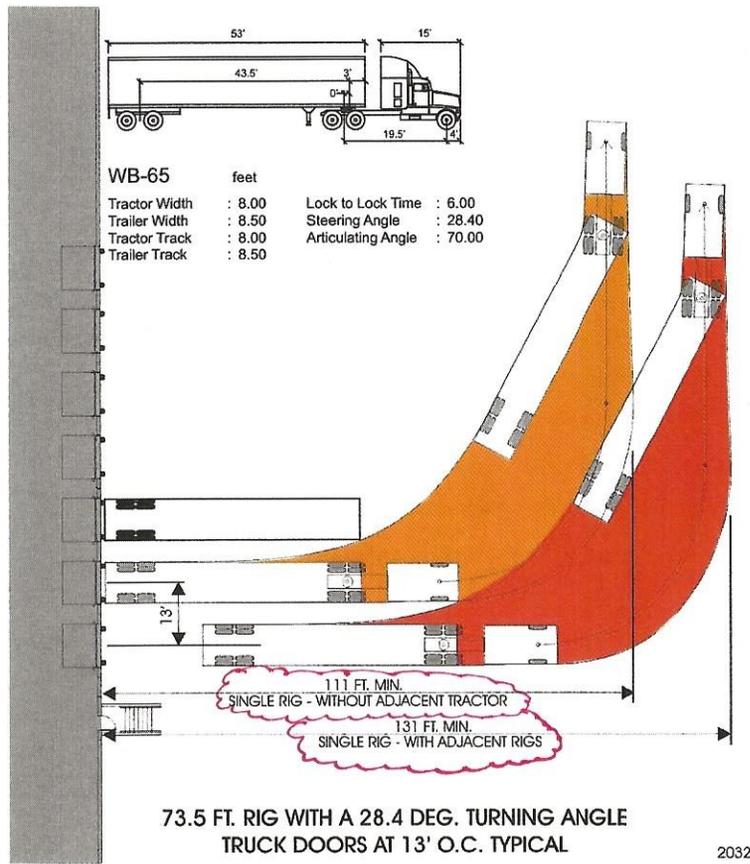
PROPOSED LANDSCAPE DEVELOPMENT:

- A. West L Street:
Trees: Live Oaks
Shrubs: Dwarf Oleander, Waxleaf Ligustrum
- B. South 16th Street:
Trees: Shumard Oaks
Shrubs: Dwarf Waxmyrtles, Dwarf Oleander
- C. West M Street:
Trees: Mexican Sycamore
Shrubs: Dwarf Waxmyrtles, Dwarf Oleander
- D. Landscape Plantings Around Building:
Trees: American Holly, Japanese Blueberry
Shrubs: Indian Hawthorns, Drift Red Roses, Little John Bottlebrush, Iris, Variegated Flax Lillies.
- E. All unpaved areas to be hydromulched
Common Bermuda.

Landscape Development Plan
for Proposed 99,659 SF. Building Site
La Porte, Texas



Wong & Associates, Inc.
P.O. Box 2028 Bellaire, Texas 77402-2028
Tel: 713-777-9198 Cell: 713-557-9298
Member: American Society of Landscape Architects



These two diagrams illustrate the minimum turning radius requirements for a "normal" WB-65 interstate rig in backing in and pulling out of a typical dock condition. The door spacing shown here of 13' O.C. and 13' 6" O.C. are derived from an objective of maximizing the number of doors in a facility and will be discussed later. They are the most commonly utilized door spacings in the Southern California market. The WB-65 configuration is representative of the maximum size rig in California (57' trailers are allowed only on smaller tractors as they are limited to a 65' overall rig length). The 131'-130' yard indicated here provides the most functionality for the user by allowing a single swing turn in the largest California rig when there is a full rig parked at the adjacent door.



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>July 22, 2019</u>
Requested By: <u>Donald Ladd, Asst. Fire Chief</u>
Department: <u>Fire</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance

Appropriation	
Source of Funds:	_____
Account Number:	_____
Amount Budgeted:	_____
Amount Requested:	_____
Budgeted Item:	<input type="radio"/> Yes <input type="radio"/> No

Exhibits: La Porte Fire Control, Prevention, and Emergency Services District budget

SUMMARY

The continuation of the La Porte Fire Control, Prevention, and Emergency Medical Services District (LPFCPEMSD) was passed after a citywide vote during elections in May 2016. The mission for the District is to provide the community with the most efficient and progressive Fire Prevention, Protection, and Emergency Medical Services possible in an effective and responsible manner. This is accomplished by providing the best possible training, updated equipment, and protocols for the personnel who respond. LPFCPEMSD will incorporate strategies to help the Fire and Emergency Medical Services Departments accomplish its mission.

The LPFCPEMSD Board has established the budget, held a public hearing on it, and approved the budget during the June 18, 2019, meeting. The next step in the process is for the budget approved by the Board be presented to the City Council in a public hearing format. The Council will then approve or decline to approve the budget as presented.

The budget exhibit that is attached is the same as what was presented to the Board. Staff is recommending Council approval of the LPFCPEMSD budget as passed by the Board.

RECOMMENDED MOTION

Move to approve the La Porte Fire Control, Prevention, and Emergency Medical Services District budget for the fiscal year 2019-2020, which begins October 1, 2019, as approved by the Board of Directors of the District at its meeting of June 18, 2019.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

City of La Porte, Texas
Emergency Services District Fund Summary

	Actual	Budget	Estimated	Projected
	2017-18	2018-19	2018-19	2019-20
Beginning Fund Balance	\$ 482,640	\$ 884,235	\$ 884,235	\$ 1,245,422
Revenues				
Sales Tax	1,452,028	1,250,000	1,450,000	1,375,000
Interest Income	4,467	4,500	8,100	5,000
Total Revenues	1,456,495	1,254,500	1,458,100	1,380,000
Expenditures				
Fire Prevention	26,481	19,328	18,128	21,846
Fire Suppression	713,828	752,056	740,357	833,295
Emergency Medical Services	314,591	345,903	338,428	418,193
Total Expenditures	1,054,900	1,117,287	1,096,913	1,273,334
Ending Fund Balance	\$ 884,235	\$ 1,021,448	\$ 1,245,422	\$ 1,352,088

City of La Porte, Texas
 Fire Prevention - ESD
 Detail of Expenditures

34-5050-522

	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Requested 2019-20
Supplies:				
2001 Office Supplies	\$ -	\$ -	\$ -	\$ -
2003 Protective Clothing	824	3,500	3,500	3,500
2090 Machinery/Tools/Equipment	625	-	-	-
Supplies Subtotal	1,449	3,500	3,500	3,500
Services & Charges:				
3020 Training/Seminars	1,762	6,200	5,000	8,200
4020 Motor Pool: Lease Fees	6,031	9,628	9,628	10,146
Services & Charges Subtotal	7,793	15,828	14,628	18,346
Capital Outlay				
8050 Motor Vehicles	17,239	-	-	-
Capital Outlay Subtotal	17,239	-	-	-
Division Total	\$ 26,481	\$ 19,328	\$ 18,128	\$ 21,846

**City of La Porte, Texas
Fire Suppression - ESD
Detail of Expenditures**

034-5051-522

	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Requested 2019-20
Personal Services:				
1010 Regular Earnings	\$ 80,330	\$ 80,310	\$ 79,231	\$ 82,937
1012 Sick Buy Back	1,821	-	-	-
1020 Overtime	-	-	-	-
1035 Longevity	720	720	772	864
1044 Cleaning Allowance	241	241	241	241
1060 FICA	6,186	6,218	6,061	6,279
1065 Retirement	13,503	13,114	12,899	13,361
1080 Insurance - Medical	10,422	12,000	12,000	12,000
1081 Insurance - Life	9	36	36	36
Personal Services Subtotal	113,232	112,639	111,240	115,718
Supplies:				
2003 Protective Clothing	40,675	44,750	42,000	51,750
2007 Chemical	2,965	4,500	3,000	4,500
2009 Medical	5,714	7,400	7,400	8,000
2019 Training Field Supplies	-	-	-	-
2090 Machinery/Tools/Equipment	5,488	9,250	10,000	10,750
2091 Office Furniture / Equipment	6,666	13,600	12,000	20,100
Supplies Subtotal	61,508	79,500	74,400	95,100
Services & Charges:				
3020 Training/Seminars	20,694	25,400	25,000	28,200
4002 Machinery/Tools/Equipment	42,073	49,800	45,000	49,800
4020 Motor Pool Lease Fees	432,760	446,782	446,782	460,193
5001 Accounting	5,000	5,000	5,000	5,000
9997 Request for Special Programs	-	-	-	18,284
Services & Charges Subtotal	500,881	526,982	521,782	561,477
Capital Outlay:				
8021 Mach / Tools & Equipment	38,207	32,935	32,935	61,000
Capital Outlay Subtotal	38,207	32,935	32,935	61,000
Division Total	\$ 713,828	\$ 752,056	\$ 740,357	\$ 833,295

City of La Porte, Texas
 Emergency Medical Services - ESD
 Detail of Expenditures

034-5059-522

	Actual 2017-18	Budget 2018-19	Estimated 2018-19	Requested 2019-20
Supplies:				
2003 Protective Clothing	\$ 15,135	\$ 20,000	\$ 20,000	\$ 20,000
2008 Educational	-	5,000	3,000	-
2090 Machinery/Tools/Equipment	23,944	4,000	4,000	51,000
2093 Computer Equipment	-	7,000	6,500	38,000
Supplies Subtotal	39,079	36,000	33,500	109,000
Services & Charges:				
3020 Training/Seminars	13,520	21,375	21,000	21,375
4002 Machinery/Tools/Equipment	45,410	38,300	35,000	35,700
4020 Motor Pool: Lease Fees	168,446	171,828	171,828	167,118
Services & Charges Subtotal	227,376	231,503	227,828	224,193
Capital Outlay:				
8021 Mach/Tools & Equip	48,136	78,400	77,100	40,000
8050 Motor Vehicles	-	-	-	45,000
Capital Outlay Subtotal	48,136	78,400	77,100	85,000
Division Total	\$ 314,591	\$ 345,903	\$ 338,428	\$ 418,193



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>July 22, 2019</u>
Requested By: <u>Corby Alexander, City Manager</u>
Department: <u>Administration - CMO</u>
<input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance

Appropriation	
Source of Funds:	_____
Account Number:	_____
Amount Budgeted:	_____
Amount Requested:	_____
Budgeted Item:	<input type="radio"/> Yes <input type="radio"/> No

Exhibits: Email from Houston Coalition
Proposed Ordinance 2019-3753

SUMMARY & RECOMMENDATION

On April 5, 2019, CenterPoint Energy Houston Electric, LLC (“CenterPoint”) submitted a *Statement of Intent and Application for Authority to Change Rates* (“Application”) within the City of La Porte requesting a rate increase, riders, and tariff changes. The Application was filed with each municipality exercising original jurisdiction over CenterPoint’s electric rates. CenterPoint is requesting a \$193.4 million rate increase of which \$186.6 million will be collected from retail customers. In addition, CenterPoint is proposing through a separate Tax Cut and Jobs Act (TCJA) Rider, to return approximately \$97 million to customers over a three-year period. After the three-year period, the TCJA Rider expires.

The City of La Porte, as a local regulatory authority, exercises original jurisdiction over the rates, operations and services of CenterPoint for customers located within the City of La Porte under Section 33.001 of the Public Utility Regulatory Act (“PURA”) in the Texas Utilities Code. The new rates would affect rates, operations or services for CenterPoint retail customers within the City.

PURA Sections 36.102 and 36.108 provide that the new rates take effect on the thirty-fifth (35th) day of filing. Additionally, PURA Section 36.108 provides that a local regulatory authority may suspend the operation of the Application for ninety (90) days beyond the date the new rates would otherwise be effective. PURA Section 36.109 provides that unless the local regulatory authority establishes interim rates, the rates in effect at the time the Application is filed remain in effect during the suspension period.

The average residential customer using 1,000 kWh per month would experience an approximate 1.91% increase — \$2.50 per month for the first three years, assuming an

existing retail rate of \$0.125 per kWh. Please note that the residential rate above is inclusive of the TCJA Rider. CenterPoint's summary did not show the rate after the TCJA Rider expires in three years.

On May 10, 2019, the City Council approved an Ordinance suspending the electric rate adjustments for 90 days to allow further analysis of the proposed new rates. On May 13, 2019, the City Council approved a resolution to participate in the Coalition of Cities to assist in the analysis of the proposed rate increases of CenterPoint Energy Houston Electric, LLC. On June 6, 2019, the Houston Coalition experts filed testimony with the Public Utility Commission related to these requested rate increases. Rebuttal testimony was filed with the Commission on June 19, 2019. On June 24-27 a Hearing on the Merits for this case was held before the State Office of Administrative Hearing (SOAH) administrative law judges. Houston Coalition legal and experts participated and presented testimony in the Hearings on behalf of the Coalition of Cities.

The Coalition of Cities have recommended to the City of La Porte to conduct a public hearing to receive input from residents and/or CenterPoint Energy as it relates to the proposed new rate increases. At this time, the expert utility rate consultants retained to review CenterPoint's New Rates on behalf of the Coalition have concluded that CenterPoint has not yet demonstrated through its application and testimony that its new rates are just and reasonable, non-discriminatory and in compliance with all applicable laws. Therefore, the Coalition of Cities recommends, and staff concurs, that the City Council adopt an ordinance denying CenterPoint's proposed rate increase and maintain existing rates in effect for customers within our community.

ACTION REQUIRED BY COUNCIL

Conduct a public hearing to hear from residents and/or CenterPoint Energy related to the proposed rate increase.

Move to adopt Ordinance 2019-3753 denying rate adjustments proposed by CenterPoint Energy Houston Electric, LLC for customers within the City of La Porte.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

From: [Talley, Alisa - ARA](#)
To: [Talley, Alisa - ARA](#)
Subject: CenterPoint Energy Houston Electric Rate Proceeding - Coalition Update and Conference Call Scheduled for Thursday, July 18 at 10:30 am
Date: Friday, July 12, 2019 10:45:29 AM
Attachments: [image002.png](#)
[Ord-Deny.docx](#)

Dear Houston Coalition of City Members:

As a reminder, if CenterPoint filed its Statement of Intent and Application for Authority to Change Rates (Application) with your city on April 5, 2019, **the deadline for cities to adopt a rate ordinance approving, modifying, or rejecting CenterPoint Energy Houston Electric, LLC's (CenterPoint or Company) Application is August 8, 2019.** The Houston Coalition experts recommend that Coalition cities deny CenterPoint's request for a rate increase. Attached is a sample denial ordinance. The experts reviewed the filing and recommended several adjustments which amount to a significant decrease to CenterPoint's overall request.

On June 6, 2019, the Houston Coalition experts filed testimony with the Public Utility Commission (PUC or Commission) in the concurrent proceeding at the Commission. Rebuttal testimony was filed with the Commission on June 19, 2019. Combined with the adjustments recommended by the other city coalitions, the cumulative recommendation is an overall reduction to the Company's stated revenue requirement. Copies of the testimony are available by visiting the PUC Filing Interchange at <http://interchange.puc.texas.gov/> and entering the control number 49421. On June 24 – June 27 a Hearing on the Merits for this case was held before the State Office of Administrative Hearing (SOAH) administrative law judges (ALJs). Houston Coalition legal and rate experts participated and presented testimony in the Hearing. Because of the truncated timelines for the PUC proceeding, Coalition legal and rate experts worked diligently to finalize and submit the required initial and reply post-hearing briefs due July 9, and July 16 2019.

The City of Houston will conduct a public hearing to consider the determination of just and reasonable rates proposed by CenterPoint Energy to be observed in the City of Houston on July 17, 2019. Member cities can also hold a hearing during one of their City Council meetings. On July 31, 2019, Houston staff will make a recommendation to the Mayor and City Council that City Council approve an ordinance denying Centerpoint's proposed rate increase. It is recommended that the member cities of the Houston Coalition of Cities adopt a similar ordinance denying CenterPoint's proposed rate increase and maintaining existing rates in effect for customers within their jurisdiction.

A conference call is scheduled for Thursday, July 18, 2019 at 10:30 am (Call-in Number: 1.866.574.2770 Conference Code: 5941750). More detailed information regarding the Coalition experts' recommendations will be provided during the call. If you have any questions, please contact Alisa Talley at 832.393.8531 or Alisa.Talley@houstontx.gov.

Regards,



Alisa Talley
Division Manager
Utility Regulation Division | Legislation Analysis
611 Walker, 13th Floor | Houston, TX 77002
PH: 832.393.8531 | FAX: 832.393.8517
EM: alisa.talley@houstontx.gov

WEB: [Utility Regulation Website](#)
WEB: [Policy Management Website](#)

Utility Regulation Complaint Line: 832.393.8591 | EM: utilitycomplaints@houstontx.gov

ORDINANCE NO. 2019-3753

AN ORDINANCE RELATING TO THE RETAIL ELECTRIC RATES OF CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC WITHIN THE CITY OF LA PORTE, TEXAS; DENYING RATE INCREASE REQUEST AND REVISED RATE SCHEDULES AND MAINTAINING CURRENT RATES IN EFFECT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, on April 5, 2019, CenterPoint Energy Houston Electric, LLC (“CenterPoint”) submitted a Statement of Intent and Application for Authority to Change Rates (“Application”) within the City of La Porte, Texas (“City”), requesting a rate increase, riders, and tariff changes (collectively “New Rates”); and

WHEREAS, the City, as a local regulatory authority, exercises original jurisdiction over the rates, operations and services of CenterPoint for customers located within the City under Section 33.001 of the Public Utility Regulatory Act (“PURA”) in the Texas Utilities Code; and

WHEREAS, the City is a member of the Coalition of Cities (“Coalition”) in this CenterPoint electric base rate proceeding, as approved by resolution 2019-07 by City Council on May 13, 2019; and

WHEREAS, the New Rates would affect rates, operations or services for CenterPoint retail customers within the City; and

WHEREAS, on May 10, 2019, City Council adopted Ordinance No. 2019-3738 suspending the effective date of the New Rates until August 8, 2019 (the “Suspension Period”); and

WHEREAS, during the Suspension Period, the City participated as part of the Houston Coalition of Cities (“Coalition”) with other cities in the CenterPoint rate case proceedings at the Public Utility Commission of Texas (“PUC”) related to rates for CenterPoint’s unincorporated area (environs) customers and gathered information from CenterPoint; and

WHEREAS, on La Porte City Council held a public hearing (“Public Hearing”) regarding CenterPoint’s Application on July 22, 2019; and

WHEREAS, the expert utility rate consultants retained to review CenterPoint’s New Rates on behalf of the Coalition have concluded that CenterPoint has not yet demonstrated through its application and testimony that its New Rates are just and reasonable, non-discriminatory and in compliance with all applicable law; and

WHEREAS, City Council determines that CenterPoint’s rates in effect as of April 5, 2019, (“Current Rates”) are the just and reasonable rates to be observed and to remain in force within the City; and

WHEREAS, City Council anticipates that a denial of the New Rates will be appealed to the PUC; and

WHEREAS, denial of the New Rates would maintain the Current Rates in effect for customers within La Porte, Texas until further changed under the Utilities Code; and

WHEREAS, the City Council finds that the public interest will be served by the adoption of an ordinance denying the New Rates, because they promote the adequate and efficient provision of service, are just and reasonable and nondiscriminatory and are in compliance with all applicable law;

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

Section 1. That the facts contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That CenterPoint's application for New Rates on file with the City is denied in total.

Section 3. That the rates currently in effect as of April 5, 2019, for CenterPoint customers receiving service within the City of La Porte, Texas shall remain in effect until further changed under applicable law.

Section 4. If any provision, section, subsection, sentence, clause or phrase of this ordinance, or the application of same to any person or set of circumstances is for any reason held to be invalid, the validity of the remaining portions of this ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 5. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED this _____ day of July, 2019

CITY OF LA PORTE, TEXAS

Louis Rigby, Mayor

ATTEST

APPROVED AS TO FORM

Lee Woodward, City Secretary

Clark Askins, Assistant City Attorney



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>July 22, 2019</u>
Requested By: <u>Matt Daeumer, Asst. Police Chief</u>
Department: <u>Police</u>
<input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance

Appropriation	
Source of Funds:	_____
Account Number:	_____
Amount Budgeted:	_____
Amount Requested:	_____
Budgeted Item:	<input type="radio"/> Yes <input type="radio"/> No

Exhibits: Draft Updated Massage Business Ordinance, Final Massage Ordinance, and Response to Previous Agenda Request

SUMMARY

At the June 10, 2019 City Council meeting, councilmembers T. Garza, B. Lunsford and B. Bentley requested an agenda item to discuss revisions to the City of La Porte Code of Ordinances related to massage businesses. Within the agenda request Councilperson T. Garza provided an agenda request with proposed changes in red. As an exhibit to the current agenda request, staff has provided feedback on those requested items as an attachment.

Currently, the City of La Porte has three operational massage businesses. Police compliance checks at one of these establishments has uncovered illegal activity, including various violations of Article VII – Massage Businesses of the Code of Ordinances for the City of La Porte. These violations have been referred to the La Porte Municipal Court for criminal prosecution and staff has attempted to work with the involved property owners. In spite of these efforts, staff believes that the regulations should be clarified to attain future compliance.

The City Manager’s Office, Planning & Development Department, Fire Marshal’s Office and Police Department met with Joe Madison of “Love People Not Pixels” (a non-profit group that fights the demand for human trafficking by inspiring a culture shift where individuals, families, and communities defend one another from sexual exploitation) as well as with the City’s assistant city attorney. Discussions occurred over several meetings to review the best revisions to the City’s current Code of Ordinances related to massage businesses. Additionally, staff reviewed ordinances and processes established by other municipalities. To help ensure that massage businesses operating within the corporate limits of the City of La Porte perform in an ethical and legal manner, staff is requesting the amendment of Article VII – Massage

Businesses of the Code of Ordinances of the City of La Porte, which would enhance the regulation of establishments of this nature within the City. Specifically, Massage Businesses would be required to adhere to changes highlighted in yellow:

Sec. 22-417. - Investigation by the director of planning and the chief of police.

(a) Upon receiving the application for a massage business permit, the director of planning and development shall forward the application to the chief of police to conduct an investigation into the applicant's moral character and personal and criminal history, as well as that of any individuals who are or who are proposed to be employees of the applicant. The chief of police may in his discretion require a personal interview of the applicant, and such further information, identification and physical examination of the person as shall bear on the investigation. In addition, the following information shall be provided to the chief of police, as follows:

Sec. 22-418. - Issuance of massage business permits; appeal of denial of permit application.

(a) The director of planning and development shall issue a massage business permit within thirty (30) days of receipt of the application unless he finds that:

(3) The applicant, if an individual, or any of the stockholders holding more than ten percent of the stock of the corporation, or any of the officers and directors, if the applicant is a corporation, or any of the partners, including limited partners, if the applicant is a partnership, or the holder of any lien of any nature on the business and/or equipment used therein; and the manager or other person principally in charge of the operation and affairs of the business, or any employees, have been charged with or convicted of a felony or misdemeanor involving moral turpitude, or was placed on deferred adjudication for such offense, unless such charge or conviction occurred at least five years prior to the date of the application;

(b) Any applicant denied a permit shall have the right of appeal to city council. Such appeal shall be taken by filing with the city secretary within ten days after notice of the denial has been mailed to such person's address as set forth in the application, a written statement setting forth fully the grounds for the appeal. The city secretary shall provide for a council hearing on such appeal at the earliest convenient regular city council meeting, and shall notify the appellant and director of planning of the date and time of such city council hearing. Notice of the time and date of the hearing, setting forth the specific grounds upon which the director of planning and development's decision is based, shall be given in writing by the city secretary through certified United States mail to the applicant at their last known address at least five days prior to the date set for such hearing. ~~in the same manner as provided in subsection (b).~~ The council shall by a

majority vote either sustain the action of the director of planning and development or issue the permit.

Sec. 22-419. - Display of permits.

The massage business permittee shall display ~~his~~ their permit in an open and conspicuous place that is observable by members of the general public, on the premises of the massage business.

Sec. 22-423. - Denial, Suspension and revocation of permits

Sec. 22-432. – Residential or dwelling use prohibited; entrances, exits.

At no time shall the premises of a massage business serve as or provide a residence or dwelling. In addition, no massage business shall have any entrance or any exit way providing a direct passageway to any residence or living quarters.

Sec. 22-433. – Access; open to public; transparent windows.

(a) All massage establishments operating under the authority of this chapter are declared to be public places, and shall not, during business hours, have the doors to the entrances or exits of such establishments locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, such doors may be closed. ~~A massage business is prohibited from operating as a private, member only enterprise.~~

(b) A massage business is prohibited from operating as a private, member only enterprise.

(c) All customer access to the massage business must occur at the massage business' front door.

(d) Outside windows of a massage business shall be transparent and the view from the outside of the establishment into the lobby/waiting area shall be unobstructed.

Sec. 22-438. – Signage required.

All massage business establishment shall erect and display in a conspicuous place in areas accessible by employees a sign advising the reader of the national human trafficking hotline, 9-1-1 emergency services, and the phone number to the La Porte Police Department.

RECOMMENDED MOTION

Consider approval or other action of an ordinance amending Article VII – Massage Businesses of the Code of Ordinances of the City of La Porte for regulations relating to the operation of massage establishments within the City of La Porte.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 22 OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, TEXAS, BY ADDING NEW REGULATIONS RELATING TO THE OPERATION OF MASSAGE ESTABLISHMENTS IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Chapter 22, “Businesses,” Article VII “Massage Businesses” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows, to wit:

“ARTICLE VII. - MASSAGE BUSINESSES

DIVISION 1. - GENERALLY

Sec. 22-400. - Definitions.

Unless the particular provision or the context otherwise requires, the definitions and provisions contained in this section shall govern the construction, meaning and application of words and phrases used in this article.

Employee shall mean any person over 18 years of age, other than a masseur, who renders any service in connection with the operation of a massage business and who receives compensation from the operator of the business or from patrons.

Massage means any method of treating the superficial parts of a patron for medical, hygienic, exercise or relaxation purposes by rubbing, stroking, kneading, tapping, pounding, vibrating or stimulating with the hands, feet or any instrument.

Masseur means any person who engages in the practice of massage as herein defined and who is licensed therefor by the state. The use of the masculine gender in this article shall include in all cases the feminine gender as well.

Patron means any person who receives a massage under such circumstances that it is reasonably expected that he or she will pay money or give any other consideration therefor.

Sec. 22-401. - Penalty.

Any person who shall intentionally or knowingly violate any provision of this article shall be deemed to be guilty of a misdemeanor and shall upon conviction be punished by a fine not to exceed \$2,000.00.

DIVISION 2. - PERMITS

Sec. 22-415. - Business permit required.

No person shall engage in or carry out the business of providing massages unless he has a valid massage business permit issued by the City of La Porte pursuant to the provisions of this article for each and every separate office or place of business conducted by such person.

Sec. 22-416. - Application for permit.

Any person desiring a massage business permit shall file a written application with the director of planning on a form to be furnished by the planning and development department. The applicant shall accompany the application with a tender of the permit fee required by this article, and shall, in addition, furnish the following:

- (1) The type of ownership of the business, i.e. whether individual, partnership, corporation or otherwise;
- (2) The name, style and designation under which the business or practice is to be conducted;
- (3) The business address and all telephone numbers where the business is to be conducted;
- (4) Such other information, identification and physical examination of the person as shall be deemed necessary by the director of planning or the chief of police to discover the truth of the matters hereinabove required to be set forth in the application;
- (5) Authorization for the city, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit;
- (6) Written declaration by the applicant, under penalty of perjury, that the foregoing information contained in the application is true and correct, said declaration being duly dated and signed in the city.

Sec. 22-417. - Investigation by the director of planning and the chief of police.

(a) Upon receiving the application for a massage business permit, the director of planning and development shall forward the application to the chief of police to conduct an investigation into the applicant's moral character and personal and criminal history, as well as that of any individuals who are or who are proposed to be employees of the applicant. The chief of police may in his discretion require a personal interview of the applicant, and such further information, identification and physical examination of the person as shall bear on the investigation. In addition, the following information shall be provided to the chief of police, as follows:

- (1) A complete list of the names and the residence addresses of all masseurs and employees in the business and the name and residence address of the manager or other person principally in charge of the operation of the business, as well as copies of all current licenses issued by department of state health services for each masseur to be employed at any permitted location.
- (2) The following personal information concerning the applicant, if an individual; and concerning each stockholder holding more than ten percent of the stock of the corporation, and each officer and director, if the applicant is a corporation; and concerning the partners, including limited partners, if the applicant is a partnership; and the holder of any lien, of any nature, upon the business and/or the equipment used therein; and concerning the manager or other person principally in charge of the operation of the business:

- a. The names, complete residence addresses and residence telephone numbers;
- b. The two previous addresses immediately prior to the present address of the applicant;
- c. Written proof of age;
- d. Height, weight, color of hair and eyes, and sex;
- e. Two front face portrait photographs taken within 30 days of the date of application and at least two by two inches in size;
- f. The massage or similar business history and experience ten years prior to the date of application, including but not limited to whether or not such person in previously operating in this or another city or state under license or permit has had such license or permit denied, revoked or suspended and the reason therefor, and the business activities or occupations subsequent to such action of denial, suspension or revocation;
- g. All criminal arrests other than misdemeanor traffic violations, fully disclosing the jurisdiction in which arrested and the disposition thereof;
- h. A complete set of fingerprints taken and to be retained on file by the chief of police or his authorized representatives;

(3) The names and addresses of three adult residents of Harris County who will serve as character references. The references must be persons other than relatives and business associates;

(b) In addition to the requirements of subsection (a) of this section, the director of planning and development shall cause to be conducted an investigation of the premises where the massage business is to be carried on, for the purposes of assuring that such premises comply with all sanitation requirements as set forth in this article and by the state, and with the regulations of public health, safety and welfare.

Sec. 22-418. - Issuance of massage business permits; appeal of denial of permit application.

(a) The director of planning and development shall issue a massage business permit within thirty (30) days of receipt of the application unless he finds that:

- (1) The correct permit fee has not been tendered to the city, and in the case of check or bank draft, honored with payment upon presentation;
- (2) The operation, as proposed by the applicant, if permitted, would not comply with all applicable laws, including but not limited to the city's building, zoning and health regulations;
- (3) The applicant, if an individual, or any of the stockholders holding more than ten percent of the stock of the corporation, or any of the officers and directors, if the applicant is a corporation, or any of the partners, including limited partners, if the applicant is a partnership, or the holder of any lien of any nature on the business and/or equipment used therein; and the manager or other person principally in charge of the operation and affairs of the business, or any employees, have been charged with or convicted of a felony or misdemeanor involving moral

turpitude, or was placed on deferred adjudication for such offense, unless such charge or conviction occurred at least five years prior to the date of the application;

(4) The applicant has knowingly made any false, misleading or fraudulent statements of fact in the permit application or in any document required by the city in conjunction therewith;

(5) The applicant has had a massage business, masseur or other similar permit or license denied, revoked or suspended by the city or any other state or local agency within five years prior to the date of application;

(6) The applicant, if an individual, or any of the officers and directors if the applicant is a corporation, or any of the partners, including limited partners, if the applicant is a partnership, and the manager or other person principally in charge of the operation of the business, is not over the age of 18 years.

(7) Before any permit shall be issued under this article by the director of planning and development, the chief of police shall first sign his approval for the application.

(b) Any applicant denied a permit shall have the right of appeal to city council. Such appeal shall be taken by filing with the city secretary within ten days after notice of the denial has been mailed to such person's address as set forth in the application, a written statement setting forth fully the grounds for the appeal. The city secretary shall provide for a council hearing on such appeal at the earliest convenient regular city council meeting, and shall notify the appellant and director of planning of the date and time of such city council hearing. Notice of the time and date of the hearing, setting forth the specific grounds upon which the director of planning and development's decision is based, shall be given in writing by the city secretary through certified United States mail to the applicant at their last known address at least five days prior to the date set for such hearing. ~~in the same manner as provided in subsection (b).~~ The council shall by a majority vote either sustain the action of the director of planning and development or issue the permit.

Sec. 22-419. - Display of permits.

The massage business permittee shall display his their permit in an open and conspicuous place that is observable by members of the general public, on the premises of the massage business.

Sec. 22-420. - Fees generally.

The permit fee for a massage business shall be \$75.00 per calendar year. Permit fees shall not be prorated.

Sec. 22-421. - Additional locations.

Should any massage business have more than one location where the massage services are to be provided, a separate permit, issued in accordance with this article, is required for each massage business location.

Sec. 22-422. - Return of fee.

No portion of any fee collected under this article shall be returned after a permit has been issued.

Sec. 22-423. - Denial, Suspension and revocation of permits.

(a) A massage business permit may be revoked or suspended in any case where any of the provisions of this article are violated, or where any licensee or employee of the licensee is engaged in any conduct which violates any of the state laws or city ordinances at the permittee's place of business, including but not limited to, working without a state license, engaging in sexual contact with customers, or working in the nude, and the permittee has actual or constructive knowledge thereof by due diligence. The revocation proceedings shall be as prescribed by subsection (b) of this section.

(b) A massage business permit may be revoked or suspended by the city council after notice and hearing for any cause set forth in this section. The director of planning and development or his authorized agent shall initiate such proceedings by petition to the city secretary in writing setting forth specifically the grounds for revocation or suspension, and if a suspension, the length of time for which such suspension is requested. A copy of such petition shall be mailed to the last known address of the permit holder. Notice of the time and date of the hearing, again setting forth the specific grounds upon which the director of planning and development's petition is based, shall be given in writing by the city secretary through certified United States mail to the permittee at his last known address at least five days prior to the date set for such hearing. The city council shall, by a majority vote, determine whether or not such permit shall be revoked or suspended, and such action shall be final and conclusive.

~~(c) Any applicant denied a permit shall have the right of appeal to city council. Such appeal shall be taken by filing with the city secretary within ten days after notice of the denial has been mailed to such person's address as set forth in the application, a written statement setting forth fully the grounds for the appeal. The city secretary shall provide for a council hearing on such appeal at the earliest convenient regular city council meeting, and shall notify the appellant and director of planning of the date and time of such city council hearing in the same manner as provided in subsection (b). The council shall by a majority vote either sustain the action of the director of planning and development or issue the permit.~~

Sec. 22-424. - Transfer of permit prohibited.

No massage business permit is transferable, severable or divisible, and such authority as a permit confers shall be conferred only upon the permittee named therein.

Sec. 22-425. - Notice to city of changes in employment.

Every permitted massage business shall immediately inform the city of any changes to the list provided in accordance with section 22-416(4) of this article concerning the names and the residence addresses of all masseurs and employees in the business and the name and residence address of the manager or other person principally in charge of the operation of the business.

“DIVISION 3. - OPERATION REGULATIONS

Sec. 22-430. - Hours.

No massage business shall be kept open for any purpose between the hours of 10:00 p.m. and 8:00 a.m. on any day of the week.

Sec. 22-431. - Alcoholic beverages prohibited.

No person shall sell, give, dispense, provide or keep or cause to be sold, given, dispensed, provided or kept, any alcoholic beverage on the premises of any massage business.

Sec. 22-432. – Residential or dwelling use prohibited; entrances, exits.

At no time shall the premises of a massage business serve as or provide a residence or dwelling. In addition, no massage business shall have any entrance or any exit way providing a direct passageway to any residence or living quarters.

Sec. 22-433. – Access; open to public; transparent windows.

- (a) All massage establishments operating under the authority of this chapter are declared to be public places, and shall not, during business hours, have the doors to the entrances or exits of such establishments locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, such doors may be closed. ~~A massage business is prohibited from operating as a private, member only enterprise.~~
- (b) A massage business is prohibited from operating as a private, member only enterprise.
- (c) All customer access to the massage business must occur at the massage business' front door.
- (d) Outside windows of a massage business shall be transparent and the view from the outside of the establishment into the lobby/waiting area shall be unobstructed.
- (e) Any law enforcement officer may inspect a massage business establishment at any time during business hours to determine whether the establishment is in compliance with this chapter and state law.

Sec. 22-434. - Sanitation.

- (a) All premises used pursuant to this chapter shall be periodically inspected during regular business hours by the Director of Planning and Development or his authorized representative for safety of structure and adequacy of plumbing ventilation, heating and illumination.
- (b) Floors shall be free from any accumulation of dust, dirt and refuse. Well marked toilet and handwashing facilities for permittees, employees and patrons shall be provided. All walls, ceilings, windows and doors shall be free of dust, dirt, refuse and mold. In high humidity areas, including toilet rooms, shower rooms, steam rooms, locker rooms, and other such rooms, the walls, ceilings and floors shall be constructed or covered with a material that is smooth, nonabsorbent and easily cleaned.

Sec. 22-435. - Sheets, towels, etc.

Towels, cloths and sheets shall not be used for more than one (1) patron. Heavy white paper may be substituted for sheets provided that such paper is changed for every patron. Soiled linens and towels shall be stored in a clearly marked receptacle and shall not be reused prior to laundering.

Sec. 22-436. - Animals prohibited.

No animals shall be permitted within a massage business at any time.

Sec. 22-437. - Equipment.

All equipment used for the treatment of patrons at establishments regulated by this article shall be kept in a clean and sanitary condition, and the equipment shall be kept in a good and safe state of repair at all times.

Sec. 22-438. – Signage required.

All massage business establishment shall erect and display in a conspicuous place in areas accessible by employees a sign advising the reader of the national human trafficking hotline, 9-1-1 emergency services, and the phone number to the La Porte Police Department.”

Section 2. If any provision, section, subsection, sentence, clause, or phrase of this ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, vividness or invalidity of any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

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

Section 4. Any person who violates a provision of this ordinance, upon conviction in the municipal court of the City of La Porte shall be subject to fine not to exceed two thousand dollars (\$2000.00). Each day of violation shall be considered a separate offense.

Section 5. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, 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 contacts and posting thereof.

Section 6. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance, in accordance with the City of La Porte Charter.

PASSED AND APPROVED, this the ____ day of _____, 2019.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Lee Woodward
City Secretary

APPROVED AS TO FORM:

Clark T. Askins
Assistant City Attorney

ORDINANCE NO. 2019-3754

AN ORDINANCE AMENDING CHAPTER 22 OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, TEXAS, BY ADDING NEW REGULATIONS RELATING TO THE OPERATION OF MASSAGE ESTABLISHMENTS IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Chapter 22, “Businesses,” Article VII “Massage Businesses” of the Code of Ordinances of the City of La Porte, Texas, is hereby amended in its entirety and shall hereinafter read as follows, to wit:

“ARTICLE VII. - MASSAGE BUSINESSES

DIVISION 1. - GENERALLY

Sec. 22-400. - Definitions.

Unless the particular provision or the context otherwise requires, the definitions and provisions contained in this section shall govern the construction, meaning and application of words and phrases used in this article.

Employee shall mean any person over 18 years of age, other than a masseur, who renders any service in connection with the operation of a massage business and who receives compensation from the operator of the business or from patrons.

Massage means any method of treating the superficial parts of a patron for medical, hygienic, exercise or relaxation purposes by rubbing, stroking, kneading, tapping, pounding, vibrating or stimulating with the hands, feet or any instrument.

Masseur means any person who engages in the practice of massage as herein defined and who is licensed therefor by the state. The use of the masculine gender in this article shall include in all cases the feminine gender as well.

Patron means any person who receives a massage under such circumstances that it is reasonably expected that he or she will pay money or give any other consideration therefor.

Sec. 22-401. - Penalty.

Any person who shall intentionally or knowingly violate any provision of this article shall be deemed to be guilty of a misdemeanor and shall upon conviction be punished by a fine not to exceed \$2,000.00.

DIVISION 2. - PERMITS

Sec. 22-415. - Business permit required.

No person shall engage in or carry out the business of providing massages unless he has a valid massage business permit issued by the City of La Porte pursuant to the provisions of this article for each and every separate office or place of business conducted by such person.

Sec. 22-416. - Application for permit.

Any person desiring a massage business permit shall file a written application with the director of planning on a form to be furnished by the planning and development department. The applicant shall accompany the application with a tender of the permit fee required by this article, and shall, in addition, furnish the following:

- (1) The type of ownership of the business, i.e. whether individual, partnership, corporation or otherwise;
- (2) The name, style and designation under which the business or practice is to be conducted;
- (3) The business address and all telephone numbers where the business is to be conducted;
- (4) Such other information, identification and physical examination of the person as shall be deemed necessary by the director of planning or the chief of police to discover the truth of the matters hereinabove required to be set forth in the application;
- (5) Authorization for the city, its agents and employees to seek information and conduct an investigation into the truth of the statements set forth in the application and the qualifications of the applicant for the permit;
- (6) Written declaration by the applicant, under penalty of perjury, that the foregoing information contained in the application is true and correct, said declaration being duly dated and signed in the city.

Sec. 22-417. - Investigation by the director of planning and the chief of police.

(a) Upon receiving the application for a massage business permit, the director of planning and development shall forward the application to the chief of police to conduct an investigation into the applicant's moral character and personal and criminal history, as well as that of any individuals who are or who are proposed to be employees of the applicant. The chief of police may in his discretion require a personal interview of the applicant, and such further information, identification and physical examination of the person as shall bear on the investigation. In addition, the following information shall be provided to the chief of police, as follows:

- (1) A complete list of the names and the residence addresses of all masseurs and employees in the business and the name and residence address of the manager or other person principally in charge of the operation of the business, as well as copies of all current licenses issued by department of state health services for each masseur to be employed at any permitted location.
- (2) The following personal information concerning the applicant, if an individual; and concerning each stockholder holding more than ten percent of the stock of the corporation, and each officer and director, if the applicant is a corporation; and concerning the partners, including limited partners, if the applicant is a partnership; and the holder of any lien, of any nature, upon the business and/or the equipment used therein; and concerning the manager or other person principally in charge of the operation of the business:

- a. The names, complete residence addresses and residence telephone numbers;
- b. The two previous addresses immediately prior to the present address of the applicant;
- c. Written proof of age;
- d. Height, weight, color of hair and eyes, and sex;
- e. Two front face portrait photographs taken within 30 days of the date of application and at least two by two inches in size;
- f. The message or similar business history and experience ten years prior to the date of application, including but not limited to whether or not such person in previously operating in this or another city or state under license or permit has had such license or permit denied, revoked or suspended and the reason therefor, and the business activities or occupations subsequent to such action of denial, suspension or revocation;
- g. All criminal arrests other than misdemeanor traffic violations, fully disclosing the jurisdiction in which arrested and the disposition thereof;
- h. A complete set of fingerprints taken and to be retained on file by the chief of police or his authorized representatives;

(3) The names and addresses of three adult residents of Harris County who will serve as character references. The references must be persons other than relatives and business associates;

(b) In addition to the requirements of subsection (a) of this section, the director of planning and development shall cause to be conducted an investigation of the premises where the massage business is to be carried on, for the purposes of assuring that such premises comply with all sanitation requirements as set forth in this article and by the state, and with the regulations of public health, safety and welfare.

Sec. 22-418. - Issuance of massage business permits; appeal of denial of permit application.

(a) The director of planning and development shall issue a massage business permit within thirty (30) days of receipt of the application unless he finds that:

(1) The correct permit fee has not been tendered to the city, and in the case of check or bank draft, honored with payment upon presentation;

(2) The operation, as proposed by the applicant, if permitted, would not comply with all applicable laws, including but not limited to the city's building, zoning and health regulations;

(3) The applicant, if an individual, or any of the stockholders holding more than ten percent of the stock of the corporation, or any of the officers and directors, if the applicant is a corporation, or any of the partners, including limited partners, if the applicant is a partnership, or the holder of any lien of any nature on the business and/or equipment used therein; and the manager or other person principally in charge of the operation and affairs of the business, or any employees, have been charged with or convicted of a felony or misdemeanor involving moral

turpitude, or was placed on deferred adjudication for such offense, unless such charge or conviction occurred at least five years prior to the date of the application;

(4) The applicant has knowingly made any false, misleading or fraudulent statements of fact in the permit application or in any document required by the city in conjunction therewith;

(5) The applicant has had a massage business, masseur or other similar permit or license denied, revoked or suspended by the city or any other state or local agency within five years prior to the date of application;

(6) The applicant, if an individual, or any of the officers and directors if the applicant is a corporation, or any of the partners, including limited partners, if the applicant is a partnership, and the manager or other person principally in charge of the operation of the business, is not over the age of 18 years.

(7) Before any permit shall be issued under this article by the director of planning and development, the chief of police shall first sign his approval for the application.

(b) Any applicant denied a permit shall have the right of appeal to city council. Such appeal shall be taken by filing with the city secretary within ten days after notice of the denial has been mailed to such person's address as set forth in the application, a written statement setting forth fully the grounds for the appeal. The city secretary shall provide for a council hearing on such appeal at the earliest convenient regular city council meeting, and shall notify the appellant and director of planning of the date and time of such city council hearing. Notice of the time and date of the hearing, setting forth the specific grounds upon which the director of planning and development's decision is based, shall be given in writing by the city secretary through certified United States mail to the applicant at their last known address at least five days prior to the date set for such hearing. The council shall by a majority vote either sustain the action of the director of planning and development or issue the permit.

Sec. 22-419. - Display of permits.

The massage business permittee shall display their permit in an open and conspicuous place that is observable by members of the general public, on the premises of the massage business.

Sec. 22-420. - Fees generally.

The permit fee for a massage business shall be \$75.00 per calendar year. Permit fees shall not be prorated.

Sec. 22-421. - Additional locations.

Should any massage business have more than one location where the massage services are to be provided, a separate permit, issued in accordance with this article, is required for each massage business location.

Sec. 22-422. - Return of fee.

No portion of any fee collected under this article shall be returned after a permit has been issued.

Sec. 22-423. - Suspension and revocation of permits.

(a) A massage business permit may be revoked or suspended in any case where any of the provisions of this article are violated, or where any licensee or employee of the licensee is engaged in any conduct which violates any of the state laws or city ordinances at the permittee's place of business, including but not limited to, working without a state license, engaging in sexual contact with customers, or working in the nude, and the permittee has actual or constructive knowledge thereof by due diligence. The revocation proceedings shall be as prescribed by subsection (b) of this section.

(b) A massage business permit may be revoked or suspended by the city council after notice and hearing for any cause set forth in this section. The director of planning and development or his authorized agent shall initiate such proceedings by petition to the city secretary in writing setting forth specifically the grounds for revocation or suspension, and if a suspension, the length of time for which such suspension is requested. A copy of such petition shall be mailed to the last known address of the permit holder. Notice of the time and date of the hearing, again setting forth the specific grounds upon which the director of planning and development's petition is based, shall be given in writing by the city secretary through certified United States mail to the permittee at his last known address at least five days prior to the date set for such hearing. The city council shall, by a majority vote, determine whether or not such permit shall be revoked or suspended, and such action shall be final and conclusive.

Sec. 22-424. - Transfer of permit prohibited.

No massage business permit is transferable, severable or divisible, and such authority as a permit confers shall be conferred only upon the permittee named therein.

Sec. 22-425. - Notice to city of changes in employment.

Every permitted massage business shall immediately inform the city of any changes to the list provided in accordance with section 22-416(4) of this article concerning the names and the residence addresses of all masseurs and employees in the business and the name and residence address of the manager or other person principally in charge of the operation of the business.

“DIVISION 3. - OPERATION REGULATIONS

Sec. 22-430. - Hours.

No massage business shall be kept open for any purpose between the hours of 10:00 p.m. and 8:00 a.m. on any day of the week.

Sec. 22-431. - Alcoholic beverages prohibited.

No person shall sell, give, dispense, provide or keep or cause to be sold, given, dispensed, provided or kept, any alcoholic beverage on the premises of any massage business.

Sec. 22-432. – Residential or dwelling use prohibited; entrances, exits.

At no time shall the premises of a massage business serve as or provide a residence or dwelling. In addition, no massage business shall have any entrance or any exit way providing a direct passageway to any residence or living quarters.

Sec. 22-433. – Access; open to public; transparent windows.

- (a) All massage establishments operating under the authority of this chapter are declared to be public places, and shall not, during business hours, have the doors to the entrances or exits of such establishments locked or obstructed in any way so as to prevent free ingress and egress of persons; provided, however, such doors may be closed.
- (b) A massage business is prohibited from operating as a private, member only enterprise.
- (c) All customer access to the massage business must occur at the massage business' front door.
- (d) Outside windows of a massage business shall be transparent and the view from the outside of the establishment into the lobby/waiting area shall be unobstructed.
- (e) Any law enforcement officer may inspect a massage business establishment at any time during business hours to determine whether the establishment is in compliance with this chapter and state law.

Sec. 22-434. - Sanitation.

- (a) All premises used pursuant to this chapter shall be periodically inspected during regular business hours by the Director of Planning and Development or his authorized representative for safety of structure and adequacy of plumbing ventilation, heating and illumination.
- (b) Floors shall be free from any accumulation of dust, dirt and refuse. Well marked toilet and handwashing facilities for permittees, employees and patrons shall be provided. All walls, ceilings, windows and doors shall be free of dust, dirt, refuse and mold. In high humidity areas, including toilet rooms, shower rooms, steam rooms, locker rooms, and other such rooms, the walls, ceilings and floors shall be constructed or covered with a material that is smooth, nonabsorbent and easily cleaned.

Sec. 22-435. - Sheets, towels, etc.

Towels, cloths and sheets shall not be used for more than one (1) patron. Heavy white paper may be substituted for sheets provided that such paper is changed for every patron. Soiled linens and towels shall be stored in a clearly marked receptacle and shall not be reused prior to laundering.

Sec. 22-436. - Animals prohibited.

No animals shall be permitted within a massage business at any time.

Sec. 22-437. - Equipment.

All equipment used for the treatment of patrons at establishments regulated by this article shall be kept in a clean and sanitary condition, and the equipment shall be kept in a good and safe state of repair at all times.

Sec. 22-438. – Signage required.

All massage business establishment shall erect and display in a conspicuous place in areas accessible by employees a sign advising the reader of the national human trafficking hotline, 9-1-1 emergency services, and the phone number to the La Porte Police Department.”

Section 2. If any provision, section, subsection, sentence, clause, or phrase of this ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, vividness or invalidity of any other portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

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

Section 4. Any person who violates a provision of this ordinance, upon conviction in the municipal court of the City of La Porte shall be subject to fine not to exceed two thousand dollars (\$2000.00). Each day of violation shall be considered a separate offense.

Section 5. The City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, 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 contacts and posting thereof.

Section 6. This Ordinance shall be effective fourteen (14) days after its passage and approval. The City Secretary shall give notice of the passage of this ordinance by causing the caption hereof to be published in the official newspaper of the City of La Porte at least once within ten (10) days after the passage of this ordinance, in accordance with the City of La Porte Charter.

PASSED AND APPROVED, this the ____ day of _____, 2019.

CITY OF LA PORTE, TEXAS

By: _____
Louis R. Rigby, Mayor

ATTEST:

Lee Woodward
City Secretary

APPROVED AS TO FORM:

Clark T. Askins
Assistant City Attorney



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>June 10, 2019</u>
Councilmembers Garza, Requested By: <u>Lunsford, and Bentley</u>
Department: <u>City Council</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance

Appropriation	
Source of Funds:	<u>N/A</u>
Account Number:	_____
Amount Budgeted:	_____
Amount Requested:	_____
Budgeted Item:	<input type="radio"/> Yes <input type="radio"/> No

Exhibits: Current Massage Parlor Ordinance
Current Massage Parlor Application

SUMMARY & RECOMMENDATION

Councilperson Garza provided an agenda request in writing for the following [proposed changes or additions are in red and underlined],

“This petition is intended to make it harder to operate a brothel under the guise of a legitimate business by amending Ord. No. 2015-3598 Sec. 22-418 to convert the permit issued to a conditional use permit. The original language of Ord. No. 2015-3598 Sec. 22-418 is listed below, with amendments notated.

Ord. No. 2015-3598

Sec. 22-418. - Issuance of conditional massage business permits.

The director of planning and development shall issue a massage business permit within 30 days of receipt of the application unless he finds that:

(1) The correct permit fee has not been tendered to the city, and in the case of check or bank draft, honored with payment upon presentation;

(2) The operation, as proposed by the applicant, if permitted, would not comply with all applicable laws, including but not limited to the city's building, zoning and health regulations;

(3) The applicant, if an individual, or any of the stockholders holding more than ten percent of the stock of the corporation, or any of the officers and directors, if the applicant is a corporation, or any of the partners, including limited partners, if the applicant is a partnership, or the holder of any lien of any nature on the business and/or equipment used therein; and the manager or other person principally in charge of the operation and affairs of the business, or any

employees, have been convicted of a felony or misdemeanor involving moral turpitude, or was placed on deferred adjudication for such offense, unless such conviction occurred at least five years prior to the date of the application;

(4) The applicant has knowingly made any false, misleading or fraudulent statements of fact in the permit application or in any document required by the city in conjunction therewith;

(5) The applicant has had a massage business, masseur or other similar permit or license denied, revoked or suspended by the city or any other state or local agency within five years prior to the date of application;

(6) The applicant, if an individual, or any of the officers and directors if the applicant is a corporation, or any of the partners, including limited partners, if the applicant is a partnership, and the manager or other person principally in charge of the operation of the business, is not over the age of 18 years.

(7) Before any permit shall be issued under this article by the director of planning and development, the chief of police shall first sign his approval for the application.

Please reference Ord. No. 2019-xxxx Sec. xx-xxx for the conditions imposed on any business applying for this permit.

Ord. No. 2019-xxxx

Sec. xx-xxx – Conditions for Conditional Massage Business Permit

Staff didn't recommend changing the process of issuing massage business permits to require a special conditional use permit ("SCUP"). All conditions that would be required in a SCUP have been addressed in the revisions to the ordinance. By creating the requirement of a SCUP would add up to three (3) additional months to the process, which would affect those business that are operating in an ethical and legal manner.

Any permit issued under this section can be revoked at any time for violations including, but not limited to the following:

(1) Failure to adhere to and meet all the requirements necessary to apply for the permit initially.

Adding verbiage to Sec 22-418 to cover this.

(2) Failure to adhere to the following operational requirements:

a) A massage establishment may only operate between the hours of 8:00 A.M to 9:00 P. M. each day. Leave existing hours in ordinance. It works for our other establishments.

b) Outside windows of a massage establishment shall be transparent and the view from the outside into the lobby/waiting area shall be unobstructed. Added this to Sec. 22-433(d)

c) All doors shall remain unlocked during normal business hours. Currently in our ordinance. Sec. 22-433, clarified verbiage.

1) A place of business where a licensed massage therapist practices as a solo practitioner in a manner consistent with the applicable provisions of Section 455. 155 of the Texas Occupations Code, as amended, is exempt from this regulation. Staff and Assistant City Attorney does not recommend; this change could also be a safety issue with a therapist locked alone in the business with a customer should something go wrong. Our current ordinance does not allow for solo practitioners to lock the door.

- d) Signage which provides a hotline number for sex trafficking victims must be displayed.
Added to Sec. 22-438, but is already part of state inspection.
- e) At no time shall a massage establishment provide a residence or dwelling to accompany this occupancy. Currently in our ordinance. Sec. 22-432, clarified verbiage.
- f) Licenses issued by the State for the establishment and the people working in it who are required to have a State license must be displayed and easily viewable with the lobby or waiting area. Permit required in Sec. 22-419, clarified verbiage; we cannot regulate state licenses.
- g) A peace officer appointed or employed by a law enforcement agency of this state, or a licensed Code Enforcement Officer employed by the City, may enter without delay the premises of a massage establishment pursuant to Sections 455. 104 and 455.353 of the Texas Occupations Code.
 - 1) If entry and access to the premises of the massage establishment is denied or delayed, entry shall be made under authority of a warrant to inspect the massage establishment. Currently in ordinance Sec. 22-433
- h) All customer access to the business must occur at the business' clear and obvious front door. Add to ordinance Sec. 22-433(c)
- i) A massage establishment may not have an ATM located inside the business structure.
We discussed this and due to having other businesses that are cash only, we didn't feel it was prudent to try to regulate this, although a cash only business may be an indication of illegal activity.
- j) A massage establishment may not have a sign which is visible from the outside of the building which flashes or changes colors." We discussed this and it would require a change to the sign ordinance would adversely affect other businesses in the city.

Councilpersons Lunsford and Bentley are co-sponsors for the item.

ACTION REQUIRED BY COUNCIL

Move to direct the City Manager and City Attorney to draft an ordinance amending Section 22.418 of Ordinance 2015-3598, concerning issuance of conditional massage business permits.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>07/22/2019</u>
Requested By: <u>Matt Hartleib</u>
Department: <u>Administration - HR</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance

Appropriation	
Source of Funds:	_____
Account Number:	_____
Amount Budgeted:	_____
Amount Requested:	_____
Budgeted Item:	<input type="radio"/> Yes <input type="radio"/> No

Exhibits: Compensation Presentation
 Market Data

SUMMARY

In June of 2017 and later as part of the annual budget process, staff presented to Council, results from a compensation and classification review. Recommended changes resulting from that review were approved and effective on 10/01/2017.

In April of 2019, Council received presentations of salary studies conducted by the EMS and Fire departments accompanied by recommendations to increase certain pay grades and salaries for EMS and Fire staff by 20% and 25% respectively. Those approved changes went into effect on 6/1/2019.

On July 2, 2019, members of the La Porte Police Officers Association and City Management staff participated in a Meet and Confer meeting to discuss compensation for covered employees. Both sides agreed to approve the market study conducted earlier this year and the recommended increases to the Civil Service Pay Scale. The total cost of the market based increases is just below the contractually agreed to cap of 5%. Pending approval from the LPPOA membership, these changes will be presented to Council for approval and will be effective 10/01/2019.

Staff has completed an updated salary survey for all other non-civil service positions on the general pay grade structure. This includes positions in grades 8-44 and does not include positions that report directly to Council. This survey includes benchmarked positions with responsive comparator cities supplemented by a regional compensation survey conducted by the Houston Galveston Area Council in 2018. Results of this survey indicate that the current City of La Porte pay structure for grades 8-44 is 5% lower than the market.

It is recommended that pay ranges for grades 8-44 on the general pay structure be increased by 5%. To avoid an increase in existing compression issues in these grades, it is also recommended that salaries for employees in these ranges be increased a corresponding 5%, and the City continues to operate the existing merit program.

RECOMMENDED MOTION

Consider and discuss presentation from staff regarding a salary study and recommended adjustments to the City of La Porte Position Classifications (pay grade structure)

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

City of La Porte Compensation Presentation

Matt Hartleib – HR Manager





Overview

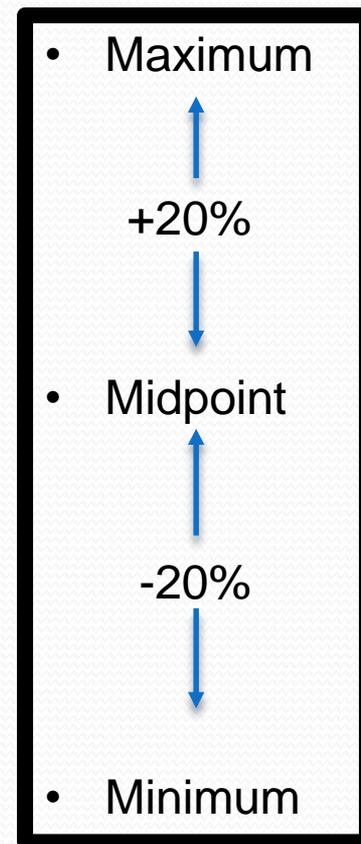
- Overview of current structure and practices
- Review of recent actions
- Updated market data
- Recommendation

Note – this discussion is focused on non-civil service and non-operational staff in EMS and Fire



Current Structure

- We use a grade structure that employs a 40% spread around the midpoint. There is a 4% step between most grades with the exception being between grades 19 and 20.
- A grade may have multiple jobs assigned to it.
- Not all grades have jobs assigned to them.
- We typically bring new hires in between the minimum and 10% above the minimum. That varies based on qualifications.





Recent Adjustments

- 2018-19: Merit plan
- 2017-18: Merit plan and adjustments based on Comp Study. Grades 8 - 19 were increased 10% and grades 20 – 44 were increased 15%. All employees in those grades received a 2% salary adjustment. Any employees still below the new minimum of their grade were brought to the minimum.
- 2016-17: Merit plan
- 2015-16: Merit plan
- 2014-15: Merit plan and 2.5% COLA
- 2013-14: Merit plan and 2.0% COLA



Market Data Refresh

Utilizing benchmarked positions, market data from comparator cities (Deer Park, Baytown, Friendswood, and League City) was updated. An additional regional survey (HGAC) was also utilized. Midpoints from comparator cities and average midpoints from the HGAC survey were compared to current La Porte midpoints. Those position comparisons were then averaged to create grade comparisons. Finally those data points were combined to create overall entity and a market comparison.

On average, current La Porte midpoints are 5% below the market average for midpoints.



Recommendations

To remain competitive in attracting and retaining high caliber personnel, it is recommended that we increase ranges for all grades by 5%.

In order to avoid exacerbating compression issues within grades and to be consistent with recent adjustments to EMS and Fire, it is recommended that all employees in grades 8-44 receive a 5% market adjustment.

It is also recommended that we continue to operate our performance evaluation and merit plan. This provides employees opportunity to move up through their grade range based on their performance.

City of La Porte Position Classification

Classification	Hourly midpoint	Annualized midpoint
----------------	-----------------	---------------------

2018 HGAC Regional Survey	City of Baytown	City of Deer Park	City of Friendswood	City of League City
Average midpoint				

Grade 008	\$15.315	\$31,856	\$35,029	\$29,928	\$38,053	\$37,779	\$31,972
Grade 009	\$15.927	\$33,128	\$34,453			\$31,813	\$36,973
Grade 010	\$16.564	\$34,453	\$35,831				
Grade 011	\$17.226	\$35,831	\$39,841				
Grade 012	\$17.915	\$37,264	\$39,706	\$34,864	\$39,707	\$41,336	\$38,452
Grade 013	\$18.632	\$38,754	\$37,973	\$35,992		\$37,779	\$36,973
Grade 014	\$19.378	\$40,307		\$41,739		\$41,336	\$43,125
Grade 015	\$20.152	\$41,917	\$44,447	\$40,250	\$45,453	\$45,985	\$41,528
Grade 016	\$20.960	\$43,596	\$49,118	\$41,198	\$43,134	\$43,918	\$41,413
Grade 017	\$21.798	\$45,340	\$48,321	\$40,736	\$44,394	\$46,500	\$46,828
Grade 018	\$22.670	\$47,153		\$47,080	\$46,551	\$43,918	\$43,853
Grade 019	\$23.576	\$49,038	\$56,441	\$48,406	\$44,842	\$56,493	\$42,678
Grade 020	\$25.634	\$53,318		\$47,081			\$49,402
Grade 021	\$26.659	\$55,451	\$57,678				
Grade 022	\$27.725	\$57,669	\$67,828	\$63,513	\$52,779	\$64,426	\$56,099
Grade 023	\$28.836	\$59,978	\$59,874	\$71,858	\$56,726	\$73,216	
Grade 025	\$31.188	\$64,872					
Grade 026	\$32.435	\$67,465		\$71,721	\$72,062	\$76,494	\$65,190
Grade 027	\$33.732	\$70,163		\$75,496		\$67,812	
Grade 029	\$36.485	\$75,888	\$77,582	\$75,496	\$67,589	\$77,974	\$68,343
Grade 030	\$37.944	\$78,924	\$71,314				
Grade 031	\$39.462	\$82,080	\$86,224	\$96,641	\$72,029	\$89,000	\$98,373
Grade 034	\$44.390	\$92,331	\$125,625	\$88,702	\$123,698	\$104,560	\$89,837
Grade 035	\$45.822	\$95,309	\$126,560	\$99,221	\$104,218	\$124,452	\$101,484
Grade 041	\$58.414	\$121,501	\$157,992	\$135,303	\$124,814	\$142,531	\$128,792
Grade 044	\$65.706	\$136,668	\$144,043	\$158,359	\$132,563	\$153,370	\$158,431
Variance			109%	102%	103%	109%	101%

Average market variance **105%**



Council Agenda Item July 22, 2019

9. ADMINISTRATIVE REPORTS

- Drainage and Flooding Committee Meeting, Monday, August 12, 2019
- Budget Workshop Meetings, week of August 12th
- Planning and Zoning Commission Meeting, Thursday, August 15, 2019
- Zoning Board of Adjustment Meeting, Thursday, August 22, 2019
- City Council Meeting, Monday, August 26, 2019

10. **COUNCIL COMMENTS** *Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy from the Mayor, Councilmembers, and City staff, for which no formal action will be discussed or taken.*

11. EXECUTIVE SESSION

City Council will meet in closed session pursuant to Texas Government Code Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - regarding City Secretary Lee Woodward.

City Council will meet in closed session pursuant to Texas Government Code Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - regarding City Manager Corby Alexander.

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

13. ADJOURNMENT

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (281-470-5019), two working days prior to the meeting for appropriate arrangements.

If, during the course of the meeting and discussion of any items covered by this notice, City Council determines that a Closed or Executive Session of the Council is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 - consultation with counsel on legal matters; Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 - deliberation regarding a prospective gift; Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; Section 551.076 - implementation of security personnel or devices; Section 551.087 - deliberation regarding economic development negotiation; Section 551.089 - deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.
