

LOUIS RIGBY
Mayor
BRANDON LUNSFORD
Councilperson At Large A
STEVE GILLETT
Councilperson At Large B
DANNY EARP
Councilperson District 1
CHUCK ENGELKEN
Councilperson District 2



BILL BENTLEY
Councilperson District 3
Mayor Pro Tem
THOMAS GARZA
Councilperson District 4
JAY MARTIN
Councilperson District 5
NANCY OJEDA
Councilperson District 6

**LA PORTE CITY COUNCIL AGENDA
MONDAY, NOVEMBER 11, 2019
REGULAR SESSION 6 P.M.**

**CITY COUNCIL CHAMBER
LA PORTE CITY HALL, 604 WEST FAIRMONT PARKWAY, LA PORTE, TEXAS, 77571**

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 (281-470-5021) two working days prior to the meeting for appropriate arrangements.

MAIN SESSION [6:00 P.M.]

CALL TO ORDER

INVOCATION AND PLEDGES

United States Flag and Texas Flag (*Honor the Texas Flag. I pledge allegiance to thee, Texas, one state, under God, one, and indivisible.*)

- Invocation will be given by Pastor Gerald Boldt of Christ Redeemer Lutheran Church and pledges will be led by Councilperson Danny Earp.

1. PRESENTATIONS AND PROCLAMATIONS

- (a) Recognition of 2019 City University participants
- (b) Recognition of the 2019 Employee of the Third Quarter – Ashley Lovercheck, Buyer, Purchasing Division, Finance Department
- (c) Recognition of the retirement of Alex Osmond, General Manager, Bay Forest Golf Course

2. PUBLIC COMMENTS (*Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.*)

3. 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 October 28, 2019. [Mayor Louis Rigby]
- (b) Adopt Ordinance 2019-3763, updating Chapter 6. "Alcoholic Beverages", Article II, Sections 6-36 and 6-38 of the City's Code of Ordinances. [Mayor Louis Rigby]
- (c) Authorize the City Manager to enter into a contract with Cobb Fendley for design, bid, construction phase, and additional services for the 7th Street Paving and Drainage Improvements Project. [Ray Mayo, Public Works Director]
- (d) Authorize purchase of Neptune water meters and parts from Core & Main, LP, as the sole source provider. [Michael Dolby, Finance Director]
- (e) Accept the FY 2019 audit/asset forfeiture report and associated financial records as required by Chapter 59 of the Texas Code of Criminal Procedure. [Chief Ron Parker, Police Department]
- (f) Authorize the City Manager to enter into an agreement to provide stop loss coverage from SA Benefit Service/Vista UW for the 2020 plan year at the \$165,000 specific deductible rate. [Matt Hartleib, HR Manager]

- (g) Adopt Ordinances 2020-IDA-74 through 2020-IDA-101, authorizing the execution of Industrial District Agreements with companies in the Battleground and Bayport Industrial Districts, for a twelve-year term beginning January 1, 2020. [Corby Alexander, City Manager]
- (h) Authorize the City Manager to execute a Pipeline Permit with HSC Pipeline Partnership, LLC for the construction of a 16" Ethylene pipeline within the City of La Porte. [Corby Alexander, City Manager]

4. PUBLIC HEARINGS AND ASSOCIATED ITEMS

- (a) The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2019-3765 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit #19-91000007, to allow for a single duplex home on a 0.12-acre tract of land, legally described as Lots 10 and 11, Block 30, Beach Park Subdivision in the Mixed Use (MU) zoning district; followed by discussion, and possible action to consider adopting Ordinance 2019-3765 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit #19-91000007 to allow for a single duplex home on a 0.12-acre tract of land, legally described as Lots 10 and 11, Block 30, Beach Park Subdivision in the Mixed Use (MU) zoning district. [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 2019-3766 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 6.921-acre tract of land located at the 3400 Block of Canada Rd, and legally described as Reserve A, Block 1 Dawson Subdivision, by changing the land use designation from "Mid-High Density Residential" to "Commercial"; followed by discussion, and possible action regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2019-3766 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 6.921-acre tract of land located at the 3400 Block of Canada Rd, and legally described as Reserve A, Block 1 Dawson Subdivision, by changing the land use designation from "Mid-High Density Residential" to "Commercial". [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 2019-3767 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Zone Change #19-92000006, a change from Mid Density Residential (R-2) to General Commercial (GC) for a 6.921-acre tract of land located at the 3400 Block of Canada Rd. and legally described as Reserve A, Block 1, Dawson Subdivision; followed by discussion, and possible action to consider adopting Ordinance 2019-3767 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Zone Change #19-92000006, a change from Mid Density Residential (R-2) to General Commercial (GC) for a 6.921-acre tract of land located at the 3400 Block of Canada Road and legally described as Reserve A, Block 1, Dawson Subdivision. [Ian Clowes, City Planner]

5. STATUTORY AGENDA

- (a) *Presentation, discussion, and possible action* to adopt a City sponsorship policy. [Corby Alexander, City Manager]
- (b) *Presentation and discussion* on adoption of Ordinance 2019-3758, to amend the Council Rules of Procedure and Ethics Policy. [Mayor Louis Rigby]
- (c) *Presentation and discussion* from the Warehouse Committee. [Teresa Evans, Planning and Development Director]

6. REPORTS

- (a) Receive a report on the Drainage and Flooding Committee meeting. [Councilperson Martin]
- (b) Receive a report on the La Porte Development Corporation Board meeting. [Councilperson Engelken]

7. ADMINISTRATIVE REPORTS

- Fiscal Affairs Committee meeting, December 9
- City Council meeting, December 9
- Planning and Zoning Commission meeting, December 19

8. 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.

9. EXECUTIVE SESSION

- (a) City Council will meet in Executive Session pursuant to Texas Government Code, Chapter 551, Section 551.071(1)(A) pending or contemplated litigation, to meet with the Assistant City Attorney and City Manager to discuss settlement negotiations in connection with the case of Tradebe Environmental Service, LLC vs. the City of La Porte. [Assistant City Attorney Clark T. Askins]
- (b) City Council will meet in Executive Session pursuant to Texas Government Code, Chapter 551, Section 551.071(1)(A) pending or contemplated litigation, to meet with the Assistant City Attorney and City Manager to discuss settlement negotiations in connection with the case of Oakland Land Development, LLC vs. the City of La Porte. [Assistant City Attorney Clark T. Askins]

10. RECONVENE – Take action on items discussed in executive session, if needed.

ADJOURNMENT

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 November 11, 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, LaPorteTX.gov, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING
TIME OF POSTING
TAKEN DOWN

Lee Woodward
Lee Woodward, City Secretary

City University Participant Recognition

In September 2019, the City welcomed its fifth City University class. Six citizens signed up for the class and met every Thursday for ten weeks so that they could learn what it's like to keep a City of approximately 35,000 residents running smoothly on a daily basis.

This unique opportunity gave participants hands-on interaction with key City staff, tours of City facilities, a closer look at the services the City provides, and a chance to ask questions about operations. The class of 2019 provided the City with citizen input and has shown our employees that we have great leaders who can help influence the direction the City takes through their feedback and participation. We congratulate all of you for completing the course and look forward to working with you in the future.

At this time I would like to recognize the following 2019 City University graduates:

Deborah Arrona

Olga Avila

Buell "Jack" Hooper

Lilia Novak

Wyatt Smith

Blanca Solis

Employee of the Quarter
3rd Quarter 2019
Ashley Lovercheck, Buyer – Purchasing Division

Ashley Lovercheck joined the La Porte team in September of 2013 as a member of the Public Works Department's administration staff. She transferred to Finance in August 2015 as a Purchasing Technician and later transitioned into her current role of Buyer. Ashley has consistently received outstanding evaluations as a La Porte employee, averaging over a 4.10 rating on our 5-point scale.

Ashley was nominated this quarter by her manager, Cherrell Daeumer, for her willingness and eagerness to assist others. Ashley took the initiative to develop a webex module to train our new users (and refresh others) on all of the Purchasing functions in ONESolution. This training module allowed employees to view Ashley's screen on their computers as she navigated the step by step process on how to enter a purchase request, process and approve p-card payments, as well as other purchasing functions. This training method allowed employees to participate without leaving their offices.

Ashley played a key role in the City's receipt of \$70,000 in rebates this past year. Her diligence in reporting the City's usage for BuyBoard contracts and reconciling p-card payments in a timely manner is very valuable. Ashley has also been instrumental in the City's receiving the *Achievement of Excellence in Procurement* award through the National Procurement Institute for the past five years. One criteria for this award is the use of an electronic, interactive solicitation system. This is demonstrated by online vendor registration, posting, and downloading of solicitations electronically, and posting bid tabulations and award documentation on the Purchasing web page. All of these items are maintained by Ashley.

She is a great asset to the Purchasing team and the City of La Porte team as a whole. She always goes above and beyond to help others. A recent example is her work as a member of the employee activity committee that planned and worked at the *Fall Family Festival*.

For her technical expertise and her willingness to help customers and teammates, please join me in congratulating Ashley Lovercheck as our *2019 Employee of the Third Quarter*.

Recognition of Service – Alex Osmond

Dedication to Public Service is the phrase that comes to mind when summing up the career of Alex Osmond. Alex began his 32-year career at the City of La Porte as the Head Golf Professional of Bay Forest Golf Course on November 30, 1987, which also happened to be his birthday.

Alex had a vision for the course since its beginning in 1988, and has played an instrumental part in the growth and success of the course. During his first year of employment, he was able to get the pro shop and dining facility set up and running in a temporary building. Within a short time, he turned this temporary arrangement into a fully functional clubhouse.

Alex has had the pleasure of meeting many notable celebrities throughout his tenure, but the moments that have brought him the most joy are those when he sees the youth of our community start out at Bay Forest and advance their careers in the sport that will always have a special place in his heart.

Alex's management style was very clever, yet practical and down to earth. He has always kept Bay Forest Golf Course and the City of La Porte's best interests in mind. During his tenure for the City, he has been a mentor for many employees. Alex has always led by example, and can be stern when the situation calls for it, but most employees would agree that he is very giving and appreciative, and will acknowledge when a job is well done.

Alex begins his next chapter in life now as he prepares to enjoy retirement. He and his lovely wife, Mary, plan to do some traveling, but will continue to make the community of La Porte their home. When out and about, you may find him at the local fishing spot or hitting a few rounds at Bay Forest. Alex, we bid you a fond farewell, and thank you for your years of dedicated service to the fine citizens of La Porte.

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NANCY OJEDA
Councilperson District 6

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
OCTOBER 28, 2019**

The City Council of the City of La Porte met in a regular meeting on Monday, October 28, 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, Thomas Garza, Steve Gillett, Danny Earp, Bill Bentley, Brandon Lunsford, Jay Martin

Councilpersons absent: Nancy Ojeda, Chuck Engelken

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

1. **CALL TO ORDER** – Mayor Rigby called the meeting to order at 6:00 p.m.
2. **INVOCATION** – The invocation was given by Rachel Cotton, Pleasant Hill Church of Deliverance.
PLEDGES – The pledges of allegiance to the U.S. and Texas flags were led by Mayor Louis Rigby.
3. **PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS**
 - (a) Proclamation in recognition of Municipal Court Week. [Mayor Rigby]
 - (b) Proclamation in recognition of Archives Month. [Mayor Rigby]
 - (c) Presentation and discussion of annual presentation from the Port Region Economic Alliance. [Ryan Cramer, Economic Development Coordinator]
4. **PUBLIC COMMENTS** (Limited to five minutes per person). There were no speakers.
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 October 14, 2019. [Mayor Rigby]
 - (b) Approve payment to Oakland Land and Development of \$38,659.28 as the fourth payment for the development of Sector 23, in accordance with the Local Government Code Chapter 380 Agreement dated March 27, 2017. [Ryan Cramer, Economic Development Coordinator]
 - (c) Adopt Resolution 2019-18 authorizing the City of La Porte to enter into an agreement with the Texas Department of Transportation (TxDOT) allowing for the installation of a decorative lighting system along the sidewalk within the Broadway (Old SH 146) right-of-way. [Lorenzo Wingate, City Engineer]
 - (d) Authorize the City Manager to execute a contract with the Port of Houston Authority to provide emergency medical services to the Port of Houston-Bayport Terminal for a fifteen-month term beginning November 1, 2019. [Lisa Camp, EMS Chief]
 - (e) Approve renewal of Cisco Smartnet Support Agreement with Datavox - DIR contract number 176-025-1479-000. [Grady Parker, IT Manager]
 - (f) Authorize purchases of various vehicles and equipment items in accordance with the FY19-20 Vehicle Replacement Program schedule. [Ray Mayo, Public Works Director]
 - (g) Authorize the City Manager to execute a professional services agreement with Huitt-Zollars Inc. to provide final design, bidding, and construction phase services for the Five Points Plaza Project in the amount of \$79,000.00. [Lorenzo Wingate, City Engineer]

Councilperson Martin asked to pull item b. Councilperson Garza asked to pull item g. Councilperson Bentley moved to approve the consent agenda items except b and g; the motion was adopted.7-0.

Councilperson Earp moved to approve payment to Oakland Land and Development of \$38,659.28 as the fourth payment for the development of Sector 23, in accordance with the Local Government Code Chapter 380 Agreement dated March 27, 2017; the motion was adopted 6-1, Councilperson Martin voting against.

Councilperson Earp moved to authorize the City Manager to execute a professional services agreement with Huitt-Zollars Inc. to provide final design, bidding, and construction phase services for the Five Points Plaza Project in the amount of \$79,000.00; the motion was adopted 6-1, Councilperson Garza voting against.

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 2019-3763 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 0.29-acre tract of land located at the northeast corner of N 1st St. and Tyler St., legally described as Lots 13-16, Block 85, Town of La Porte, by changing the land use designation from "Commercial" to "Low-Density Residential"; followed by discussion and possible action to adopt Ordinance 2019-3763 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 0.29-acre tract of land located at the northeast corner of N 1st St. and Tyler St., legally described as Lots 13-16, Block 85, Town of La Porte, by changing the land use designation from "Commercial" to "Low-Density Residential". [Ian Clowes, City Planner]**

Mayor Rigby opened the public hearing at 6:40 p.m. Ian Clowes gave a brief presentation on items 6(a) and 6(b). No comments were offered. Mayor Rigby closed the public hearing at 6:43 p.m. Councilperson Earp moved to adopt Ordinance 2019-3763 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 0.29-acre tract of land located at the northeast corner of N 1st St. and Tyler St., legally described as Lots 13-16, Block 85, Town of La Porte; the motion was adopted, 7-0.

- (b) **The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2019-3764 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Zone Change #19-92000005, a change from General Commercial (GC) to Low-Density Residential (R-1) for a 0.29-acre tract of land located at the northeast corner of N 1st St. and Tyler St., legally described as Lots 13-16, Block 85, Town of La Porte; followed by discussion and possible action to consider adopting Ordinance 2019-3764 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Zone Change #19-92000005, a change from General Commercial (GC) to Low-Density Residential (R-1) for a 0.29-acre tract of land located at the northeast corner of N 1st St. and Tyler St., legally described as Lots 13-16, Block 85, Town of La Porte. [Ian Clowes, City Planner]**

Mayor Rigby opened the public hearing at 6:45 p.m. No comments were offered. The Mayor closed the public hearing at 6:45 p.m. Councilperson Bentley moved to adopt Ordinance 2019-3764 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Zone Change #19-92000005, for a 0.29-acre tract of land located at the northeast corner of N 1st Street and Tyler Street, legally described as Lots 13-16, Block 85, Town of La Porte; the motion was adopted, 7-0.

7. STATUTORY AGENDA

- (a) **Presentation, discussion, and possible action to adopt ordinances authorizing the execution of Industrial District Agreements with companies in the Battleground and Bayport Industrial Districts, for a twelve-year term beginning January 1, 2020. [Corby Alexander, City Manager]**

(Councilperson Earp has previously signed a Conflict of Interest affidavit and did not participate in the discussion or vote.) Councilperson Bentley moved to adopt ordinances authorizing the execution of Industrial District Agreements 2020-01 through 2020-73 with companies in the Battleground and Bayport Industrial Districts, for a twelve-year term beginning January 1, 2020; the motion was adopted, 5-1, Councilperson Garza voting against.

- (b) **Presentation and discussion on Ordinance 2019-3758, to amend the Council Rules of Procedure and Ethics Policy. [Louis R. Rigby, Mayor]**

Without objection, the item was postponed until the next meeting for further consideration.

- (c) **Presentation, discussion, and possible action to adopt a new City sponsorship policy. [Corby Alexander, City Manager]**

Councilperson Garza moved to postpone the item to the November 11 meeting; the motion was adopted, 6-1, Councilperson Martin voting against.

8. REPORTS

- (a) **Receive a report of the La Porte Development Corporation Board Meeting. [Councilperson Nancy Ojeda]**
There not being a quorum present, the meeting was not held.

9. ADMINISTRATIVE REPORTS

- Drainage and Flooding Committee Meeting, Monday, November 11, 2019
- City Council Meeting, Monday, November 11, 2019
- Planning and Zoning Commission Meeting, Thursday, November 21, 2019
- Fiscal Affairs Committee Meeting, Monday, December 9, 2019
- City Council Meeting, Monday, December 9, 2019
- Planning and Zoning Commission Meeting, Thursday, December 19, 2019

City Manager Corby Alexander said he had no reports.

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

Councilpersons acknowledged the importance and originality of the IDA agreements; congratulated proclamation recipients and lauded their work; thanked Chad Burke of the Economic Alliance for his report and the City Manager and staff for their work for items on this evening's agenda; requested that future 380 agreements require adherence to all City ordinances; discussed the success of the Employee Fall Festival; and recognized the Chamber's *Salute to Industry*.

ADJOURN – Without objection, Mayor Rigby adjourned the meeting at 7:16 p.m.

Lee Woodward, City Secretary



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>November 11, 2019</u>
Requested By: <u>Louis Rigby, Mayor</u>
Department: <u>City Council</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: Proposed Ord. 2019-3763

SUMMARY

The City Secretary's office and the City Attorney began a review of the liquor licensing process and fees prior to 2019, which has now been completed. Proposed by the updated Ordinance 2019-3763 are the following:

1. Review of language of Section 6-36 to include statutory language as to which taxes or other revenue, on which property or real property, and from whom, may be considered in the issuance of a permit or license. Previously, the City's ordinance was more expansive in whose taxes must be in order and inclusive of other entities outside the City's jurisdiction; which is not permitted by law.
2. The terms *permit* and *license* both appear whenever one or both did previously. The Texas Alcoholic Beverage Code does not define these terms but uses them together often. The Code includes some permits as such and others as licenses, and of course says that licensees hold licenses and permittees hold permits, etc. The more inclusive language in the City's ordinance should eliminate any distinctions that would cause conflict with the statutory language.
3. Where not explicitly required in statute, the references to the *city secretary* in the ordinance has been revised to *city*. State law only requires that the City Secretary certify the license/permit application.

Below are the red line edits to the affected sections of the City's Code of Ordinances.

Sec. 6-36. - Required.

It shall be unlawful for any person to manufacture, brew, distill, sell, or distribute any alcoholic beverage within the city, or to engage in any other activity for which a license or permit is required by the ~~state Texas~~ Alcoholic Beverage ~~Code Control Act~~, without first paying the fee levied in section 6-37 to the city. No license or permit shall be issued or renewed by the city ~~secretary~~ unless all City of La Porte ~~and La Porte Independent School District~~ ad valorem taxes, hotel occupancy taxes, and local sales and use taxes due on the permitted or licensed premises or due from a business operated on the permitted or licensed premises have been paid by the applicant or licensee/permittee ~~applicant and by the owner of the real property covered by the application, and the applicant and the property owner are current on their real and personal property taxes located or to be operated within the city.~~

Sec. 6-38. - Issuance; term.

Upon the payment of the applicable fee required under this article to the city ~~secretary~~ and exhibition of a permit or license duly issued by the state to the applicant or person paying such fee, the city ~~secretary~~ shall, ~~in the name of the city,~~ issue ~~and deliver~~ to such applicant a license ~~or permit~~ to engage in business in the city of the character described in and authorized by the permit or license from the state held by such applicant, and the license ~~or permit~~ so issued in the name of the city shall authorize the conduct of such business upon the premises described in the permit or license from the state and shall remain in force only so long as such permit or license from the state remains in force.

Below are the relevant sections from the Texas Alcoholic Beverage Code regarding the state's authorization of local fees (some sections will be updating across the next couple of years):

Sec. 11.38. LOCAL FEE AUTHORIZED.

Text of subsection effective until September 01, 2021

(a) The governing body of a city or town may levy and collect a fee not to exceed one-half the state fee for each permit issued for premises located within the city or town. The commissioners court of a county may levy and collect a fee equal to one-half of the state fee for each permit issued for premises located within the county. Those authorities may not levy or collect any other fee or tax from the permittee except general ad valorem taxes, the hotel occupancy tax levied under Chapter [351](#), Tax Code, and the local sales and use tax levied under Chapter [321](#), Tax Code.

Text of subsection effective on September 01, 2021

(a) The governing body of a city or town may levy and collect a fee for each permit issued for premises located within the city or town. The commissioners court of a county may levy and collect a fee for each permit issued for premises located within the county. The fees authorized by this subsection may not exceed one-half the statutory fee provided in this code as of August 31, 2021, for the permit issued. Those authorities may not levy or collect any other fee or tax from the permittee except general ad valorem taxes, the hotel occupancy tax levied under Chapter [351](#), Tax Code, and the local sales and use tax levied under Chapter [321](#), Tax Code.

(b) The commission or administrator may cancel or suspend a permit if it finds that the permittee has not paid a fee levied under this section within 180 days after the date the fee was levied. A permittee who sells an alcoholic beverage without first having paid a fee levied under this section commits a misdemeanor punishable by a fine of not less than \$10 nor more than \$200.

(b-1) A city, town, or county may enter into a contract with a private attorney or a public or private vendor for the collection of an unpaid permit fee levied under this section that is more than 60 days past due. A private attorney or a public or private vendor collecting a fee under this subsection may assess a collection charge to a permit holder for late payment or nonpayment of a fee levied under this section.

(b-2) A city, town, or county may enter into an interlocal agreement with another entity authorized to levy a fee under this section for the collection of a permit fee that is more than 60 days past due on behalf of the other entity and shall remit the appropriate fees collected to the other entity. The amount collected through an interlocal agreement under this subsection may not exceed the amount of the fee levied by the city, town, or county under this section and any

collection charge assessed by a private attorney or a public or private vendor under Subsection (b-1).

(c) Nothing in this code shall be construed as a grant to any political subdivision of the authority to regulate permittees except by collecting the fees authorized in this section and exercising those powers granted to political subdivisions by other provisions of this code.

Text of subsection effective until September 01, 2021

(d) The following are exempt from the fee authorized in this section:

- (1) agent's, airline beverage, passenger train beverage, passenger bus beverage, industrial, carrier's, private carrier's, private club registration, local cartage, storage, and temporary wine and beer retailer's permits;
- (2) a wine and beer retailer's permit issued for a dining, buffet, or club car; and
- (3) a mixed beverage permit during the three-year period following the issuance of the permit.

Text of subsection effective on September 01, 2021

(d) The following are exempt from the fee authorized in this section:

- (1) passenger transportation, carrier, private club registration, and local cartage permits; and
- (2) a mixed beverage permit during the three-year period following the issuance of the permit.

Text of subsection effective until December 31, 2020

(e) The commission or administrator may cancel or deny a permit for the retail sale or service of alcoholic beverages, including a permit held by the holder of a food and beverage certificate, if it finds that the permit holder or applicant has not paid delinquent ad valorem taxes due on that permitted premises or due from a business operated on that premises to any taxing authority in the county of the premises. For purposes of this subsection, a permit holder or applicant is presumed delinquent in the payment of taxes due if the permit holder or applicant:

- (1) is placed on a delinquent tax roll prepared under Section [33.03](#), Tax Code;
- (2) has received a notice of delinquency under Section [33.04](#), Tax Code; and
- (3) has not made a payment required under Section [42.08](#), Tax Code.

Text of subsection effective on December 31, 2020

(e) The commission or administrator may cancel or the commission may deny a permit for the retail sale or service of alcoholic beverages, including a permit held by the holder of a food and beverage certificate, if it finds that the permit holder or applicant has not paid delinquent ad valorem taxes due on that permitted premises or due from a business operated on that premises to any taxing authority in the county of the premises. For purposes of this subsection, a permit holder or applicant is presumed delinquent in the payment of taxes due if the permit holder or applicant:

- (1) is placed on a delinquent tax roll prepared under Section [33.03](#), Tax Code;
- (2) has received a notice of delinquency under Section [33.04](#), Tax Code; and
- (3) has not made a payment required under Section [42.08](#), Tax Code.

(f) In this section, "applicant" has the meaning assigned by Section [11.45](#).

Acts 1977, 65th Leg., p. 406, ch. 194, Sec. 1, eff. Sept. 1, 1977. Amended by Acts 1979, 66th Leg., p. 2117, ch. 819, Sec. 3, eff. June 13, 1979; Acts 1985, 69th Leg., ch. 540, Sec. 3, eff. June 12, 1985; Acts 1989, 71st Leg., ch. 2, Sec. 14.27(a)(1), 14.29(1), eff. Aug. 28, 1989; Acts

2001, 77th Leg., ch. 289, Sec. 1, eff. Sept. 1, 2001. Amended by: Acts 2017, 85th Leg., R.S., Ch. 283 (H.B. [3101](#)), Sec. 1, eff. May 29, 2017. Acts 2019, 86th Leg., R.S., Ch. 909 (H.B. [3754](#)), Sec. 1, eff. September 1, 2019. Acts 2019, 86th Leg., R.S., Ch. 1359 (H.B. [1545](#)), Sec. 29, eff. September 1, 2021. Acts 2019, 86th Leg., R.S., Ch. 1359 (H.B. [1545](#)), Sec. 30, eff. December 31, 2020.

Sec. 61.36. LOCAL FEE AUTHORIZED.

Text of subsection effective until September 01, 2021

(a) The governing body of an incorporated city or town may levy and collect a fee not to exceed one-half of the state fee for each license, except a temporary or agent's beer license, issued for premises located within the city or town. The commissioners court of a county may levy and collect a fee equal to one-half the state fee for each license, except a temporary or agent's beer license, issued for premises located within the county. Those authorities may not levy or collect any other fee or tax from the licensee except general ad valorem taxes, the hotel occupancy tax levied under Chapter [351](#), Tax Code, and the local sales and use tax levied under Chapter [321](#), Tax Code.

Text of subsection effective on September 01, 2021

(a) The governing body of an incorporated city or town may levy and collect a fee for each license issued for premises located within the city or town. The commissioners court of a county may levy and collect a fee for each license issued for premises located within the county. The fees authorized by this subsection may not exceed one-half the statutory fee provided in this code as of August 31, 2021, for the license issued. Those authorities may not levy or collect any other fee or tax from the licensee except general ad valorem taxes, the hotel occupancy tax levied under Chapter [351](#), Tax Code, and the local sales and use tax levied under Chapter [321](#), Tax Code.

(b) The commission or administrator may cancel or suspend a license if it finds the licensee has not paid a fee levied under this section within 180 days after the date the fee was levied. A licensee who sells an alcoholic beverage without first having paid a fee levied under this section commits a misdemeanor punishable by a fine of not less than \$10 nor more than \$200.

(b-1) A city, town, or county may enter into a contract with a private attorney or a public or private vendor for the collection of an unpaid license fee levied under this section that is more than 60 days past due. A private attorney or a public or private vendor collecting a fee under this subsection may assess a collection charge to a license holder for late payment or nonpayment of a fee levied under this section.

(b-2) A city, town, or county may enter into an interlocal agreement with another entity authorized to levy a fee under this section for the collection of a license fee that is more than 60 days past due on behalf of the other entity and shall remit the appropriate fees collected to the other entity. The amount collected through an interlocal agreement under this subsection may not exceed the amount of the fee levied by the city, town, or county under this section and any collection charge assessed by a private attorney or a public or private vendor under Subsection (b-1).

(c) Nothing in this code shall be construed as a grant to any political subdivision of the authority to regulate licensees except by collecting the fees authorized in this section and exercising those powers granted to political subdivisions by other provisions of this code.

Text of subsection effective until December 31, 2020

(d) The commission or administrator may cancel or deny a license for the retail sale of alcoholic beverages, including a license held by the holder of a food and beverage certificate, if it finds

that the license holder or applicant has not paid delinquent ad valorem taxes due on that licensed premises or due from a business operated on that premises to any taxing authority in the county of the premises. For purposes of this subsection, a license holder or applicant is presumed delinquent in the payment of taxes due if the license holder or applicant:

- (1) is placed on a delinquent tax roll prepared under Section [33.03](#), Tax Code;
- (2) has received a notice of delinquency under Section [33.04](#), Tax Code; and
- (3) has not made a payment required under Section [42.08](#), Tax Code.

Text of subsection effective on December 31, 2020

(d) The commission or administrator may cancel or the commission may deny an application for a license for the retail sale of alcoholic beverages, including a license held by the holder of a food and beverage certificate, if it finds that the license holder or applicant has not paid delinquent ad valorem taxes due on that licensed premises or due from a business operated on that premises to any taxing authority in the county of the premises. For purposes of this subsection, a license holder or applicant is presumed delinquent in the payment of taxes due if the license holder or applicant:

- (1) is placed on a delinquent tax roll prepared under Section [33.03](#), Tax Code;
- (2) has received a notice of delinquency under Section [33.04](#), Tax Code; and
- (3) has not made a payment required under Section [42.08](#), Tax Code.

(e) In this section, "applicant" has the meaning assigned by Section [11.45](#).

Acts 1977, 65th Leg., p. 464, ch. 194, Sec. 1, eff. Sept. 1, 1977. Amended by Acts 1989, 71st Leg., ch. 2, Sec. 14.27(a)(3), 14.29(2), eff. Aug. 28, 1989; Acts 1995, 74th Leg., ch. 377, Sec. 1, eff. Sept. 1, 1995; Acts 2001, 77th Leg., ch. 289, Sec. 2, eff. Sept. 1, 2001. Amended by: Acts 2019, 86th Leg., R.S., Ch. 909 (H.B. [3754](#)), Sec. 2, eff. September 1, 2019. Acts 2019, 86th Leg., R.S., Ch. 1359 (H.B. [1545](#)), Sec. 175, eff. September 1, 2021. Acts 2019, 86th Leg., R.S., Ch. 1359 (H.B. [1545](#)), Sec. 176, eff. December 31, 2020.

RECOMMENDED MOTION

I move to adopt Ordinance 2019-3763, updating Chapter 6. Alcoholic Beverages, Article II, Sections 6-36 and 6-38 of the City's Code of Ordinances.

ORDINANCE NO. 2019-3763

AN ORDINANCE AMENDING CHAPTER 6 “ALCOHOLIC BEVERAGES,” ARTICLE II “LICENSE OR PERMIT,” SECTION 6-36 “REQUIRED” AND SECTION 6-38 “ISSUANCE; TERM.” OF THE CODE OF ORDINANCES IN CONNECTION WITH ISSUANCE OR RENEWAL OF AN ALCOHOLIC BEVERAGES LICENSE OR PERMIT BY THE CITY OF LA PORTE, TEXAS; PROVIDING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF

WHEREAS, the City of La Porte issues liquor and alcohol permits and licenses in accordance with the Texas Alcoholic Beverage Code, and the City previously adopted and/or amended Sections 6-36 and 6-38 in the Code of Ordinance adoption of 1970 and by adoption of Ordinance 97-2201 on November 10, 1997; and

WHEREAS, Sections 11.38 and 61.36 of the Texas Alcoholic Beverage Code set guidelines for the collection of fees and taxes in association with the issuance of a city license or permit, and it is necessary to amend the Code of Ordinances to conform to the requirements of this law.

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

Section 1. That Chapter 6, “Alcoholic Beverages,” Article II “License or Permit,” Section 6-36 “Required.” of the La Porte, Texas, Code of Ordinances is hereby amended to read as follows:

“Sec. 6-36. – Required.

It shall be unlawful for any person to manufacture, brew, distill, sell, or distribute any alcoholic beverage within the city, or to engage in any other activity for which a license or permit is required by the Texas Alcoholic Beverage Code, without first paying the fee levied in section 6-37 to the city. No license or permit shall be issued or renewed by the city unless all City of La Porte ad valorem taxes, hotel occupancy taxes, and local sales and use taxes due on the permitted or licensed premises or due from a business operated on the permitted or licensed premises have been paid by the applicant or licensee/permittee.

Section 2. That Chapter 6, “Alcoholic Beverages,” Article II “License or Permit,” Section 6 38 “Issuance; term.” of the La Porte, Texas, Code of Ordinances is hereby amended to read as follows:

“Sec. 6-38. - Issuance; term.

Upon the payment of the applicable fee required under this article to the city and exhibition of a permit or license duly issued by the state to the applicant or person paying such fee, the city shall issue to such applicant a license or permit to engage in business in the city of the character described in and authorized by the permit or license from the state held by such applicant, and the license or permit so issued in the name of the city shall authorize the conduct of such business

upon the premises described in the permit or license from the state and shall remain in force only so long as such permit or license from the state remains in force.”

Section 3. Each and every provision, paragraph, sentence, and clause of this ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

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

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 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, 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 6. This ordinance shall be effective immediately after its passage and approval.

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

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Clark T. Askins, Assistant City Attorney



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>November 11, 2019</u>
Requested By: <u>Ray Mayo, Director</u>
Department: <u>Public Works</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance

Appropriation	
Source of Funds:	<u>033</u>
Account Number:	<u>03370715314431</u>
Amount Budgeted:	<u>\$2,345,000</u>
Amount Requested:	<u>\$ 366,023</u>
Budgeted Item:	<input checked="" type="radio"/> Yes <input type="radio"/> No

Exhibits: Engineer's proposal with Opinion of Probable Construction Cost

SUMMARY

At the June 10, 2019, City Council meeting, an approval was given to authorize the City Manager to enter into a contract with Cobb Fendley for the survey phase and preliminary engineering report phase of the 7th Street Paving and Drainage Improvements Project.

The remaining portion of the professional services contract includes final design, bid phase, and construction phase services. Additional services are also proposed. Partial funding for the South 7th Street Improvements were included the FY2019-20 CIP budget to proceed with design. It is anticipated that construction will not commence until FY2020-21.

The engineer's estimate of probable cost to construct is \$4,584,260.13; Remaining Basic Services including design, bid, and construction services total \$338,240. Remaining additional services including geotechnical, environmental, TDLR sidewalk review, and reimbursable expenses totaling \$27,783. Staff recommends approval of the remaining portions of the professional services contract.

RECOMMENDED MOTION

I move to authorize the City Manager to enter into a contract with Cobb Fendley for the remaining portions of the engineering contract for the 7th Street Paving and Drainage Improvements Project, including design, bid, construction phase, and additional services, for a total authorization of \$366,023.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date



May 22, 2019

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

Re: Proposal for Professional Engineering Services for
7th Street Paving and Drainage Improvements - Revision 1

Dear Mr. Pennell:

Cobb, Fendley & Associates, Inc. (CobbFendley) is pleased to submit this proposal to provide Professional Engineering Services for 7th Street Paving and Drainage Improvements in La Porte, Texas. CobbFendley proposes to provide the Scope of Services and Compensation as outlined in the attached Exhibit A and B.

If this proposal is agreeable to you, please indicate your acceptance by signing in the space provided below and return one copy to us for our file. The opportunity to propose professional survey and engineering service to the City of La Porte is appreciated and we look forward to serving you on this project. Please advise if you have any questions or require additional information.

Sincerely,

COBB, FENDLEY & ASSOCIATES, INC.

Charles M. Eastland, P.E.
Vice President – Regional Manager

Attachments

This proposal accepted by:

CITY OF LA PORTE, TEXAS

Signature

Print Name

Title

Date of Authorization

EXHIBIT A
SCOPE OF SERVICES & COMPENSATION
Cobb, Fendley & Associates, Inc.
Proposal for Professional Engineering Services for
7th Street Paving and Drainage Improvements

Project/Limits

7th Street Paving and Drainage Improvements project includes the reconstruction of streets and storm facilities along 7th Street from Main Street to Fairmont Parkway. The design will consist of replacing existing 20-ft wide asphalt roads with roadside ditches with 28-ft concrete curb and gutter road with underground storm system. The new roadway will have 5-ft wide sidewalks on both sides of the road. The new storm system will connect to existing storm systems at D Street and Fairmont Parkway while a new outfall will be constructed outfalling into Harris County Drainage Channel (F216-00-00) on H Street just west of 8th Street. New storm system will be placed along 8th Street from G Street to H Street and G and H Streets from 8th to 7th.

See *Exhibit D – Project Limits*

General

Cobb, Fendley & Associates, Inc. (CobbFendley) will perform professional engineering services as follows: provide topographic survey, drainage study and civil design drawings for construction.

Sub Consultants

CobbFendley shall subcontract the geotechnical investigation and any other services not specifically offered by CobbFendley to perform the tasks described in this scope of service. Below is a list of the consultants that we anticipate on using for this project:

- Geotechnical Investigation – Geotest Engineering, Inc.
- Environmental - Bio-West, Inc. (Wetland Investigation required for Harris County Express Review Sheet)
- ADA Compliance - Otten Consultant Group, Inc. (TDLR Sidewalk Review/Inspection)

Construction Estimate

The preliminary Opinion of Probable Construction Cost for this project are attached as Exhibit C.

BASIC SERVICES

CobbFendley will provide the following engineering services as part of its basic service. The specific items of service include:

Preliminary Engineering Report:

1. Data collection, including “as-built plans”, existing schematics, right-of-way maps, flood plain information, existing channel and drainage easement data, special specifications, and standard drawings.
2. Data collection, including “as-built plans”, existing schematics, right-of-way maps, flood plain information, existing channel and drainage easement data, special specifications, and standard drawings.
3. Conduct field reconnaissance and collect data including a photographic record of notable existing features.
4. Update (as necessary) drainage area boundaries, hydrologic runoff rates and resultant flows for the system(s) located along 7th street.
5. Perform an addendum to the previously prepared studies “*2010 Concrete Street Program for the City of La Porte – Drainage Study*” and “*Concrete Street Program Study – July 2011*” with present day conditions. This addendum will be submitted to HCFCD to serve as a notification for the construction of a new outfall (System B) into F216-00-00 as identified in the previous reports.
6. The existing roadside drainage ditches along 7th Street will be replaced with an enclosed storm sewer system.
7. Prepare topographic drawings from survey data of the proposed alignment. (see Surveying in additional services)
8. Prepare Survey Control Sheet(s) based on information provided by Project Surveyor.
9. Perform the utility and investigation work involving the research and identification of all private and public utilities within the projects limits.
 - a. Research the existence of public utilities such as sanitary, storm sewer and waterlines.
 - b. Request any additional information from private utilities (CenterPoint Gas, CenterPoint Electric, AT&T and Others) and pipeline.
 - c. Identify potential conflicts between the existing utilities and the proposed project improvements.
 - d. Coordinate with Utility Company's on plans for relocations and provide updated project design information.

10. Size proposed storm sewer to meet City's 5-year & 100-year rainfall event. Size storm sewer leads for future projects on adjacent streets.
11. Prepare preliminary roadway alignment and grades.
12. Prepare preliminary storm sewer plan and profile sheets showing inlets, laterals, trunk line(s) and outfall(s) *Note: Storm Sewer Plan and Profiles and Roadway Plan and Profiles will be included on the same Sheet.*

Final Design:

1. CobbFendley will provide typical sections sheets prepared for the existing and proposed roadway. Typical section information will include:
 - a. Station Limits
 - b. Profile Grade Line Location
 - c. Centerline and Baseline Locations
 - d. Pavement Section
 - e. Pavement Cross Slopes
 - f. Curbs
 - g. Sidewalks
 - h. Green Space (Mow Strips)
2. CobbFendley will provide roadway plan and profile drawings using CADD standards as required by the City. The drawings will consist of a plan and profile view of existing features and proposed improvements.

Plan view will include:

- a. Roadway centerlines and baselines
- b. Pavement edges for all improvements
- c. Lane and pavement width dimensions
- d. 5-ft wide sidewalks (both sides)
- e. Proposed structure locations
- f. Direction of traffic flow on all roadway, and arrows indicating the number of lanes
- g. Existing utilities and structures
- h. Benchmark information
- i. Radius callouts
- j. Curb locations
- k. Pavement Details

Profile view will include:

- a. Existing and proposed profiles along the proposed centerline
- b. Existing and Proposed Grade Lines for pavement and natural ground along the project centerline.

Notes: Storm Sewer Plan and Profiles and Roadway Plan and Profiles will be included on the same Sheet. Plan and Profile sheets will be prepared on 22"x34" format sheets.

3. Finalize storm sewer design based on preliminary engineering comments.
4. Review Environmental Requirements to design drainage outfall to Harris County Flood Control drainage channel.
5. Prepare final storm sewer plan and profile sheets showing inlets, laterals, trunk line(s) and outfall(s) *Note: Storm Sewer Plan and Profiles and Roadway Plan and Profiles will be included on the same Sheet.*
6. Coordinate with Harris County regarding possible modification to traffic loop detector at the intersection of 7th Street and Fairmont Parkway.
7. Coordinate with Harris County regarding improvements to roadside drainage along 8th Street for proposed improvements.
8. Develop an earthwork analysis to determine cut and fill quantities and provide design cross sections at 100-ft intervals.
9. Review Geotechnical Report and incorporate the pavement design as recommended.
10. Coordinate with Harris County Flood Control (HCFCD) for work performed within Drainage Channel F216-00-00 and obtain approvals.
11. Provide construction plan drawings. The plans will include, at a minimum, the following.
 - Cover Sheet
 - Overall Project Layout
 - Typical Cross Sections
 - SWPP Plan
 - Demolition Plan
 - General Notes and Details
 - Drainage Area Map
 - Storm Sewer Layout
 - Survey Control Map
 - Plan and Profiles Sheets
 - Traffic Control Plan
 - Harris County ERS
12. CobbFendley will prepare Storm Water Pollution Prevention Plan (SW3P) sheets and details based on the latest NPDES, Harris County Stormwater Quality Standards and City standards to minimize the potential impact to receiving waterways. The SW3P sheets will include:
 - a. Erosion control measures to be used
 - b. Locations of erosion control devices
 - c. Phasing of erosion control measures
 - d. Permanent erosion control measures
 - e. Erosion control measure detail sheet(s)

13. CobbFendley will prepare Traffic Control Plan (TCP) sheets in accordance with the Texas Manual on Uniform Traffic Control Devices (TMUTCD) for Streets and Highways (latest edition). Plans sheets will include the following:
 - a. Written narrative of the construction sequencing and work activities per phase.
 - b. Existing and proposed traffic control devices (regulatory signs, warning signs, guide signs, route markers, construction pavement markings, barricades, flag personnel, temporary traffic signals, etc.) to be used to handle traffic during each construction sequence.
 - c. Typical sections for each phase
 - d. Proposed traffic control devices at grade intersections during each construction phase (stop signs, flagperson, signals, etc.).
 - e. Temporary roadways, structures and detours required to maintain lane continuity throughout the construction phasing.
 - f. Continuous, safe access to each adjacent property during all phases of construction and to preserve existing access.
 - g. Temporary drainage to replace existing drainage disturbed by construction activities or to drain detour pavement.
 - h. Interim signing for every phase of construction. Interim signing must include regulatory, warning, construction, route, and guide signs.
 - i. Maintain continuous access to abutting properties during all phases of the TCP.
 - j. Coordinate with Harris County for work within Harris County right-of-way at the intersection of 7th Street and Fairmont Parkway.
14. Coordinate and submit plans to Harris County and Harris County Flood Control District for Approval. (Express Review Sheet)
15. Prepare contract bidding documents consisting of technical specifications and contract documents outlining the construction contract requirements.
16. CobbFendley will provide construction documents based on the milestone submittals below:
 - a. 60% Milestone Submittal:
 - i. 1 set of 22"x34" plan sheets for City review.
 - ii. Opinion of Probable Construction Cost
 - iii. Digital Copy of the previous items in .pdf format
 - b. 90% Milestone Submittal:

- i. 2 sets of 22"x34 plan sheets for City review.
- ii. 1 project manual with specifications for City Review.
- iii. Opinion of Probable Construction Cost
- iv. Digital Copy of the previous items in .pdf format

c. Final Milestone Submittal:

- i. 2 sets of 22"x34" plan sheets for City review.
- ii. 1 project manual with specifications for City Review.
- iii. Opinion of Probable Construction Cost
- iv. Construction schedule.
- v. Digital Copy of the previous items in .pdf format

17. Once all comments are received by all entities involved, CobbFendley will finalize the construction documents for bidding.

Bid Phase Services:

1. Distribute digital plans and specifications to City for placement in PublicPurchase.com.
2. Respond in writing to questions from Bidders and prepare Addenda as necessary.
3. Conduct Pre-Bid and attend the Bid Opening.
4. Prepare Engineer's Recommendation of Award Letter that includes the following required content:
 - a. Check for math errors and reconcile any mathematical discrepancies
 - b. Review for unbalance bid items and determine responsiveness and responsibility of low bidders.
 - c. Certify Bid Tabulation including Engineer's estimate
 - d. Review of Bidder's financial standing and references provided
 - e. Explanation of discrepancies between the Engineer's estimate and bids
 - f. Recommendation to award
5. Prepare and provide the City with three (3) sets of hard copy award documents and plans.

Construction Administration Services:

1. Attend and conduct preconstruction conference.
2. Calculate quantities and assist in preparing change orders as necessary.
3. Review and approval of submittals and shop drawings.
4. Respond to request for information (RFI's) regarding the project improvements.

5. Attend field meetings and make visits to the site. Site visits will be various stages of construction to observe the progress and quality of executed work and to determine in general if such work is proceeding in accordance with the contract documents. Estimated based on the information provided below:
 - a. Construction Contract Estimate – 15 months
 - b. Senior PM – 2 Visits per month
 - c. Project Engineer – 2 Visits per month
 - d. Estimate 4hrs per Visit
6. Prepare Pay Applications for Approval.
7. Attend a Substantial Completion Inspection and prepare one Punch List.
8. Attend and conduct Final Acceptance Inspection of the project and prepare punch list as necessary.
9. Prepare Record Drawings based on Contractor Mark-up.
10. Provide City with necessary close out documents, including certificate of completion, record drawings, and contractor warranty documents on the project.

ADDITIONAL SERVICES

Surveying

CobbFendley, as the project surveyor shall:

1. Establish horizontal and vertical project control throughout the site. Vertical control will be tied to current TSARP datum.
2. Perform a Category 6, Condition II topographical survey of the project area in accordance with the requirements of the Texas Society of Professional Surveyors to locate existing utilities, appurtenances and pavement providing cross sections of the following existing features: natural ground, concrete curbs and pavement. Elevations will be obtained at a maximum of 50-ft intervals, right-of-way to right-of-way, plus 10 feet on each side.
3. Prepare a survey drawing on a plan style sheet at a scale of 1"=20' horizontally or at the direction of the engineer. The drawing will depict the obtained field information and any record information provided by outside sources.

Geotechnical Investigation

1. The geotechnical investigation will be performed by Geotest in accordance with the attached proposal. A geotechnical report will include geotechnical engineering recommendations on subgrade preparation, pavement design for concrete streets and storm sewer construction considerations.

TDLR Sidewalk Review

1. Perform design and post-construction review of sidewalk in accordance with TAS requirements. Notify the contractor of any ADA compliancy deficiencies.

Construction QC Inspection

1. Provide increased support to the City's personnel as needed. Provide engineering and technical office personnel support throughout construction. These personnel, consisting of professional engineers and design staff, provide on-site support to address City Inspector's concerns and conflicts uncovered in the field.
2. Coordinate with City Construction Managers. Assist with providing construction inspection QC. It is estimated that the duration of construction will be 15 months.

Exclusions for the Scope of Services:

The services described above are the identified **BASIC AND ADDITIONAL SERVICES** for this assignment. Other items that may arise during the course of the project that the City may wish to add to the scope of services shall be deemed as **SUPPLEMENTAL ADDITIONAL SERVICES**. CobbFendley shall undertake such supplemental additional services as assigned by the City upon written direction from the City. Examples of such items are as follows:

1. Quality Control (QC) inspections, full or part time, during the construction phase of the project.
2. Preparing Construction Pay Estimates
3. Materials Testing Services
4. Public Meetings
5. Obtaining Construction Permits
6. Right-of-way Acquisition
7. Bidding project more than once
8. Urban Forestry Services – Tree Preservation Plan
9. Any other services not specifically included within the description of the Basic Services and Additional Services as described above.

If supplemental services are requested by the City, CobbFendley will provide the City with a separate proposal for the supplemental work.

EXHIBIT B

BASIS OF COMPENSATION

BASIC SERVICES

The Compensation to be paid to CobbFendley for providing the BASIC SERVICES rendered under this agreement shall be based on Lump sum fees for overall phases of the work as shown below. Reimbursable items and subconsultant invoices will be subject to a 5% administration charge.

1.	Preliminary Engineering Report (Lump Sum).....	\$93,570
2.	Final Design (Lump Sum)	\$278,845
3.	Bid Phase Services (Lump Sum)	\$7,965
4.	Construction Administration Services (Lump Sum)	\$51,430

ADDITIONAL SERVICES

5.	Surveying (Lump Sum)	\$45,770
6.	Geotechnical Investigation (including 5% markup).....	\$17,395
7.	Environmental Services (including 5% markup)	\$2,888
8.	TDLR Sidewalk Review (Pre and Post Construction, incl. 5% Markup).....	\$3,000

Reimbursable Expenses

1.	Reproduction, mileage, delivery charges, etc.	\$4,500
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TOTAL, Basic & Additional Services incl. Reimbursables \$505,363

ITEMS 1 AND 5 PREVIOUSLY
APPROVED 6-10-19

REMAINING
PORTION
\$366,023.00

ADDITIONAL SERVICES

The Compensation to be paid to CobbFendley for providing any ADDITIONAL SERVICES under this agreement shall be based on the rate schedule included in the Agreement. Reimbursable items and subconsultant invoices will be subject to a 5% administration charge. Services will be charged according to those personnel directly involved in providing the service, and will be rounded to the nearest half hour.

Lump sum fees will be negotiated for particular, defined assignments at the request of the City. When an occasion arises which the City desires to be covered by a lump sum fee, CobbFendley will negotiate an acceptable fee with the City and prepare an addendum to this Agreement which describes the scope of services to be provided and the fee. The addendum will be effective only after its signature by both parties.

Direct Personnel Expense means salaries and wages paid to CobbFendley's employees plus payroll related costs and benefits such as payroll taxes, worker's compensation, health and retirement benefits, bonuses, sick leave, vacation, and holiday pay applicable hereto. Reimbursable Direct Expenses shall be those costs incurred on or directly for the CLIENT'S project, including but not limited to necessary transportation costs including mileage at the current IRS rate, meals and lodging, laboratory tests and analyses, and printing and binding charges.

EXHIBIT C

Client: City of La Porte
 Project Name: 7th Street Paving and Drainage

Opinion of Probable Construction Cost

Item No.	Item Description	Unit	Quantity	Unit Price	Extended Price
BASE BID					
SECTION 1 - SITE PREPARATION FOR EARTH WORK					
1	Mobilization (5%)	LS	1	\$ 200,000.00	\$ 200,000.00
2	Remove and Dispose of Pavement, Including Excavation	SY	13,078	\$ 20.00	\$ 261,555.56
3	Remove and Dispose of Driveways/Walkways	SY	2,003	\$ 6.00	\$ 12,019.00
4	Tree and Plant Protection, Clearing and Grubbing	LS	1	\$ 10,000.00	\$ 10,000.00
SUBTOTAL SECTION 1					\$ 483,574.56
SECTION 2 - PAVING					
5	7-inch Concrete Pavement, Including Stabilized Subgrade	SY	15,000	\$ 68.00	\$ 1,020,000.00
6	2-inch Asphalt with 6-inch Black Base, Including Stabilized Subgrade (Cross Street Transitions)	SY	1,660	\$ 80.00	\$ 132,800.00
7	Concrete Curb	LF	7,900	\$ 4.00	\$ 31,600.00
8	Concrete Sidewalks	SF	7,650	\$ 6.00	\$ 45,900.00
9	Concrete Curb Ramps	EA	38	\$ 1,500.00	\$ 57,000.00
10	Concrete Driveways	SF	21,210	\$ 8.00	\$ 169,680.00
11	Temporary Pavement, 5' Asphalt Extension	SY	2,594	\$ 50.00	\$ 129,722.22
12	Temporary Driveways, Recycled Asphalt Millings	SF	19,770	\$ 2.00	\$ 39,540.00
SUBTOTAL SECTION 2					\$ 1,626,242.22
SECTION 3 - STORM SEWER					
13	Demo Existing Culverts, All Sizes	LF	1,870	\$ 15.00	\$ 28,050.00
14	H Street Outfall, 7'x4' RCB and inc. slope paving	EA	1	\$ 25,000.00	\$ 25,000.00
15	Fairmont Street Storm Manhole Reconstruction	LS	1	\$ 15,000.00	\$ 15,000.00
16	24" RCP Leads	LF	320	\$ 110.00	\$ 35,200.00
17	30" RCP	LF	870	\$ 125.00	\$ 108,750.00
18	36" RCP	LF	800	\$ 140.00	\$ 112,000.00
19	42" RCP	LF	365	\$ 160.00	\$ 58,400.00
20	48" RCP	LF	820	\$ 220.00	\$ 180,400.00
21	54" RCP	LF	490	\$ 280.00	\$ 137,200.00
22	60" RCP	LF	980	\$ 380.00	\$ 372,400.00
23	78" RCB	LF	560	\$ 450.00	\$ 252,000.00
24	Type C Manhole	EA	12	\$ 3,500.00	\$ 42,000.00
25	Junction Box	EA	7	\$ 7,500.00	\$ 52,500.00
26	Type C-1 Inlet	EA	20	\$ 3,200.00	\$ 64,000.00
27	12" Area Inlet (including PVC lead)	EA	5	\$ 1,200.00	\$ 6,000.00
28	24" S.E.T.	EA	6	\$ 2,500.00	\$ 15,000.00
29	Type A Inlet	EA	8	\$ 2,500.00	\$ 20,000.00
30	Ditch Regrading	LF	200	\$ 10.00	\$ 2,000.00
SUBTOTAL SECTION 3					\$ 1,525,900.00
SECTION 4 - WATER ITEMS					
31	Water Line Offset	EA	8	\$ 8,000.00	\$ 64,000.00
SUBTOTAL SECTION 4					\$ 64,000.00
SECTION 5 - SWPPP					
32	Erosion/Sediment Control in Accordance with TPDES Requirements, Including Notice of Intent (NOI) and Notice of Termination (NOT)	LS	1	\$ 1,000.00	\$ 1,000.00
33	SWPPP Inspection and Maintenance, and Reporting	LS	1	\$ 2,500.00	\$ 2,500.00
34	Reinforced Filter Fabric Fence	LF	1200	\$ 2.00	\$ 2,400.00
35	Gravel Bag Barriers	LF	240	\$ 5.00	\$ 1,200.00
36	Sodding for Erosion Control (Block Sodding), St. Augustine, Complete in Place	SY	9,500	\$ 5.00	\$ 47,500.00
SUBTOTAL SECTION 6					\$ 54,600.00
SECTION 6 - TRAFFIC CONTROL AND REGULATION					
37	Traffic Control and Regulation, in Accordance with Drawings and Specifications	LS	1	\$ 50,000.00	\$ 50,000.00
38	Relocate Street Signs	EA	26	\$ 300.00	\$ 7,800.00
	Relocate Mailboxes	EA	56	\$ 100.00	\$ 5,600.00
39	Pavement Markings	LS	1	\$ 2,500.00	\$ 2,500.00
SUBTOTAL SECTION 7					\$ 65,900.00
TOTAL SECTIONS 1-7					\$ 3,820,216.78
20% CONTINGENCY					\$ 764,043.36
TOTAL BASE BID PRICE					\$ 4,584,260.13



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: November 11, 2019
 Requested By: Michael Dolby, Finance Dir.
 Department: Finance
 Report Resolution Ordinance

Appropriation	
Source of Funds:	<u>002-003</u>
Account Number:	<u>Multiple</u>
Amount Budgeted:	<u>\$551,700</u>
Amount Requested:	<u>\$551,700</u>
Budgeted Item:	<input checked="" type="radio"/> Yes <input type="radio"/> No

Exhibits: Sole source letter

SUMMARY

The City's Automated Meter Reading (AMR) system is comprised solely of Neptune water meters and parts. Components of other manufacturers are not compatible with the Neptune system. Core and Main, LP is the only distributor in the Houston and Southeast Texas area for the Neptune meters and parts, making them the sole source supplier for this area.

These parts and supplies are needed in order to maintain the City's water meters and to insure the accuracy of the AMR system through the replacement of residential and commercial meters, meter interface units, registers and antennas. Due to the electronic components of the meter, the interface units, registers and antennas are not repaired but replaced with new parts as needed. Neptune meters are reliable and each cycle we are able to read 97% electronically. Last fiscal year 1,334 meters were replaced due to mechanical issues or end of life. The life cycle of a meter is about ten years. In the last three years approximately \$1,213,811 has been spent on meters, electronic components and meter boxes.

These parts will be purchased as needed throughout FY2019- 2020. Budgeted amount includes residential and commercial meter replacement programs, new services and meter repairs.

RECOMMENDED MOTION

I move to approve the purchase of Neptune meters and parts from Core and Main, LP.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date



NEPTUNE
TECHNOLOGY GROUP

October 14, 2019

Neptune Sole Source Letter

Ms. Ashley Lovercheck
City of LaPorte
604 W. Fairmont Pkwy.
LaPorte, TX 77571

RE: Sole Source Neptune Letter

Ms. Lovercheck,

Neptune Technology Group, Inc has always valued the City of LaPorte, Texas as a loyal customer. I want to clarify, Core & Main, formerly HD Supply Waterworks, is the sole, exclusive authorized Neptune Technology Group distributor for the State of Texas. As the sole source provider of all Neptune products, the City of LaPorte can continue to depend on Core and Main for all of your metering needs. Please direct all Neptune product communication to Core & Main for local sales and support.

Regards,

Hunter Brown – S Texas Territory Manager
Email: hbrown@neptunetg.com
Cell: 334-415-2032



NEPTUNE
TECHNOLOGY GROUP



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>November 11, 2019</u>
Requested By: <u>Ron Parker, Police Chief</u>
Department: <u>Police</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input 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: FY 2019 Chapter 59 Asset Forfeiture Report by Law enforcement Agency and Related Financial Records Back Up

SUMMARY

Per Chapter 59 of the Texas Code of Criminal Procedure, Article 59.06 (G) (1), "All law enforcement agencies and attorneys representing the state who receive proceeds or property under this chapter shall account for the seizure, forfeiture, receipt, and specific expenditure of all such proceeds in an audit, which is to be performed annually by the commissioners court or governing body of a municipality, as appropriate."

In accordance with this requirement, a completed FY 2019 Chapter 59 Asset Forfeiture Audit Report by Law Enforcement Agency is attached, along with a summary of the fund balance, revenues and expenditures provided by the Finance Department, a financial print out for all revenues and expenditures reported under the state seizure project number (SZST) and copies of all expenditure receipts, for City Council review.

RECOMMENDED MOTION

I move the City Council accept the FY 2019 audit/asset forfeiture report and associated financial records as required by Chapter 59 of the Texas Code of Criminal Procedure.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

City of La Porte
State Seized Funds Reserve Balance Adjustment
9/30/2019

	State
Beginning Balance 10-1-18	\$153,059.44
Add: Receipts	51,124.76 (032-0000-407-34-00) (Project SZST)
Less: Expenditures	(99,499.30) (Project SZST)
End of Year Remaining	\$104,684.90
Add: Interest earnings fiscal year 2019	\$ 2,470.73
Ending Balance 9-30-19 (a+b+c)	\$ 107,155.63

Phyllis Rinehart

10/21/2019

C) Equipment										E1) Travel - In State			E2) Travel - Out of State			F) Training	
C-1	C-5	C-6	C-7	C-8	C-9	E-1 (b)		E-1 (d)	E-2 (a)	E-2 (b)	F-1						
Vehicles	Software	Maint. Cost	Uniforms	K9 Related	Other	Meals & Lodging	Meals & Lodging	Incidental	Transportation	Meals & Lodging	Fees						
1395.00	600.00	199.05	702.00	6000.00	33391.00	29.50	29.50	652.00	277.96	836.00	625						
600.00	10952.00	292.04	554.00		4318.87	44.85	44.85		31.30	1647.00	6000						
600.00	3588.00		30.43		9549.32	2.50	2.50		402.67		1000						
600.00	3588.00		326.00			37.98	37.98				625						
600.00						58.70	58.70				1500						
600.00						16.98	16.98				120						
600.00						8.49	8.49				1497.50						
600.00						425.00	425.00				1497.50						
600.00						490.70	490.70										
572.73						80.00	80.00										
424.25						50.00	50.00										
						31.00	31.00										
						10.67	10.67										
						31.98	31.98										
						41.02	41.02										
						47.32	47.32										
						6.99	6.99										
						17.38	17.38										
						21.00	21.00										
						11.65	11.65										
						2.99	2.99										
						37.98	37.98										
7191.98	18728.00	491.09	1612.43	6000.00	47259.19	1504.68	1504.68	652.00	711.93	2483.00	12865.00						
C-1	C-5	C-6	C-7	C-8	C-9	E-1 (b)	E-1 (b)	E-1 (d)	E-2 (a)	E-2 (b)	E-2 (b)						
TOTAL EXPENSES												99499.3					

Project Report Totals
Revenue
51124.76

Summary of Expenditures Per Account Line Item

2003	1286.43
2015	2938.44
2090	6600.00
3001	10952.00
3020	17490.26
4019	5796.98
4055	7176.00
8021	47259.19

99499.30 TOTAL EXPENSES



KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

CHAPTER 59 ASSET FORFEITURE REPORT BY LAW ENFORCEMENT AGENCY

Agency Information

Agency Information

Year: 2019	Agency Name: <u>La Porte Police Dept.</u>
Agency Mailing Street: 3001 North 23rd Street	City: La Porte
ZIP: 77571	State: TX
County: Harris	Phone Number: (281) 842-3101
Agency Fiscal Beginning Month: October	Agency Fiscal Ending Month: September

I. Seized Funds

Do not include federal seizures and/or forfeitures on this form. This form is only for those seizures and/or forfeitures made pursuant to Chapter 59 of the Texas Code of Criminal Procedure.

Seized Funds Pursuant to Chapter 59

Funds that have been seized but have not yet been awarded/forfeited to your agency by the judicial system.

A) Beginning Balance: \$0.00

B) Seizures During Reporting Period

Include only those seizures which occurred during the reporting period and where the seizure affidavit required by Article 59.03 is sworn to by a peace officer employed by your agency (E.G. seizing officer's affidavit).

1) Amount seized and retained in your agency's custody: \$0.00

2) Amount seized and transferred to the District Attorney pending forfeiture: \$0.00

3) Total Seizures - This field will be auto-calculated when you SAVE or switch sections: \$0.00

C) Interest Earned on Seized Funds During Reporting Period: \$0.00

D) Amount Returned to Defendants/Respondents: \$0.00

E) Amount Transferred to Forfeiture Account: \$0.00

F) Other Reconciliation Items (Must provide detail in box below): \$0.00

Description:

G) Ending Balance - This field will be auto-calculated when you SAVE or switch sections: \$0.00

Ending Balance - Mailed Form:

II. Forfeited Funds & Other Court Awards

Forfeited Funds and Other Court Awards Pursuant to Chapter 59

Funds awarded to your agency by the judicial system and which are available to spend.

A) Beginning Balance: \$153,059.44

B) Amount Forfeited to and Received by Reporting Agency (Including Interest) During Reporting Period: \$51,124.76

C) Interest Earned on Forfeited Funds During Reporting Period: \$2,470.73

D) Amount Awarded Pursuant to 59.022: \$0.00

E) Amount Awarded Pursuant to 59.023: \$0.00

F) Proceeds Received by Your Agency From Sale of Forfeited Property: \$0.00

G) Amount Returned to Crime Victims: \$0.00

H) Other Reconciliation Items (Must provide detail in box below): \$0.00

Description:

I) Total Expenditures of Forfeited Funds During Reporting Period. This field will be auto-calculated once section VI has been completed and you save or switch sections.: \$99,499.30

J) Ending Balance - This field will be auto-calculated when you SAVE or switch sections.: \$107,155.63

I) Total Expenditure from Mailed Form:

J) Ending Balance from Mailed Form:

III. Other Property

Other Property

List the number of items seized for each category. Include only those seizures where a seizure is made by a peace officer employed by your agency. If property is sold, list under "Proceeds Received by Your Agency From Sale of Forfeited Property" in Section II (F) in the reporting year in which the proceeds are received. Please note - this should be a number not a currency amount. Example 4 cars seized, 3 cars forfeited and 0 cars put into use.

A) Motor Vehicles (Include cars, motorcycles, tractor trailers,etc.)

- 1) Seized: 1
- 2) Forfeited to Agency: 0
- 3) Returned to Defendants/Respondents: 0
- 4) Put into use by Agency: 0

B) Real Property (Count each parcel seized as one item)

- 1) Seized: 0
- 2) Forfeited to Agency: 0
- 3) Returned to Defendants/Respondents: 0
- 4) Put into use by Agency: 0

C) Computers (Include computer and attached system components, such as printers and monitors, as one item)

Please note - this should be a number not a currency amount. For example, 4 computers seized, 3 computers forfeited and 0 computers put into use.

- 1) Seized: 0
- 2) Forfeited to Agency: 0
- 3) Returned to Defendants/Respondents: 0
- 4) Put into use by Agency: 0

D) Firearms (Include only firearms seized for forfeiture under Chapter 59. Do not include weapons disposed under Chapter 18)

Please note - this should be a number not a currency amount. For example, 4 firearms seized, 3 firearms forfeited, 0 firearms put into use.

- 1) Seized: 0
- 2) Forfeited to Agency: 0
- 3) Returned to Defendants/Respondents: 0
- 4) Put into use by Agency: 0

E) Other Property

Please note - this should be a number not a currency amount. For example, 4 lots of tools seized, 3 lots of tools forfeited, 0 lots of tools put into use.

Description	Seized	Forfeited To Agency	Returned to Defendants/Respondents	Put into use by Agency
-------------	--------	---------------------	------------------------------------	------------------------

IV. Forfeited Property Received

Forfeited Property Received From Another Agency

Enter the total number of items transferred to your agency where the forfeiture judgment awarded ownership of the property to another agency prior to the transfer.

A) Motor Vehicles: 0

B) Real Property: 0

C) Computers: 0

D) Firearms: 0

E) Other: 0

V. Forfeited Property Transferred/Loaned

Forfeited Property Transferred or Loaned to Another Agency

Enter the total number of items transferred or loaned from your agency where the forfeiture judgment awarded ownership of the property to your agency prior to the transfer.

A) Motor Vehicles: 0

B) Real Property: 0

C) Computers: 0

D) Firearms: 0

E) Other: 0

VI. Expenditures: A - D

A) Salaries

1) Increase of Salary, Expense
or Allowance for Employees \$0.00
(Salary Supplements):

2) Salary Budgeted Solely \$0.00
From Forfeited Funds:

3) Number of Employees Paid 0
Using Forfeiture Funds:

4) TOTAL SALARIES PAID
OUT OF CHAPTER 59 \$0.00
FUNDS:

Total Salaries from Mailed
Form:

B) Overtime

1) For Employees Budgeted by \$0.00
Governing Body:

2) For Employees Budgeted \$0.00
Solely out of Forfeiture Funds:

3) Number of Employees Paid 0
Using Forfeiture Funds:

4) TOTAL OVERTIME PAID
OUT OF CHAPTER 59 \$0.00
FUNDS:

Total Overtime from Mailed
Form:

C) Equipment

1) Vehicles: \$7,191.98

2) Computers: \$0.00

3) Firearms, Protective Body \$0.00
Armor, Personal Equipment:

4) Furniture: \$0.00

5) Software: \$18,728.00

6) Maintenance Costs: \$491.09

7) Uniforms: \$1,612.43

8) K9 Related Costs: \$6,000.00

9) Other (Must provide detail in
box below): \$47,259.19

Description:

Resolute Environmental - \$33,391.00
Remove and replace blocks @ shooting range
Range Systems - \$4,318.87
Bullet Encapsulators
Range Systems - \$9,549.32
Bullet Encapsulators

10) TOTAL EQUIPMENT
PURCHASED WITH \$81,282.69
CHAPTER 59 FUNDS:

Total Equipment from Mailed
Form:

D) Supplies

1) Office Supplies: \$0.00

2) Mobile Phone and Data
Account Fees: \$0.00

3) Internet: \$0.00

4) Other (Must provide detail in
box below): \$0.00

Description:

5) TOTAL SUPPLIES
PURCHASED WITH \$0.00
CHAPTER 59 FUNDS:

Total Supplies from Mailed
Form:

VI. Expenditures: E

E) Travel

1) In State Travel

a) Transportation:

- b) Meals & Lodging: \$1,504.68
- c) Mileage: \$0.00
- d) Incidental Expenses: \$652.00

- e) Total In State Travel: \$2,156.68

Total In State Travel from
Mailed Form:

2) Out of State Travel

- a) Transportation: \$711.93
- b) Meals & Lodging: \$2,483.00
- c) Mileage: \$0.00
- d) Incidental Expenses: \$0.00

- e) Total Out of State Travel: \$3,194.93

Total Out of State Travel from
Mailed Form:

3) Total Travel Paid Out of Chapter 59 Funds

Total Travel Paid Out of
Chapter 59 Funds: \$5,351.61

Total Travel from Mailed Form:

VI. Expenditures: F - G

F) Training

- 1) Fees (Conferences, Seminars): \$12,865.00
- 2) Materials (Books, CDs, Videos, etc.): \$0.00
- 3) Other (Must provide detail in box below): \$0.00

Description:

4) TOTAL TRAINING PAID
OUT OF CHAPTER 59 FUNDS: \$12,865.00

Total Training from Mailed
Form:

G) Investigative Costs

- 1) Informant Costs: \$0.00
- 2) Buy Money: \$0.00
- 3) Lab Expenses: \$0.00
- 4) Other (Must provide detail in box below): \$0.00

Description:

5) TOTAL INVESTIGATIVE
COSTS PAID OUT OF
CHAPTER 59 FUNDS: \$0.00

Total Investigative Costs from
Mailed Form:

VI. Expenditures: H - N

H) Prevention / Treatment Programs / Financial Assistance / Donation

- 1) Total Prevention/Treatment Programs (pursuant to 59.06 (d-3(6), (h), (j))): \$0.00
- 2) Total Financial Assistance (pursuant to Articles 59.06 (n) and (o)): \$0.00
- 3) Total Donations (pursuant to Articles 59.06 (d-2)): \$0.00
- 4) Total scholarships to children of officers killed in the line of duty (pursuant to Article 59.06 (r)): \$0.00

5) TOTAL
PREVENTION/TREATMENT

PROGRAMS/FINANCIAL
ASSISTANCE/DONATIONS \$0.00
(Pursuant to Articles 59.06
(d-3(6)), (h), (j), (n), (o), (d-2),
(r)) - This field will be
auto-calculated when you
SAVE or switch sections:

Total
PREVENTION/TREATMENT
PROGRAMS/FINANCIAL
ASSISTANCE/DONATIONS
from Mailed Form:

I) Facility Costs

- 1) Building Purchase: \$0.00
- 2) Lease Payments: \$0.00
- 3) Remodeling: \$0.00
- 4) Maintenance Costs: \$0.00
- 5) Utilities: \$0.00
- 6) Other (Must provide detail in
box below): \$0.00

Description:

7) TOTAL FACILITY COSTS
PAID OUT OF CHAPTER 59 \$0.00
FUNDS:

Total Facility Costs from
Mailed Form:

J) Miscellaneous Fees

- 1) Court Costs: \$0.00
- 2) Filing Fees: \$0.00
- 3) Insurance: \$0.00
- 4) Witness Fees (including
travel and security): \$0.00
- 5) Audit Costs and Fees
(including audit preparation
and professional fees): \$0.00
- 6) Other (Must provide detail in
box below): \$0.00

Description:

7) Total Miscellaneous Fees
Paid Out of Chapter 59 Funds
- This will be auto-calculated \$0.00
when you SAVE or switch
sections:

Total Miscellaneous Costs
from Mailed Form:

K) Paid to State Treasury / General Fund / Health & Human Services Commission

1) Total paid to State Treasury
due to lack of local agreement \$0.00
pursuant to 59.06 (c):

2) Total paid to State Treasury
due to participating in task \$0.00
force not established in
accordance with 59.06 (q)(1):

3) Total paid to General Fund
pursuant to 59.06 (c-3) (C) \$0.00
(Texas Department of Public
Safety only):

4) Total forfeiture funds
transferred to the Health and \$0.00
Human Services Commission
pursuant to 59.06 (p):

5) TOTAL PAID TO STATE
TREASURY/ GENERAL
FUND/ HEALTH & HUMAN \$0.00
SERVICES COMMISSION
OUT OF CHAPTER 59
FUNDS:

Total Paid to State
Treasury/General fund/ Health
& Human Services
Commission from Mailed
Form:

L) Total Paid to Cooperating Agency(ies) Pursuant to Local Agreement

TOTAL PAID TO
COOPERATING \$0.00
AGENCY(IES) PURSUANT
TO LOCAL AGREEMENT:

M) Total Other Expenses Paid Out of Chapter 59 Funds Which Are Not Accounted For In Previous Categories

TOTAL OTHER EXPENSES
PAID OUT OF CHAPTER 59
FUNDS WHICH ARE NOT \$0.00
ACCOUNTED FOR IN
PREVIOUS CATEGORIES
(Must provide detail in box
below):

Description:

N) Total Expenditures

TOTAL EXPENDITURES: \$99,499.30

Total Expenditures from Mailed
Form:

Financial Professional Signature

After signing and pressing "Save", using your email address and password account access, and pursuant to the terms of service, you certify that you swear or affirm that the Commissioners Court, City Council or Head of Agency (if no governing body) has requested that you conduct the audit required by Article 59.06 of the Code of Criminal Procedure and that upon diligent inspection of all relevant documents and supporting materials, you believe that the information contained in this report is true and correct to the best of your Knowledge.

Do you acknowledge the
above terms :

Typed Name of
Auditor/Treasurer/Accounting
Professional/Preparer::

Title:

La Porte, TX
Account Activity Listing with Budget and Encumbrances
As of Monday, September 30, 2019

Posting Date	PE Nam	PEID	Type	Reference	PO #	Check	Key	Description	Original Budget	Amendments	Adjusted Budget	Activity Encumbrances	Open	Available Budget
GR - GRANTS														
SZST-3710106 CONFISCATED FUNDS-STATE / CONFISCATED FUNDS														
				OPENING BALANCE					0.00	0.00	0.00	0.00	0.00	0.00
				CLOSING BALANCE					0.00	0.00	0.00	0.00	0.00	0.00
SZST-4073400 CONFISCATED FUNDS-STATE / CONFISCATED FUNDS-STATE														
				OPENING BALANCE					0.00	0.00	0.00	0.00	0.00	0.00
10/18/2018	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S181018002HELA	GL3379			0320000	Fayette County Forfeiture Pro	0.00	0.00	0.00	5,361.21	0.00	0.00
11/13/2018	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S181113003HELA	GL3355			0320000	Harris County T Memo: 42000090	0.00	0.00	0.00	447.16	0.00	0.00
11/13/2018	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S181113003HELA	GL3356			0320000	Harris County T Memo: 42000090	0.00	0.00	0.00	732.74	0.00	0.00
02/01/2019	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S190131002HELA	GL3943			0320000	Cadence Bank Miscellaneous Rec	0.00	0.00	0.00	2,223.34	0.00	0.00
02/01/2019	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S190131002HELA	GL3944			0320000	Cadence Bank Miscellaneous Rec	0.00	0.00	0.00	243.54	0.00	0.00
02/01/2019	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S190131002HELA	GL3945			0320000	Cadence Bank Miscellaneous Rec	0.00	0.00	0.00	172.31	0.00	0.00
03/22/2019	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S190321002HELA	GL4236			0320000	Harris County Cadence Bank	0.00	0.00	0.00	1,719.24	0.00	0.00
03/22/2019	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S190321002HELA	GL4237			0320000	Harris County Cadence Bank	0.00	0.00	0.00	1,028.38	0.00	0.00
04/22/2019	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S190416001HELA	GL4361			0320000	Cadence Bank Miscellaneous Rec	0.00	0.00	0.00	1,223.98	0.00	0.00
04/22/2019	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S190416001HELA	GL4362			0320000	Cadence Bank Miscellaneous Rec	0.00	0.00	0.00	2,387.53	0.00	0.00
04/22/2019	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S190416001HELA	GL4363			0320000	Cadence Bank Miscellaneous Rec	0.00	0.00	0.00	8,493.06	0.00	0.00
05/07/2019	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S190503002HELA	GL4440			0320000	Cadence Bank Miscellaneous Rec	0.00	0.00	0.00	226.48	0.00	0.00
05/07/2019	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S190503002HELA	GL4441			0320000	Cadence Bank Miscellaneous Rec	0.00	0.00	0.00	24,887.98	0.00	0.00
08/26/2019	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S190822002HELA	GL5101			0320000	Cadence Bank Miscellaneous Rec	0.00	0.00	0.00	1,332.91	0.00	0.00
09/23/2019	UNDEFINED CASH RECEIPTS CUS ZBLANK	CR	S190923001HELA	GL5306			0320000	Cadence Bank Miscellaneous Rec	0.00	0.00	0.00	644.90	0.00	0.00
				CLOSING BALANCE					0.00	0.00	0.00	51,124.76	0.00	-51,124.76
SZST-5211010 CONFISCATED FUNDS-STATE / REGULAR EARNINGS														
				OPENING BALANCE					0.00	0.00	0.00	0.00	0.00	0.00
				CLOSING BALANCE					0.00	0.00	0.00	0.00	0.00	0.00
SZST-5212003 CONFISCATED FUNDS-STATE / PROTECTIVE CLOTHING														
				OPENING BALANCE					2,000.00	0.00	2,000.00	0.00	0.00	0.00
12/19/2018	SQUARE, INC.	PC00038	OH	PC.52.181203.1	PC0000001895	00290607	0325253	CPA graduate shirts	0.00	0.00	0.00	702.00	0.00	0.00
05/21/2019	SQUARE, INC.	PC00038	OH	PC.52.190503.3	PC000002347	000000161	0325253	CPA shirts	0.00	0.00	0.00	554.00	0.00	0.00
07/24/2019	A-1 DRY CLEANERS	PC00694	OH	PC.52.190703.1	PC000002624	000000198	0325253	dry clean explorer uniforms&mc	0.00	0.00	0.00	30.43	0.00	0.00
				CLOSING BALANCE					2,000.00	0.00	2,000.00	1,286.43	0.00	713.57
SZST-5212015 CONFISCATED FUNDS-STATE / OTHER SUPPLIES														
				OPENING BALANCE					5,000.00	0.00	5,000.00	0.00	0.00	0.00
10/18/2018	MICHAEL C GOFF	PC00951	OH	PC.52.181003.5	PC000001799	00290034	0325255	Bed cover for Street Crimes	0.00	0.00	0.00	1,395.00	0.00	0.00

Revenue

C-7

C-1

Account Activity Listing with Budget and Encumbrances
As of Monday, September 30, 2019

Posting Date	PE Nam	PEID	Type	Reference	PO #	Check	Key	Description	Original Budget	Amendments	Adjusted Budget	Activity Encumbrances	Open	Available Budget
11/20/2018	SQUARE, INC.	PC00038	OH	PC.52.181103.1	PC0000001886	00290367	0325253	CPA uniforms				326.00		
11/20/2018	AMAZON.COM, INC.	PC00018	OH	PC.52.181103.1	PC0000001883	00290367	0325253	drone equipment Lt.Ditrich auth				199.05		
11/20/2018	AMAZON.COM, INC.	PC00018	OH	PC.52.181103.1	PC0000001883	00290367	0325253	drone equipment Lt.Ditrich auth				292.04		
01/17/2019	BRANDT ENTERPRISES INC	PC00204	OH	PC.52.190103.1	PC0000002006	00000095	0325253	Food-Explorer's class				29.50		
02/21/2019	SAM HOUSTON AREA COUNCIL	PC00591	OH	PC.52.190203.1	PC0000002043	000000111	0325253	explorer charter/mem. fees				652.00		
07/24/2019	MAIN 101 GRILL AND BAR	V00434550	OH	PC.52.190703.1	PC0000002654	000000198	0325253	dinner w/instructor-PD leaders	5,000.00	0.00	5,000.00	44.85		2,061.56
								CLOSING BALANCE				2,938.44	0.00	
SZST-521090 CONFISCATED FUNDS-STATE / MACHINERY/TOOLS/EQUIPMENT														
								OPENING BALANCE	8,542.00	0.00				
11/20/2018	COVERT TRACK GROUP INC	PC00470	OH	PC.52.181103.1	PC0000001816	00290367	0325253	Mapping Product				0.00		
05/09/2019	HOUSTON K9 ACADEMY LLC	V04300411	OH	5118	P0190241	00291875	0325253	HOUSTON K9 ACAD K9 Single Pup				600.00		
05/09/2019	HOUSTON K9 ACADEMY LLC	V04300411	OH	5118	P0190241	00291875	0325253	HOUSTON K9 ACAD First time cli				6,500.00		
								CLOSING BALANCE	8,542.00	0.00	8,542.00	-500.00	0.00	1,942.00
SZST-5213001 CONFISCATED FUNDS-STATE / MEMBERS & SUBSCRIPTIONS														
								OPENING BALANCE	10,500.00	0.00				
11/29/2018	LEXIPOL LLC	V00435823	OH	26304	P0190074	00290436	0325253	LEXIPOL LLC THE ONE YEAR LAW E				0.00		
								CLOSING BALANCE	10,500.00	0.00	10,500.00	10,952.00	0.00	-452.00
SZST-5213020 CONFISCATED FUNDS-STATE / TRAINING/SEMINARS														
								OPENING BALANCE	22,170.00	0.00				
11/20/2018	SOUTHWEST AIRLINES CO.	PC00008	OH	PC.52.181103.1	PC0000001818	00290367	0325253	IACIS Conference				0.00		
12/06/2018	JULIAN, REGINA ANN	V04300359	OH	INV0001	P0190112	00290500	0325253	JULIAN, REGINA 8 hours Leaders				277.96		
12/19/2018	IACIS INC	PC01043	OH	PC.52.181203.1	PC0000001908	00290607	0325253	Forensic Training				625.00		
12/19/2018	IACIS INC	PC01043	OH	PC.52.181203.1	PC0000001909	00290607	0325253	Forensic Training				1,497.50		
12/19/2018	KROGER TEXAS LP	PC00006	OH	PC.52.181203.1	PC0000001923	00290607	0325253	H20 leadership training				1,497.50		
12/19/2018	SQUARE, INC.	PC00038	OH	PC.52.181203.1	PC0000001941	00290607	0325253	breakfast-leadership training				2.50		
02/07/2019	JUDITH PAL	V04300381	OH	LDERSHIP CONF		00291027	0325253	JUDITH PAL Annual Leadership t				37.98		
03/20/2019	LA PORT DONUT INC	PC00230	OH	PC.52.190303.1	PC0000002138	000000126	0325253	breakfast-Leadership retreat				6,000.00		
03/20/2019	MARCOS LUNA	PC00115	OH	PC.52.190303.1	PC0000002138	000000126	0325253	lunch-L leadership retreat				8.49		
03/20/2019	GRINGOS MEXICAN KITCHEN 2	PC01070	OH	PC.52.190303.1	PC0000002139	000000126	0325253	lunch-L leadership retreat				425.00		
03/20/2019	LA PORT DONUT INC	PC00230	OH	PC.52.190303.1	PC0000002139	000000126	0325253	lunch-L leadership retreat				490.70		
03/20/2019	KROGER TEXAS LP	PC00006	OH	PC.52.190303.1	PC0000002139	000000126	0325253	breakfast-Leadership retreat				16.98		
03/20/2019	THE ORIGINAL NINFA S. LP	PC01127	OH	PC.52.190303.1	PC0000002148	000000126	0325253	drinks-Leadership retreat				58.70		
03/20/2019	MORNINGS KINGS INC	PC00172	OH	PC.52.190303.1	PC0000002148	000000126	0325253	dinner w/instructor-PD leaders				80.00		
03/20/2019	MORNINGS KINGS INC	PC00172	OH	PC.52.190303.1	PC0000002149	000000126	0325253	breakfast-PDL leadership retreat				31.00		
03/28/2019	JAMES WARD RESEARCH & ANA	V00436185	OH	DARKWEB COU		00291496	0325253	breakfast Leadership retreat				50.00		
								JAMES WARD RESE Darkweb course				1,000.00		

La Porte, TX
Account Activity Listing with Budget and Encumbrances
As of Monday, September 30, 2019

Posting Date	PE Nam	PEID	Type	Reference	PO #	Check	Key	Description	Original Budget	Amendments	Adjusted Budget	Activity Encumbrances	Open	Available Budget
04/11/2019	GOONIE, ALVIN (EXP)	V00431211	OH	IACIS-GOONIE		00291635	0325253	GOONIE, ALVIN (IACIS-Basic Co				836.00		
04/25/2019	KROGER TEXAS LP	PC00006	OH	PC.52.190403.4	PC0000002275	00000147	0325253	Drinks - Mentoring Class				10.67		
04/25/2019	LA PORT DONUT INC	PC00230	OH	PC.52.190403.4	PC0000002275	00000147	0325253	Breakfast - Mentoring Class				31.98		
04/25/2019	WOLFF, LACY	V04300416	OH	LDERSHIP CONF		00291793	0325253	WOLFF, LACY Leadership training				625.00		
05/21/2019	SQUARE, INC.	PC00038	OH	PC.52.190503.1	PC0000002363	00000161	0325253	breakfast-qrty leadership trai				41.02		
06/06/2019	JAMES WARD RESEARCH & ANA	V00436185	OH	887880094	PO190268	00292140	0325253	JAMES WARD RESE Leadership tra				1,500.00		
07/24/2019	SQUARE, INC.	PC00038	OH	PC.52.190703.1	PC0000002655	00000198	0325253	breakfast-Leadership training				37.98		
07/24/2019	WEST ROAD HOSPITALITY	PC01256	OH	PC.52.190703.1	PC0000002655	00000198	0325253	hotel for instructor, no charg				120.00		
07/24/2019	GRINGOS MEXICAN KITCHEN 2	PC01070	OH	PC.52.190703.1	PC0000002655	00000198	0325253	dinner w/instructor-PD leaders				47.32		
07/24/2019	KROGER TEXAS LP	PC00006	OH	PC.52.190703.1	PC0000002655	00000198	0325253	water-leadership training				2.99		
07/24/2019	MOTIVA ENTERPRISES LLC	PC00055	OH	PC.52.190703.1	PC0000002649	00000198	0325253	Drinks for Link Analysis				6.99		
07/24/2019	LA PORT DONUT INC	PC00230	OH	PC.52.190703.1	PC0000002649	00000198	0325253	Food for Link Analysis Class				17.38		
07/24/2019	DONALDS DONUTS LLC	PC00308	OH	PC.52.190703.1	PC0000002649	00000198	0325253	Food for Link Analysis Class				21.00		
07/24/2019	HEB GROCERY CO	PC00132	OH	PC.52.190703.1	PC0000002649	00000198	0325253	Drinks for Link Analysis Class				11.65		
08/19/2019		N/A..N/A	JE	JE001893			0325253	HOTEL CHARGE FO IACIS TRAINING				1,647.00		
08/19/2019		N/A..N/A	JE	JE001893			0325253	RENTAL CAR FOR IACIA TRAINING				402.67		
08/19/2019		N/A..N/A	JE	JE001893			0325253	FUEL FOR IACIA TRAINING				31.30		
				CLOSING BALANCE					22,170.00	0.00	22,170.00	17,490.26	0.00	4,679.74

SZST-5214019 CONFISCATED FUNDS-STATE / RENTAL OF EQUIPMENT

				OPENING BALANCE					7,200.00	0.00				
10/18/2018	CITIBANK	V00435276	OH	CREDIT DUPLIC MICHELLE F	00290034		0325253	CITIBANK REMOVE DUPLICATE TRAN				0.00		
11/20/2018	ENTERPRISE HOLDINGS INC	PC00032	OH	8000-2880-2216	PC0000001878	00290367	0325253	Street Crimes rental vehicle				-600.00		
12/19/2018	ENTERPRISE HOLDINGS INC	PC00032	OH	8000-2910-9919	PC0000001904	00290607	0325253	street crimes rent-vehicle				600.00		
01/17/2019	ENTERPRISE HOLDINGS INC	PC00032	OH	8000-2961-7756	PC0000001981	00000095	0325253	street crimes rental-vehicle				600.00		
02/21/2019	ENTERPRISE HOLDINGS INC	PC00032	OH	8000-3010-8314	PC0000002066	00000111	0325253	street crimes rent-vehicle				600.00		
03/20/2019	ENTERPRISE HOLDINGS INC	PC00032	OH	8000-3078-2525	PC0000002164	00000126	0325253	Street Crimes rental vehicle				600.00		
04/25/2019	ENTERPRISE HOLDINGS INC	PC00032	OH	8000-3133-9149	PC0000002268	00000147	0325253	Street Crimes rental vehicle				600.00		
05/21/2019	ENTERPRISE HOLDINGS INC	PC00032	OH	8000-3193-2258	PC0000002329	00000161	0325253	Street Crimes rental vehicle				600.00		
06/18/2019	ENTERPRISE HOLDINGS INC	PC00032	OH	8000-3259-6821	PC0000002581	00000175	0325253	Street Crimes rental vehicle				600.00		
07/24/2019	ENTERPRISE HOLDINGS INC	PC00032	OH	8000-3320-9139	PC0000002670	00000198	0325253	Street Crimes rental vehicle				600.00		
07/24/2019	ENTERPRISE HOLDINGS INC	PC00032	OH	8000-3333-8336	PC0000002670	00000198	0015253	Street crime vehicle				572.73		
09/30/2019		N/A..N/A	JE	JE002020			0015253	SHOULD BE GRANT FUNDS-SC VEHICL				424.25		
09/30/2019		N/A..N/A	JE	JE002020			0325253	INCORRECT ACCOUNTS CHARGED				424.25		
09/30/2019		N/A..N/A	JE	YE19027			0325253	P-CARD CHARGE CORR FOR FY 2018				600.00		
				CLOSING BALANCE					7,200.00	0.00	7,200.00	5,796.98	0.00	1,403.02

SZST-5214055 CONFISCATED FUNDS-STATE / COMPUTER SOFTWARE

Account Activity Listing with Budget and Encumbrances
As of Monday, September 30, 2019

Posting Date	PE Nam	PEID	Type	Reference	PO #	Check	Key	Description	Original Budget	Amendments	Adjusted Budget	Activity	Encumbrances	Open Budget	Available Budget	
				OPENING BALANCE					3,588.00	0.00	3,588.00	0.00				
11/20/2018	PUBLIC ENGINES	V00435502	OH	24413	PC0000001837	00290367	0325253	Command central annual renewal				3,588.00	C-5			
11/20/2018	PUBLIC ENGINES	V00435502	OH	PC.52.181103.1	PC0000001837	00290367	0325253	Command central annual renewal				3,588.00	C-5			
				CLOSING BALANCE					3,588.00	0.00	3,588.00	7,176.00		0.00	-3,588.00	
SZST-5218021 CONFISCATED FUNDS-STATE / MACH/TOOLS & EQUIPMENT																
				OPENING BALANCE					0.00	0.00	0.00	0.00				
11/01/2018	RESOLUTE ENVIRONMENTAL &	V04300323	OH	2698	P0180523	00290200	0325252	RESOLUTE ENVIRO REMOVE & REBUI				33,391.00				
02/28/2019	RANGE SYSTEMS	V00434555	OH	23524	P0180530	00291257	0325252	RANGE SYSTEMS ITEM # TP5003				2,718.44				
02/28/2019	RANGE SYSTEMS	V00434555	OH	23524	P0180530	00291257	0325252	RANGE SYSTEMS ITEM # TP5028				598.00				
02/28/2019	RANGE SYSTEMS	V00434555	OH	23524	P0180530	00291257	0325252	RANGE SYSTEMS SHIPPING & HANDL				1,002.43				
02/28/2019	RANGE SYSTEMS	V00434555	OH	23546	P0180530	00291257	0325252	RANGE SYSTEMS ITEM # TP5003				8,155.32				
02/28/2019	RANGE SYSTEMS	V00434555	OH	23546	P0180530	00291257	0325252	RANGE SYSTEMS ITEM # TP5028				1,394.00				
				CLOSING BALANCE					0.00	0.00	0.00	47,259.19		0.00	-47,259.19	
SZST-5218023 CONFISCATED FUNDS-STATE / COMPUTER EQUIPMENT																
				OPENING BALANCE					0.00	0.00	0.00	0.00				
				CLOSING BALANCE					0.00	0.00	0.00	0.00			0.00	
SZST-5218050 CONFISCATED FUNDS-STATE / MOTOR VEHICLES																
				OPENING BALANCE					0.00	0.00	0.00	0.00				
				CLOSING BALANCE					0.00	0.00	0.00	0.00			0.00	
PROJECT TOTALS											59,000.00	0.00	59,000.00	-48,374.54	0.00	10,625.46

C-9

C) Equipment

1) Vehicles

Mike's Truck Toys
 19 E Sam Houston Pkwy S
 Pasadena, TX 77503-4017

Invoice

Phone #	Fax #
281-487-5500	281-487-5503

Date	Invoice #
10/2/2018	42602

Bill To
House Cash Account Thank You We Appreciate Your Business

Stock#	Vin#	PO#	RO#
	HG255208		

Quantity	Item Code	Description	Price Each	Amount
1	Tonneau Cover	Leer 550 2016 Chevy Silverado / CC / 5'8" bed / HG255208 City Of La Porte RE: Frank Fullbright / 281-204-5776 Mcbeath is going to call with payment for special order, then we will go ahead and order bed cap. - Andrew (sales) Tammy Mcbeath / 281-842-3119 / email: mcbeatht@laportetx.gov TAX ID # 17460015526 Sales Tax	1,395.00	1,395.00
			8.25%	0.00

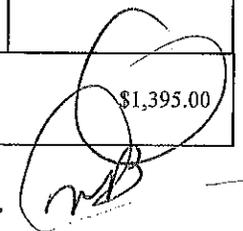
By signing below, I acknowledge that work stated above has been completed to my fullest satisfaction. In addition to your signature, please print your name for verification.

Thank you for your business.

X 

Total

\$1,395.00



SZST - 032 - 5253 - 521 - 2015



21503 SPRING PLAZA DR
SUITE 200
SPRING, TX 77388-1345

Rental Agreement #: 3XH7MH
Bill Ref #: 8000-2910-9919
Invoice Date: 11/14/2018
Account #:

BILL TO

KENNY MARTIN
3001 N 23RD
LAPORTE, TX - 77571

RENTAL INFORMATION

Date/Time Out: 10/05/2018 08:00 AM
Date/Time In: 11/04/2018 08:00 AM

Renter
MARTIN, KENNY

RENTAL VEHICLES

Color	License	Model	Unit	Miles/Kms Out	In
BLACK	KZR5727	F15C	7R1X81	6,482	6,490

VIN: 1FTEW1CB3JKE78734

GRAY DK	LHJ6780	C15C	7R5RNG	5	10
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VIN: 1C6RR6TT2KS512119

CLAIM INFORMATION

Claim# / PO# / RO#	Insured
Date of Loss	Type of Loss
	Type of Vehicle
	Repair Shop

BILLING DETAIL

Description	Qty/Per	Rate	Amount
TIME & DISTANCE	1 MTH	600.00	600.00

Subtotal 600.00

Total Charges (USD) 600.00

PAYMENTS

Payment Master Card -600.00

Total Payments (USD) -600.00

Amount Due (USD) 0.00

Individual line item charges such as rental rates for Time and Distance, percentage-based charges (e.g. sales taxes and fees or surcharges), and charges divided between multiple parties may be rounded up or down a whole cent to ensure that the charges equal the actual Total Amount Due and/or to avoid fractional cents.

032 5253 521 7019
S2 ST

For Billing Inquiries / Payment Terms :

Tel#: +1 3463316500
HTNARADMIN99@EHI.COM
Payment Due within days of invoice date
Late payments are subject to a finance charge.



Thank You For Choosing Enterprise

Please Return This Portion With Remittance		Amount Due (USD)	0.00
Remit To : ENTERPRISE RENT-A-CAR 21503 SPRING PLAZA DR SUITE 200 SPRING, TX 77388		Paid By: KENNY MARTIN 3001 N 23RD LAPORTE, TX 77571	
Fed Tax Id: 26-4086616	Account #	Rental Agreement 3XH7MH	Amount 0.00
			GPBR 06HC



21503 SPRING PLAZA DR
SUITE 200
SPRING, TX 77388-1345

Rental Agreement #: 424PXH
Bill Ref #: 8000-2961-7756
Invoice Date: 12/12/2018
Account #:

424PXH
8000-2961-7756
12/12/2018

BILLING DETAIL

Description	Qty/Per	Rate	Amount
TIME & DISTANCE	1 MTH	600.00	600.00

Subtotal 600.00

Total Charges (USD) 600.00

PAYMENTS

Payment Master Card -600.00

Total Payments (USD) -600.00

Amount Due (USD) 0.00

Individual line item charges such as rental rates for Time and Distance, percentage-based charges (e.g., sales taxes and fees or surcharges), and charges divided between multiple parties may be rounded up or down a whole cent to ensure that the charges equal the actual Total Amount Due and/or to avoid fractional cents.

03252535219019
S2ST

BILL TO

KENNY MARTIN
3001 N 23RD
LAPORTE, TX - 77571

RENTAL INFORMATION

Date/Time Out 11/04/2018 08:00 AM Date/Time In 12/04/2018 08:00 AM

Renter
MARTIN, KENNY

RENTAL VEHICLES

Color	License	Model	Unit	Miles/Kms Out In
GRAY DK	LHJ6780	C15C	7R5RNG	10 15

VIN: 1C6RR6TT2KS512119

CLAIM INFORMATION

Claim# / PO# / RO#	Insured
Date of Loss	Type of Loss
	Type of Vehicle
	Repair Shop

For Billing Inquiries / Payment Terms :

Tel#: +1 3463316500
HTNARADMIN99@EHI.COM
Payment Due within days of invoice date
Late payments are subject to a finance charge.



Thank You For Choosing Enterprise

Please Return This Portion With Remittance		Amount Due (USD)	0.00
Remit To :		Paid By:	
ENTERPRISE RENT-A-CAR 21503 SPRING PLAZA DR SUITE 200 SPRING, TX 77388		KENNY MARTIN 3001 N 23RD LAPORTE, TX 77571	
Fed Tax Id: 26-4086616	Account #	Rental Agreement	Amount
		424PXH	0.00
		GPBR	06HC



21503 SPRING PLAZA DR
SUITE 200
SPRING, TX 77388-1345

Rental Agreement #:
Bill Ref #:
Invoice Date:
Account #:

49WJ04
8000-3010-8314
01/11/2019

BILLING DETAIL

Description	Qty/Per	Rate	Amount
TIME & DISTANCE	1 MTH	600.00	600.00

Subtotal 600.00

Total Charges (USD) 600.00

PAYMENTS

Payment Master Card -600.00

Total Payments (USD) -600.00

Amount Due (USD) 0.00

Individual line item charges such as rental rates for Time and Distance, percentage-based charges (e.g., sales taxes and fees or surcharges), and charges divided between multiple parties may be rounded up or down a whole cent to ensure that the charges equal the actual Total Amount Due and/or to avoid fractional cents.

BILL TO

KENNY MARTIN
3001 N 23RD
LAPORTE, TX - 77571

RENTAL INFORMATION

Date/Time Out 12/04/2018 08:00 AM
Date/Time In 01/03/2019 08:00 AM

Renter
MARTIN, KENNY

RENTAL VEHICLES

Color	License	Model	Unit	Miles/Kms	
GRAY DK	LHJ8780	C16C	7R6RNG	Out	In
				15	20

VIN: 1C6RR6TT2KS512119

CLAIM INFORMATION

Claim# / PO# / RO#	Insured

Date of Loss	Type of Loss	Type of Vehicle

Repair Shop

03252535214019 / SZST

For Billing Inquiries / Payment Terms
 Tel#: +1 3463316500
 HTNARADMIN99@EHI.COM
 Payment Due within days of invoice date
 Late payments are subject to a finance charge.



Thank You For Choosing Enterprise

Please Return This Portion With Remittance	Amount Due (USD)	0.00
Remit To : ENTERPRISE RENT-A-CAR 21503 SPRING PLAZA DR SUITE 200 SPRING, TX 77388	Paid By: KENNY MARTIN 3001 N 23RD LAPORTE, TX 77571	
Fed Tax Id: 26-4086616	Account #	Rental Agreement
	49WJ04	Amount
		0.00
		GPBR
		06HC



21503 SPRING PLAZA DR
SUITE 200
SPRING, TX 77388-1345

Rental Agreement #:
Bill Ref #:
Invoice Date:
Account #:

4K6XWG
8000-3078-2525
02/18/2019

BILLING DETAIL

Description	Qty/Per	Rate	Amount
TIME & DISTANCE	1 MTH	600.00	600.00

Subtotal 600.00

Total Charges (USD) 600.00

PAYMENTS
Payment Master Card 600.00

Total Payments (USD) -600.00

Amount Due (USD) 0.00

Individual line item charges such as rental rates, for Time and Distance, per-mile based charges, toll, usage tax and fees or surcharges, and charges divided between multiple parties may be rounded up or down a whole cent to ensure that the charges equal the original total amount due and/or to avoid fractional cents.

BILL TO

KENNY MARTIN
3001 N 23RD
LAPORTE, TX - 77571

RENTAL INFORMATION

Date/Time Out 01/03/2019 08:00 AM
Date/Time In 02/02/2019 08:00 AM

Renter
MARTIN, KENNY

RENTAL VEHICLES

Color	License	Model	Unit	Miles/Kms Out In
GRAY DK	LHJ6780	C16C	7R5RNG	20 1,085
BLACK	LFW9018	CAMA	7R34M1	5,150 5,155

VIN: 1C6RR6TT2KS512119
VIN: 1G1FB1RS8K0104701

CLAIM INFORMATION

Claim# / PO# / RO# Insured
Date of Loss Type of Loss Type of Vehicle
Repair Shop

032 5253 521 7019

S25T

For Billing Inquiries / Payment Terms:
Tel#: +1 3463318500
HTNARADMIN@EHI.COM
Payment Due within days of invoice date
Late payments are subject to a finance charge.



Thank You For Choosing Enterprise

Please Return This Portion With Remittance	Amount Due (USD)	0.00
Remit To : ENTERPRISE RENT-A-CAR 21503 SPRING PLAZA DR SUITE 200 SPRING, TX 77388	Paid By: KENNY MARTIN 3001 N 23RD LAPORTE, TX 77571	
Fed Tax Id: 26-4066616	Account #	Rental Agreement
	4K6XWG	Amount
		0.00
		GPBR
		06HC



Rental Agreement #: 4WMCNX

Bill Ref #: 8000-3133-9149

Invoice Date: 03/19/2019

Account #:

21503 SPRING PLAZA DR
SUITE 200
SPRING, TX 77388-1345

BILLING DETAIL

Description	Qty/Per	Rate	Amount
TIME & DISTANCE	1 MTH	600.00	600.00
Subtotal			600.00

Total Charges (USD) 600.00

PAYMENTS

Payment	Master Card	-600.00
Total Payments (USD)		-600.00

Amount Due (USD) 0.00

Individual line item charges such as rental rates for Time and Distance, percentage-based charges (e.g., sales taxes and fees or surcharges), and charges divided between multiple parties may be rounded up or down a whole cent to ensure that the charges equal the actual Total Amount Due and/or to avoid fractional cents.

BILL TO

KENNY MARTIN
3001 N 23RD
LAPORTE, TX - 77571

RENTAL INFORMATION

Date/Time Out 02/02/2019 08:00 AM
Date/Time In 03/04/2019 08:00 AM

Renter
MARTIN, KENNY

RENTAL VEHICLES

Color	License	Model	Unit	Miles/Kms	
				Out	In
BLACK	LFW9018	CAMA	7R34M1	5,155	5,160

VIN: 1G1FB1RS8K0104701

CLAIM INFORMATION

Claim# / PO# / RO# **Insured**

Date of Loss **Type of Loss** **Type of Vehicle**

Repair Shop

03 252535214019
025T

For Billing Inquiries / Payment Terms :
 Tel#:+1 3463316500
 HTNARADMIN99@EHI.COM
 Payment Due within days of invoice date
 Late payments are subject to a finance charge.



Thank You For Choosing Enterprise

Please Return This Portion With Remittance		Amount Due (USD)	0.00
Remit To : ENTERPRISE RENT-A-CAR 21503 SPRING PLAZA DR SUITE 200 SPRING, TX 77388		Paid By: KENNY MARTIN 3001 N 23RD LAPORTE, TX 77571	
Fed Tax Id: 26-4086616	Account #	Rental Agreement	Amount
		4WMCNX	0.00
			GPBR
			06HC



21503 SPRING PLAZA DR
SUITE 200
SPRING, TX 77388-1345

Rental Agreement #:
Bill Ref #:
Invoice Date:
Account #:

55MMSF
8000-3193-2258
04/18/2019

BILLING DETAIL

Description	Qty/Per	Rate	Amount
TIME & DISTANCE	1 MTH	600.00	600.00

Subtotal 600.00
600.00

Total Charges (USD)

PAYMENTS

Payment
Total Payments (USD)

Master Card
-600.00
-600.00

Amount Due (USD)

Individual line item charges such as rental rates for Time and Distance, percentage based charges (e.g. sales taxes and fees or surcharges), and charges divided between multiple parties may be rounded up or down a whole cent to ensure that the charges equal the actual Total Amount Due and/or to avoid fractional cents.

0.00

BILL TO

KENNY MARTIN
3001 N 23RD
LAPORTE, TX - 77571

RENTAL INFORMATION

Date/Time Out
03/04/2019 08:00 AM

Date/Time In
04/03/2019 08:00 AM

Renter
MARTIN, KENNY

RENTAL VEHICLES

Color	License	Model	Unit	Miles/Kms Out In
BLACK	LFW9018	CAMARO	7R34M1	5,160 5,165

VIN:1G1FB1RS8K0104701

CLAIM INFORMATION

Claim# / PO# / RO# Insured

Date of Loss Type of Loss Type of Vehicle

Repair Shop

03252535214019
S25T

For Billing Inquiries / Payment Terms :

Tel#:+1 3463316500
HTNARADMIN99@EHL.COM
Payment Due within days of invoice date
Late payments are subject to a finance charge.



Thank You For Choosing Enterprise

Please Return This Portion With Remittance		Amount Due (USD)	0.00
Remit To : ENTERPRISE RENT-A-CAR 21503 SPRING PLAZA DR SUITE 200 SPRING, TX 77388		Paid By: KENNY MARTIN 3001 N 23RD LAPORTE, TX 77571	
Fed Tax Id: 26-4086616	Account #	Rental Agreement 55MMSF	Amount 0.00
		GPBR 06HC	



21503 SPRING PLAZA DR
SUITE 200
SPRING, TX 77388-1345

Rental Agreement #:
Bill Ref #:
Invoice Date:
Account #:

5HFS44
8000-3259-6821
05/22/2019

BIELING DETAIL

Description	Qty/Per	Rate	Amount
TIME & DISTANCE	1 MTH	600.00	600.00
Subtotal			600.00
Total Charges (USD)			600.00

PAYMENTS

Payment	Master Card	600.00
Total Payments (USD)		-600.00

Amount Due (USD)

Individual line item charges such as rental rates, for Time and Distance, percentage-based charges (e.g., sales taxes and fees or surcharges), and charges divided between multiple parties may be rounded up or down a whole cent to assure that the charges equal the actual Total Amount Due and/or to avoid fractional cents.

0.00
[Handwritten signature]

BILL TO

KENNY MARTIN
3001 N 23RD
LAPORTE, TX - 77571

RENTAL INFORMATION

Date/Time Out
04/03/2019 08:00 AM

Date/Time In
05/03/2019 08:00 AM

Renter
MARTIN, KENNY

RENTAL VEHICLES

Color	License	Model	Unit	Miles/Kms Out In
BLACK	LFW9018	CAMA	7R34M1	5,165 / 7,700

VIN: 1G1FB1RS8K0104701

BLACK	LNF5016	C15C	7RTY96	6,000 / 6,005
-------	---------	------	--------	---------------

VIN: 1C6RR6TT3KS593812

CLAIM INFORMATION

Claim# / PO# / RO# Insured

Date of Loss Type of Loss Type of Vehicle

 Repair Shop

03 2 52535 214019
525T

For Billing Inquiries / Payment Terms :

Tel#: +1 3463316500
HTNARADMIN99@EHI.COM
Payment Due within days of invoice date
Late payments are subject to a finance charge.



Thank You For Choosing Enterprise

Please Return This Portion With Remittance

Remit To :
ENTERPRISE RENT-A-CAR
21503 SPRING PLAZA DR
SUITE 200
SPRING, TX 77388

Amount Due (USD) 0.00

Paid By:
KENNY MARTIN
3001 N 23RD
LAPORTE, TX 77571

Fed Tax Id: 26-4086616

Account #	Rental Agreement	Amount	GPBR
	5HFS44	0.00	06HC



21503 SPRING PLAZA DR
SUITE 200
SPRING, TX 77388-1345

Rental Agreement #: 5V7XN1
Bill Ref #: 8000-3320-9139
Invoice Date: 06/21/2019
Account #:

5/3-6/2

BILL TO

KENNY MARTIN
3001 N 23RD
LAPORTE, TX - 77571

RENTAL INFORMATION

Date/Time Out
06/03/2019 08:00 AM

Date/Time In
06/02/2019 08:00 AM

Renter
MARTIN, KENNY

RENTAL VEHICLES

Color	License	Model	Unit	Miles/Kms Out	In
BLACK	LNF5016	C15C	7RTY96	6,005	6,936

VIN: 1C6RR6TT3KS593812

GRAY LT	LXK9458	TACC	7SNBWD	4,385	4,390
---------	---------	------	--------	-------	-------

VIN: 5TFAZ5CN3KX082069

CLAIM INFORMATION

Claim# / PO# / RO#	Insured

Date of Loss	Type of Loss	Type of Vehicle	Repair Shop

BILLING DETAIL

Description	Qty/Per	Rate	Amount
TIME & DISTANCE	7 DAY	16.97	118.79
TIME & DISTANCE	2 DAY	16.97	33.94
TIME & DISTANCE	3 WK	140.00	420.00

Subtotal 572.73

Total Charges (USD) 572.73

PAYMENTS

Payment Master Card -572.73

Total Payments (USD) -572.73

Amount Due (USD) 0.00

Individual line item charges such as, rental rates for Time and Distance, percentage-based charges (e.g., sales taxes and fees or surcharges), and charges divided between multiple parties may be rounded up or down a whole cent to ensure that the charges equal the actual Total Amount Due and/or to avoid fractional cents.

03252535214019

SZST

For Billing Inquiries / Payment Terms

Tel#: +1 3463316500

HTNARADMIN99@EHI.COM

Payment Due within days of invoice date

Late payments are subject to a finance charge.



Thank You For Choosing Enterprise

Please Return This Portion With Remittance

Remit To :

ENTERPRISE RENT-A-CAR
21503 SPRING PLAZA DR
SUITE 200
SPRING, TX 77388

Amount Due (USD) 0.00

Paid By:

KENNY MARTIN
3001 N 23RD
LAPORTE, TX 77571

Fed Tax Id: 26-4086616

Account #

Rental Agreement
5V7XN1

Amount
0.00

GPBR
06HC

C) Equipment

5) Software



PublicEngines™

A Subsidiary of Motorola Solutions, Inc.

4625 Lake Park Blvd.
Salt Lake City, UT 84120

Invoice

Invoice Date

9/1/2017

Invoice #

24413

Due Date

10/1/2017

Agency ID #

111598

03252535214055
5285

Bill To:

La Porte Police Department
Attn: Accounts Payable
3001 N 23rd
La Porte TX 77571-3185

Service Period Start	Service Period End	Purchase Order #	Payment Terms	
10/11/2017	10/10/2018		Net 30	
Description		Qty/Term	Rate	Amount
CommandCentral Analytics Annual Subscription Renewal		1	3,588.00	3,588.00
Agency Contact: Chief Ken Adcox				

PA 10/15/18

Billing questions? Contact us at: 801.828.2727 or
accounting-commandcentral@motorolasolutions.com

Invoice Total **\$3,588.00**

Technical support questions? Contact us at:
800.323.9949-->Option 2-->Option 5
or support-commandcentral@motorolasolutions.com

Remittance Slip

Public Engines, Inc.

*Not received in
2017, paid
2018 when new
& prior invoices
received.*

Invoice # 24413
Amount Due \$3,588.00
Amount Paid _____

Please Enter Your Credit Card Information

Type: Discover Master Card VISA American Express
Credit Card #: _____
Expiration Date: _____ Month _____ Year
Signature: _____

PLEASE REMIT PAYMENT TO:

Public Engines, Inc.
4625 Lake Park Blvd.
Salt Lake City, UT 84120

Completed credit card information may be faxed to 801.998.3093 or
emailed to accounting-commandcentral@motorolasolutions.com.



PublicEngines™

A Subsidiary of Motorola Solutions, Inc.

4625 Lake Park Blvd.
Salt Lake City, UT 84120

Invoice

Invoice Date 9/1/2018
Invoice # 26175
Due Date 10/1/2018
Agency ID # 111598

525T
03252535214058

Bill To:

La Porte Police Department
Attn: Accounts Payable
3001 N 23rd
La Porte TX 77571-3185

Service Period Start	Service Period End	Purchase Order #	Payment Terms	
10/11/2018	10/10/2019		Net 30	
Description		Qty/Term	Rate	Amount
CommandCentral Analytics Annual Subscription Renewal		1	3,588.00	3,588.00
Agency Contact: Chief Ken Adcox				

Billing questions? Contact us at: 801.828.2727 or
accounting-commandcentral@motorolasolutions.com

Invoice Total **\$3,588.00**

Technical support questions? Contact us at:
800.323.9949-->Option 2-->Option 5
or support-commandcentral@motorolasolutions.com

Remittance Slip

Public Engines, Inc.

Invoice # 26175
Amount Due \$3,588.00
Amount Paid _____

Please Enter Your Credit Card Information

Type: Discover Master Card VISA American Express
Credit Card #: ~~5252 5253 5214 058~~
Expiration Date: 8 Month 22 Year
Signature: *Michele Bedford*

PLEASE REMIT PAYMENT TO:

Public Engines, Inc.
4625 Lake Park Blvd.
Salt Lake City, UT 84120

Completed credit card information may be faxed to 801.998.3093 or
emailed to accounting-commandcentral@motorolasolutions.com.

Federal Tax ID# 65-1295498

Bedford, Michelle

From: Daeumer, Cherell
Sent: Wednesday, October 17, 2018 9:23 AM
To: Bedford, Michelle
Subject: RE: Approval

Yes, please pay with P-card.

Thank you,
Cherell Daeumer, CPPB
City of La Porte
Purchasing Manager
604 West Fairmont Pkwy.
La Porte, TX 77571
281-470-5123
www.laportetx.gov



From: Bedford, Michelle
Sent: Wednesday, October 17, 2018 9:13 AM
To: Daeumer, Cherell <DaeumerC@laportetx.gov>
Subject: Approval

Can I please pay Public Engines in the amount of \$3588 with p-card. This is our annual subscription for Command Central that has our crime maps, etc.

Michelle Bedford
Office Coordinator
La Porte Police Department
3001 North 23rd Street
La Porte, TX 77571
281-842-3190
bedfordm@laportetx.gov

CovertTrack Group Inc

15600 N 78th Street
Scottsdale, AZ 85260

Invoice

Date	Invoice #
10/11/2018	29462
Terms	Due Date
Net 30	10/11/2018

PAID
10/11/2018

Bill To

La Porte Police Dept
3001 N 23rd St
La Porte, TX 77571

Ship To

La Porte Police Dept
3001 N 23rd St
La Porte, TX 77571

S.O. No.	FO #	P.O. Number	Ship Date	Via	Tracking Number
8233			7/17/2018	UPS	

Description	Start Date	End Date	Quantity	Price Each	Amount
Renewal (1 Year) of Unlimited 5 Second Updates & Annual Subscription to Access the CovertTrack Mapping Product Device #359739073063380	10/06/2018	10/05/2019	1	600.00	600.00

Amy Haire
032-5253-521-2090
Project -SZST

Subtotal	\$600.00
Tax (7.95%)	\$0.00
Payments/Credits	-\$600.00
Balance Due	\$0.00

COVERT TRACK GROUP INC
15600 N 78TH ST
SCOTTSDALE, AZ. 85260-17
480-681-1916

SALE

REF#: 00000003

Batch #: 810
10/11/16 1137.36
AVS: Z CVV2: M
Inv/Tkt #: 29462
APPR CODE: 025122
Trace: 3
MASTERCARD Manual CP
*****3256 **/**

AMOUNT \$600.00

APPROVED

X_____

CARDHOLDER ACKNOWLEDGES RECEIPT OF GOODS
AND/OR SERVICES IN THE AMOUNT OF THE
TOTAL SHOWN HEREON

THANK YOU

MERCHANT COPY

0325253521300
SZST



Lexipol, LLC
2801 Network Blvd. Suite 500
Frisco, TX 75034

Invoice

Date	Invoice #
10/15/18	26304

Bill To
La Porte Police Department Attn: Accounts Payable 3001 N 23rd St La Porte, TX 77571

Terms	Due Date
Net 30	11/14/18

Description

The one year law enforcement policy manual update subscription includes 24/7 access to Knowledge Management System for updates and editing.

The DTB subscription service includes 365 Unique Scenario Daily Training Bulletins and Testing Data Base.
11/01/2018 -10/31/2019

Law Enforcement Procedure Manual Online Annual Subscription
11/01/2018 - 10/31/2019

Thank you!

Total

\$10,952.00

Phone #

949-309-3881

Email

receivables@lexipol.com

NOTICE: LEXIPOL HAS A NEW MAILING ADDRESS AS OF JUNE 18, 2018.
Please change the address and remit payment to: Lexipol LLC, 2801 Network Blvd. Suite 500, Frisco, TX 75034

C) Equipment

6) Maintenance Costs

Dove, Melissa

Subject: FW: Your Amazon.com order of "2" x Mavic - Propeller Cage and 10 more items.

From: Bedford, Michelle
Sent: Friday, October 26, 2018 8:19 AM
To: Dove, Melissa <DoveM@laportetx.gov>
Subject: FW: Your Amazon.com order of "2" x Mavic - Propeller Cage and 10 more items.

Please charge to 03252535212015
SZST

From: Amazon.com [mailto:auto-confirm@amazon.com]
Sent: Thursday, October 25, 2018 11:44 PM
To: Boznango, Brion <BoznangoB@laportetx.gov>
Subject: Your Amazon.com order of "2" x Mavic - Propeller Cage and 10 more items.



Your Account | Amazon.com

Order Confirmation
Order #111-3126638-7407416
Order #111-0907206-5577008

Hello PD Echo,
Thank you for shopping with us. We'll send a confirmation once your items have shipped. Your order details are indicated below. If you would like to view the status of your order or make any changes to it, please visit Your Orders on Amazon.com.

Your purchase has been divided into 2 orders.

This order is placed on behalf of City of La Porte.

Order Details

Order #111-3126638-7407416
Placed on Thursday, October 25, 2018

Your estimated delivery date is:
**Wednesday, October 31 -
Friday, November 2**

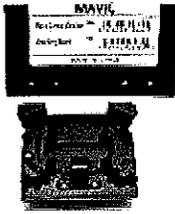
Your shipping speed:
Standard Shipping

Your order will be sent to:
**Brion Boznango
3001 N 23RD ST
LA PORTE, TX 77571-3185
United States**



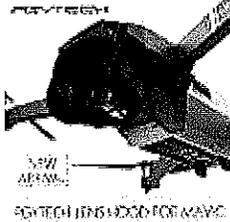
2 x Mavic - Propeller Cage
Electronics

\$149.00



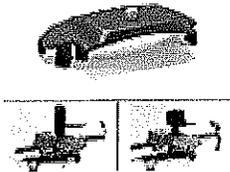
2 x Original Gimbal Vibration Absorbing Board for DJI Mavic Pro Platinum, RSmall Absorbing Board Gimbal Upper Mount with Rubber Dampners for Mavic Pro Replacement Parts
 Sold by RCmall
 Condition: New

\$14.90



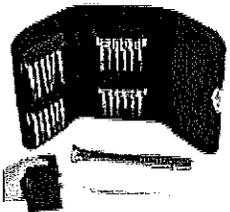
2 x PGYTECH Lens Hood Sun Shade Glare Shield Lens Camera Protector for DJI Mavic Pro Anti Flare Toy
 Sold by HuaYe Tech
 Condition: New

\$10.19



PeleusTech® PGYTECH Gopro Adapter DJI Mavic 2 PRO/Mavic 2 Zoom Toy
 Sold by PeleusTech
 Condition: New

\$11.99



Screwdrivers Set Repair Tools Kit Set for Drone DJI Mavic Pro, Mavic Air, DJI Spark, Phantom 3, Phantom 4 Drone and Other Small Electronics Devices Universal Screwdriver (26 in 1 with Tweezer) Toy
 Sold by Hobby-Ace
 Condition: New

\$10.99

Item Subtotal:	\$191.12
Shipping & Handling:	\$7.93
Total Before Tax:	\$199.05
Estimated Tax:	\$0.00
Order Total:	\$199.05

The payment details of your transaction can be found on the order invoice.

To learn more about ordering, go to Ordering from Amazon.com.
 If you want more information or need more assistance, go to Help.

Thank you for shopping with us.
Amazon.com

03252535212015

Customers Who Bought Items in Your Order Also Bought

SZST

Dove, Melissa

Subject: FW: Your Amazon.com order of "2" x Mavic - Propeller Cage and 10 more items.

From: Bedford, Michelle
Sent: Friday, October 26, 2018 8:19 AM
To: Dove, Melissa <DoveM@laportetx.gov>
Subject: FW: Your Amazon.com order of "2" x Mavic - Propeller Cage and 10 more items.

Please charge to 03252535212015
SZST

From: Amazon.com [mailto:auto-confirm@amazon.com]
Sent: Thursday, October 25, 2018 11:44 PM
To: Boznango, Brion <BoznangoB@laportetx.gov>
Subject: Your Amazon.com order of "2" x Mavic - Propeller Cage and 10 more items.



[Your Account](#) | [Amazon.com](#)

Order Confirmation
Order #111-3126638-7407416
Order #111-0907206-5577008

Hello PD Echo,
Thank you for shopping with us. We'll send a confirmation once your items have shipped. Your order details are indicated below. If you would like to view the status of your order or make any changes to it, please visit [Your Orders](#) on Amazon.com.

Your purchase has been divided into 2 orders.

This order is placed on behalf of City of La Porte.

Order Details

Order #111-3126638-7407416
Placed on Thursday, October 25, 2018

Your estimated delivery date is:
**Wednesday, October 31 -
Friday, November 2**

Your shipping speed:
Standard Shipping



Your order will be sent to:
**Brion Boznango
3001 N 23RD ST
LA PORTE, TX 77571-3185
United States**



**2 x Mavic - Propeller Cage
Electronics**

\$149.00

Sold by Mad Cameras
Condition: New

Item Subtotal:	\$298.00
Shipping & Handling:	\$0.00
Promotion Applied:	-\$5.96
Total Before Tax:	\$292.04
Estimated Tax:	\$0.00
Order Total:	\$292.04

The payment details of your transaction can be found on the order invoice.

Order #111-0907206-5577008

Placed on Thursday, October 25, 2018

Your estimated delivery date is:
Thursday, November 1

Your shipping speed:
Standard Shipping



Your order will be sent to:
Brion Boznango
3001 N 23RD ST
LA PORTE, TX 77571-3185
United States



2 x Landing Gear Extension LED Light Set for DJI Mavic PRO Accessories Kit Height Extender Leg Holder and Searching Led HeadLamp **\$35.99**
Toy
Sold by Hobby-Ace
Condition: New



2 x PGYTECH 75cm Landing Quadcopter Launch Pad Helicopter Mini Helipad Compatible for DJI Mavic 2 Pro Zoom, Mavic Air, Mavic Pro, Inspire Phantom Racing Drone **\$22.99**
Toy
Sold by HuaYe Tech
Condition: New



2 x Original Gimbal Vibration Absorbing Board for DJI Mavic Pro Platinum, RSmall Absorbing Board Gimbal Upper Mount with Rubber Dampners for Mavic Pro Replacement Parts **\$14.90**

C) Equipment

7) Uniforms

Main Street Emb Shop LLC

Invoice

907 West Main
La Porte, Texas 77571

Phone #	Fax #	E-mail
281-470-7755	281-470-9955	mainstreetemb@ac
Web Site	www.mainstreetembroideryshop.com	

Date	Invoice #
11/7/2018	23728
PURCHASE ORDER	
Ship To	

Bill To
City of La Porte - Citizens Police Officer Roger Gonzales 832-970-4120 Officer Anthony Bish 281-739-1595

Quantity	Item Code	Description	Price Each	Amount
3	CS410	Men's Moisture Wicking Security Shirt - Red - Size Small	40.00	120.00
3	CS410	Men's Moisture Wicking Security Shirt - Red - Size Medium	40.00	120.00
7	CS410	Men's Moisture Wicking Security Shirt - Red - Size Large	40.00	280.00
2	CS410	Men's Moisture Wicking Security Shirt - Red - Size XL	40.00	80.00
2	CS410	Men's Moisture Wicking Security Shirt - Red - Size 2XL	42.00	84.00
1	Shipping & Handl...	Shipping and Handling	18.00	18.00

03252535212003

S2ST

STORE HOURS: Monday - Friday 9:00 A.M. - 5:00 P.M. After hours by appointment only! Thank You! We Value and Appreciate Your Business!	Total	\$702.00
	Payments/Credits	-\$702.00
	Balance Due	\$0.00

Receipt for CPA Graduate shirts.

Roger Gonzalez

Begin forwarded message:

From: Main Street Embroidery Shop via Square <receipts@messaging.squareup.com>

Date: November 12, 2018 at 4:16:24 PM CST

To: <gonzalezr@laportetx.gov>

Subject: Receipt from Main Street Embroidery Shop

Reply-To: Main Street Embroidery Shop via Square <CAESOhIAGixyX21menVrMnNyZ3Izd3c1a3Fueml0bXQvbGdydmhxNXpybTVuZ3c1a25peStlZGhG9ndWUIJOPx/IIUGMi2O6t8J7WLHe4veWL+fc7aBrY/gFkKThC@reply2.squareup.com>

Square automatically sends receipts to the email address you used at any Square seller. [Learn more](#)

Main Street Embroidery Shop

How was your experience?



\$702.00

Custom Amount	\$702.00
Total	\$702.00

Main Street Embroidery Shop
281-470-7755

MasterCard 9699
(Swipe)
ROGER GONZALEZ

Nov 12 2018 at 4:11 PM
#EJQ4
Auth code: 000760

© 2018 Square, Inc.

1455 Market Street, Suite 600
San Francisco, CA 94103

[Square Privacy Policy](#) · [Not your receipt?](#)
[Manage preferences](#) for digital receipts



2003

SZST

Main Street Emb Shop LLC

Invoice

907 West Main
La Porte, Texas 77571

Date	Invoice #
4/5/2019	24150
PURCHASE ORDER	
Ship To	
Officer Rene Hernandez 281-739-2927	

Phone #	Fax #	E-mail
281-470-7755	281-470-9955	mainstreetemb@aol.com
Web Site	www.mainstreetembroideryshop.com	

Bill To
City of La Porte - Citizens Police Officer Roger Gonzales 832-970-4120 Officer Anthony Bish 281-739-1595

Quantity	Item Code	Description	Price Each	Amount
1	CS410	Men's Moisture Wicking Security Shirt - Size Small	40.00	40.00
4	CS410	Men's Moisture Wicking Security Shirt - Size Medium	40.00	160.00
1	CS410	Men's Moisture Wicking Security Shirt - Size Large	40.00	40.00
5	CS410	Men's Moisture Wicking Security Shirt - Size XL	40.00	200.00
1	CS410	Men's Moisture Wicking Security Shirt - Size 3XL	45.00	45.00
		Men's Moisture Wicking Security Shirt - Size 4XL	47.00	47.00
		Shipping and Handling	22.00	22.00

Main Street Embroidery Shop

(281) 470-7755

Apr 8, 2019

10:19 AM

Authorization 029491 MasterCard 3303
Receipt Qsvf

Total \$554.00
MasterCard 3303 (Swipe) \$554.00
Default

x 
Rene Hernandez

I agree to pay the above total amount
according to my card issuer
agreement.

CUSTOMER COPY

STORE HOURS:
Monday - Friday
9:00 A.M. - 5:00 P.M.

After hours by appointment only!

Thank You! We Value and Appreciate Your Business!

CPA SHIRTS
032
525

Total \$554.00

Payments/Credits \$0.00

Balance Due \$554.00

R. GONZALEZ

Explosion 2 - McGraw
OUTFIT

A-1 DRY CLEANERS
9627 SPENCER HWY
LA PORTE, TX 77571-3882
281-476-4523

08/04/2019 07:50:40
Merchant ID: *****1623
Device ID: 1001
Terminal ID: PP01

Credit Sale:

Transaction #: 2
Card Type: MasterCard
Account: *****9698
Entry: Chip

Amount: USD \$30.43

STAN. Code: 001
Auth. Code: 082986
Batch Number: 3
Response: AUTH/TKT
TRANS ID: MCF5FV040604
PROCESS AS: CREDIT

Mode: Issuer
ATD: A0000000041010
TVR: 0000088000
LAD: 011060700220000542E0000000000000
OFF

TSI: E800
ARC: 00
AC: 951FE1DE1A40F322
ATC: 0022
APPN: CREDIT

PIN BYPASSED

CUSTOMER COPY

101525335212015
0325203212003
0325203212003

Main Street Emb Shop LLC

Invoice

907 West Main
La Porte, Texas 77571

Phone #	Fax #	E-mail
281-470-7755	281-470-9955	mainstreetemb@aol.com
Web Site	www.mainstreetembroideryshop.com	

Date	Invoice #
8/18/2018	23672
PURCHASE ORDER	
Ship To	
10/24/18	

Bill To
City of La Porte - Police Frank Fulbright 281-204-5776 fulbrightf@laportetx.gov

M Dowl
P-card

Quantity	Item Code	Description	Price Each	Amount
2	2000	Gildan 100 percent pre shrunk cotton tee - Size Small	15.00	30.00
3	2000	Gildan 100 percent pre shrunk cotton tee - Size Medium	15.00	45.00
6	2000	Gildan 100 percent pre shrunk cotton tee - Size Large	15.00	90.00
2	2000	Gildan 100 percent pre shrunk cotton tee - Size XL	15.00	30.00
7	2000	Gildan 100 percent pre shrunk cotton tee - Size 2XL	17.00	119.00
1	Shipping & Handl...	Shipping and Handling	12.00	12.00

0325253521 0003
SZST

STORE HOURS: Monday - Friday 9:00 A.M. - 5:00 P.M. After hours by appointment only! Thank You! We Value and Appreciate Your Business!	Total	\$326.00
	Payments/Credits	\$0.00
	Balance Due	\$326.00

C) Equipment

8) K9 Related Costs

Invoice



Invoice Number: 5118
 Date: 2019/04/19

Houston K9 Academy, LLC
 6321 Bissonnet St.
 Houston, Texas
 USA
 77074
 Phone: 281-841-3579
 Fax: 713-981-1400
 www.houstonk9academy.com

Company: La Porte PD
 Address: 3001 N. 23rd St., La Porte
 State/Province: Texas
 Zip/Postal code: 77571
 Phone: (281) 471-2141 / BG (713) 997-9398
 Fax:
 Contact Name: B. Groaning

Item	Description	Quantity	Rate	Total
K9SPN	K9 Single Purpose Narcotic Detection - Class Ready K9			
	K9 SP Green - Selection Tested for Detection	1	\$6,500.00	\$6,500.00
	K9 Edo Malx M/intact			
	DOB: 01 Jan 18 Chip #: 276 096 800 019 533			
DISC	First time client discount	1	-\$500.00	-\$500.00
<i>CANINE</i>	K9 Imprintation - Imprintation of K9 on Narcotics Odor	1	\$3,000.00	\$3,000.00
<i>03252 53 521 2090 \$ 6500.00</i> <i>03252 53 521 2090 -500.00</i> <i>52ST</i>				
Sub-total				\$9,000.00
Grand Total				\$9,000.00

6,000 SZST
↓
Canine Project

Comments: Houston K9 Academy, LLC is licensed by the Texas Board of Private Security (#C19007), the Drug Enforcement Agency and the Texas Department of Public Safety.

Thank You.
 We appreciate your business.

Internal Use Only

Amount Paid:	
Date:	



PURCHASE ORDER
CITY OF LA PORTE
604 WEST FAIRMONT PARKWAY
LA PORTE, TX 77571
Telephone (281) 470-5126

P.O. Number P0190241

DATE: 04/30/2019

VENDOR #: V04300411

VENDOR ADDRESS: HOUSTON K9 ACADEMY LLC
 6321 BISSONNET ST
 HOUSTON, TX 77074

SHIP TO: POLICE DEPARTMENT
 3001 N. 23RD STREET
 LA PORTE, TX 77571

Purchase Order number **MUST** appear on ALL Invoices, Packages and Correspondence

DELIVER BY: 04/30/2019
REQUISITION #: PR005920

TERMS: Visit www.laportetx.gov for PO Terms and Conditions
NOTICE: Ask us about www.publicpurchase.com for vendor registration

ITEM No.	QUANTITY/UNIT OF MEASURE	DESCRIPTION	UNIT COST	EXTENDED COST
1	1.00 / EA	K9 Single Purpose Narcotic Detection A-class Ready K9 <i>0325253 5212090 SZST</i>	\$6,500.0000	\$6,500.00
2	1.00 / EA	First time client discount	(\$500.0000)	(\$500.00)
3	1.00 / EA	K9 Imprintaion - Imprintation of K9 on Narcotics Odor <i>0325253 5212090 CANINE</i>	\$3,000.0000	\$3,000.00
PURCHASE ORDER TOTAL				\$9,000.00

Please Send Original Invoice to:
 City of La Porte
 ACCOUNTS PAYABLE
 604 W Fairmont Parkway
 La Porte, Texas 77571
 Or Email To:
accounting@laportetx.gov

AUTHORIZED SIGNATURE Cherell Daumer

C) Equipment

9) Other

Resolute Environmental & Response Services, LLC
 PO BOX 969
 La Porte, Texas
 77572-0969

Ph: 832-799-7830 Fax: 888-933-5325

Invoice

Date	Invoice #
10/20/2018	2698

Bill To
The City of La Porte

Rep	Due Date	P.O. Number	Terms	Resolute Job #
	11/19/2018		Net 30	18-RES230SY

Quantity	Item Code	Description	Price Each	Amount
1	Job Expensed Supplies	Gun Range Repairs 10/11/18 thru 10/17/18 Removed and Replaced Worn Rubber Blocks at Shooting Range Rubber Tiles and Personnel	33,391.00	33,391.00

00198 252 218021
SZST

Check Out Our Website to see all of the different Services, Equipment and Products that we offer ~

Finance Charges of 1.5% per month (18% per annum) are applied to amounts not received within 30 days of receipt.

Balance Due \$33,391.00



5121 Winnetka Avenue N, Suite 225
New Hope, MN 55428

Invoice

S.O. No.	Date	Invoice #
10135	1/17/2019	23524

Bill To
City of La Porte Accounts Payable 604 W. Fairmont Parkway La Porte, TX 77571

Ship To
La Porte Police department 3001 N 23rd Street La Porte, TX 77571

P.O. Number	Terms	Rep	Ship	Via	Prod Type	Project
P0180530	Net 15	KN	12/12/2018	Lift Gat...	AfterMarket	
TP5003	Portable Encapsulator Bloc Bullet Trap		2	ea	1,359.22	2,718.44T
TP5028	Portable Encapsulator Front Shield		2	ea	299.00	598.00T
Discount ...	Sales Discount				-400.00	-400.00
001	Shipping & Handling Charges		1		1,402.43	1,402.43T
	GSA eligible via Schedule 84 GSA Contract #: GS-07F-0139K R+L PRO #: WZ2664621, ship 10/18, eta 10/23					
	Out-of-state sale, exempt from sales tax				0.00%	0.00

PAID 1/17/19

\$ 2718.44

\$ 598

\$ 1002.43

We accept Visa, Mastercard, Discover and American Express. Total \$4,318.87

DUNS# 965573421
Tax ID# 41-1811798
Cage Code: 08QN6

Balance Due (US Dollars) \$4,318.87

Phone # 763-533-9200 4% surcharge added to credit card transactions of \$10,000 or more
Fax # 763-537-6657
www.range-systems.com

REMIT TO:
Range Systems, Inc.
5121 Winnetka Avenue North, Suite 225
New Hope, MN 55428

RANGE SYSTEMS

5121 Winnetka Avenue N, Suite 225
New Hope, MN 55428

Invoice

S.O. No.	Date	Invoice #
10135	1/28/2019	23546

Bill To
City of La Porte Accounts Payable 604 W. Fairmont Parkway La Porte, TX 77571

Ship To
La Porte Police department 3001 N 23rd Street La Porte, TX 77571

P.O. Number	Terms	Rep	Ship	Via	Prod Type	Project
P0180530	Net 15	KN	1/25/2019	Lift Gat...	AfterMarket	
TP5003	Portable Encapsulator Bloc Bullet Trap		6	ea	1,359.22	8,155.32T
TP5028	Portable Encapsulator Front Shield		6	ea	299.00	1,794.00T
Discount ...	Sales Discount				0.00	-400.00
001	Shipping & Handling Charges/ SHIPPED ON 1/25 VIA ESTES ETA 1/130 GSA eligible via Schedule 84 GSA Contract #: GS-07F-0139K R+L PRO #: WZ2664621, ship 10/18, eta 10/23 Out-of-state sale, exempt from sales tax		0		1,402.43	0.00T
					0.00%	0.00
We accept Visa, Mastercard, Discover and American Express.					Total	\$9,549.32

DA
2/29

DUNS# 965573421
Tax ID# 41-1811798
Cage Code: 08QN6

Balance Due (US Dollars) \$9,549.32

Phone # 763-533-9200
Fax # 763-537-6657
www.range-systems.com

4% surcharge added to credit card transactions of \$10,000 or more

REMIT TO:
Range Systems, Inc.
5121 Winnetka Avenue North, Suite 225
New Hope, MN 55428

E1) Travel – In State

b) Meals & Lodging

EXPLORER 5
PIZZA MONTH

Store ID 01281-00001
Phone

Order #381
La Porte City Of
Thu, Dec 13, 2018 05:08pm
Your Cashier Today is Guadalupe L.

SALE

Item	Price
Thin Crust Pepperoni EMB	\$6.00
(3) Extrastabestest Pepperoni	\$18.00
(2) 2 L Beverage	\$5.50
Pepsi	

Item Count 6
Taxable Total \$29.50

Sales Tax
Total

29
\$29.50
\$0.00

02/12/18

Account: MASTERCARD*****9699
Cardholder: ROGER GONZALEZ
Result: CAPTURED
Authorization Code: 016429
Approved Amount: 29.50
Application Label: MASTERCARD
Chip Indicator: Chip Read
CVM: PIN
Sequence #001-79878-0
TVR: 0400006800
TSI: E800

ATD: 80000000041010
03252535212015

S25T

Local Business Expenses Form

WHO Roger Gonzalez

WHAT \$29.50

Please tape Receipt Here

WHEN 12/13/2018

WHERE Little Ceasar's Pizza

WHY Explorer's pizza night

Additional Information: _____

NOT A BUSINESS EXPENSE

(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature:  1/27/19

Local Business Expenses Form

WHO Name of Person(s) Present

WHAT Amount and Explanation of Expenditure

Please tape Receipt Here

WHEN Date and Time

WHERE Name of Restaurant

WHY Event Attended

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

Main 101
101 East Main Street
La Porte, Texas 77571

Customer Copy

Main 101
101 East Main Street
La Porte, Texas 77571

Check: 36552
Table: 45
Server: Jason M
06/06/19
12:16pm

Date: 06/06/19 Time: 12:17pm
Reg: 1
Emp: Jason M

[Seat 1]
1 ENT Spinach Salad \$9.50
ADD Salmon \$11.00
1 Sierra Mist \$2.50
1 LUN Grilled Salmon Fil \$16.00
1 Water \$0.00

Card Name KRUEGER, JOHN
Card Type Mastercard
Card Number *****3239
Approval Code 050227

Subtotal: \$39.00
Total: \$39.00

Amount

\$39.00

"Thank-You"

Tip: 5.85
Total: 44.85
JMS
RB

03252535213020
525T

Local Business Expenses Form

WHO John Krueger

WHAT \$44.85

Please tape Receipt Here

WHEN 6/6/2019

WHERE Main 101

WHY lunch w/instructor-PD leadership class

Additional Information:

instructor
did not charge training fee -
meals & hotel only - Lt. Krueger coordinated
w/ training instructor & accompaniment

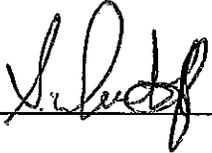
NOT A BUSINESS EXPENSE

(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature: 

Local Business Expenses Form

WHO Name of Person(s) Present

WHAT Amount and Explanation of Expenditure

Please tape Receipt Here

WHEN Date and Time

WHERE Name of Restaurant

WHY Event Attended

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

2018 4th Quarter



Leadership

Training
Fresh food.
Low prices.

1300 FAIRMONT PKWY.
(281) 842-1020
Your cashier was CHEC 503

1 @ 2/5.00
KRO WATER 2.50 F
TAX 0.00
*** BALANCE 2.50

LA PORTE TX 77571
CREDIT Purchase
*****3259 -- C
REF#: 087257 TCIAL: 2.50

Handwritten initials

AIC: A000000041C10
TC: DBE2HAA21393778D

VERIFIED BY PIN

MASTERCARD 2.50
CHANGE 0.00
TOTAL NUMBER OF ITEMS SOLD = 1
11/12/18 01:33pm 319 503 145 999999503

Handwritten circle around 2.50

THANK YOU FOR SHOPPING KROGER!
Now Hiring - Apply Today!
jobs.kroger.com
www.kroger.com

Handwritten initials

03252535213020

525T

Donut Factory

1121 S Broadway St
La Porte, TX 77571
(281) 471-4443
donutfactory84.com
@donutfactory84

*4th Quarter
Leadership
Training*

Nov 21, 2018
7:14 AM

Authorization 039569 MasterCard 3239
Receipt # Wlx

CREDIT
AID A0000000041010

Customer Amount \$37.98

Amount \$37.98
MasterCard 3239 (Chip) \$37.98



03252535213020

SZST

Local Business Expenses Form

WHO John Krueger

WHAT \$37.98

Please tape Receipt Here

WHEN 11/21/2018

WHERE Donut Factory

WHY Breakfast-Quarterly Leadership training

Additional Information: _____

NOT A BUSINESS EXPENSE

(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature:  12/13/18

Local Business Expenses Form

WHO Name of Person(s) Present

WHAT Amount and Explanation of Expenditure

Please tape Receipt Here

WHEN Date and Time

WHERE Name of Restaurant

WHY Event Attended

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

Leadership Retreat



Fresh Food
Low Prices

02/05/19 06:39pm
Your cashier was SARAH

RED DIAMOND TEA	2.99
RED DIAMOND TEA	2.99
KRO ORANGE JCE FC	3.69
KRO ORANGE JCE FC	3.69
KRO ORANGE JCE FC	3.69
KRO ORANGE JCE FC	3.65
RED DIAMOND TEA	2.99
GRDH FRUIT TRAY	15.99
GRDH FRUIT TRAY	15.99
TAX	0.00
**** BALANCE	58.79

TX 77571
MASTERCARD Purchase
*****3941 - F
REF#: 025767 TOTAL: 58.79

MASTERCARD 58.79
CHANGE 0.00
TOTAL NUMBER OF ITEMS SOLD = 10
02/05/19 06:39pm 319 13 200 112

THANK YOU FOR SHOPPING KROGER!
Now Hiring - Apply Today!
jobs.kroger.com
www.kroger.com

Leadership Retreat

SHIPLEY LA PORTE
120 HIGHWAY 146 N
LA PORTE TX 77571
281-842-9522

Terminal ID: *****679
2/6/19
CREDIT - INSERT
AID: A000000041010
ACCT #: *****3941
6:41 AM

UID: 903729761616 REF #: 0858
BATCH #: 675 AUTH #: 090422
CREDIT SALE \$16.98
AMOUNT

APPROVED
ARQC - AC64A702A4E56ACB
CUSTOMER COPY

Leadership Retreat

SHIPLEY LA PORTE
120 HIGHWAY 146 N
LA PORTE TX 77571
281-842-9522

Terminal ID: *****679
2/7/19
CREDIT - INSERT
AID: A000000041010
ACCT #: *****3941
7:04 AM

UID: 903842176920 REF #: 0943
BATCH #: 676 AUTH #: 019406
CREDIT SALE \$8.49
AMOUNT

APPROVED
ARQC - FE53964106C65057
CUSTOMER COPY

03252535213020

SZ ST

Local Business Expenses Form

WHO Ron Digby

WHAT \$16.98

Please tape Receipt Here

WHEN 2/6/2019

WHERE Shipleys

WHY breakfast annual PD leadership retreat

Additional Information: _____

NOT A BUSINESS EXPENSE

(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature: 

Local Business Expenses Form

WHO Name of Person(s) Present

WHAT Amount and Explanation of Expenditure

Please tape Receipt Here

WHEN Date and Time

WHERE Name of Restaurant

WHY Event Attended

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

Local Business Expenses Form

WHO Ron Digby

WHAT \$8.49

Please tape Receipt Here

WHEN 2/7/2019

WHERE Shipleys

WHY breakfast annual PD leadership retreat

Additional Information: _____

NOT A BUSINESS EXPENSE

(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature: 

Local Business Expenses Form

WHO Name of Person(s) Present

WHAT Amount and Explanation of Expenditure

Please tape Receipt Here

WHEN Date and Time

WHERE Name of Restaurant

WHY Event Attended

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

03252535213020

SZST

Leadership Retreat

9

King's Bbq

1322 Underwood
Deer Park, TX 77536
(281) 478-6851

Server: Irene
DINE IN
Customer Tax Exempted

1	Gallon of tea	\$6.00
1	Gallon of tea	\$6.00
1	Gallon of tea	\$6.00
1	Gallon of tea	\$6.00
30	3 Meat 2 Sides	\$388.50
30	Plate setting per perso	\$7.50

Item Count: 64
Subtotal: \$420.00
Tax: \$0.00

Total: \$420.00

Charge On Debit Card: \$420.00

Created: Wed, Feb 6 '19 10:49 AM

Cashier: Irene

PRE-AUTH

2/6/2019 10:49:15 AM
MER#: _____
Terminal ID: LK
CASHIER#: Irene
Transaction #: 116580
SERVER#: Irene

SALE: 420.00

TIP: 5.00

TOTAL: 425.00

ACCOUNT: *****
CARD TYPE:
Auth Code: 000960
Name:
Station 1

*****APPROVED*****

Leadership Retreat

Gringo's Mexican Kitchen
www.gringostexmex.com
2631 Underwood
La Porte, Texas 77571
281.470.7424

Server: KAYLA
08:47 AM
SAN JAC MAR. /1

DOB: 02/07/2019
02/07/2019
6/60007

SALE

MASTERCARD 6291463
Card #XXXXXXXXXXXX3941
Card Entry Method: K

Approval: 007883

Amount: \$485.70

+ Tip: 5.00

EMB = Total: 490.70

I agree to pay the above
total amount according to the
card issuer agreement.

X _____

QUICK TIP GUIDE:

18% 87.43 | 20% 97.14 | 25% 121.43
Please! If you have any issues/concerns,
ask for a Manager. They will make you Happy!

GUEST COPY

Local Business Expenses Form

WHO Ron Digby

WHAT \$425.00

Please tape Receipt Here

WHEN 2/6/2019

WHERE Kings BBQ

WHY lunch annual PD leadership retreat

Additional Information: _____

NOT A BUSINESS EXPENSE

(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form requires one of the boxes listed above to be checked, and the Department Director signature.

Signature: 

Local Business Expenses Form

WHO Name of Person(s) Present

WHAT Amount and Explanation of Expenditure

Please tape Receipt Here

WHEN Date and Time

WHERE Name of Restaurant

WHY Event Attended

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

Local Business Expenses Form

WHO Ron Digby

WHAT \$490.00

Please tape Receipt Here

WHEN 2/7/2019

WHERE Gringo's Mexican Kitchen

WHY lunch annual PD leadership retreat

Additional Information: _____

NOT A BUSINESS EXPENSE

(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature: 

Local Business Expenses Form

WHO Name of Person(s) Present

WHAT Amount and Explanation of Expenditure

Please tape Receipt Here

WHEN Date and Time

WHERE Name of Restaurant

WHY Event Attended

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

Dinner with out of
Town instructor for
PD Leadership Retreat

Jody Pal
Matt Daeumer
Doug Ditrich

appetizers
3 meals
teas

03252535213020
SZST

Original Ninja's On Navigation
Desde 1973
2704 Navigation
Houston, TX: 77003
713.228.1175

Server: JUANITA DOB: 02/07/2019
07:41 PM 02/07/2019
Table 21/1 5/50007

SALE

MasterCard 5242889
Card #XXXXXXXXXXXX3437
Magnetic card present: DAEUMER MATT
Card Entry Method: S

Approval: 037073

Amount: \$ 70.34

+ Tip: 9.66

(Signature) = Total: 80.00

I agree to pay the above
total amount according to the
card issuer agreement.

(Signature)
M. Daeumer

03252535213020

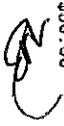
525T

MORNING'S KOLACHES
2613 UNDERWOOD RD
LA PORTE TX 77571
713-858-5426

Terminal ID: *****843
2/6/19 7:29 AM

CREDIT - INSERT
AID: A0000000041010
ACCT #: *****3486

CREDIT SALE
UID: 903739794398 REF #: 3335
BATCH #: 041 AUTH #: 005767
AMOUNT \$50.00

APPROVED 
ARQC - 5F196849D06597778

CUSTOMER COPY

607

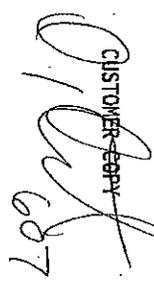
MORNING'S KOLACHES
2613 UNDERWOOD RD
LA PORTE TX 77571
713-858-5426

Terminal ID: *****842
2/7/19 7:28 AM

CREDIT - INSERT
AID: A0000000041010
ACCT #: *****3486

CREDIT SALE
UID: 903810754282 REF #: 1258
BATCH #: 041 AUTH #: 073705
AMOUNT \$31.00

APPROVED 
ARQC - 2AB5503ED8817CC8

CUSTOMER COPY

607

Local Business Expenses Form

WHO Doug Dittrich

WHAT \$50.00

Please tape Receipt Here

WHEN 2/6/2019

WHERE Mornings Kolaches

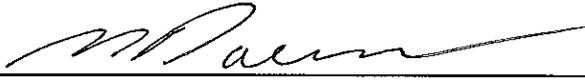
WHY breakfast annual PD leadership retreat

Additional Information: _____

NOT A BUSINESS EXPENSE
(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE
(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature: 

Local Business Expenses Form

WHO Name of Person(s) Present

WHAT Amount and Explanation of Expenditure

Please tape Receipt Here

WHEN Date and Time

WHERE Name of Restaurant

WHY Event Attended

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

Local Business Expenses Form

WHO Doug Ditrich

WHAT \$31.00

Please tape Receipt Here

WHEN 2/7/2019

WHERE Mornings Kolaches

WHY breakfast annual PD leadership retreat

Additional Information: _____

NOT A BUSINESS EXPENSE

(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature: 

Local Business Expenses Form

WHO Name of Person(s) Present

WHAT Amount and Explanation of Expenditure

Please tape Receipt Here

WHEN Date and Time

WHERE Name of Restaurant

WHY Event Attended

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

Local Business Expenses Form

WHO Jeff Plemons

WHAT \$10.67

Please tape Receipt Here

WHEN 3/20/19 @ 0745

WHERE Kroger

WHY Mentoring Class

Additional Information: see attached

NOT A BUSINESS EXPENSE

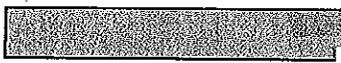
(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature: *Jeff Plemons*




Jeff Plemons
 1300 FAIRMONT PKWY.
 (281) 842-1020
 Your cashier was CHEC 503

525T
 03a 5253-521 3020

Person(s) Present

Explanation of Expenditure

Please tape Receipt Here



WELCHS JUICE 6PK	4.29 F
MOTT'S JUICE 6PK	3.69 F
KRO WATER	2.69 F
KROGER PLUS CUSTOMER	*****8693

BO eCpn 024XSPR3
 TAX
 *** BALANCE
 LA PORTE TX 77571

0.00
 10.67

CREDIT Purchase
 *****2586 - C
 REF #: 012144 TOTAL: 10.67
 AID: A000000041010

Merchant

any specific details or expenditure. Be sure to

Local Business Expenses Form

WHO Jeff Plemons

WHAT \$31.98

Please tape Receipt Here

WHEN 3/20/19 @ 0745

WHERE Shipley Donuts

WHY Mentoring Class

Additional Information: see attached

NOT A BUSINESS EXPENSE

(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature: *Jeff Plemons* *William* 4/15/19



SHIPLEY LA PORTE
120 HIGHWAY 146 N
LA PORTE TX 77571
281-842-9522

Jeff Plemons

Card ID: ****849

CARD - SWIPE
CT #: *****2586

CREDIT SALE
UID: 907922940101 REF #: 4807
BATCH #: 606 AUTH #: 017767
AMOUNT \$31.98

Please tape Receipt

SAM

APPROVED
CUSTOMER COPY
Jeff Plemons

attach all necessary receipts

SHIPLEY DO-NUTS
120 N. HWY 146
281-842-9522

DATE 03/20/2019 WED

KOLC DZ \$23.49
GLZD DZ \$8.47
TOTAL \$31.98
CHARGE1 \$31.98
CLERK 01 No. 76282
TIME 07:45



Present

Description of Expenditure

specific details or
documentation. Be sure to

For: 4-25-19 Quaker

Donut Factory *Leadership*

1121 S Broadway St *7* Apr 25, 2019

La Porte TX 77571 *Training* 7:15 AM

(281) 471-7443

donutfactory84.com

@donutfactory84

Authorization 018544 MasterCard 3239

Receipt ue9C

CREDIT

AID A0 00 00 00 04 10 10

Custom Amount \$41.02

Amount \$41.02

MasterCard 3239 (Chip) \$41.02

John Krueger

032 5253 \$2 3020

Local Business Expenses Form

WHO John Krueger

WHAT \$41.02

Please tape Receipt Here

WHEN 4/25/2019

WHERE Donut Factory

WHY Breakfast- Quarterly leadership training

Additional Information: _____

NOT A BUSINESS EXPENSE

(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature:  5/16/19

Local Business Expenses Form

WHO Name of Person(s) Present

WHAT Amount and Explanation of Expenditure

Please tape Receipt Here

WHEN Date and Time

WHERE Name of Restaurant

WHY Event Attended

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

Gringo's Mexican Kitchen
 www.gringostextmex.com
 2631 Underwood
 La Porte, Texas 77571
 281.470.7424

Server: JOSH C DOB: 06/05/2019
 03:39 PM 06/05/2019
 93/1 770060

SALE

MASTERCARD 4194322

Card #XXXXXXXXXX3239
 Magnetic card present: KRUEGER JOHN
 Card Entry Method: S

Approval: 076161

Amount \$41.15
 + Tip: 4.12
 = Total: 47.32

I agree to pay the above
 total amount according to the
 card issuer agreement.



QUICK TIP GUIDE:

18% 7.41 | 20% 8.23 | 25% 10.29
 Please! If you have any issues/concerns,
 Ask for a Manager - They will make you H

GUEST COPY

Gringo's Mexican Kitchen
 www.gringostextmex.com
 2631 Underwood
 La Porte, Texas 77571
 281.470.7424

06/05/2019
 3:39 PM
 70060

Server: JOSH C
 93/1
 Guests: 0

COFFEE 2.49
 FISH TACO DN, 3 13.49
 SINGLE FISH TACO 4.99
 TIRA-JUANA 13.99
 QUESO DIP 6.19

Subtotal 41.15
 Tax Exempt 17460015526 0.00

Sales Tax 3.39
 Total 41.15

Balance Due 41.15

QUICK TIP GUIDE:

18% 7.41 | 20% 8.23 | 25% 10.29
 Please! If you have any issues/concerns,
 Ask for a Manager - They will make you happy!

0352553 5213020
 C 25T

Local Business Expenses Form

WHO John Krueger

WHAT \$47.32

Please tape Receipt Here

WHEN 6/5/2019

WHERE Gringo's Mexican Kitchen

WHY dinner w/instructor-PD leadership class

Additional Information: _____

NOT A BUSINESS EXPENSE

(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature: 

Local Business Expenses Form

WHO Name of Person(s) Present

WHAT Amount and Explanation of Expenditure

Please tape Receipt Here

WHEN Date and Time

WHERE Name of Restaurant

WHY Event Attended

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

111 N 10TH ST
LA PORTE, TX 77571
575434386000

06/12/2019 7:12:29 AM
Register: 1 Trans #: 3483 Op ID: 1
Your cashier: LA PORTE

\$6.99 99

Subtotal = \$6.99
Tax = \$0.00

Total = \$6.99
Change Due = \$0.00
\$6.95

CREDIT USD \$6.99
XXXX XXXX XXXX 2586
6129

Business Expenses Form

WHO Jeff Plemons
WHAT \$6.99
WHEN 06/12/19 @0712
WHERE Shell
WHY Mentoring Class

Additional Information: Water for class

YES, A BUSINESS EXPENSE
(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

and above to be checked, and the Department Director

M. James 7/12/19 03252535213020
SZST

Local Business Expenses Form

WHO Name of Person(s) Present
WHAT Amount and Explanation of Expenditure
WHEN Date and Time
WHERE Name of Restaurant
WHY Event Attended

Please tape Receipt Here

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

Local Business Expenses Form

SHIPLEY LA PORTE
120 HIGHWAY 146 N
LA PORTE TX 77571
281-842-9522

SHIPLEY DONUTS
N. HWY 146
M2-9522

WHO Jeff Plemons
WHAT \$17.38
WHEN 06/12/19 @0708
WHERE ShipleY Donuts
WHY Mentoring Class

ACCT ID: *****679
- INSERT
0000000041010
ACCT #: *****2586
CREDIT SALE
UID: 916313175507 REF
BATCH #: 803 AUTH #: 012225
AMOUNT \$17.38

Jup619

7/12/2019 WED

Additional Information: donuts/kolaches for class

\$11.89
\$5.49
\$17.38
\$17.38
No. 91322
02

APPROVED

ARQC -- 69D11A3F479510A0
CUSTOMER COPY

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

added to the employee's w-2 as taxable earnings)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature: *Jup619*
[Signature] 03052535213020
7/12/19 SZST

Local Business Expenses Form

WHO Name of Person(s) Present
WHAT Amount and Explanation of Expenditure
WHEN Date and Time
WHERE Name of Restaurant
WHY Event Attended

Please tape Receipt Here

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

DONALD'S DONUTS LLC

112 HWY 146 SOUTH #F
LAPORTE TX 77571
7134442779

Cashier: DAVONNE LOONG
11-Jun-2019 7:16:55A

Transaction 109185

1 doz donuts \$7.00
1 doz keg Kolaches \$14.00

Total \$21.00

CARD AUTH \$21.00
MASTERCARD 2586

Tip 

DATE

Return this copy for statement validation

Relation: donalds donuts llc

11-Jun-2019 7:17:23A

\$21.00 | Method: EMV

MASTERCARD

XXXXXXXXXXXX2586

JEFF PLEMONS

Ref #: 916200667060

Auth #: 068161

MID: *****5884

AID: A0000000001010

ATH: NtwkNm: MASTERCARD

SIGNATURE VERIFIED

Local Business Expenses Form

WHO Jeff Plemons

WHAT \$21.00

WHEN 06/11/19 @ 0716 ^{pm} 6/19

WHERE Donalds Donuts

WHY Mentoring Class

Additional Information: donuts/kolaches for class

BUSINESS EXPENSE

Considered to be a business expense and will be reported on Form W-2 as taxable

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

Check all the boxes listed above to be checked, and the Department Director

6/19



7/12/19

63252535213020

SZST

Local Business Expenses Form

WHO Name of Person(s) Present

WHAT Amount and Explanation of Expenditure

WHEN Date and Time

WHERE Name of Restaurant

WHY Event Attended

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

Please tape Receipt Here

SAMPLE

03252535213020 525T

Fee: 6/6 Quarterly Leadership Training



Fresh food. Low prices.

1300 FAIRMONT PKWY
(281) 842-1020
Your cashier was CHEC 504

1 @ 2/7.00
KRO WATER PC 2.99 F
KROGER SAVINGS 0.51
KROGER PLUS CUSTOMER *****8894

TAX (0.00)
**** BALANCE 2.99
LA PORTE TX-77571
CREDIT Purchase
*****3239 - C
REF#: 037061 TOTAL: 2.99
AID: A0000000041010
TC: E30F460ADB8A2B3

VERIFIED BY PIN

MASTERCARD
CHANGE 2.99
TOTAL NUMBER OF ITEMS SOLD = 1

KROGER SAVINGS \$ 0.51
TOTAL COUPONS \$ 0.51
TOTAL SAVINGS (17%) \$ 0.51

06/04/19 05:17pm 319.504 130 99999504

Fee: Quarterly Leadership Training

Donut Factory

1121 S Broadway St
La Porte, TX 77571

Jun 6, 2019
7:14 AM

(281) 471-7443
donutfactory84.com
@donutfactory84

Authorization 063646 MasterCard 3239

Receipt aSQd

CREDIT
AID A0 00 00 00 04 10 10

Custom Amount \$37.98

Amount \$37.98
MasterCard 3239 (Chip) \$37.98
John Krueger

Local Business Expenses Form

WHO John Krueger

WHAT \$37.98

WHEN 6/6/2019

WHERE Donut Factory

WHY Breakfast-Quarterly Leadership training

Please tape Receipt Here

Additional Information: _____

NOT A BUSINESS EXPENSE

(This expense is not considered to be a legitimate business expense and will be added to the employee's W-2 as taxable earnings)

YES, A BUSINESS EXPENSE

(I certify that this expense is a legitimate business expense for the City of La Porte, and will not be considered earnings to the employee)

This form **requires** one of the boxes listed above to be checked, and the Department Director signature.

Signature: 

Local Business Expenses Form

WHO Name of Person(s) Present

WHAT Amount and Explanation of Expenditure

WHEN Date and Time

WHERE Name of Restaurant

WHY Event Attended

Please tape Receipt Here

SAMPLE

Additional Information: Note any specific details or explanation to further explain/justify expenditure. Be sure to attach all necessary documentation.

E1) Travel – In State

d) Incidental



Sam Houston Area Council

2225 North Loop West
Houston, TX 77008
713-659-8111
CAP Automation

Store #576 - Station #4

0044213 01/09/2019 4:11 pm

Post 0627 Exploring South
Amberly Banhart
10431 Shell Rock Rd
La Porte, TX 77571

Sale

1. ROA	662.00	652.00 N
Received on Account		

Sub Total	652.00
Total	652.00

Master Card xxxxxxxxxxxx5227	652.00
Ref: Receive on Accto	

Signature: _____
 Merchant ID: 88430476749005
 Entry Method: CHIP/MANUAL
 Application Label:
 AID:
 TVR:
 IAD:
 TSI:
 ARC:
 GVM:

Sales Person: R
 Service Center Hours
 Mon-Fri 8:00 AM - 4:30 PM
 Thank you for supporting Scouting
 Customer Copy

*Explorer
 Post Fees
 (must be paid
 to participate
 in Explorer
 program &
 related events
 such as
 competitions)*

E2) Travel – Out of State

a) Transportation



Learn about our boarding process



Learn about inflight WiFi & entertainment

Cost and Payment Summary

X AIR - JZ3QHY

Base Fare	\$ 232.14	Payment Information
U.S. Transportation Tax	\$ 17.42	Payment Type: Mastercard XXXXXXXXXXXXX5043
U.S. 9/11 Security Fee	\$ 11.20	Date: Oct 8, 2018
U.S. Flight Segment Tax	\$ 8.20	Payment Amount: \$277.96
U.S. Passenger Facility Chg	\$ 9.00	
Total Air Cost	\$ 277.96	

IACIS

Useful Tools	Know Before You Go	Special Travel Needs
Check In Online	In the Airport	Traveling with Children
Early Bird Check-In	Baggage Policies	Traveling with Pets
View/Share Itinerary	Suggested Airport Arrival Times	Unaccompanied Minors
Change Air Reservation	Security Procedures	Baby on Board
Cancel Air Reservation	Customers of Size	Customers with Disabilities
Check Flight Status	In the Air	
Flight Status Notification	Purchasing and Refunds	
Book a Car		
Book a Hotel		

Legal Policies & Helpful Information		
Privacy Policy	Customer Service Commitment	Contact Us
Notice of Incorporated Terms	FAQs	

[Book Air](#) | [Book Hotel](#) | [Book Car](#) | [Book Vacation Packages](#) | [See Special Offers](#) | [Manage My Account](#)

This is a post-only mailing from Southwest Airlines. Please do not attempt to respond to this message. Your privacy is important to us, Please read our [Privacy Policy](#).

¹ All travel involving funds from this Confirmation Number must be completed by the expiration date.

² Security Fee is the government-imposed September 11th Security Fee.

Prohibition on Multiple/Conflicting Reservations. To promote seat availability for our Customers, Southwest prohibits multiple reservations for the same Passenger departing from the same city on the same date, or any multiple reservations containing conflicting or overlapping itineraries (such as departures for the same Customer from multiple cities at the same time). Furthermore, without advance notice to the Passenger or purchaser, Southwest may cancel such reservations, or any other reservations that it believes, in its sole discretion, were made without intent to travel. With the exception of Southwest gift cards, funds from proactively cancelled reservations by Southwest will be returned to the original form of payment. Reservations

Haire, Amy

From: Goonie, Alvin
Sent: Wednesday, October 31, 2018 3:39 PM
To: Haire, Amy
Subject: Fw: Flight reservation (JZ3QHY) | 28APR19 | HOU-MCO | Goonie/Alvin

IACIS

From: Southwest Airlines <SouthwestAirlines@luv.southwest.com>
Sent: Monday, October 8, 2018 10:20 AM
To: Goonie, Alvin
Subject: Flight reservation (JZ3QHY) | 28APR19 | HOU-MCO | Goonie/Alvin

Thanks for choosing Southwest® for your trip.

[Log in](#) | [View my itinerary](#)



Check In Online Check Flight Status Change Flight Special Offers Hotel Offers Car Offers

Ready for takeoff!



Thanks for choosing Southwest® for your trip. You'll find everything you need to know about your reservation below. Happy travels!

Save up to 30%
 Plus earn up to 2,400 Rapid Rewards® points.
 Let's go!
 Budget

Air itinerary

AIR Confirmation: JZ3QHY

Confirmation Date: 10/8/2018

Passenger(s)	Rapid Rewards #	Ticket #	Expiration	Est. Points Earned
GOONIE/ALVIN	201319565	5261496639559	Oct 8, 2019	1394

Rapid Rewards points earned are only estimates. Visit your (MySouthwest, Southwest.com or Rapid Rewards) account for the most accurate totals - including A-List & A-List Preferred bonus points.

EarlyBird Check-In
 Let us take care of check-in for you.
 Get it now

Date	Flight	Departure/Arrival
Sun Apr 28	5137	Depart HOUSTON (HOBBY), TX (HOU) on Southwest Airlines at 03:55 PM Arrive in ORLANDO, FL (MCO) at 07:10 PM Travel Time 2 hrs 15 mins Wanna Get Away

032-5253-521-3020

Date Flight Departure/Arrival

Fri May 10

1088

Depart **ORLANDO, FL (MCO)** on Southwest Airlines at **06:40 PM**
Arrive in **HOUSTON (HOBBY), TX (HOU)** at **08:15 PM**
Travel Time 2 hrs 35 mins
Wanna Get Away

- ✔ **Check in for your flight(s):** 24 hours before your trip on Southwest.com or your mobile device to secure your boarding position. You'll be assigned a boarding position based on your check-in time. The earlier you check in within 24 hours of your flight, the earlier you get to board.
- 🧳 **Bags fly free®:** First and second checked bags. [Weight and size limits apply](#). One small bag and one personal item are permitted as [carryon items](#), free of charge.
- ⌚ **30 minutes before departure:** We encourage you to arrive in the gate area no later than 30 minutes prior to your flight's scheduled departure as we may begin boarding as early as 30 minutes before your flight.
- ⌚ **10 minutes before departure:** You must obtain your boarding pass(es) and be in the gate area for boarding at least 10 minutes prior to your flight's scheduled departure time. If not, Southwest may cancel your reserved space and you will not be eligible for denied boarding compensation.
- ❗ **If you do not plan to travel on your flight:** In accordance with Southwest's No Show Policy, you must notify Southwest at least 10 minutes prior to your flight's scheduled departure if you do not plan to travel on your flight. Customers who fail to cancel reservations for a Wanna Get Away fare segment at least ten (10) minutes prior to travel and who do not board the flight will be considered a no show, and all remaining unused Wanna Get Away funds will be forfeited. All remaining unused Business Select and Anytime funds will be converted to reusable travel funds. If you no show your reward travel reservation, the points will be redeposited to the purchaser's Rapid Rewards account. Any taxes and fees associated with your reward travel reservation will be held for future use in the form of reusable travel funds under the name of the traveler(s).

Need to make a change? Keep your confirmation number on record. It will be used to retrieve your reservation and apply funds to future travel.

Air Cost: 277.96

Fare Rule(s): 5261496639559: NONREFUNDABLE/NONTRANSFERABLE
STANDBY REQ UPGRADE TO Y -BG WN

Valid only on Southwest Airlines. All travel involving funds from this Confirmation Number must be completed by the expiration date. Unused travel funds may only be applied toward the purchase of future travel for the individual named on the ticket. Any changes to this itinerary may result in a fare increase. Failure to cancel reservations for a Wanna Get Away fare segment at least 10 minutes prior to travel will result in the forfeiture of all remaining unused funds.

HOU WN ORL116.07WN HOU116.07USD232.14END ZP HOU4.10MCO4.10
XF HOU4.5MCO4.5

CPNUNNR
CPNUNNR



Earn up to 10,000
Rapid Rewards® points
per night.

Select your room >



Add a rental car

- ✔ Earn Rapid Rewards® points
- ✔ Guaranteed low rates
- ✔ Free cancellation

Book a car >

Travel more
for less.

Exclusive deals for your
favorite destinations.

Sign up and save >

Southwest®
Rapid Rewards®

- ✔ Unlimited reward seats
- ✔ No blackout dates
- ✔ Redeem for International flights and more

Enroll now >

RECEIPT

Rental Agreement Number 237566674
Vehicle Number 85874320

YOUR INFORMATION

GOONIE, ALVIN
BUDGET DISC 30 DAY PRETRIP
PAYMENT METHOD MASTER XX5043

YOUR RENTAL

Picked up MCO
Date/Time APR 28, 2019 06:11 PM
Returned MCO
Date/Time MAY 10, 2019 03:54 PM
Veh Group Intermediate
Veh Charged Intermediate
Vehicle: KIA FORTE
Odometer Out 13375
Odometer In 13768
Fuel Reading Full

YOUR VEHICLE CHARGES

PR@ 315.45 315.45
DISCOUNT 10.0 31.54
YOUR TIME AND MILEAGE 283.91

YOUR TAXABLE FEES

**10.00% FEE 29.96
TIRE BATTERY 0.01/DY 12
VEH LIC RECOUP 0.80/DY 9.60
CUST FAC CHARGE 3.50/DY 24.50
ENERGY RECOVERY 0.60/DY 6.00
STATE SURCH 2.00/DY 24.00

YOUR SUBTOTAL

SUBTOTAL 378.09
TAX 6.500% 24.58

YOUR NON TAXABLE ITEMS

TOTAL CHARGES 402.67
NET CHARGES USD 402.67
YOUR TOTAL DUE: 0.00

PAID ON MASTER XX5043
**CONCESSION RECOVERY FEE

THANK YOU FOR RENTING WITH BUDGET

For inquiries or e-receipt visit
WWW.BUDGET.COM

1 ACIS

00152565213020

(Handwritten signature/initials)

** ICR RECEIPT **

7-ELEVEN
13407 APOPKA-VINELAND
ORLANDO FL 328216368
4072390093
STORE#: 24607
HAVE A GREAT DAY!
COME AGAIN, BRING A FRIEND

D# 1 RUL
11.683 GAL @ 2.679 /GAL 31.30
FLEET PREPAY 31.30

SUBTOTAL 31.30
TOTAL DUE 31.30
MASTERCARD F 31.30

GOONIE/ALVIN
ACCT#: *****5043
APPROVAL#: 058689 AUTH-CODE: 0
APPROVAL TIME: 115744
ENTRY: SWIPE
STORE # 24607
TERM# : 00072460741 08
REF# : 92000 17 025 6

IACIS

00152565213020

HAVE A GREAT DAY!
COME AGAIN, BRING A FRIEND

** REPRINT **

T#02 OP TRN2018596 05/10/2019 12:01 am

E2) Travel – Out of State

b) Meals & Lodging

**CITY OF LA PORTE
TRAVEL REQUEST FORM**
(PRINT THIS FORM ON GREEN PAPER)

VENDOR # _____

DEPARTMENT ACCOUNT #	PROJECT #	DATE	AMOUNT \$
<u>001-5256-524-3020</u>			836.00

032 525852/3020 S2ST The amount will automatically calculate (See below)

EMPLOYEE NAME: Alvin Goonie

DEPARTURE DATE: 4/28/2019

DEPARTMENT: La Porte Police Department

TIME: 0:00

RETURN DATE: 5/10/2019

DIVISION: CID

TIME: 0:00

Purpose/Destination of Travel: IACIS- Basic Computer Forensic Examiner/ Orlando, FL

THIS FORM REQUIRES BACKUP SHOWING THE DESTINATION, DATES, TIMES, ETC. TO BE COMPLETE.

ESTIMATED TRAVEL COST

Check box for any item that has been prepaid, and DO NOT list the amount.

- A TRANSPORTATION p-card
- B LODGING p-card
- C MEALS (PER DIEM) 836.00 *
- D REGISTRATION p-card
- E OTHER _____

TOTAL ESTIMATE REQUESTED: 836.00

PER DIEM CALCULATION: 38 # of Meals AT 22.00 Per Diem Rate = 836.00 * Total Meal Amount

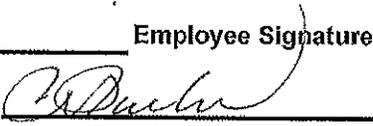
THE TOTAL SHOULD BALANCE WITH MEALS (PER DIEM) LISTED ABOVE.

***PLEASE NOTE: Meal money received at the Per Diem rate will not require receipts to be returned. (ALL OTHER ITEMS REQUIRE RECEIPTS)**

I have read and understand the Travel Policy. I will complete the Travel Expense form within five working days of my return, attach all required receipts and submit it to the Director of Finance. I will also refund to the City, the amount remaining, if any, of the advance received.

If this report is not submitted as required, this authorizes the City to deduct the full amount of this Travel Advance from my paycheck.

Date: _____ Employee Signature: _____

APPROVAL: 
Department Director

City Manager (if required)

Budgeted funds available:	<input type="checkbox"/>	YES
Please check appropriate box.	<input type="checkbox"/>	NO

Bedford, Michelle

From: Parker, Ron
Sent: Tuesday, April 2, 2019 7:48 AM
To: Daeumer, Matt; McBeath, Tammy; Bedford, Michelle; Plemons, Jeff; Goonie, Alvin; Digby, Ronald
Subject: FW: Out of State Travel Approval

fyi

Ron Parker, CPM | Chief of Police
3001 N. 23rd Street | La Porte, TX 77571
O. 281-842-3158 | C. 281-898-0272
website | map | email |

[Confidentiality Notice: This email communication may contain private, confidential, or legally privileged information intended for the sole use of the designated and/or duly authorized recipient(s). If you are not the intended recipient or have received this email in error, please notify the sender immediately by email or contact 281-842-3158 and permanently delete all copies of this email including all attachments without reading them. If you are the intended recipient, secure the contents in a manner that conforms to all applicable state and/or federal requirements related to privacy and confidentiality of such information.]

-----Original Message-----

From: Alexander, Corby
Sent: Monday, April 1, 2019 8:51 PM
To: Parker, Ron <ParkerR@laportetx.gov>
Subject: RE: Out of State Travel Approval

approved

-----Original Message-----

From: Parker, Ron
Sent: Monday, April 1, 2019 1:22 PM
To: Alexander, Corby <AlexanderC@laportetx.gov>
Subject: FW: Out of State Travel Approval

Corby, for your consideration and approval,

Thank you.

ron

Ron Parker, CPM | Chief of Police
3001 N. 23rd Street | La Porte, TX 77571
O. 281-842-3158 | C. 281-898-0272
website | map | email |

[Confidentiality Notice: This email communication may contain private, confidential, or legally privileged information intended for the sole use of the designated and/or duly authorized recipient(s). If you are not the intended recipient or have received this email in error, please notify the sender immediately by email or contact 281-842-3158 and permanently delete all copies of this email including all attachments without reading them. If you are the intended recipient, secure the contents in a manner that conforms to all applicable state and/or federal requirements related to privacy and confidentiality of such information.]

-----Original Message-----

From: Bedford, Michelle
Sent: Monday, April 1, 2019 11:47 AM
To: Parker, Ron <ParkerR@laportetx.gov>
Cc: Haire, Amy <HaireA@laportetx.gov>; Digby, Ronald <DigbyR@laportetx.gov>
Subject: Out of State Travel Approval

Per City policy, all out of state travel must be approved by the City Manager.

Alvin Goonie is scheduled to attend the Basic Computer Forensics Examiner Course, in Orlando, Florida, April 29th through May 10th. This course will allow him to obtain a Certified Forensic Computer Examiners (CFCE) designation. This is one of the most recognized certifications amount professionals in the digital forensics field and brings further creditability to the Department's forensic program. I have attached the training request that was submitted today and all associated back up (the original request with justification was what Goonie had put together for budget purposes and the cost on that sheet vary from actual costs very slightly).

This course was budgeted for in our State Seized Funds and all costs associated will be charged to that account.

A breakdown of the costs is as follows:

Registration	\$2,995.00 (Pre-paid to ensure the spot would be held)
Flight	\$ 277.96 (Pre-paid)
Hotel	\$1,573.00
Rental Car	\$ 479.00
Per Diem	\$ 836.00
TOTAL	\$6,160.96

I apologize for getting this to you so close to the travel dates, but I was advised that this course was sent through the approval process when many changes were occurring (promotions, etc.), and that it had been approved, but we are not able to find the copy of the original approval.

Thank you,

Michelle Bedford | Office Coordinator
La Porte Police Department
3001 N. 23rd Street | La Porte, TX 77571
O. 281-842-3190 | bedfordm@laportetx.gov website | map | email |

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03252585213020

SZST

DEPARTMENTAL TRAINING REQUEST FORM

Type in this Column		TOTAL TRAVEL ESTIMATE	
NAME:	Alvin Goonie	\$6,160.96	
DATE SUBMITTED:	10/8/2018		
COURSE INFORMATION		HOTEL INFORMATION	
Course Title:	IACIS- Basic Computer Forensic Examiner	Type in this column	
Date Course Begins:	4/29/2019	Hotel Phone #:	
Date Course Ends:	5/10/2019	Reservation #:	
Course Hours (ex. 8a-5p):	8a-5p	Reservation Made By:	
TCLEOSE Approved (Y/N):	N	Hotel Check In Date:	4/28/2019
TCLEOSE Hours:		Hotel Check out Date:	5/10/2019
Registration Fee:	\$2,995.00	# of nights to Stay:	13
Date Registered:		Daily Rate*:	121
Registration Made By:		Total Hotel:	\$1,573.00
Registration Paid by (p-card/check):		*Daily hotel rate should include all applicable taxes	
Will this training require any overtime due to travel or extra class hours? If yes, please indicate type, reason, and estimated amount of time.			
Travel Time: # of Hours:		Estimated Costs \$	
Extra Class Time: # of Hours:		Estimated Costs \$	
TRANSPORTATION INFORMATION			
What vehicle will you drive?	City Vehicle		
Please highlight or circle appropriate choice	Personal Vehicle		
	Other - Please Indicate (ex: rde w/ another employee):		
Estimate fuel costs if City vehicle		(Estimate using \$3.00 per gallon)	
Mileage costs if Personal Vehicle	In the space below enter the # of miles to travel using mileage from MapQuest - LPPD as a start point - attach for back up		
# of miles	0		
Airfare costs:	\$277.96		
Fly into what city?:	Orlando, FL	MEAL INFORMATION	
Airfare ticket purchased by:		IRS Guidelines Establish Per Diem Rate - (See per diem tab)	
Confirmation # (if applicable):		Daily Rate divided by 3 = rate to enter in IRS Per Diem Rate	
Tax/Etc. fees		What city is being utilized?	
Rental Car Fees	\$ 479.00	Orlando, FL	
TOTAL TRANSPORTATION:	\$756.96	Total # of Meals Requested (enter below):	
OTHER FEES		38 <i>do not use this area</i>	
If all inclusive travel please indicate in this area (Orbitr, Expedia, etc.) & make note of this in your comments			
\$	Replace text with what this fee is for	X IRS Per Diem Rate (enter below)	
\$	Replace text with what this fee is for	\$22.00	
Why is this course necessary and/or how would it benefit the department for you to attend?		TOTAL MEALS \$836.00	
See attached.		(Use separate sheet if needed.)	
I have read and understand the Travel Policy. I will complete the Travel Expense form within five working days of my return, attach all required receipts and submit it to the Director of Finance. I will also refund to the City, the amount remaining, if any, of the advanced received.			
If this report is not submitted as required, this authorizes the City to deduct the full amount of the Travel Advance from my paycheck.			
EMPLOYEE SIGNATURE:			
Approvals:			
Disapproved	Approved	Date:	By Shift Supervisor:
Disapproved	Approved	Date:	By Lieutenant:
Disapproved	Approved ✓	Date: 4/11/2019	By Assistant Chief 



CFE SCHEDULE 2019

lunch dinner Sun = 2

M thru F = 15 meals + S/S = 16

23 meals

Week 1	Monday	Tuesday	Wednesday	Thursday	Friday
08:00	Opening Session	Disk Structures	NTFS File System	Ex-FAT	RAM Capture
08:30	Admin Task / Competencies				
09:00	Break	Break	Break	Break	Break
09:30	BIOS, Boot Sequence, and Boot Environments	Disk Structures	NTFS File System	Ex-FAT	RAM Analysis
10:00	Break	Break	Break	Break	Break
10:30	BIOS, Boot Sequence, and Boot Environments	FAT File System	NTFS File System	Legal Topics	Validation, Acquisition & Control
11:00	Break	Break	Break	Break	Break
11:30	BIOS, Boot Sequence, and Boot Environments	FAT File System	NTFS File System	First Responder I - Planning	Validation, Acquisition & Control
12:30	LUNCH	LUNCH	LUNCH	LUNCH	LUNCH
13:00	Numbering Systems	FAT File System	NTFS File System	First Responder II - Crime Scene	Validation, Acquisition & Control & Practical Exercise
13:30	Break	Break	Break	Break	Break
14:00	Numbering Systems	FAT File System	NTFS File System	First Responder II - Crime Scene	Forensic Acquisition Practical Exercise
14:30	Break	Break	Break	Break	Break
15:00	Introduction to WinHex	FAT File System	NTFS File System	Intro to Forensic Analysis & Scenario	Forensic Acquisition Practical Exercise
15:30	Break	Break	Break	Break	Break
16:00	Disk Structures	FAT File System	NTFS File System	Hashing & Hash Sets	Forensic Acquisition Practical Exercise
16:30	END OF DAY	END OF DAY	END OF DAY	END OF DAY	END OF DAY
LAB	LABORATORY	LABORATORY	LABORATORY	LABORATORY	LABORATORY



FE SCHEDULE 2019

M-F = 15 meals

15 meals

Week 2	Monday	Tuesday	Wednesday	Thursday	Friday
08:00	Windows Artifacts	Windows Registry	Encryption	P2P	SQLite Databases
08:50-09:00	Break	Break	Break	Break	Break
09:00	Windows Artifacts	Windows Registry	Encryption	P2P	SQLite Databases
09:30					
10:00	Windows Artifacts	Windows Registry	Internet Artifacts (Browsers)	Cloud	Mac Triage
10:30					
11:00	Windows Artifacts	File Metadata	Internet Artifacts (Browsers)	Forensic Search Methodologies	Mac Triage
11:30					
12:00-12:30	LUNCH	LUNCH	LUNCH	LUNCH	LUNCH
13:00	Windows Artifacts	Compound Files	Internet Artifacts (Browsers)	Report Writing	Court Testimony/Moot Court
13:20					
14:00	Windows Artifacts	File Headers and Carving	Internet Artifacts (Browsers)	Internet of Things	Specialized Overview (Baker)
14:30					
15:00	Windows Artifacts	File Headers and Carving	Internet Artifacts (Social Media)	Mobile Devices	Ethics/Certification (Board)
15:30					
16:00	Windows Artifacts	File Headers and Carving	Internet Artifacts (Email)	Mobile Devices	eServices/Admin (Board)
16:30					
17:00	END OF DAY LABORATORY	END OF DAY LABORATORY	END OF DAY LABORATORY	END OF DAY LABORATORY	Closing

Haire, Amy

From: Goonie, Alvin
Sent: Monday, November 5, 2018 1:35 PM
To: Haire, Amy
Subject: Fwd: Transaction Receipt from IACIS International Asso. Computer Investigative Specialists for \$1497.50 (USD)

Sent from City iPhone

Begin forwarded message:

From: "Auto-Receipt" <noreply@mail.authorize.net>
Date: November 4, 2018 at 10:32:07 AM CST
To: "Alvin Goonie" <gooniea@laportetx.gov>
Subject: Transaction Receipt from IACIS International Asso. Computer Investigative Specialists for \$1497.50 (USD)
Reply-To: "Debbie Plamondon" <debbie.plamondon@iacis.com>

Attached is your receipt from IACIS. Please retain for your records.

Description: 2nd Half 2019 BCFE
Invoice Number: 84777B

Billing Information
Alvin Goonie
La Porte Police Department
gooniea@laportetx.gov

Shipping Information

Total: \$1497.50 (USD)

Date/Time: 4-Nov-2018 8:32:05 PST
Transaction ID: 61376497068
Payment Method: MasterCard xxxx5043
Transaction Type: Purchase
Auth Code: 078265

IACIS International Asso. Computer Investigative Specialists
Leesburg, VA 20177
US
debbie.plamondon@iacis.com

08252535213020
Project SZST

BCFE: BASIC COMPUTER FORENSIC EXAMINER

Training

(<https://www.iacis.com>)

BCFE Registration is Now Open!

Class size: 300 students

WHEN: April 29 – May 10, 2019 **SOLD OUT (WAIT LIST AVAILABLE)**

COST: \$2,995 US Dollars

EQUIPMENT: All BCFE students will receive a laptop computer, write-blocker, USB 3.0 external hard drive, thumb drive, training manuals, and other equipment to take home with them at the successful conclusion of the training event. This course will be taught using Windows 10 operating system on the student and suspect images. (Equipment specifics subject to change)

PREREQUISITE: None.

COURSE SYLLABUS: [BCFE Syllabus \(https://www.iacis.com/wp-content/uploads/2018/08/2019-BCFE-Program-Description-Syllabus.pdf\)](https://www.iacis.com/wp-content/uploads/2018/08/2019-BCFE-Program-Description-Syllabus.pdf)

COURSE SCHEDULE: [Course Schedule \(https://www.iacis.com/wp-content/uploads/2019/02/BCFE_Schedule_Published.pdf\)](https://www.iacis.com/wp-content/uploads/2019/02/BCFE_Schedule_Published.pdf)

BCFE COMPETENCIES: [BCFE Competencies \(https://www.iacis.com/wp-content/uploads/2018/07/CFCE-Competency-May-2018.pdf\)](https://www.iacis.com/wp-content/uploads/2018/07/CFCE-Competency-May-2018.pdf)

* On-Site Check-in Times (student pickup of equipment, ID card, IACIS info) are:

Sunday, April 28, 2019 : 1800 – 2100

Monday, April 29, 2019: 0700 – 0800

*** Please make arrangements to arrive in time to check-in so that you may be in class**

promptly the first day.

CERTIFICATION: Attendance at BCFE entitles each member an attempt at the CFCE Certification process. Candidates will be enrolled in the CFCE cycle immediately following their BCFE class.

REGISTRATION:

Existing IACIS members simply log in with your credentials and go to the products page to purchase and register for the course.

For non-IACIS members, the membership fee is waived with the purchase of the training course; however, to register for the course you must complete a membership application at the time of purchase.

Apply for membership and purchase the course on the **PRODUCTS PAGE** (<http://members.iacis.com/training>).

****Payment MUST BE RECEIVED at least 45 days prior to the first day of class. Any payment arrangements other than payment through the website or payment via invoice must be approved by the IACIS Treasurer prior to admittance into the course. Please contact the treasurer for questions and approval (treasurer@iacis.com (<mailto:treasurer@iacis.com>))

Cancellations within 45 days from the start of class to 31 days from the start of class will be subject to a \$150 cancellation fee. There will be no refunds within 30 days from the start of class.****

COURSE NOTES:

Please read the following notes regarding this class:

1. Classes begin at 8:00 AM ET and conclude at 5:00 PM ET, each day, with a one hour lunch break. **Classes will end at 4:00 PM ET on the**

last day of class. Please do not arrange for departing flights prior to 7:00 PM ET to allow time for travel to the airport and any security clearances.

- 2. The dress code for the conference is business casual (collared shirts and slacks).**The wearing of shorts, flip flops, tank tops, etc. is not allowed in the classroom. **Personal computers are not permitted in the classroom.** Students are required to attend all classes to successfully complete the program. Students who fail to meet the attendance requirements will not be issued a certificate at the conclusion of the program.

LOCATION:

The 2019 course will be taught at the **Caribe Royale Hotel** (<https://www.iacis.com/training/caribe-royale-hotel/>), 8101 World Center Drive, Orlando, Florida 32821 (USA). This hotel has much more conference space than our previous hotel. Additionally, it's closer to the Orlando International Airport, has a much larger pool, spacious workout facility and is very close to Disney World and Universal Studios.

HOTEL BOOKING:

You will find the information for your online reservation link below. If you have questions or need help with the link, please do not hesitate to ask. We appreciate your business and look forward to a successful event.

Rates are valid for the following dates: 4/19/19 thru 5/16/19

Caribe Royale Hotel (<https://www.iacis.com/training/caribe-royale-hotel/>) is offering a special group rate of \$121/night(US Government Rate)

Last day to book at the special group rate: 4/19/19

[CLICK HERE TO BOOK YOUR ROOM!](https://cariberoyale.reztr.com/Action=Show&Controller=I)
[\(HTTPS://CARIBEROYALE.REZTR ACTION=SHOW&CONTROLLER=I\)](https://cariberoyale.reztr.com/Action=Show&Controller=I)

5B%5D=ACIS9&RATE CODE%
5B%
5D=ACIS9&STARTING PAGE=SP

Postal Address: International

IACIS (304) 915-0555
25 Catoclin Cir. U.S.A. (888)
SE, #2411 884-2247
Leesburg, VA Voicemail
20177 Training - ext 1
Membership - ext
2
Financial - ext 3
Certification - ext
5



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Name - Alvin Goonie

Preference # 1

Class:

Basic Computer Forensic Examiner (BCFE)

Location of class

Orlando, Florida

Cost of training

Tuition- \$ 2795

Hotel- \$ 1400

Meals- \$ 826

Travel- \$ 1150

TOTAL- \$ 6170

Justification

This class is administered by The International Association of Computer Investigative Specialists. The course is required to enter the organization's seven month certification program to obtain the Certified Forensic Computer Examiners (CFCE) designation. Once the class is completed, I will enter into a two-step testing process that includes practical examination, written examination, and peer review. The certification program is based on a series of core competencies in the field of computer/digital forensics. The CFCE designation is one of the most recognized certifications among professionals in the digital forensics field and brings further credibility to the Department's forensic program.



CARIBE ROYALE

Guest Name: Alvin Goonie
 Int'l Assn of Computer Investi
 3001 North 23rd Street
 La Porte, TX 77571 US

Room #: 2321
 Folio #: RCRO12448191
 Group #: ACIS9
 Guests: 1
 Clerk:

Arrive: 04/28/19 Time: 21:13 Depart: 05/10/19 Time: 11:09:38 Status: FOL

Date	Description	Reference	Comment	Charges	Credits
04/28/19	SUITE REVENUE	2321		\$122.00	
04/28/19	SUITE TAX	2321t	SUITE TAX	\$15.25	
04/29/19	SUITE REVENUE	2321		\$122.00	
04/29/19	SUITE TAX	2321t	SUITE TAX	\$15.25	
04/30/19	SUITE REVENUE	2321		\$122.00	
04/30/19	SUITE TAX	2321t	SUITE TAX	\$15.25	
05/01/19	SUITE REVENUE	2321		\$122.00	
05/01/19	SUITE TAX	2321t	SUITE TAX	\$15.25	
05/02/19	SUITE REVENUE	2321		\$122.00	
05/02/19	SUITE TAX	2321t	SUITE TAX	\$15.25	
05/03/19	SUITE REVENUE	2321		\$122.00	
05/03/19	SUITE TAX	2321t	SUITE TAX	\$15.25	
05/04/19	SUITE REVENUE	2321		\$122.00	
05/04/19	SUITE TAX	2321t	SUITE TAX	\$15.25	
05/05/19	SUITE REVENUE	2321		\$122.00	
05/05/19	SUITE TAX	2321t	SUITE TAX	\$15.25	
05/06/19	SUITE REVENUE	2321		\$122.00	
05/06/19	SUITE TAX	2321t	SUITE TAX	\$15.25	
05/07/19	SUITE REVENUE	2321		\$122.00	
05/07/19	SUITE TAX	2321t	SUITE TAX	\$15.25	
05/08/19	SUITE REVENUE	2321		\$122.00	
05/08/19	SUITE TAX	2321t	SUITE TAX	\$15.25	
05/09/19	SUITE REVENUE	2321		\$122.00	
05/09/19	SUITE TAX	2321t	SUITE TAX	\$15.25	

Folio Balance: \$1,647.00

00152565213020

Guest Signature: _____

Caribe Royale Orlando
 8101 World Center Drive
 Orlando, FL 32821
 Tel: (407) 238-8000
 Fax: (407) 238-8050

F) Training

1) Fees

Invoice

SZST

From
Regina Julian
 rjulian33@yahoo.com
 2010 Leisure Lane
 League City, TX.
 77573
 P: 936-674-5766
 Business Number: Same as above

To
La Porte Police Department
 kruegerj@laportetx.gov
 3001 N 23rd St.
 La Porte, TX.
 77571
 P: (281) 471-2141

Number INV0001
 Date 14 Nov 2018
 Terms 10 Days
 Due 24 Nov 2018

Description	Price	Qty	Amount
8 hours of leadership training	\$ 625.00	1	\$ 625.00
		Subtotal	\$ 625.00
		Tax (0%)	\$ 0.00
		Total	\$ 625.00
		Balance Due	\$ 625.00

send ✓ to PD

03 25 253 5213020

SZST

10-8 Communications

Judy Pal
5701 S. Lindsey St.
Tallasse, TN 37878

Phone 949.910-2731
E-mail: jpal@10-8communications.com

03252535213020
52 ST
ANNUAL
Leadership
training -
need ✓ by 2/6 - send to PD

INVOICE

19-002

DATE: JANUARY 23, 2019

TO:
Asst. Chief Matt Daeumer
Assistant Chief of Police/Support Services Bureau
La Porte Police Department
3001 N 23rd St.
La Porte, TX 77571

FOR:
Leadership Retreat
February 6-7, 2019

DESCRIPTION	RATE	AMOUNT
Flat rate inclusive of: Workshop preparation and presentation Travel, accommodations, expenses, per diem Taxes	\$6,000.00	\$6,000.00
TOTAL		\$6,000.00

Please make checks payable to Judy Pal

Total due in 30 days. Overdue accounts subject to a service charge of 1.5% per month.

DUNS: 81272659

Thank you!

James Ward Research & Analysis Training LLC
10730 Sela Ln,
Houston, TX 77072-3720
Tel (253) 232-6378
Email: james.ward@juno.com

INVOICE 904793919

3.14.2019

BILL TO	SHIP TO	INSTRUCTIONS
La Porte Police Department 3001 N 23rd St La Porte, TX 77571	Same as recipient	Make payable to: James Ward Research & Analysis Training LLC

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	Darkweb course (12 LPD employees)	\$1,000.00	\$1,000.00
TOTAL			\$1,000.00
TOTAL DUE BY 3.14.2019			

Thank you for your business!

Send payments to 10730 Sela Ln, Houston, TX 77072-3720

Dove, Melissa

Subject: FW: New invoice from lacy979
Attachments: Doc Apr 05, 2019, 0722.pdf

From: "Krueger, John" <KruegerJ@laportetx.gov>
Date: 4/11/19 4:22 PM (GMT-06:00)
To: "Bedford, Michelle" <BedfordM@laportetx.gov>
Subject: FW: New invoice from lacy979

pd. 4/18

Invoice and W-9 for May leadership speaker

From: lacy979 [<mailto:connect@e.connect.intuit.com>]
Sent: Friday, April 5, 2019 7:06 AM
To: Krueger, John <KruegerJ@laportetx.gov>
Subject: New invoice from lacy979

You can find your invoice details below. Your business is appreciated.

Thanks,
lacy979
INVOICE #101

TO
LaPorte PD
KruegerJ@laportetx.gov

\$625.00
PAYMENT DUE 27 Apr, 2019

[View Invoice](#)



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Request for Taxpayer Identification Number and Certification

**Give Form to the
requester. Do not
send to the IRS.**

▶ Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	<p>1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Lacy Wolff</p> <p>2 Business name/disregarded entity name, if different from above</p> <p>3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.</p> <p><input checked="" type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate</p> <p><input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____</p> <p><small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check another LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small></p> <p><input type="checkbox"/> Other (see instructions) ▶ _____</p> <p>5 Address (number, street, and apt. or suite no.) See instructions. 2500 Quiet Water Pass</p> <p>6 City, state, and ZIP code Pflugerville, Texas 78660</p> <p>7 List account number(s) here (optional)</p>	<p>4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from FATCA reporting code (if any) _____</p> <p><small>(Applies to accounts maintained outside the U.S.)</small></p> <p>Requester's name and address (optional)</p>
--	--	--

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
458 - 91 - 2339
or
Employer identification number
-

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ▶ <i>Lacy Wolff</i>	Date ▶ <i>April 5, 2019</i>
------------------	--	-----------------------------

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
 - Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
 - Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
 - Form 1099-S (proceeds from real estate transactions)
 - Form 1099-K (merchant card and third party network transactions)
 - Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
 - Form 1099-C (canceled debt)
 - Form 1099-A (acquisition or abandonment of secured property)
- Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.
- If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What Is backup withholding, later.*

• Form 1099-INT (interest earned or paid)

PO 190268

pd. 6/9

James Ward Research & Analysis Training LLC
10730 Sela Ln,
Houston, TX 77072-3720
Tel (253) 232-6378
Email: james.ward@juno.com

03252535213020

525T

INVOICE 887880094 **4.3.2019**

BILL TO	SHIP TO	INSTRUCTIONS
La Porte Police Department 3001 N 23rd St La Porte, TX 77571	Same as recipient	Make payable to: James Ward Research & Analysis Training LLC

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	2-day course (12 LPD employees)	\$1,500.00	\$1,500.00

TOTAL	\$1,500.00
<hr/>	
TOTAL DUE BY 6.11.2019	

Thank you for your business!



1328 HIGHWAY 146 SOUTH
LA PORTE, TX 77571
TELEPHONE 281-842-9566 • FAX 281-842-9579



ALLICK, MELVIN
3001 N 23RD ST
LA PORTE TX 77571
UNITED STATES OF AMERICA

name
address

room number: 203/NKJZ
arrival date: 6/5/2019 1:26:00 PM
departure date: 6/6/2019 7:29:00 AM
adult/child: 1/0
room rate: 120.00
Rate Plan: GVS

If the debit/credit card you are using for check-in is attached to a bank or checking account, a hold will be placed on the account for the full anticipated dollar amount to be owed to the hotel, including estimated incidentals, through your date of check-out and such funds will not be released for 72 business hours from the date of check-out or longer at the discretion of your financial institution.

HH #
AL:
Car:

Confirmation Number: 92728914

6/6/2019

Rates subject to applicable sales, occupancy, or other taxes. Please do not leave any money or items of value unattended in your room. A safety deposit box is available for you in the lobby. I agree that my liability for this bill is not waived and agree to be held personally liable in the event that the indicated person, company or association fails to pay for any part or the full amount of these charges. In the event of an emergency, I, or someone in my party, require special evacuation due to a physical disability. Please indicate yes by checking here:

signature:

date	reference	description	amount
6/5/2019	205907	GUEST ROOM EXEMPT	\$120.00
6/6/2019	205993	MC *3239	(\$120.00)
		BALANCE	\$0.00
EXPENSE REPORT SUMMARY			
	6/5/2019	STAY TOTAL	
ROOM AND TAX	\$120.00	\$120.00	
DAILY TOTAL	\$120.00	\$120.00	

Hotel for instructor no charge for class only expenses - training fees

2019 Quarterly Leadership Training

MS

for reservations call 1.800.hampton or visit us online at hampton.com

thanks.

account no.

03252535213020

date of charge

folio/check no.

MC *3239

6/6/2019

70406 A

card member name

ALLICK, MELVIN

SZST

authorization

054344

initial

establishment no. and location

establishment agrees to transmit to card holder for payment

purchases & services

THERE WILL BE A \$250 SMOKING FEE ADDED TO YOUR BILL IF YOU SMOKE IN THE ROOMS.

taxes

tips & misc.

signature of card member

X

total amount

-120.00



Bedford, Michelle

From: Krueger, John
Sent: Wednesday, May 15, 2019 5:25 PM
To: Police Department - All staff
Cc: Allick,II, Melvin
Subject: June 6th Quarterly Leadership Training

Reminder: EVERYONE IS INVITED!

Our next quarterly Leadership Development training will be **Thursday June 6th (8a – 5p) in the PD training room.**

The one-day ***Strength & Honor in the Emergency Services***, will be based on moving and factual stories within the Emergency Services professions, which question our dedication to ourselves, our agency, and one another.

Current and emerging leaders will all benefit from the perspectives offered, and how we can pass our knowledge along to others.

The one-day course will be taught by Lieutenant Melvin Allick of the Texas Department of Public Safety. He is currently assigned to their Recruiting, Education, Training & Research Division.

This training is free and open to all LPPD employees (pending approval from your supervisory chain), as well as any other police personnel from neighboring agencies.

We will, also, be extending this invitation to our EMS & Fire personnel at the instructor's request.

Consider, even if you're not in the LMP program or have no desire to promote, we are all leaders in our own unique way, with room for improvement as well.

Note regarding promotional points: You must be an active participant in the LMP (see below for policy guidelines) in order to earn the additional 2.5 points on police promotional exams. So, while I hope all who are able will attend, please recognize this additional benefit if you want to promote in the future.

Policy Guidelines (officially adopted 05/13/2016):

906.4 LEADERSHIP MENTORING PROGRAM

Active participation (notwithstanding excused absences) is defined as:

- a. Attendance at all quarterly (8-hour) leadership training courses offered at the police facility.
- b. Attendance at a minimum of 3 monthly leadership meetings within a 6 month period.
- c. Ongoing mentor/mentee one-on-one interaction, and development activities.

Excused Absences:

- a. Due to occasional scheduling conflicts resulting from: job assignment, staffing levels, pre-scheduled vacation, family or medical emergencies, etc., a participant in the Leadership Mentoring Program may be exempted from one or more training courses and/or meetings, yet remain in active standing.
- b. To be excused from a quarterly training course, and/or any of the 3 required monthly leadership meetings, a participant must have their supervisor send the Leadership Mentoring Program coordinator an email expressing the reason the program participant will be absent.
- c. All emails received by the coordinator will be kept on file to verify accuracy of those in active standing.

Hope to see you there!

John

item:

Haire, Amy

From: Goonie, Alvin
Sent: Monday, November 5, 2018 1:35 PM
To: Haire, Amy
Subject: Fwd: Transaction Receipt from IACIS International Asso. Computer Investigative Specialists for \$1497.50 (USD)

Sent from City iPhone

Begin forwarded message:

IACIS

From: "Auto-Receipt" <noreply@mail.authorize.net>
Date: November 3, 2018 at 10:54:18 PM CDT
To: "Alvin Goonie" <goonia@laportetx.gov>
Subject: Transaction Receipt from IACIS International Asso. Computer Investigative Specialists for \$1497.50 (USD)
Reply-To: "Debbie Plamondon" <debbie.plamondon@iacis.com>

Attached is your receipt from IACIS. Please retain for your records.

Order Information

Description: 2019 BCFE (1/2) - Goonie
Invoice Number 84777

Billing Information

Alvin Goonie
La Porte Police Dept
goonia@laportetx.gov

Shipping Information

Total: \$1497.50 (USD)

Payment Information

Date/Time: 3-Nov-2018 20:54:17 PDT
Transaction ID: 61375677601
Payment Method: MasterCard xxxx5043
Transaction Type: Purchase
Auth Code: 082456

Merchant Contact Information

IACIS International Asso. Computer Investigative Specialists
Leesburg, VA 20177
US
debbie.plamondon@iacis.com

032-5253-521-3020
Project 8 STSZ
SZST

From: Goonie, Alvin
Sent: Monday, November 5, 2018 1:35 PM
To: Haire, Amy
Subject: Fwd: Transaction Receipt from IACIS International Asso. Computer Investigative Specialists for \$1497.50 (USD)

Sent from City iPhone

Begin forwarded message:

IACIS

From: "Auto-Receipt" <noreply@mail.authorize.net>
Date: November 4, 2018 at 10:32:07 AM CST
To: "Alvin Goonie" <goonica@laportetx.gov>
Subject: Transaction Receipt from IACIS International Asso. Computer Investigative Specialists for \$1497.50 (USD)
Reply-To: "Debbie Plamondon" <debbie.plamondon@iacis.com>

Attached is your receipt from IACIS. Please retain for your records.

Order Information
Description: 2nd Half 2019 BCFE
Invoice Number 84777B

Billing Information
Alvin Goonie
La Porte Police Department
goonica@laportetx.gov

Shipping Information

Total: \$1497.50 (USD)

Payment Information
Date/Time: 4-Nov-2018 8:32:05 PST
Transaction ID: 61376497068
Payment Method: MasterCard xxxx5043
Transaction Type: Purchase
Auth Code: 078265

Merchant Contact Information
IACIS International Asso. Computer Investigative Specialists
Leesburg, VA 20177
US
debbie.plamondon@iacis.com

08252535213020
Project SZST



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>November 11, 2019</u>
Requested By: <u>Matt Hartleib</u>
Department: <u>HR</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance

Appropriation	
Source of Funds:	<u>Insurance Fund</u>
Account Number:	<u>014-6144-515</u>
Amount Budgeted:	<u>550,000</u>
Amount Requested:	<u>546,860</u>
Budgeted Item:	<input type="radio"/> Yes <input checked="" type="radio"/> No

Exhibits: Stop loss presentation
Updated analysis sheet

SUMMARY

On October 3, 2019, RFP #20500 was released for Stop Loss/Reinsurance coverage for the 2020 plan year of the City of La Porte Health Fund. Due to the sensitive nature of the supporting information, this RFP utilized a targeted release of likely bidders in the insurance field. The RFP was advertised the Bay Area Observer on October 3rd and October 10th. The RFP generated a response of one bid which was opened on October 21, 2019. This bid is from the current provider of this line of coverage, SA Benefit Service/Vista UW, and contains options at specific deductible rates of \$165,000, \$175,000, and \$200,000. Negotiations continued with the vendor and bids were firmed up as additional claims data was reviewed.

On October 24, 2019, the Chapter 172 Employee, Retiree Insurance and Benefits Board met to review and discuss options for Stop Loss coverage. The 172 Committee recommended that the City continue with the practice of purchasing Stop Loss coverage as a way to mitigate the risk of high claims to the medical fund. The current plan year has seen a higher than typical occurrence of high cost claims. For the first time in several years, the reimbursements received through this line of coverage exceed the total cost.

After reviewing and discussing the analysis performed by the City's benefits consultant, HUB, the Chapter 172 Employee, Retiree Insurance and Benefits Board voted to recommend selection of Vista Underwriters as the provider of stop loss coverage for the 2020 plan year at the \$165,000 specific deductible rate. This recommendation carries a projected cost of \$546,860.

RECOMMENDED MOTION

I move to authorize the City Manager to enter into an agreement with Vista UW to provide stop loss coverage for the 2020 plan year at the \$165,000 specific deductible rate.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date



October 31, 2019

City of La Porte 2020 Stop Loss Review

Brent Weegar, MBA – Senior Vice President

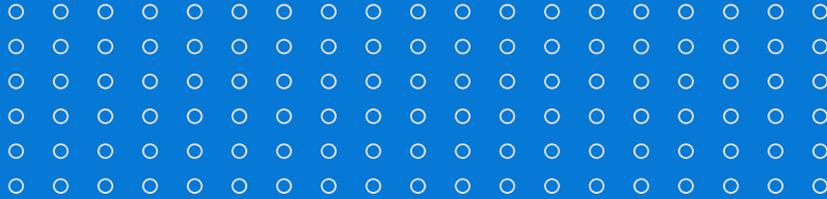
Julian Fontana – Employee Benefits Specialist

Mike Weaver – Account Executive

Table of Contents

- 1 | Overview
- 2 | Vendor Response List
- 3 | TPA Services, Provider Network Discount and PBM Pricing & Rebate Analysis
- 4 | Dental Plan Fully Insured Pricing Analysis
- 5 | 2019 – 2020 Benefit Recommendations
- 6 | PY 2019 Monthly Plan Report – May 2019

1



Overview



This presentation summarizes the results of an RFP conducted by HUB International on behalf of the City of La Porte to assess vendors to administer the following benefits effective January 1, 2020:

- Specific and Aggregate Stop Loss Reinsurance for Medical and Prescription claims

The RFP was conducted with the following objectives in mind:

- Aligns with the City of La Porte's objectives and is supported by management and Council;
- Demonstrated superior member service and claims processing;
- Ability to proactively meet the City of La Porte's service needs;
- Willingness, experience and capability to effectively administer the programs;
- Support during the implementation process;
- Options to manage costs.

2016-2019 Medical Plan Specific Stop Loss Summary

2016 the Medical Plan had 2 specific claimants the exceed the \$165,000 deductible. Claims were 170,120 versus premium \$387,578 resulting in a 44% loss ratio.

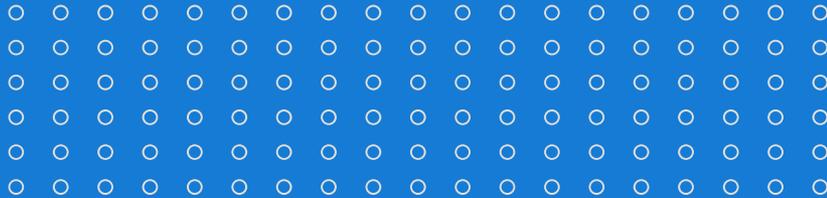
2017 the Medical Plan had 3 specific claimants the exceed the \$165,000 deductible. Claims were 256,409 versus premium \$367,030 resulting in a 70% loss ratio.

2018, the Medical Plan had 4 specific claimants the exceed the \$165,000 deductible. Claims were \$335,518 versus premium \$411,394 resulting in a 82% loss ratio.

For 2019 plan year to date the Medical Plan has 6 claimants in excess of the \$165,000 deductible. Paid stop loss claims are \$956,939 versus premium paid of \$353,900.

The typical deductible for a group of 400 EE is \$100,000 - \$150,000, increasing the City's deductible above the current would provide minimal premiums savings. Increasing over \$200,00 begins to get out of range with actuarial recommendations.

2



Vendor Response List



RFP Vendor Response List



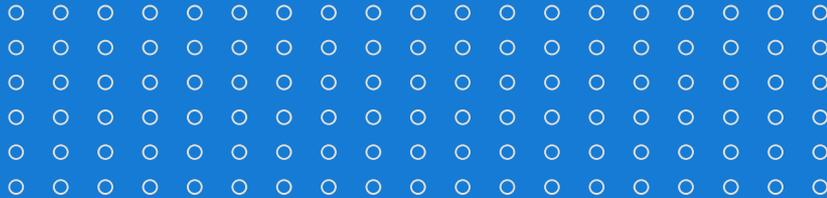
Stop Loss Reinsurance

RESPONDED / DECLINED

FINALIST

Stop Loss Reinsurance	RESPONDED / DECLINED	FINALIST
SABS/Vista UW (Incumbent)	Responded	Yes
Aetna	Declined	No
Stealth Partners	Declined	No

3



Plan History and Stop Loss Overview



Monthly Plan Reporting 2019



	A	B	C	D = A+B+C	E	F	G	H	I = E+F+G-H	J	K	M = J+K+L	N	O = I+M+N	P = I+M	Q	R = Q-P	
	ENROLLMENT ¹				CLAIMS DATA					FIXED COST			EMPLOYER NET COST		BUDGET DATA			
Month	PPO	AHF 1000	AHF 1500	Total	PPO	AHF 1000	AHF 1500	Stop Loss	AHF Fund	Total	Admin	Stop Loss	Total	EE Contribs ²	Net Cost	Total Cost	Budget ³	Surplus
2019-01	170	122	110	402	\$295,086	\$91,401	\$70,594	\$0	\$26,847	\$483,928	\$15,071	\$39,762	\$54,833	(\$59,632)	\$479,129	\$538,761	\$609,476	\$70,715
2019-02	168	121	108	397	\$229,612	\$223,929	\$87,606	\$0	\$34,745	\$575,892	\$14,884	\$39,267	\$54,151	(\$58,958)	\$571,084	\$630,043	\$611,078	(\$18,964)
2019-03	164	121	111	396	\$358,500	\$222,786	\$108,592	(\$9,006)	\$30,039	\$710,912	\$14,846	\$39,168	\$54,014	(\$58,322)	\$706,604	\$764,926	\$602,495	(\$162,432)
2019-04	165	118	113	396	\$360,828	\$165,654	\$94,002	(\$37,816)	\$22,541	\$605,209	\$14,846	\$39,168	\$54,014	(\$58,167)	\$601,057	\$659,224	\$593,746	(\$65,477)
2019-05	164	117	117	398	\$295,358	\$146,528	\$127,113	(\$51,337)	\$10,951	\$528,613	\$14,921	\$39,366	\$54,287	(\$57,933)	\$524,968	\$582,901	\$583,773	\$872
2019-06	163	117	117	397	\$400,964	\$207,844	\$124,257	(\$141,395)	\$10,075	\$601,745	\$14,884	\$39,267	\$54,151	(\$57,685)	\$598,211	\$655,895	\$580,924	(\$74,971)
2019-07	162	117	119	398	\$408,926	\$214,906	\$183,269	(\$162,207)	\$7,004	\$651,898	\$14,921	\$39,366	\$54,287	(\$57,479)	\$648,706	\$706,185	\$576,994	(\$129,191)
2019-08	159	115	122	396	\$252,095	\$202,957	\$184,009	(\$227,315)	\$3,879	\$415,626	\$14,846	\$39,168	\$54,014	(\$56,671)	\$412,969	\$469,640	\$569,186	\$99,546
2019-09	158	113	127	398	\$362,846	\$433,753	\$173,185	(\$327,863)	\$7,323	\$649,244	\$14,921	\$39,366	\$54,287	(\$56,541)	\$646,990	\$703,531	\$572,671	(\$130,861)
2019-10																		
2019-11																		
2019-12																		
Total	1,473	1,061	1044	3,578	\$2,964,215	\$1,909,758	\$1,152,627	(\$956,939)	\$153,405	\$5,223,067	\$134,139	\$353,900	\$488,039	(\$521,390)	\$5,189,716	\$5,711,106	\$5,300,342	(\$410,764)
Avg/PEPM	164	118	116	398	\$2,012.37	\$1,799.96	\$1,104.05	(\$267.45)	\$72.88	\$1,459.77	\$37.49	\$98.91	\$136.40	(\$145.72)	\$1,450.45	\$1,596.17	\$1,481.37	(\$114.80)

2019 Large Claimants >\$82,500



Claimant	Total Paid	Over / Under ISL	Plan
1	\$922,775	\$757,775	AHF 1,000
2	\$262,372	\$97,372	PPO 500
3	\$254,857	\$89,857	PPO 500
4	\$172,535	\$7,535	AHF 1,500
5	\$167,415	\$2,415	AHF 1,500
6	\$166,984	\$1,984	AHF 1,000
7	\$154,123	(\$10,877)	PPO 500
8	\$105,913	(\$59,087)	PPO 500
9	\$105,407	(\$59,593)	AHF 1,000
10	\$101,349	(\$63,651)	AHF 1,500
11	\$97,136	(\$67,864)	AHF 1,500
12	\$94,437	(\$70,563)	PPO 500
13	\$90,748	(\$74,252)	PPO 500
Total	\$2,696,052		<i>45% of all paid medical & rx claims</i>

Stop Loss Options 2020

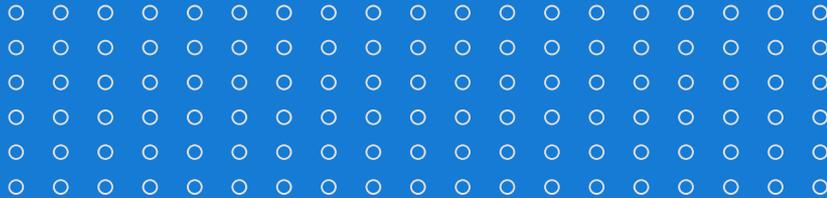


See next page



PLAN YEAR	CURRENT 2019	PROPOSED 2020	PROPOSED 2020	PROPOSED 2020
TPA:	Aetna	Aetna	Aetna	Aetna
STOP LOSS CARRIER:	Vista UW	Vista UW	Vista UW	Vista UW
MGU:	SABS	SABS	SABS	SABS
PBM:	Aetna	RxBenefits / CVS	RxBenefits / CVS	RxBenefits / CVS
PPO:	Aetna	Aetna	Aetna	Aetna
SPECIFIC STOP LOSS DEDUCTIBLE:	\$165,000	\$165,000	\$175,000	\$200,000
SPECIFIC STOP LOSS LIFETIME MAXIMUM:	Unlimited	Unlimited	Unlimited	Unlimited
SPECIFIC STOP LOSS ANNUAL MAXIMUM:	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
SPECIFIC CONTRACT :	24/12 (M/Rx)	24/12 (M/Rx)	24/12 (M/Rx)	24/12 (M/Rx)
SPECIFIC PREMIUM: Composite PEPM	\$92.07	\$107.54	\$101.78	\$89.35
MONTHLY TOTAL	\$36,552	\$42,693	\$40,407	\$35,472
ANNUAL TOTAL	\$438,621	\$512,321	\$484,880	\$425,663
AGGREGATE PREMIUM: Composite PEPM	\$6.94	\$7.25	\$7.61	\$8.48
MONTHLY TOTAL	\$2,755	\$2,878	\$3,021	\$3,367
ANNUAL TOTAL	\$33,062	\$34,539	\$36,254	\$40,399
ANNUAL TOTAL - STOP LOSS PREMIUM	\$471,684	\$546,860	\$521,134	\$466,062
DOLLAR Δ FROM PRIOR YEAR	\$64,647	\$75,176	\$49,450	-\$5,622
PERCENTAGE Δ FROM PRIOR YEAR	15.88%	15.94%	10.48%	-1.19%
(A) ADDITIONAL LASER LIABILITY	\$0	\$1,080,000	\$1,040,000	\$940,000
PROPOSED ENROLLMENT:				
SINGLE	163			
FAMILY	234			
TOTAL	397			
AGGREGATE STOP LOSS FACTOR:				
COMPOSITE FACTOR - SINGLE/FAMILY	\$1,870.04	\$1,962.36	\$1,975.94	\$2,001.79
MONTHLY AGGREGATE ACCUMULATION	\$742,405.88	\$779,056.92	\$784,448.18	\$794,710.63
ANNUAL AGGREGATE ACCUMULATION	\$8,908,871	\$9,348,683	\$9,413,378	\$9,536,528
EXPECTED CLAIMS CARRIER	\$7,127,096	\$7,478,946	\$7,530,703	\$7,629,222
DOLLAR Δ FROM PRIOR YEAR	\$364,465	\$351,850	\$403,606	\$502,126
PERCENTAGE Δ FROM PRIOR YEAR	5.39%	4.94%	5.66%	7.05%
PLAN ADMINISTRATIVE COST:				
AETNA CLAIMS ADMINISTRATION PEPM	\$37.49	\$30.62	\$30.62	\$30.62
MONTHLY TOTAL	\$14,884	\$12,156	\$12,156	\$12,156
ANNUAL TOTAL	\$178,602	\$145,874	\$145,874	\$145,874
CLAIMS/STOPLOSS/ADMIN AT EXPECTED CLAIMS	\$7,777,382	\$9,251,680	\$9,237,710	\$9,181,158
CLAIMS/STOPLOSS/ADMIN AT MAX CLAIMS	\$9,559,157	\$11,121,416	\$11,120,386	\$11,088,463
DOLLAR Δ FROM PRIOR YEAR	\$434,305	\$1,474,297	\$1,460,328	\$1,403,775
PERCENTAGE Δ FROM PRIOR YEAR	5.91%	18.96%	18.78%	18.05%
ADDITIONAL LASER LIABILITY:		1) 750k 2) 265k 3) 375k 4) 350k	1) 750k 2) 265k 3) 375k 4) 350k	1) 750k 2) 265k 3) 375k 4) 350k

4



Recommendation



2020 Stop Loss Recommendation



The recommendation from HUB is to renew at the \$165,000 Specific deductible limit for 2020.



Thank you

**CITY OF LA PORTE
STOP LOSS RENEWAL ANALYSIS**

PLAN YEAR	CURRENT 2019	PROPOSED 2020	PROPOSED 2020	PROPOSED 2020
TPA:	Aetna	Aetna	Aetna	Aetna
STOP LOSS CARRIER:	Vista UW	Vista UW	Vista UW	Vista UW
MGU:	SABS	SABS	SABS	SABS
PBM:	Aetna	RxBenefits / CVS	RxBenefits / CVS	RxBenefits / CVS
PPO:	Aetna	Aetna	Aetna	Aetna
SPECIFIC STOP LOSS DEDUCTIBLE:	\$165,000	\$165,000	\$175,000	\$200,000
SPECIFIC STOP LOSS LIFETIME MAXIMUM:	Unlimited	Unlimited	Unlimited	Unlimited
SPECIFIC CONTRACT :	24/12 (M/Rx)	24/12 (M/Rx)	24/12 (M/Rx)	24/12 (M/Rx)
SPECIFIC PREMIUM: Composite PEPM	\$92.07	\$107.54	\$101.78	\$89.35
MONTHLY TOTAL	\$36,552	\$42,693	\$40,407	\$35,472
ANNUAL TOTAL	\$438,621	\$512,321	\$484,880	\$425,663
AGGREGATE STOP LOSS ANNUAL MAXIMUM:	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
AGGREGATE PREMIUM: Composite PEPM	\$6.94	\$7.25	\$7.61	\$8.48
MONTHLY TOTAL	\$2,755	\$2,878	\$3,021	\$3,367
ANNUAL TOTAL	\$33,062	\$34,539	\$36,254	\$40,399
ANNUAL TOTAL - STOP LOSS PREMIUM	\$471,684	\$546,860	\$521,134	\$466,062
DOLLAR Δ FROM PRIOR YEAR	\$64,647	\$75,176	\$49,450	-\$5,622
PERCENTAGE Δ FROM PRIOR YEAR	15.88%	15.94%	10.48%	-1.19%
(A) ADDITIONAL LASER LIABILITY	\$0	\$680,000	\$640,000	\$540,000
PROPOSED ENROLLMENT:				
SINGLE	163			
FAMILY	234			
TOTAL	397			
AGGREGATE STOP LOSS FACTOR:				
COMPOSITE FACTOR - SINGLE/FAMILY	\$1,870.04	\$1,962.36	\$1,975.94	\$2,001.79
MONTHLY AGGREGATE ACCUMULATION	\$742,405.88	\$779,056.92	\$784,448.18	\$794,710.63
ANNUAL AGGREGATE ACCUMULATION	\$8,908,871	\$9,348,683	\$9,413,378	\$9,536,528
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MONTHLY TOTAL	\$14,884	\$12,156	\$12,156	\$12,156
ANNUAL TOTAL	\$178,602	\$145,874	\$145,874	\$145,874
CLAIMS/STOPLOSS/ADMIN AT EXPECTED CLAIMS	\$7,777,382	\$8,851,680	\$8,837,710	\$8,781,158
CLAIMS/STOPLOSS/ADMIN AT MAX CLAIMS	\$9,559,157	\$10,721,416	\$10,720,386	\$10,688,463
DOLLAR Δ FROM PRIOR YEAR	\$434,305	\$1,074,297	\$1,060,328	\$1,003,775
PERCENTAGE Δ FROM PRIOR YEAR	5.91%	13.81%	13.63%	12.91%
ADDITIONAL LASER LIABILITY:		1) 350k 2) 265k 3) 375k 4) 350k	1) 350k 2) 265k 3) 375k 4) 350k	1) 350k 2) 265k 3) 375k 4) 350k





REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>November 11, 2019</u>
Requested By: <u>Corby Alexander</u>
Department: <u>Finance</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: Draft ordinance
2019 Industrial District Agreement form

SUMMARY

The City and Industry have agreed to renew the provisions of the Industrial District Agreement for a twelve year period. The current agreements will expire on December 31, 2019, the common date for the Battleground and Bayport Industrial Districts.

The City mailed 171 Industrial District Agreements on September 20, 2019. Council approved 73 agreements at the October 28 meeting.

Staff recommends City Council authorize the execution of Industrial District Agreements with the following industries:

Ordinance Number	Industrial Company
2020-IDA-74	Battleground Oil Specialty Terminal Co.
2020-IDA-75	SJI Group
2020-IDA-76	DTMT Two LLC
2020-IDA-77	North Bayport Industrial Park II, Ltd
2020-IDA-78	The Tuffli Family Foundation
2020-IDA-79	Tuffli Family Foundation
2020-IDA-80	DTMT One LLC
2020-IDA-81	Tellco One LLC
2020-IDA-82	Trecora Chemicals Inc
2020-IDA-83	Turbo Storage Services Co
2020-IDA-84	Kaver Limited Partnership
2020-IDA-85	Ex Tex La Porte, LP
2020-IDA-86	North Bayport Pasadena IP, LP
2020-IDA-87	Airgas USA LLC
2020-IDA-88	Centerpoint Energy Hou Elec
2020-IDA-89	GSL Welcome Sub 36 LLC
2020-IDA-90	GSL Welcome Sub 36 LLC
2020-IDA-91	Welcome Industrial Sub Seven, LLC
2020-IDA-92	Welcome Industrial Sub Seven, LLC

2020-IDA-93	Welcome Industrial Sub Seven, LLC
2020-IDA-94	GSL Welcome Sub 54 LLC
2020-IDA-95	Air Liquide Large Ind US, LP
2020-IDA-96	Airgas USA, LLC/Air Liquide America Specialty Gases, LLC
2020-IDA-97	Bayport Associates I, LLC
2020-IDA-98	GSL Welcome Sub 54 LLC
2020-IDA-99	Tredco GP, LLC
2020-IDA-100	Battleground Water Co.
2020-IDA-101	Kuraray

RECOMMENDED MOTION

I move to adopt Ordinances 2020-IDA-74 through 2020-IDA-101 authorizing the execution by the City of La Porte of Industrial District Agreements as presented.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2020-IDA-01

AN ORDINANCE AUTHORIZING THE EXECUTION BY THE CITY OF LA PORTE, TEXAS OF AN INDUSTRIAL DISTRICT AGREEMENT WITH _____, INC, A _____ CORPORATION, FOR THE TERM COMMENCING JANUARY 1, 2020, AND ENDING DECEMBER 31, 2031; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF

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

Section 1. _____, Inc, a _____ Corporation has executed an industrial district agreement with the City of La Porte, Texas, for the term commencing January 1, 2020, and ending December 31, 2031, a copy of which is attached hereto, incorporated by reference herein, and made a part hereof for all purposes.

Section 2. The Mayor, the City Manager, the City Secretary, and the City Attorney of the City of La Porte, Texas, be and they are hereby, authorized and empowered to execute and deliver on behalf of the City of La Porte, Texas, the industrial district agreement with the corporation named in Section 1 hereof.

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

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

PASSED and APPROVED, this _____ day of _____, 2019.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED AS TO FORM:

Lee Woodward, City Secretary

Clark T. Askins, Assistant City Attorney

NO. 2020 IDA-___ ,
'
STATE OF TEXAS '
'
COUNTY OF HARRIS '

INDUSTRIAL DISTRICT AGREEMENT

This AGREEMENT made and entered into by and between the CITY OF LA PORTE, TEXAS, a municipal corporation of Harris County, Texas, hereinafter called "CITY", and _____, a _____ corporation, hereinafter called "COMPANY",

W I T N E S S E T H:

WHEREAS, it is the established policy of the City Council of the City of La Porte, Texas, to adopt such reasonable measures from time to time as are permitted by law and which will tend to enhance the economic stability and growth of the City and its environs by attracting the location of new and the expansion of existing industries therein, and such policy is hereby reaffirmed and adopted by this City Council as being in the best interest of the City and its citizens; and

WHEREAS, pursuant to its policy, City has enacted Ordinance No. 729, designating portions of the area located in its extraterritorial jurisdiction as the "Battleground Industrial District of La Porte, Texas", and Ordinance No. 842A, designating portions of the area located in its extraterritorial jurisdiction as the "Bayport Industrial District of La Porte, Texas", hereinafter collectively called "District", such Ordinances being in compliance with the Municipal Annexation Act of Texas, codified as Section 42.044, Texas Local Government Code; and

WHEREAS, Company is the owner of land within a designated Industrial District of the City of La Porte, said land being legally described on the attached Exhibit "A" (hereinafter "Land"); and said Land being more particularly shown on a plat attached as Exhibit "B", which plat describes the ownership boundary lines; a site layout, showing all improvements, including pipelines and railroads, and also showing areas of the Land previously annexed by the City of La Porte; and

WHEREAS, City desires to encourage the expansion and growth of industrial plants within said Districts and for such purpose desires to enter into this Agreement with Company pursuant to Ordinance adopted by the City Council of said City and recorded in the official minutes of said City:

NOW, THEREFORE, in consideration of the premises and the mutual agreements of the parties contained herein and pursuant to the authority granted under the Municipal Annexation Act and the Ordinances of City referred to above, City and Company hereby agree with each other as follows:

I.

City covenants, agrees and guarantees that during the term of this Agreement, provided below, and subject to the terms and provisions of this Agreement, said District shall continue to retain its extraterritorial status as an industrial district, at least to the extent that the same covers the Land belonging to Company and its assigns, unless and until the status of said Land, or a portion or portions thereof, as an industrial district may be changed pursuant to the terms of this Agreement. Subject to the foregoing and to the later provisions of this Agreement, City does further covenant, agree and guarantee that such industrial district, to the extent that it covers said Land lying within said District and not now within the corporate limits of City, shall be immune from annexation by City during the term hereof (except as hereinafter provided) and shall have no right to have extended to it any services by City, and that all Land, including that which has been heretofore annexed, shall not have extended to it by ordinance any rules and regulations (a) governing plats and subdivisions of land, (b) prescribing any building, electrical, plumbing or inspection code or codes, or (c) attempting to exercise in any manner whatever control over the conduct of business thereon; provided, however, 1) any portion of Land constituting a strip of land 100' wide and contiguous to either Fairmont Parkway, State Highway 225, or State Highway 146, shall be subject to the rules and regulations attached hereto as Exhibit "C" and made a part hereof, 2) intermodal shipping containers (including but not limited to freight and tank containers) placed on Land belonging to Company shall be permitted to be stacked only two containers in height within the 100' wide portion of Company's Land contiguous to either Fairmont Parkway, State Highway 225, or State Highway 146; beyond said 100' wide strip, intermodal shipping containers shall be eligible to be stacked one additional container in height within and for each successive 100' wide portion of Company's Land behind and following the preceding 100' wide strip, up to a maximum of six containers in height, regardless of distance from Fairmont Parkway, State Highway 225, or State Highway 146; and 3) it is agreed that City shall have the right to institute or intervene in any administrative and/or judicial proceeding authorized by the Texas Water Code, the Texas Clean Air Act, the Texas Health & Safety Code, or other federal or state environmental laws, rules or regulations, to the same extent and to the same intent and effect as if all Land covered by this Agreement were not subject to the Agreement.

II.

In the event that any portion of the Land has heretofore been annexed by City, Company agrees to render and pay full City ad valorem taxes on such annexed Land and improvements, and tangible personal property.

Under the terms of the Texas Property Tax Code (S.B. 621, Acts of the 65th Texas Legislature, Regular Session, 1979, as amended), the appraised value for tax purposes of the annexed portion of Land, improvements, and tangible personal property shall be determined by the Harris County Appraisal District. The parties hereto recognize

that said Appraisal District has no authority to appraise the Land, improvements, and tangible personal property in the unannexed area for the purpose of computing the "in lieu" payments hereunder. Therefore, the parties agree that the appraisal of the Land, improvements, and tangible personal property in the unannexed area shall be conducted by City, at City's expense, by an independent appraiser of City's selection. The parties recognize that in making such appraisal for "in lieu" payment purposes, such appraiser must of necessity appraise the entire (annexed and unannexed) Land, improvements, and tangible personal property.

Nothing herein contained shall ever be interpreted as lessening the authority of the Harris County Appraisal District to establish the appraised value of Land, improvements, and tangible personal property in the annexed portion, for ad valorem tax purposes.

III.

A. The properties upon which the "in lieu of" taxes are assessed are more fully described in subsections 1, 2, and 3 of subsection C, of this Paragraph III (sometimes collectively called the "Property"); provided, however, pollution control equipment installed on the Land which is exempt from ad valorem taxation pursuant to the provisions of Sec. 11.31 of the Texas Property Tax Code is exempt from ad valorem taxation and "in lieu of taxes" hereunder. Property included in this Agreement shall not be entitled to an agricultural use exemption for purposes of computing "in lieu of taxes" hereunder.

B. On or before the later of December 31, 2020, or 30 days from mailing of tax bill and in like manner on or before each December 31st thereafter, through and including December 31, 2031, Company shall pay to City an amount of "in lieu of taxes" on Company's Property as of January 1st of the current calendar year ("Value Year").

C. Company and City agree that the following percentages ("Percentage Amount") shall apply during each of the Value Years:

Value Year 2020:	64%
Value Year 2021:	64%
Value Year 2022:	64%
Value Year 2023:	64%
Value Year 2024:	64%
Value Year 2025:	64%
Value Year 2026:	64%
Value Year 2027:	64%
Value Year 2028:	64%
Value Year 2029:	64%
Value Year 2030:	64%
Value Year 2031:	64%

Company agrees to pay to City an amount of "in lieu of taxes" on Company's land, improvements and tangible personal property in the unannexed area equal to the sum of:

1. Percentage Amount of the amount of ad valorem taxes which would be payable to City if all of the Company's Land and improvements which existed on January 1, 2020, and each January 1 thereafter of the applicable Value Year during the term of this Agreement, (excluding amounts which would be so payable with respect to any Substantial Increase in value of such Land and improvements to which subparagraph 2, below applies), had been within the corporate limits of City and appraised each year by City's independent appraiser, in accordance with the applicable provisions of the Texas Property Tax Code; and
2. (a) On any Substantial Increase in value of the Land, improvements, and tangible personal property (excluding inventory) dedicated to new construction, in excess of the appraised value of same on January 1, 2019, resulting from new construction (exclusive of construction in progress, which shall be exempt from taxation), for each Value Year following completion of construction in progress, an amount equal to Thirty percent (30%), where construction is completed in Value Years 2020 through 2031, of the amount of ad valorem taxes which would be payable to City if all of said new construction had been within the corporate limits of City and appraised by City's independent appraiser, in accordance with the applicable provisions of the Texas Property Tax Code. The eligible period for application of said thirty percent (30%) "in lieu" rate shall be for a total of six (6) Value Years.

In the case of new construction which is completed in Value Year 2028 or later, and provided, further, that City and Company enter into an Industrial District Agreement after the expiration of this Industrial District Agreement, then, and in such events, such new construction shall be entitled to additional Value Years under the new Agreement at a Thirty percent (30%) valuation under this subparagraph (a), for a total of six (6) Value Years, but not extending beyond Value Year 2034.

In the case of new construction which was completed in Value Years 2016 through 2019 in accordance with the previous Industrial District Agreement between City and Company, such new construction shall be subject to a Twenty percent (20%) valuation through Value Year 2022, and a Thirty (30%) valuation for any additional Value Years beyond Value Year 2022, for a total of six (6) Value Years.

- (b) Application of the thirty percent (30%) "in lieu" rate for Substantial Increase in value of the Land,

improvements, and tangible personal property dedicated to new construction is limited to new construction purposed for or related to manufacturing and processing uses. In no case shall Company be entitled to application of the thirty percent (30%) "in lieu" rate for Substantial Increase in value of the Land, improvements, and tangible personal property dedicated to new construction where the new construction is purposed for or related to uses for warehousing, storage, distribution, and/or general freight trucking and transportation, as well as general commercial uses, such as truck stops, rental facilities, or repair shops.

- (c) A Substantial Increase in value of the Land, improvements, and tangible personal property (excluding inventory) as used in subparagraph 2(a) above, is defined as an increase in value that is the lesser of either:
- i. at least Five percent (5%) of the total appraised value of Land and improvements, on January 1, 2019; or
 - ii. a cumulative value of at least \$3,500,000.00.

For the purposes of this Agreement, multiple projects that are completed in a Value Year can be cumulated to arrive at the amount for the increase in value.

- (d) If existing Property values have depreciated below the Property value established on January 1, 2019, an amount equal to the amount of the depreciation will be removed from the calculation under this subparagraph 2 to restore the value to the January 1, 2019, value; and
3. Percentage Amount of the amount of ad valorem taxes which would be payable to City on all of the Company's tangible personal property of every description, located in an industrial district of City, including, without limitation, inventory, (including inventory in a federal Foreign Trade Zone and including Freeport exempted inventory), oil, gas, and mineral interests, items of leased equipment, railroads, pipelines, and products in storage located on the Land, if all of said tangible personal property which existed on January 1, 2020, and each January 1 thereafter of the applicable Value Year during the term of this Agreement, (excluding amounts which would be so payable with respect to any Substantial Increase in value of such tangible personal property to which subparagraph 2, above applies), had been within the corporate limits of City and appraised each year by the City's independent appraiser, in accordance with the applicable provisions of the Texas

Property Tax Code.

with the sum of 1, 2 and 3 reduced by the amount of City's ad valorem taxes on the annexed portion thereof as determined by appraisal by the Harris County Appraisal District.

4. Notwithstanding the above, should City elect to grant the freeport inventory exemption authorized by Article VIII, Section 1-j of the Texas Constitution and Section 11.251 of the Texas Property Tax Code to taxpayers within the City limits, then the freeport inventory exemption shall apply to parties to this Agreement. Further, should inventory or any other class or type of property become exempt from taxation by constitutional amendment or act of the Texas Legislature (including, but not limited to, Article VIII, Section 1-n, of the Texas Constitution and Section 11.253 of the Texas Property Tax Code), such class or type of property shall be exempt for purposes of this Agreement, unless the City Council of the City of La Porte shall by Ordinance provide for the continued taxation of such property under the authority of any applicable provisions of the Texas Constitution and Texas Statutes.
5. City and Company acknowledge circumstances might require the City to provide emergency services to Company's Property described on Exhibit "A" attached hereto. Emergency services are limited to fire, police, and public works emergency services. If Company is not a member of Channel Industries Mutual Aid Association (CIMA), Company agrees to reimburse City for its costs arising out of any emergency response requested by Company to Company's property, and to which City agrees to respond. If Company is a member of CIMA, the obligations of Company and City shall be governed by the CIMA agreement, to which agreement City is a party.

IV.

This Agreement shall extend for a period beginning on the 1st day of January, 2020, and continuing thereafter until December 31, 2031, unless extended for an additional period or periods of time upon mutual consent of Company and City, as provided by the Municipal Annexation Act; provided, however, that in the event this Agreement is not so extended for an additional period or periods of time on or before August 31, 2031, the agreement of City not to annex property of Company within the District shall terminate. In that event, City shall have the right to commence immediate annexation proceedings as to all of Company's property covered by this Agreement, notwithstanding any of the terms and provisions of this Agreement.

Company agrees that if the Texas Local Government Code Section Chapter 42.044 "Creation of Industrial District in Extraterritorial Jurisdiction", or Texas Local Government Code Chapter 43 "Municipal Annexation", is amended, or any new legislation is thereafter

enacted by the Legislature of the State of Texas which imposes greater restrictions on the right of City to annex land belonging to Company or imposes further obligations on City in connection therewith after the annexation of such land, Company will waive the right to require City to comply with any such additional restrictions or obligations and the rights of the parties shall be then determined in accordance with the provisions of said laws as the same existed on January 1, 2019.

V.

This Agreement may be extended for an additional period or periods by agreement between City and Company and/or its assigns even though it is not extended by agreement between City and all of the owners of all land within the District of which it is a part.

VI.

A. In the event Company elects to protest the valuation for tax purposes set on its said properties by City or by the Harris County Appraisal District for any year or years during the terms hereof, nothing in this Agreement shall preclude such protest and Company shall have the right to take all legal steps desired by it to reduce the same.

Notwithstanding such protest by Company, and except as otherwise provided in Article VI(B), Company agrees to pay to City on or before the date therefore hereinabove provided, at least the total of (a) the total amount of ad valorem taxes on the annexed portions, plus (b) the total amount of the "in lieu of taxes" on the unannexed portions of Company's hereinabove described property which would be due to City in accordance with the foregoing provisions of this Agreement on the basis of renditions which shall be filed by Company.

When the City or Harris County Appraisal District (as the case may be) valuation on said property of Company has been so finally determined, either as the result of final judgment of a court of competent jurisdiction or as the result of other final conclusion of the controversy, then within thirty (30) days thereafter Company shall make payment to City of any additional payment due hereunder, or City shall make payment to Company of any refund due, as the case may be, based on such final valuation, together with applicable penalties, interests, and costs.

B. Should Company disagree with any appraisal made by the independent appraiser selected by City pursuant to Article II above (which shall be given in writing to Company), Company shall, within twenty (20) calendar days of receiving City's invoice, give written notice to the City of such disagreement. In the event Company does not give such written notice of disagreement within such time period, the appraisal made by said independent appraiser shall be final and controlling for purposes of the determination of "in lieu of taxes" payments to be made under this Agreement.

Should Company give such notice of disagreement, Company shall also

submit to the City with such notice a written statement setting forth what Company believes to be the market value of Company's hereinabove described property. Both parties agree to thereupon enter into good faith negotiations in an attempt to reach an agreement as to the market value of Company's property for "in lieu" purposes hereunder. If, after the expiration of thirty (30) days from the date the notice of disagreement was received by City, the parties have not reached agreement as to such market value, the parties agree to submit the dispute to final arbitration as provided in subparagraph 1 of this Article VI(B).

Notwithstanding any such disagreement by Company, Company agrees to pay to City on or before December 31 of each year during the term hereof, at least the total of (a) the ad valorem taxes on the annexed portions, plus (b) the total amount of the "in lieu" payments which would be due hereunder on the basis of Company's written valuations statement submitted to City by Company hereunder, or the total assessment and "in lieu of taxes" thereon for the last preceding year, whichever is higher.

1. A Board of Arbitrators shall be created composed of one person named by Company, one by City, and a third to be named by those two. In case of no agreement on this arbitrator in 10 days, the parties will join in a written request that the Chief Judge of the U.S. District Court for the Southern District of Texas appoint the third arbitrator who, (as the "Impartial Arbitrator") shall preside over the arbitration proceeding. The sole issue to be determined in the arbitration shall be resolution of the difference between the parties as to the fair market value of Company's property for calculation of the "in lieu" payment and total payment hereunder for the year in question. The Board shall hear and consider all relevant and material evidence on that issue including expert opinion, and shall render its written decision as promptly as practicable. That decision shall then be final and binding upon the parties, subject only to judicial review as may be available under the Texas General Arbitration Act (Chapter 171, "General Arbitration", Texas Civil Practice and Remedies Code). Costs of the arbitration shall be shared equally by the Company and the city, provided that each party shall bear its own attorneys fees.

VII.

City shall be entitled to a tax lien on Company's above described property, all improvements thereon, and all tangible personal property thereon, in the event of default in payment of "in lieu of taxes" payments hereunder, which shall accrue penalty and interest in like manner as delinquent taxes, and which shall be collectible by City in the same manner as provided by law for delinquent taxes.

VIII.

This Agreement shall inure to the benefit of and be binding upon City and Company, and upon Company's successors and assigns, affiliates and subsidiaries, and shall remain in force whether Company sells, assigns, or in any other manner disposes of, either voluntarily or by operation of law, all or any part of the property belonging to it within the territory hereinabove described, and the agreements herein contained shall be held to be covenants running with the land owned by Company situated within said territory, for so long as this Agreement or any extension thereof remains in force. Company shall give City written notice within ninety (90) days, with full particulars as to property assigned and identity of assignee, of any disposition of the Land, and assignment of this Agreement.

IX.

If City enters into an Agreement with any other landowner with respect to an industrial district or enters into a renewal of any existing industrial district agreements after the effective date hereof and while this Agreement is in effect, which contains terms and provisions more favorable to the landowner than those in this Agreement, Company and its assigns shall have the right to amend this Agreement and City agrees to amend same to embrace the more favorable terms of such agreement or renewal agreement.

X.

The parties agree that this Agreement complies with existing laws pertaining to the subject and that all terms, considerations and conditions set forth herein are lawful, reasonable, appropriate, and not unduly restrictive of Company's business activities. Without such agreement neither party hereto would enter into this Agreement. In the event any one or more words, phrases, clauses, sentences, paragraphs, sections, articles or other parts of this Agreement or the application thereof to any person, firm, corporation or circumstances shall be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, then the application, invalidity or unconstitutionality of such words, phrase, clause, sentence, paragraph, section, article or other part of the Agreement shall be deemed to be independent of and separable from the remainder of this Agreement and the validity of the remaining parts of this Agreement shall not be affected thereby.

XI.

Upon the commencement of the term of this Agreement, all other previously existing industrial district agreements with respect to said Land shall terminate.

XII.

Notices by a party to the other party hereto, shall be mailed or delivered as follows:

To the City of La Porte: City Manager

City of La Porte
604 West Fairmont Parkway
La Porte, TX 77571

To Company:

(COMPANY)
Attention: _____ Department

Company shall promptly notify City of any change of ownership of Property, any assignment of this Agreement, and of any change of billing address.

Company shall notify City annually, on or before June 1, of any changes to the following information:

Plant Manager

Name: _____
Address: _____
Phone: _____
Fax: _____
Email: _____

Tax Agent/Billing Contact

Name: _____
Address: _____
Phone: _____
Fax: _____
Email: _____

ENTERED INTO effective the 1st day of January, 2020.

(COMPANY)
By: _____
Name: _____
Title: _____
Address: _____

ATTEST:

CITY OF LA PORTE, TEXAS

City Secretary

By: _____
Louis R. Rigby
Mayor

APPROVED:

Knox W. Askins
City Attorney
City of La Porte

P.O. Box 1218
La Porte, TX 77572-1218
281.471.1886
281.471.2047 fax
knoxaskins@comcast.net

By:

Corby D Alexander
City Manager

CITY OF LA PORTE, TEXAS
604 West Fairmont Parkway
La Porte, TX 77571

STATE OF TEXAS '
 '
COUNTY OF HARRIS '

This instrument was acknowledged before me on the ___ day of _____, 20__, by _____, _____ of _____ corporation, a _____ corporation, on behalf of said entity.

Notary Public, State of Texas

STATE OF TEXAS '
 '
COUNTY OF HARRIS '

This instrument was acknowledged before me on the ___ day of _____, 20__, by Louis R. Rigby, Mayor of the City of La Porte, a municipal corporation, on behalf of said entity.

Notary Public, State of Texas

"EXHIBIT A"

(Metes and Bounds Description of Land)

"EXHIBIT B"

Attach Plat reflecting the ownership boundary lines; a site layout, showing all improvements, including pipelines and railroads, and also showing areas of the Land previously annexed by the City of La Porte.)

"EXHIBIT C"
Page 1 of 3

RULES AND REGULATIONS

Any portion of Land constituting a strip of land 100' wide and contiguous to either Fairmont Parkway, State Highway 225, or State Highway 146 shall be subject to the following rules and regulations pertaining to new signage, screening, driveways and median crossovers, as well as the stacking of intermodal shipping containers. These rules and regulations shall apply after the effective date of this Agreement when Company develops or constructs improvements on vacant Land described in Exhibit "A" which is adjacent to Fairmont Parkway, State Highway 225, or State Highway 146.

1. Any sign erected in said 100' strip of land shall be subject to the following provisions:
 - ∅ One freestanding identification sign shall be permitted for each side of an industrial establishment that fronts on an improved public right-of-way.
 - ∅ Freestanding identification signs for single tenant buildings shall not exceed 150 square feet in area.
 - ∅ One freestanding identification sign for identifying multiple businesses is allowable at the intersection of improved public rights-of-way.
 - ∅ Freestanding identification signs for multiple businesses shall not exceed 350 square feet.
 - ∅ Freestanding identification signs shall not exceed 45 feet in height.
 - ∅ Minimum setback for sign construction shall be ten (10) feet from property lines.
2. Intermodal shipping containers (including by not limited to freight and tank containers) shall be permitted to be stacked only to a maximum of two (2) containers in height in the said 100' strip. In those instances where shipping containers are placed within the said 100' wide strip, the screening requirements established in paragraph 3 immediately below shall apply.
3. When Land adjacent to said 100' strip is developed, the initial 50' of said strip beyond any existing pipeline easement contiguous to either Fairmont Parkway, State Highway 225, or State Highway 146 shall be screened by one of the following techniques:
 - a) Leaving in place existing trees, vegetation, underbrush, etc. to provide a thorough and effective visual screening

"EXHIBIT C"
Page 2 of 3

of the development. Existing trees shall, together with other vegetation and underbrush, create a continuous visual screen.

- b) The use of earthen berms with approximately 3:1 side slopes, 50' wide at the base and 8' high. The berms may be landscaped with a combination of trees, shrubs, and ground cover. All berms and landscaping will be maintained by the property owners.
- c) A screening plan, to be approved by the City, that includes a combination of trees, shrubs, and ground cover that after 5 years growth will be at least 20 feet in height and shall, together with shrubs and ground cover, create a continuous visual screen. Provided, however, in public utility easements or rights-of-way, the vegetation shall be installed and maintained in a manner which is acceptable to the public utility company, and does not interfere with the operation and maintenance of the public utility facilities.

For items b and c above, the actual length of required screening along the roadway will be equal to the length of the new development that is parallel to the roadway. Screening shall not be required for new development that is to the rear of or behind existing facilities.

In all cases the 50' strip, along the entire roadway frontage, shall be dedicated as a landscape easement and shall be kept free from any improvements except for approved driveway access and identification signs.

For cases of new development or improvements where a 50' landscape easement is not available or practical, Company shall meet with City to determine a suitable landscaping alternative.

- d) In the case of land contiguous to Fairmont Parkway, in addition to the other requirements of these Rules and Regulations, Company shall dedicate to City by Plat a ten foot (10') wide pedestrian and bicycle easement, extending along Company's Fairmont Parkway boundary, within the fifty foot (50') landscape easement. The pedestrian easement shall not be within any pipeline facility, except for necessary crossings.
4. Driveways opening from said strip of land onto State Highway 225 or State Highway 146 shall be subject to the rules and regulations of the Texas Department of Transportation and provisions of the City's Code of Ordinances, whichever is more restrictive.

Driveways opening from said strip of land onto Fairmont Parkway shall be subject to the rules and regulations of Harris County and provisions of the City's Code of Ordinances, whichever is more restrictive.

5. Driveways opening from said strip of land onto Fairmont Parkway shall be approved by the City and may require the installation of separate acceleration/deceleration lanes.
6. Installation of a median crossover on Fairmont Parkway shall be subject to the approval of both Harris County and City.



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: November 11, 2019
Requested By: Corby Alexander, City Mgr.
Department: Administration
 Report Resolution 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: Cover letter
Pipeline Permit application
Correspondence and staff comments
Construction drawings
Vicinity map

SUMMARY

HSC Pipeline Partnership, LLC has made application with the City to construct of its 16” Ethylene pipeline project within La Porte. The project will consist of the installation of 18,599 feet of 16-inch and 12-inch carbon steel pipeline within the City of La Porte. Approximately 17,900 feet of the proposed pipeline will be 16-inch diameter pipe and 669 feet will be 12-inch. There will be a valve site located north of Fairmont Parkway.

The pipeline system is intended to transport ethylene and will be installed via conventional open-trench, bore, and horizontal drilling methods as depicted in the attached construction drawings. The route through the City of La Porte is also shown within the attached construction drawings. Staff has reviewed plans for the HSC Pipeline Partnership, LLC 16” Ethylene pipeline project and has determined that there are no conflicts with existing water, sewer or drainage facilities along the proposed route. However, staff has requested that the applicant provide approvals from TxDOT, Harris County, the railroad, and all private property owners impacted by the proposed project. At this time, the applicant has not provided the requested approvals but has requested conditional approval of the permit application.

If conditional approval is granted by City Council, staff will withhold the construction permit until all requested approvals have been provided by the applicant. Once the conditions have been met, staff will execute a construction permit HSC Pipeline Partnership, LLC, in duplicate originals, one which shall be delivered to the permittee and one which shall be retained by the City, as required by ordinance.

RECOMMENDED MOTION

I move that the Council conditionally authorize the City Manager to execute a Pipeline Permit with HSC Pipeline Partnership, LLC for the construction of a 16” Ethylene pipeline within the City of La Porte, approved upon HSC addressing all outstanding staff comments to the satisfaction of the City Manager.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

116 Venture Blvd
P.O. Box 3106
Houma, LA 70361-3106

(985) 879-2731 VOICE
(985) 876-9052 FAX



One Sterling Plaza
10101 Southwest Freeway, Suite 620
Houston, TX 77074

(713) 219-1470 VOICE
(713) 219-1471 FAX

RECEIVED

By Maria at 8:31 am, Oct 07, 2019

October 4, 2019

City of La Porte
ATTN: Lorenzo Wingate
604 West Fairmont Parkway
La Porte, Texas 77571

RE: **REVISED Pipeline Permit Application**
HSC Pipeline Partnership, LLC
Proposed 16-Inch / 8-Inch Pipeline
La Porte, Harris County, TX

Mr. Wingate:

HSC Pipeline Partnership, LLC (HSC) is requesting approval to install 18,569 feet of 16-inch and 8-inch carbon steel pipeline within the City of La Porte. Approximately 17,900' of the proposed pipeline will be 16-inch diameter pipe and 669' of the proposed pipeline will be 8-inch diameter pipe. The 16-inch pipeline will be reduced to 8-inch pipeline at a valve site located north of Fairmont Parkway. The pipeline system is intended to transport ethylene and will be installed via convention open-trench, conventional bore, and horizontal directional drill methods, as more fully depicted on the enclosed permit drawings. HSC will utilize third-party drilling inspectors to monitor drilling activities.

In response to the City's comments dated July 18, 2019, HSC offers the following additional information required per The City of La Porte Code of Ordinances, Subpart B - Land Use Regulations, Chapter 102 - Natural Resources, Article IV - Pipeline Transportation, Section 102-235 - Application for Permit.

(1) The pipeline will comply with the applicable standards required by this article as well as all applicable federal, state and local laws and regulations.

(2) The permittee shall, at any time in the future, where such pipeline or portion thereof crosses or is laid within, under or across any street, road or utility right-of-way, drainage way or public way existing or projected at the time the permit is issued, reposition such pipeline (which shall include lowering or raising the pipeline, as well as casing it, if required) at the permittee's sole expense, when the city reasonably requires such action incidental to public construction or public improvement: Construction, maintenance and improvement of streets, water lines, sanitary sewer lines, storm sewers, ditches and public utilities. The city shall give the permittee prior written notice of the need for

repositioning location, and such notice shall be mailed certified mail, return receipt requested, to the permittee as designated in the application. The permittee shall have six months to complete such repositioning.

(3) The permittee shall notify the director at least 48 hours prior to performing any scheduled repairs or maintenance on the pipeline. For unscheduled emergency repairs or maintenance, taken to protect the public health, safety or welfare, the permittee shall notify the city police department dispatcher as soon as practical but no later than one hour after commencing repairs or maintenance.

Additionally, revised plans addressing comments are enclosed for your review. A copy of the Material Safety Data Sheet for Ethylene is also enclosed.

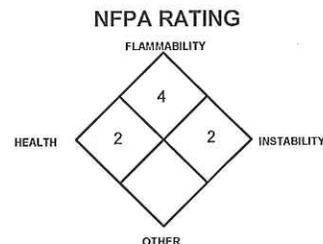
If any additional information is required, please do not hesitate to contact me at (713) 219-4406 or at mtaylor@mphinc.com. Please send any correspondence to my attention at the Houston, TX address above.

Sincerely,



Marie Taylor
Regulatory and Environmental Services

Enclosures



MATERIAL SAFETY DATA SHEET

Prepared to U.S. OSHA, CMA, ANSI and Canadian WHMIS Standards

PART I *What is the material and what do I need to know in an emergency?*

1. PRODUCT IDENTIFICATION

CHEMICAL NAME; CLASS: **ETHYLENE, GASEOUS - C₂H₄**
ETHYLENE, LIQUEFIED -C₂H₄ (Cryogenic)
Document Number : 001022

PRODUCT USE: For General Analytical/Synthetic Chemical Uses

SUPPLIER/MANUFACTURER'S NAME: AIRGAS INC.

ADDRESS: 259 N. Radnor-Chester Road
Suite 100
Radnor, PA 19087-5283

BUSINESS PHONE: 1-610-687-5253

EMERGENCY PHONE: 1-800-949-7937
International: 423-479-0293 (Call Collect)

DATE OF PREPARATION: May 12, 1996

REVISION DATE: February 6, 2004

2. COMPOSITION and INFORMATION ON INGREDIENTS

CHEMICAL NAME	CAS #	mole %	EXPOSURE LIMITS IN AIR					
			ACGIH-TLV		OSHA-PEL		NIOSH IDLH ppm	OTHER ppm
			TWA ppm	STEL ppm	TWA ppm	STEL ppm		
Ethylene	74-85-1	> 99%	NIC = 100	Ethylene is a simple asphyxiant (SA). Oxygen levels should be maintained above 19.5%.	Ethylene is a simple asphyxiant (SA). Oxygen levels should be maintained above 19.5%.	NE	Carcinogen: IARC-3; MAK-3B; TLV-A4	
Maximum Impurities		< 1%	None of the trace impurities in this mixture contribute significantly to the hazards associated with the product. All hazard information pertinent to this gas has been provided in this Material Safety Data Sheet, per the requirements of the OSHA Hazard Communication Standard (29 CFR 1910.1200) and State equivalent standards.					

NE = Not Established.

See Section 16 for Definitions of Terms Used.

NOTE (1): ALL WHMIS required information is included in appropriate sections based on the ANSI Z400.1-1998 format. This gas has been classified in accordance with the hazard criteria of the CPR and the MSDS contains all the information required by the CPR.

3. HAZARD IDENTIFICATION

EMERGENCY OVERVIEW: Ethylene is a colorless, flammable gas with a slightly sweet odor or a colorless, cryogenic liquid with a slightly sweet odor. This gas acts as a simple asphyxiant and presents a significant health hazard by displacing the oxygen in the atmosphere. The gas may spread long distances. Distant ignition and flashback are possible. The cryogenic liquid will rapidly boil to the gas. The liquefied gas can cause frostbite to any contaminated tissue. Both the liquid and gas pose serious fire hazards when accidentally released. Flame or high temperature impinging on a localized area of the cylinder of this gas can cause the cylinder to rupture without activating the cylinder's relief devices. Ethylene can undergo a violent chemical reaction at elevated temperatures. Provide adequate fire protection during emergency response situations.

SYMPTOMS OF OVEREXPOSURE BY ROUTE OF EXPOSURE: The most significant route of overexposure for Ethylene is by inhalation. The following paragraphs describe symptoms of exposure by route of exposure.

3. HAZARD IDENTIFICATION (Continued)

INHALATION: Exposure to extremely high concentrations of Ethylene (20%) can cause anesthetic effects. High concentrations of this gas can cause an oxygen-deficient environment. Individuals breathing such an atmosphere may experience symptoms which include headaches, ringing in ears, dizziness, drowsiness, unconsciousness, nausea, vomiting, and depression of all the senses. The skin of a victim may have a blue color. Under some circumstances of overexposure, death may occur. The effects associated with various levels of oxygen are as follows:

<u>CONCENTRATION</u>	<u>SYMPTOMS OF EXPOSURE</u>
12-16% Oxygen:	Breathing and pulse rate increased, muscular coordination slightly disturbed.
10-14% Oxygen:	Emotional upset, abnormal fatigue, disturbed respiration.
6-10% Oxygen:	Nausea and vomiting, collapse or loss of consciousness.
Below 6%:	Convulsive movements, possible respiratory collapse, and death.

OTHER POTENTIAL HEALTH EFFECTS: Contact with cryogenic liquid or rapidly expanding gases (which are released under high pressure) may cause frostbite. Symptoms of frostbite include change in skin color to white or grayish-yellow. The pain after contact with product can quickly subside.

HEALTH EFFECTS OR RISKS FROM EXPOSURE: An Explanation in Lay Terms. Overexposure to Ethylene may cause the following health effects:

ACUTE: The most significant hazard associated with this gas is inhalation of oxygen-deficient atmospheres. Symptoms of oxygen deficiency include respiratory difficulty, headache, dizziness and nausea. At high concentrations, unconsciousness or death may occur. Contact with cryogenic liquid or rapidly expanding gases may cause frostbite.

CHRONIC: There are currently no known adverse health effects associated with chronic exposure to Ethylene. Chronic exposure to oxygen-deficient atmospheres (below 18% oxygen in air) may affect the heart and nervous system.

TARGET ORGANS: ACUTE: Respiratory system. CHRONIC: Heart, central nervous system.

HAZARDOUS MATERIAL IDENTIFICATION SYSTEM			
HEALTH HAZARD		(BLUE)	2
FLAMMABILITY HAZARD		(RED)	4
PHYSICAL HAZARD		(YELLOW)	2
PROTECTIVE EQUIPMENT			
EYES	RESPIRATORY	HANDS	BODY
	See Section 8		See Section 8
For Routine Industrial Use and Handling Applications			

See Section 16 for Definition of Ratings

PART II *What should I do if a hazardous situation occurs?*

4. FIRST-AID MEASURES

Remove victim(s) to a safe location. Trained personnel should administer supplemental oxygen and/or cardiopulmonary resuscitation, if necessary. Victim(s) must be taken for medical attention. Rescuers should be taken for medical attention, if necessary. Take copy of label and MSDS to physician or other health professional with victim(s).

In case of frostbite, place the frostbitten part in warm water. **DO NOT USE HOT WATER.** If warm water is not available, or is impractical to use, wrap the affected parts gently in blankets. Alternatively, if the fingers or hands are frostbitten, place the affected area of the body in the armpit. Encourage victim to gently exercise the affected part while being warmed. Seek immediate medical attention.

MEDICAL CONDITIONS AGGRAVATED BY EXPOSURE: None known.

RECOMMENDATIONS TO PHYSICIANS: Treat symptoms and reduce over-exposure. Cryogenic dermal injuries should be treated by water bath re-warming at 40 to 42°C until vasodilatory flush has returned. Elevation of the limb and standard frostbite management with late surgical debridement should be utilized. Ocular exposure requires irrigation and slit-lamp evaluation for injury.

5. FIRE-FIGHTING MEASURES

FLASH POINT: -136.6°C (-213°F)

AUTOIGNITION TEMPERATURE: 490°C (914°F)

FLAMMABLE LIMITS (in air by volume, %):

Lower (LEL): 2.7%

Upper (UEL): 36%

FIRE EXTINGUISHING MATERIALS: Extinguish fires of this gas by shutting-off the source of the gas. Use water spray to cool fire-exposed containers, structures, and equipment. **DO NOT USE HALOGENATED FIRE EXTINGUISHING AGENTS;** explosive reaction can occur.

5. FIRE-FIGHTING MEASURES (Continued)

UNUSUAL FIRE AND EXPLOSION HAZARDS: When involved in a fire, this gas ignites to produce toxic gases including carbon monoxide and carbon dioxide. An extreme explosion hazard exists in areas in which the gas has been released, but the material has not yet ignited. Ethylene can undergo a violent chemical reaction at elevated temperatures.

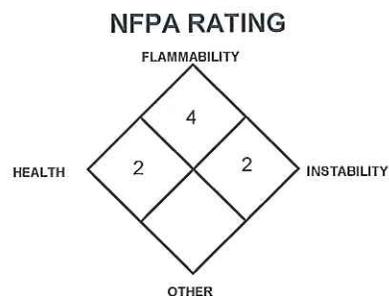
DANGER! Fires impinging (direct flame) on the outside surface of unprotected pressure storage vessels of Ethylene can be very dangerous. Direct flame exposure on the cylinder wall can cause an explosion either by BLEVE (Boiling Liquid Expanding Vapor Explosion), or by exothermic decomposition. This is a catastrophic failure of the vessel releasing the contents into a massive fireball and explosion. The resulting fire and cylinder rupture can result in severe equipment damage and personnel injury or death over a large area around the vessel. For massive fires in large areas, use unmanned hose holder or monitor nozzles; if this is not possible, withdraw from area and allow fire to burn.

RESPONSE TO FIRE INVOLVING CRYOGEN: Cryogenic liquids can be particularly dangerous during fires because of their potential to rapidly freeze water. Careless use of water may cause heavy icing. Furthermore, relatively warm water greatly increases the evaporation rate of Ethylene. If large concentrations of Ethylene gas are present, the water vapor in the surrounding air will condense, creating a dense fog that may make it difficult to find fire exits or equipment. Liquid Ethylene, when exposed to the atmosphere, will produce a cloud of ice/fog in the air upon its release. A flammable mixture could exist within the vapor cloud, and it is advisable that personnel keep well outside the area of visible moisture.

Explosion Sensitivity to Mechanical Impact: Not Sensitive.

Explosion Sensitivity to Static Discharge: Static discharge may cause Ethylene to ignite explosively. The liquefied gas can accumulate static charge by flow, splashing or agitation.

SPECIAL FIRE-FIGHTING PROCEDURES: Structural fire-fighters must wear Self-Contained Breathing Apparatus and full protective equipment. The best fire-fighting technique may be simply to let the burning gas escape from the pressurized cylinder, tank car, or pipeline. Stop the leak before extinguishing fire. If the fire is extinguished before the leak is sealed, the still-leaking gas could explosively re-ignite without warning and cause extensive damage, injury, or fatality. In this case, increase ventilation (in enclosed areas) to prevent flammable mixture formation. For large releases, consider evacuation. Refer to the North American Emergency Response Guidebook for additional information.



**See Section 16 for
Definition of Ratings**

6. ACCIDENTAL RELEASE MEASURES

SPILL AND LEAK RESPONSE: Uncontrolled releases should be responded to by trained personnel using pre-planned procedures. Proper protective equipment should be used. In case of a release, clear the affected area and protect people. Adequate fire protection must be provided. Minimum Personal Protective Equipment should be **Level B: fire-retardant protective clothing, mechanically-resistant gloves and Self-Contained Breathing Apparatus.** Use only non-sparking tools and equipment. Locate and seal the source of the leaking gas. Protect personnel attempting the shut-off with water-spray. Allow the gas to dissipate. Monitor the surrounding area for oxygen and combustible gas levels. Combustible gas concentration must be below 10% of the LEL (LEL = 2.7%) prior to entry of response personnel. The atmosphere must have at least 19.5 percent oxygen before personnel can be allowed in the area without Self-Contained Breathing Apparatus. Attempt to close the main source valve prior to entering the area. If this does not stop the release (or if it is not possible to reach the valve), allow the gas to release in-place or remove it to a safe area and allow the gas to be released there.

RESPONSE TO CRYOGENIC RELEASE: Clear the affected area and allow the liquid to evaporate and the gas to dissipate. After the gas is formed, follow the instructions provided in the previous paragraph. If the area must be entered by emergency personnel, SCBA, Kevlar gloves, and appropriate foot and leg protection must be worn.

THIS IS AN EXTREMELY FLAMMABLE GAS. Protection of all personnel and the area must be maintained.

PART III *How can I prevent hazardous situations from occurring?*

7. HANDLING and STORAGE

WORK PRACTICES AND HYGIENE PRACTICES: As with all chemicals, avoid getting Ethylene IN YOU. Do not eat or drink while handling chemicals. Be aware of any signs of dizziness or fatigue; due to oxygen deficiency, exposures to fatal concentrations of Ethylene could occur without any significant warning symptoms.

STORAGE AND HANDLING PRACTICES: Cylinders should be stored in dry, well-ventilated areas away from sources of heat. Compressed gases can present significant safety hazards. Store containers away from heavily trafficked areas and emergency exits. Post "No Smoking or Open Flames" signs in storage or use areas.

7. HANDLING and STORAGE (Continued)

SPECIAL PRECAUTIONS FOR HANDLING GAS CYLINDERS: Protect cylinders against physical damage. Store in cool, dry, well-ventilated area, away from sources of heat, ignition and direct sunlight. Do not allow area where cylinders are stored to exceed 52°C (125°F). Isolate from oxidizers such as oxygen, chlorine, or fluorine. Use a check valve or trap in the discharge line to prevent hazardous backflow. Post "No Smoking or Open Flame" signs in storage and use areas. Cylinders should be stored upright and be firmly secured to prevent falling or being knocked over. Cylinders can be stored in the open, but in such cases, should be protected against extremes of weather and from the dampness of the ground to prevent rusting. Never tamper with pressure relief devices in valves and cylinders. Electrical equipment should be non-sparking or explosion proof. The following rules are applicable to work situations in which cylinders are being used:

Before Use: Move cylinders with a suitable hand-truck. Do not drag, slide or roll cylinders. Do not drop cylinders or permit them to strike each other. Secure cylinders firmly. Leave the valve protection cap in-place (if provided) until cylinder is ready for use.

During Use: Use designated CGA fittings and other support equipment. Do not use adapters. Do not heat cylinder by any means to increase the discharge rate of the product from the cylinder. Use check valve or trap in discharge line to prevent hazardous backflow into the cylinder. Do not use oils or grease on gas-handling fittings or equipment.

After Use: Close main cylinder valve. Replace valve protection cap (if provided). Mark empty cylinders "EMPTY".

NOTE: Use only DOT or ASME code containers. Earth-ground and bond all lines and equipment associated with this gas. Close valve after each use and when empty. Cylinders must not be recharged except by or with the consent of owner. For additional information refer to the Compressed Gas Association Pamphlet P-1, *Safe Handling of Compressed Gases in Containers*. Additionally, refer to CGA Bulletin SB-2 "Oxygen Deficient Atmospheres".

PROTECTIVE PRACTICES DURING MAINTENANCE OF CONTAMINATED EQUIPMENT: Follow practices indicated in Section 6 (Accidental Release Measures). Make certain application equipment is locked and tagged-out safely. Purge gas handling equipment with inert gas (e.g., nitrogen) before attempting repairs.

8. EXPOSURE CONTROLS - PERSONAL PROTECTION

VENTILATION AND ENGINEERING CONTROLS: Use with adequate ventilation to maintain oxygen levels above 19.5% in the workplace. Local exhaust ventilation is preferred, because it prevents Ethylene dispersion into the work place by eliminating it at its source. If appropriate, install automatic monitoring equipment to detect the level of oxygen and the presence of potentially flammable air-gas mixtures. Monitoring devices should be installed near the ceiling.

RESPIRATORY PROTECTION: Maintain oxygen levels above 19.5% in the workplace. If respiratory protection is needed, use only protection authorized in the U.S. Federal OSHA Standard (29 CFR 1910.134), applicable U.S. State regulations, or the Canadian CSA Standard Z94.4-93 and applicable standards of Canadian Provinces. Oxygen levels below 19.5% are considered IDLH by OSHA. In such atmospheres, use of a full-facepiece pressure/demand SCBA or a full facepiece, supplied air respirator with auxiliary self-contained air supply is required under OSHA's Respiratory Protection Standard (1910.134-1998).

EYE PROTECTION: Splash goggles, face-shield, or safety glasses, for protection from rapidly expanding gases and splashes of liquid Ethylene. If necessary, refer to U.S. OSHA 29 CFR 1910.133, or Canadian Standards.

HAND PROTECTION: Wear mechanically-resistant gloves when handling cylinders of this gas. Use low-temperature protective gloves (e.g., Kevlar) when working with containers of liquid Ethylene. If necessary, refer to U.S. OSHA 29 CFR 1910.138 or appropriate Standards of Canada.

BODY PROTECTION: Use body protection appropriate for task. Transfer of large quantities under pressure may require protective equipment appropriate to protect employees from splashes of liquefied product, as well as fire retardant items. If a hazard of injury to the feet exists due to falling objects, rolling objects, where objects may pierce the soles of the feet or where employee's feet may be exposed to electrical hazards, use foot protection, as described in U.S. OSHA 29 CFR.

9. PHYSICAL and CHEMICAL PROPERTIES

VAPOR DENSITY: 1.261 kg/m³ (0.078 lb/ft³)

SPECIFIC GRAVITY (air = 1): 0.98

SOLUBILITY IN WATER: Soluble.

EVAPORATION RATE (nBuAc = 1): Not applicable.

ODOR THRESHOLD (detection): 270 ppm

COEFFICIENT WATER/OIL DISTRIBUTION: Not applicable.

APPEARANCE, ODOR AND COLOR: Colorless gas with a sweet odor. The cryogenic liquid is also colorless and has a sweet odor.

HOW TO DETECT THIS SUBSTANCE (warning properties): There are no distinct warning properties. In terms of leak detection, fittings and joints can be painted with a soap solution to detect leaks, which will be indicated by a bubble formation.

pH: Not applicable.

FREEZING POINT: -169°C (-272°F)

BOILING POINT: -104°C (-155 °F)

EXPANSION RATIO: 489

VAPOR PRESSURE: Not applicable.

SPECIFIC VOLUME (ft³/lb): 13.8

10. STABILITY and REACTIVITY

STABILITY: Stable at standard temperatures and pressures. Explosive decomposition may occur in the absence of air at high temperatures (360°C) and pressures (17 MPa). Decomposition can occur at lower temperatures and pressures in the presence of high energy initiators (e.g. hot wire plus gun cotton, exploding wire, or electricity).

DECOMPOSITION PRODUCTS: When ignited in the presence of oxygen, this gas will decompose to produce carbon monoxide and carbon dioxide. Ethylene may oxidize to ethylene oxide in water.

MATERIALS WITH WHICH SUBSTANCE IS INCOMPATIBLE: Ethylene may react violently with the following materials: Strong oxidizers (e.g., chlorine, bromine pentafluoride, oxygen, oxygen difluoride, and nitrogen trifluoride); aluminum chloride, organic peroxides, copper, nitrogen dioxide, ozone, halocarbons, halogen acids, and hydrochloric acid.

HAZARDOUS POLYMERIZATION: May occur at elevated temperatures and in the presence of oxidizers.

CONDITIONS TO AVOID: Contact with incompatible materials and exposure to heat, sparks, static discharge and other sources of ignition and high pressures.

PART IV *Is there any other useful information about this material?*

11. TOXICOLOGICAL INFORMATION

TOXICITY DATA: Dogs exposed to 1.4% Ethylene were anesthetized in 2-8.2 minutes. Decreased food intake, physical activity, white cell counts and platelet counts were observed in rats exposed to 60% (600,000 ppm) Ethylene in oxygen for 6 days. Additional information is as follows:

LC₅₀ (inhalation, mouse) = 96 pph

LCLo (inhalation, mammal) = 950,000 ppm/5 minutes

SUSPECTED CANCER AGENT: Ethylene is listed by agencies tracking the carcinogenic potential of chemical compounds, as follows:

ACGIH TLV-A4 (Not Classifiable as a Human Carcinogen); **IARC-3:** (Unclassifiable as Carcinogenicity in Humans); **MAK-3B:** (Substances for Which in vitro Tests or Animal Studies Have Yielded Evidence of Carcinogenic Effects That is Not Sufficient for Classification of the Substance in One of the Other Categories)

IRRITANCY OF PRODUCT: Ethylene is not irritating; however, contact with rapidly expanding gases can cause frostbite to exposed tissue.

SENSITIZATION TO THE PRODUCT: Ethylene is not known to cause skin or respiratory sensitization in humans.

REPRODUCTIVE TOXICITY INFORMATION: Listed below is information concerning the effects of Ethylene on the human reproductive system.

Mutagenicity: No mutagenicity effects have been described for Ethylene.

Teratogenicity: No teratogenicity effects have been described for Ethylene.

Embryotoxicity: No embryotoxic effects have been described for Ethylene.

Reproductive Toxicity: No reproductive toxicity effects have been described for Ethylene.

A *mutagen* is a chemical which causes permanent changes to genetic material (DNA) such that the changes will propagate through generation lines. An *embryotoxin* is a chemical which causes damage to a developing embryo (i.e. within the first eight weeks of pregnancy in humans), but the damage does not propagate across generational lines. A *teratogen* is a chemical which causes damage to a developing fetus, but the damage does not propagate across generational lines. A *reproductive toxin* is any substance which interferes in any way with the reproductive process.

BIOLOGICAL EXPOSURE INDICES (BEIs): Currently, Biological Exposure Indices (BEIs) have not been determined for Ethylene.

12. ECOLOGICAL INFORMATION

ENVIRONMENTAL STABILITY: This gas will be dissipated rapidly in well-ventilated areas. The following are environmental data currently available for Ethylene.

Terrestrial Fate: Volatilization is expected to be the primary fate process of Ethylene in soil based on a measured vapor pressure of 5.213X10⁺⁴ mm Hg at 25°C and a Henry's Law constant of 0.228 atm-cu m/mole at 25°C. Calculated Kocs of 100 and 300(3,SRC) indicate a medium to high mobility class for Ethylene in soils; however, its high vapor pressure would suggest that the gas may permeate through soil. Pure culture studies suggest that Ethylene may be susceptible to microbial degradation; however, it is expected to oxidize to ethylene oxide which is not metabolized and may accumulate in the environment.

Aquatic Fate: Ethylene may oxidize to ethylene oxide in water. Hydrolysis of Ethylene is not expected to be an important fate process in aquatic environments. Estimated Kocs of 100 and 300 and a high vapor pressure of 5.213X10⁺⁴ mm Hg at 25°C indicate that the gas may permeate through organic matter contained in sediments and suspended material. The experimental Henry's Law constant of 0.228 atm-cu m/mole at 25°C suggests rapid volatilization of ethylene from environmental waters. Based on this Henry's Law constant, the volatilization half-life from a model river has been estimated to be 1.6 hours.]

Atmospheric Fate: Based on the experimental vapor pressure of 5.213X10⁺⁴ mm Hg at 25°C, Ethylene is expected to exist almost entirely in the vapor phase in the ambient atmosphere. Vapor-phase Ethylene will degrade rapidly in the ambient atmosphere by reaction with photochemically produced hydroxyl radicals with a half-life of about 1.9 days. Vapor-phase Ethylene will also degrade in the ambient atmosphere by reaction with ozone and nitrate radicals with respective half-lives of 6.5 and 190 days.

Bioconcentration: No bioaccumulation. Based on a measured water solubility of 131 mg/L at 25°C, a measured log octanol/water partition coefficient of 1.13, and recommended regression-derived equations, BCFs for Ethylene can be estimated to be 40 and 4, respectively. These BCF values indicate that bioconcentration in aquatic organisms will not be an important fate process for Ethylene.

12. ECOLOGICAL INFORMATION (Continued)

EFFECT OF MATERIAL ON PLANTS or ANIMALS: Any adverse effect on animals would be related to oxygen deficient environments. Ethylene in excess of 0.5 ppm in air may injure crops over a 24 hour exposure period. The following toxicity data are available for Ethylene's effects on plant-life.

Vanda Orchid = 1 ppm/24 hours; fading of flowers.
 Antirrhinum majus = 0.1 ppm/1 hour; abscission of flowers.
 Orchid buds - 0.01 ppm/24 hours; 0.05/6 hours; 0.3 ppm/1 hour; sepal tissue collapse.
 Chenopodium album = 0.05 ppm; epinasty (bending of petals downward)
 Dianthus caryophyllus = 0.1/6 hours; inhibited flower opening.
 Cossypium hirsutum = 0.62/720 ppm; reduction in growth and yield.
 Liliun regale; 4.0 ppm; growth retardation and epinasty.

Rosa species = 0.33 - 40.0 ppm/24-168 hours; growth retardation, epinasty, petal fall
 Tomato = 0.04-0.1 ppm/3-48 hours; leaf epinasty.
 African Marigold = 0.001 ppm/ leaf epinasty
 Lemon = 0.025-0.05; epinasty
 Datura stramonium = 0.1 ppm; close to limit for response
 Lycopersium esulenyum = 0.2 ppm; leaf epinasty
 Begonia luminosa = 8 ppm; slight epinasty
 Sweet pea = 0.1-0.4 ppm; production of triple response; horizontal mutation and swelling.

EFFECT OF CHEMICAL ON AQUATIC LIFE: The following aquatic toxicity data are available for Ethylene:

LD (sunfish) = 22 ppm /1 hour in freshwater

13. DISPOSAL CONSIDERATIONS

PREPARING WASTES FOR DISPOSAL: Product removed from the cylinder must be disposed of in accordance with appropriate U.S. Federal, State, and local regulations or with regulations of Canada and its Provinces. Return cylinders with residual product to Airgas, Inc. Do not dispose of locally.

14. TRANSPORTATION INFORMATION

THIS GAS IS HAZARDOUS AS DEFINED BY 49 CFR 172.101 BY THE U.S. DEPARTMENT OF TRANSPORTATION.

	<u>Ethylene Gas:</u>	<u>Liquefied Ethylene:</u>
<u>PROPER SHIPPING NAME:</u>	Ethylene, compressed	Ethylene, refrigerated liquid
<u>HAZARD CLASS NUMBER and DESCRIPTION:</u>	2.1 (Flammable Gas)	2.1 (Flammable Gas)
<u>UN IDENTIFICATION NUMBER:</u>	UN 1962	UN 1038
<u>PACKING GROUP:</u>	Not Applicable	Not Applicable
<u>DOT LABEL(S) REQUIRED:</u>	Class 2.1 (Flammable Gas)	Class 2.1 (Flammable Gas)
<u>NORTH AMERICAN EMERGENCY RESPONSE GUIDEBOOK NUMBER (2000):</u>	116P (Gas); 115 (Liquid)	
<u>MARINE POLLUTANT:</u>	Ethylene is not classified by the DOT as a Marine Pollutant (as defined by 49 CFR 172.101, Appendix B).	

TRANSPORT CANADA TRANSPORTATION OF DANGEROUS GOODS REGULATIONS: This gas is considered as Dangerous Goods, per regulations of Transport Canada. The use of the above U.S. DOT information from the U.S. 49 CFR regulations is allowed for shipments that originate in the U.S. For shipments via ground vehicle or rail that originate in Canada, the following information is applicable.

	<u>Ethylene Gas:</u>	<u>Liquefied Ethylene:</u>
<u>PROPER SHIPPING NAME:</u>	Ethylene, compressed	Ethylene, refrigerated liquid
<u>HAZARD CLASS NUMBER and DESCRIPTION:</u>	2.1 (Flammable Gas)	2.1 (Flammable Gas)
<u>UN IDENTIFICATION NUMBER:</u>	UN 1962	UN 1038
<u>PACKING GROUP:</u>	Not Applicable	Not Applicable
<u>HAZARD LABEL(S) REQUIRED:</u>	Class 2.1 (Flammable Gas)	Class 2.1 (Flammable Gas)
<u>SPECIAL PROVISIONS:</u>	None	None
<u>EXPLOSIVE LIMIT & LIMITED QUANTITY INDEX:</u>	0.12	0.12
<u>ERAP INDEX:</u>	3000	3000
<u>PASSENGER CARRYING SHIP INDEX:</u>	Forbidden	Forbidden
<u>PASSENGER CARRYING ROAD OR RAIL VEHICLE INDEX:</u>	Forbidden	Forbidden
<u>MARINE POLLUTANT:</u>	Ethylene is not a Marine Pollutant.	

15. REGULATORY INFORMATION

ADDITIONAL U.S. REGULATIONS:

U.S. SARA REPORTING REQUIREMENTS: Ethylene is subject to the reporting requirements of Sections 302, 304 and 313 of Title III of the Superfund Amendments and Reauthorization Act., as follows:

CHEMICAL NAME	SARA 302 (40 CFR 355, Appendix A)	SARA 304 (40 CFR Table 302.4)	SARA 313 (40 CFR 372.65)
Ethylene	NO	NO	YES

U.S. SARA THRESHOLD PLANNING QUANTITY: There are no specific Threshold Planning Quantities for this material. The default Federal MSDS submission and inventory requirement filing threshold of 10,000 lb (4,540 kg) may apply, per 40 CFR 370.20.

U.S. CERCLA REPORTABLE QUANTITY (RQ): Ethylene is a CERCLA Hazardous Substance, but has not been assigned a specific CERCLA RQ.

15. REGULATORY INFORMATION (Continued)

ADDITIONAL U.S. REGULATIONS (continued):

U.S. TSCA INVENTORY STATUS: Ethylene is on the TSCA Inventory.

OTHER U.S. FEDERAL REGULATIONS: Ethylene may be subject to the reporting requirements of Section 112(r) of the Clean Air Act. The Threshold Quantity for this gas is 10,000 lb (4540 kg). Depending on specific operations involving the use of Ethylene, the regulations of the Process Safety Management of Highly Hazardous Chemicals may be applicable (29 CFR 1910.119). Under this regulation Ethylene is not listed in Appendix A, however, any process that involves a flammable gas on-site, in one location, in quantities of 10,000 lb (4,553 kg) or greater is covered under this regulation unless it is used as a fuel.

CALIFORNIA SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT (PROPOSITION 65): Ethylene is not on the California Proposition 65 lists.

CGA LABELING (For Compressed Gas):

DANGER: FLAMMABLE HIGH PRESSURE GAS.
CAN FORM EXPLOSIVE MIXTURES WITH AIR.
MAY CAUSE FROSTBITE.
Keep away from heat, flames, and sparks.
Avoid contact with skin and eyes.
Store and use with adequate ventilation.
Use equipment rated for cylinder pressure.
Close valve after each use and when empty.
Use in accordance with the Material Safety Data Sheet.

FIRST-AID: **IN CASE OF FROSTBITE,** obtain immediate medical attention.
DO NOT REMOVE THIS PRODUCT LABEL

ADDITIONAL CANADIAN REGULATIONS:

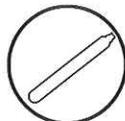
CANADIAN DSL/NDL INVENTORY STATUS: Ethylene is on the DSL Inventory.

CANADIAN ENVIRONMENTAL PROTECTION ACT (CEPA) PRIORITIES SUBSTANCES LISTS: Ethylene is not on the CEPA Priorities Substances Lists.

CANADIAN WHMIS CLASSIFICATION AND SYMBOLS:

Class A: Compressed Gases

Class B1: Flammable Gas



PREPARED BY:

16. OTHER INFORMATION

CHEMICAL SAFETY ASSOCIATES, Inc.
PO Box 3519, La Mesa, CA 91944-3519
619/670-0609

The information contained herein is based on data considered accurate. However, no warranty is expressed or implied regarding the accuracy of these data or the results to be obtained from the use thereof. Airgas, Inc. assumes no responsibility for injury to the vendee or third persons proximately caused by the material if reasonable safety procedures are not adhered to as stipulated in the data sheet. Additionally, Airgas, Inc. assumes no responsibility for injury to vendee or third persons proximately caused by abnormal use of the material even if reasonable safety procedures are followed. Furthermore, vendee assumes the risk in his use of the material.

DEFINITIONS OF TERMS

A large number of abbreviations and acronyms appear on a MSDS. Some of these which are commonly used include the following:

CAS #: This is the Chemical Abstract Service Number that uniquely identifies each constituent.

EXPOSURE LIMITS IN AIR:

CEILING LEVEL: The concentration that shall not be exceeded during any part of the working exposure.

LOQ: Limit of Quantitation.

MAK: Federal Republic of Germany Maximum Concentration Values in the workplace.

NE: Not Established. When no exposure guidelines are established, an entry of NE is made for reference.

NIC: Notice of Intended Change.

NIOSH CEILING: The exposure that shall not be exceeded during any part of the workday. If instantaneous monitoring is not feasible, the ceiling shall be assumed as a 15-minute TWA exposure (unless otherwise specified) that shall not be exceeded at any time during a workday.

NIOSH RELS: NIOSH's Recommended Exposure Limits.

EXPOSURE LIMITS IN AIR (continued):

PEL-Permissible Exposure Limit: OSHA's Permissible Exposure Limits. This exposure value means exactly the same as a TLV, except that it is enforceable by OSHA. The OSHA Permissible Exposure Limits are based in the 1989 PELs and the June, 1993 Air Contaminants Rule (Federal Register: 58: 35338-35351 and 58: 40191). Both the current PELs and the vacated PELs are indicated. The phrase, "Vacated 1989 PEL," is placed next to the PEL that was vacated by Court Order.

SKIN: Used when there is a danger of cutaneous absorption.

STEL-Short Term Exposure Limit: Short Term Exposure Limit, usually a 15-minute time-weighted average (TWA) exposure that should not be exceeded at any time during a workday, even if the 8-hr TWA is within the TLV-TWA, PEL-TWA or REL-TWA.

TLV-Threshold Limit Value: An airborne concentration of a substance that represents conditions under which it is generally believed that nearly all workers may be repeatedly exposed without adverse effect. The duration must be considered, including the 8-hour.

DEFINITIONS OF TERMS (Continued)

EXPOSURE LIMITS IN AIR (continued):

TWA-Time Weighted Average: Time Weighted Average exposure concentration for a conventional 8-hr (TLV, PEL) or up to a 10-hr (REL) workday and a 40-hr workweek.

IDLH-Immediately Dangerous to Life and Health: This level represents a concentration from which one can escape within 30-minutes without suffering escape-preventing or permanent injury.

HAZARDOUS MATERIALS IDENTIFICATION SYSTEM

HAZARD RATINGS: This rating system was developed by the National Paint and Coating Association and has been adopted by industry to identify the degree of chemical hazards.

HEALTH HAZARD:

0 (Minimal Hazard): No significant health risk, irritation of skin or eyes not anticipated. *Skin Irritation:* Essentially non-irritating. PII or Draize = "0". *Eye Irritation:* Essentially non-irritating, or minimal effects which clear in < 24 hours [e.g. mechanical irritation]. Draize = "0". *Oral Toxicity LD₅₀ Rat:* < 5000 mg/kg. *Dermal Toxicity LD₅₀Rat or Rabbit:* < 2000 mg/kg. *Inhalation Toxicity 4-hrs LC₅₀ Rat:* < 20 mg/L.; **1 (Slight Hazard):** Minor reversible injury may occur; slightly or mildly irritating. *Skin Irritation:* Slightly or mildly irritating. *Eye Irritation:* Slightly or mildly irritating. *Oral Toxicity LD₅₀ Rat:* > 500-5000 mg/kg. *Dermal Toxicity LD₅₀Rat or Rabbit:* > 1000-2000 mg/kg. *Inhalation Toxicity LC₅₀ 4-hrs Rat:* > 2-20 mg/L.; **2 (Moderate Hazard):** Temporary or transitory injury may occur. *Skin Irritation:* Moderately irritating; primary irritant; sensitizer. PII or Draize > 0, < 5. *Eye Irritation:* Moderately to severely irritating and/or corrosive; reversible corneal opacity; corneal involvement or irritation clearing in 8-21 days. Draize > 0, ≤ 25. *Oral Toxicity LD₅₀ Rat:* > 50-500 mg/kg. *Dermal Toxicity LD₅₀Rat or Rabbit:* > 200-1000 mg/kg. *Inhalation Toxicity LC₅₀ 4-hrs Rat:* > 0.5-2 mg/L.; **3 (Serious Hazard):** Major injury likely unless prompt action is taken and medical treatment is given; high level of toxicity; corrosive. *Skin Irritation:* Severely irritating and/or corrosive; may destroy dermal tissue, cause skin burns, dermal necrosis. PII or Draize > 5-8 with destruction of tissue. *Eye Irritation:* Corrosive, irreversible destruction of ocular tissue; corneal involvement or irritation persisting for more than 21 days. Draize > 80 with effects irreversible in 21 days. *Oral Toxicity LD₅₀ Rat:* > 1-50 mg/kg. *Dermal Toxicity LD₅₀Rat or Rabbit:* > 20-200 mg/kg. *Inhalation Toxicity LC₅₀ 4-hrs Rat:* > 0.05-0.5 mg/L.; **4 (Severe Hazard):** Life-threatening; major or permanent damage may result from single or repeated exposure. *Skin Irritation:* Not appropriate. Do not rate as a "4", based on skin irritation alone. *Eye Irritation:* Not appropriate. Do not rate as a "4", based on eye irritation alone. *Oral Toxicity LD₅₀ Rat:* ≤ 1 mg/kg. *Dermal Toxicity LD₅₀Rat or Rabbit:* ≤ 20 mg/kg. *Inhalation Toxicity LC₅₀ 4-hrs Rat:* ≤ 0.05 mg/L).

FLAMMABILITY HAZARD:

0 (Minimal Hazard-Materials that will not burn in air when exposure to a temperature of 815.5°C [1500°F] for a period of 5 minutes.); **1 (Slight Hazard-Materials that must be pre-heated before ignition can occur.** Material require considerable pre-heating, under all ambient temperature conditions before ignition and combustion can occur, including: Materials that will burn in air when exposed to a temperature of 815.5°C (1500°F) for a period of 5 minutes or less; Liquids, solids and semisolids having a flash point at or above 93.3°C [200°F] (e.g. OSHA Class IIIB, or; Most ordinary combustible materials [e.g. wood, paper, etc.]; **2 (Moderate Hazard-Materials that must be moderately heated or exposed to relatively high ambient temperatures before ignition can occur.** Materials in this degree would not, under normal conditions, form hazardous atmospheres in air, but under high ambient temperatures or moderate heating may release vapor in sufficient quantities to produce hazardous atmospheres in air, including: Liquids having a flash-point at or above 37.8°C [100°F] Solid materials in the form of course dusts that may burn rapidly but that generally do not form explosive atmospheres; Solid materials in a fibrous or shredded form that may burn rapidly and create flash fire hazards (e.g. cotton, sisal, hemp; Solids and semisolids that readily give off flammable vapors.);

HAZARDOUS MATERIALS IDENTIFICATION SYSTEM

HAZARD RATINGS (continued):

FLAMMABILITY HAZARD (continued):

3 (Serious Hazard- Liquids and solids that can be ignited under almost all ambient temperature conditions. Materials in this degree produce hazardous atmospheres with air under almost all ambient temperatures, or, unaffected by ambient temperature, are readily ignited under almost all conditions, including: Liquids having a flash point below 22.8°C [73°F] and having a boiling point at or above 38°C [100°F] and below 37.8°C [100°F] [e.g. OSHA Class IB and IC]; Materials that on account of their physical form or environmental conditions can form explosive mixtures with air and are readily dispersed in air [e.g., dusts of combustible solids, mists or droplets of flammable liquids]; Materials that burn extremely rapidly, usually by reason of self-contained oxygen [e.g. dry nitrocellulose and many organic peroxides]; **4 (Severe Hazard-Materials that will rapidly or completely vaporize at atmospheric pressure and normal ambient temperature or that are readily dispersed in air, and which will burn readily, including: Flammable gases; Flammable cryogenic materials; Any liquid or gaseous material that is liquid while under pressure and has a flash point below 22.8°C [73°F] and a boiling point below 37.8°C [100°F] [e.g. OSHA Class IA; Material that ignite spontaneously when exposed to air at a temperature of 54.4°C [130°F] or below [e.g. pyrophoric].**

PHYSICAL HAZARD:

0 (Water Reactivity: Materials that do not react with water. Organic Peroxides: Materials that are normally stable, even under fire conditions and will not react with water. *Explosives:* Substances that are Non-Explosive. *Unstable Compressed Gases:* No Rating. *Pyrophorics:* No Rating. *Oxidizers:* No "0" rating allowed. *Unstable Reactives:* Substances that will not polymerize, decompose, condense or self-react.; **1 (Water Reactivity: Materials that change or decompose upon exposure to moisture. Organic Peroxides:** Materials that are normally stable, but can become unstable at high temperatures and pressures. These materials may react with water, but will not release energy. *Explosives:* Division 1.5 & 1.6 substances that are very insensitive explosives or that do not have a mass explosion hazard. *Compressed Gases:* Pressure below OSHA definition. *Pyrophorics:* No Rating. *Oxidizers:* Packaging Group III; *Solids:* any material that in either concentration tested, exhibits a mean burning time less than or equal to the mean burning time of a 3:7 potassium bromate/cellulose mixture and the criteria for Packing Group I and II are not met. *Liquids:* any material that exhibits a mean pressure rise time less than or equal to the pressure rise time of a 1:1 nitric acid (65%)/cellulose mixture and the criteria for Packing Group I and II are not met. *Unstable Reactives:* Substances that may decompose, condense or self-react, but only under conditions of high temperature and/or pressure and have little or no potential to cause significant heat generation or explosive hazard. Substances that readily undergo hazardous polymerization in the absence of inhibitors.); **2 (Water Reactivity: Materials that may react violently with water. Organic Peroxides:** Materials that, in themselves, are normally unstable and will readily undergo violent chemical change, but will not detonate. These materials may also react violently with water. *Explosives:* Division 1.4 – Explosive substances where the explosive effect are largely confined to the package and no projection of fragments of appreciable size or range are expected. An external fire must not cause virtually instantaneous explosion of almost the entire contents of the package. *Compressed Gases:* Pressurized and meet OSHA definition but < 514.7 psi absolute at 21.1°C (70°F) [500 psig]. *Pyrophorics:* No Rating. *Oxidizers:* Packing Group II *Solids:* any material that, either in concentration tested, exhibits a mean burning time of less than or equal to the mean burning time of a 2:3 potassium bromate/cellulose mixture and the criteria for Packing Group I are not met. *Liquids:* any material that exhibits a mean pressure rise time less than or equal to the pressure rise of a 1:1 aqueous sodium chlorate solution (40%)/cellulose mixture and the criteria for Packing Group I are not met. *Unstable Reactives:* Substances that may polymerize, decompose, condense, or self-react at ambient temperature and/or pressure, but have a low potential for significant heat generation or explosion. Substances that readily form peroxides upon exposure to air or oxygen at room temperature);

DEFINITIONS OF TERMS (Continued)

HAZARDOUS MATERIALS IDENTIFICATION SYSTEM

HAZARD RATINGS (continued):

PHYSICAL HAZARD (continued):

3 (Water Reactivity): Materials that may form explosive reactions with water. **Organic Peroxides:** Materials that are capable of detonation or explosive reaction, but require a strong initiating source, or must be heated under confinement before initiation; or materials that react explosively with water. **Explosives:** Division 1.2 – Explosive substances that have a fire hazard and either a minor blast hazard or a minor projection hazard or both, but do not have a mass explosion hazard. **Compressed Gases:** Pressure \geq 514.7 psi absolute at 21.1°C (70°F) [500 psig]. **Pyrophorics:** No Rating. **Oxidizers:** Packing Group I **Solids:** any material that, in either concentration tested, exhibits a mean burning time less than the mean burning time of a 3:2 potassium bromate/cellulose mixture. **Liquids:** Any material that spontaneously ignites when mixed with cellulose in a 1:1 ratio, or which exhibits a mean pressure rise time less than the pressure rise time of a 1:1 perchloric acid (50%)/cellulose mixture. **Unstable Reactives:** Substances that may polymerize, decompose, condense or self-react at ambient temperature and/or pressure and have a moderate potential to cause significant heat generation or explosion.); **4 (Water Reactivity):** Materials that react explosively with water without requiring heat or confinement. **Organic Peroxides:** Materials that are readily capable of detonation or explosive decomposition at normal temperature and pressures. **Explosives:** Division 1.1 & 1.2-explosive substances that have a mass explosion hazard or have a projection hazard. A mass explosion is one that affects almost the entire load instantaneously. **Compressed Gases:** No Rating. **Pyrophorics:** Add to the definition of Flammability "4". **Oxidizers:** No "4" rating. **Unstable Reactives:** Substances that may polymerize, decompose, condense or self-react at ambient temperature and/or pressure and have a high potential to cause significant heat generation or explosion.).

NATIONAL FIRE PROTECTION ASSOCIATION HAZARD RATINGS:

HEALTH HAZARD: 0 (material that on exposure under fire conditions would offer no hazard beyond that of ordinary combustible materials); **1** (materials that on exposure under fire conditions could cause irritation or minor residual injury); **2** (materials that on intense or continued exposure under fire conditions could cause temporary incapacitation or possible residual injury); **3** (materials that can on short exposure could cause serious temporary or residual injury); **4** (materials that under very short exposure could cause death or major residual injury).

FLAMMABILITY HAZARD: 0 Materials that will not burn under typical fire conditions, including intrinsically noncombustible materials such as concrete, stone, and sand. **1** Materials that must be preheated before ignition can occur. Materials in this degree require considerable preheating, under all ambient temperature conditions, before ignition and combustion can occur. **2** Materials that must be moderately heated or exposed to relatively high ambient temperatures before ignition can occur. Materials in this degree would not under normal conditions form hazardous atmospheres with air, but under high ambient temperatures or under moderate heating could release vapor in sufficient quantities to produce hazardous atmospheres with air. **3** Liquids and solids that can be ignited under almost all ambient temperature conditions. Materials in this degree produce hazardous atmospheres with air under almost all ambient temperatures or, though unaffected by ambient temperatures, are readily ignited under almost all conditions. **4** Materials that will rapidly or completely vaporize at atmospheric pressure and normal ambient temperature or that are readily dispersed in air and will burn readily.

INSTABILITY HAZARD: 0 Materials that in themselves are normally stable, even under fire conditions. **1** Materials that in themselves are normally stable, but that can become unstable at elevated temperatures and pressures. **2** Materials that readily undergo violent chemical change at elevated temperatures and pressures. **3** Materials that in themselves are capable of detonation or explosive decomposition or explosive reaction, but that require a strong initiating source or that must be heated under confinement before initiation. **4** Materials that in themselves are readily capable of detonation or explosive decomposition or explosive reaction at normal temperatures and pressures.

FLAMMABILITY LIMITS IN AIR: Much of the information related to fire and explosion is derived from the National Fire Protection Association (NFPA). **Flash Point** - Minimum temperature at which a liquid gives off sufficient vapors to form an ignitable mixture with air. **Autoignition Temperature:** The minimum temperature required to initiate combustion in air with no other source of ignition. **LEL** - the lowest percent of vapor in air, by volume, that will explode or ignite in the presence of an ignition source. **UEL** - the highest percent of vapor in air, by volume, that will explode or ignite in the presence of an ignition source.

TOXICOLOGICAL INFORMATION:

Human and Animal Toxicology: Possible health hazards as derived from human data, animal studies, or from the results of studies with similar compounds are presented. Definitions of some terms used in this section are: **LD₅₀** - Lethal Dose (solids & liquids) which kills 50% of the exposed animals; **LC₅₀** - Lethal Concentration (gases) which kills 50% of the exposed animals; **ppm** concentration expressed in parts of material per million parts of air or water; **mg/m³** concentration expressed in weight of substance per volume of air; **mg/kg** quantity of material, by weight, administered to a test subject, based on their body weight in kg. Other measures of toxicity include **TDLo**, the lowest dose to cause a symptom and **TCLo** the lowest concentration to cause a symptom; **TDo**, **LDLo**, and **LDo**, or **TC**, **TCo**, **LCLo**, and **LCo**, the lowest dose (or concentration) to cause lethal or toxic effects. **Cancer Information:** The sources are: **IARC** - the International Agency for Research on Cancer; **NTP** - the National Toxicology Program, **RTECS** - the Registry of Toxic Effects of Chemical Substances, **OSHA** and **CAL/OSHA**. IARC and NTP rate chemicals on a scale of decreasing potential to cause human cancer with rankings from 1 to 4. Subrankings (2A, 2B, etc.) are also used. **Other Information:** **BEI** - ACGIH Biological Exposure Indices, represent the levels of determinants which are most likely to be observed in specimens collected from a healthy worker who has been exposed to chemicals to the same extent as a worker with inhalation exposure to the TLV.

ECOLOGICAL INFORMATION:

EC is the effect concentration in water. **BCF** = Bioconcentration Factor, which is used to determine if a substance will concentrate in lifeforms which consume contaminated plant or animal matter. **TL_m** = median threshold limit; Coefficient of Oil/Water Distribution is represented by **log K_{ow}** or **log K_{oc}** and is used to assess a substance's behavior in the environment.

REGULATORY INFORMATION:

U.S. and CANADA:

This section explains the impact of various laws and regulations on the material. **ACGIH:** American Conference of Governmental Industrial Hygienists, a professional association which establishes exposure limits. **EPA** is the U.S. Environmental Protection Agency. **NIOSH** is the National Institute of Occupational Safety and Health, which is the research arm of the U.S. Occupational Safety and Health Administration (**OSHA**). **WHMIS** is the Canadian Workplace Hazardous Materials Information System. **DOT** and **TC** are the U.S. Department of Transportation and the Transport Canada, respectively. **Superfund Amendments and Reauthorization Act (SARA)**; the Canadian Domestic/Non-Domestic Substances List (**DSL/NDSL**); the U.S. Toxic Substance Control Act (**TSCA**); Marine Pollutant status according to the **DOT**; the Comprehensive Environmental Response, Compensation, and Liability Act (**CERCLA** or **Superfund**); and various state regulations. This section also includes information on the precautionary warnings which appear on the material's package label. **OSHA** - U.S. Occupational Safety and Health Administration.

1. PIPELINE PROJECT DATA:

Project Name: HSC Pipeline Partnership, LLC - Morgans Point to Bayport Ethylene Pipeline
Project Origin: Morgans Point, Harris County, Texas Project Destination: Bayport, Harris County, Texas
Pipeline Diameter: 16" reduced to 12" Pipeline Commodity: Ethylene
Normal Operating Pressure: 1300 PSI; Max. Operation Pressure 2160 PSI; Max. Allowable Temp. 100° F

2. PIPELINE OWNER:

Owner Name: HSC Pipeline Partnership, LLC (Marc D. Tausend, Agent & Attorney-in-Fact)
Owner Address: P.O. Box 4324, Houston, TX 77210-4324
Owner Phone: 713-381-6500 Owner Fax: N/A
Owner Email: mtausend@eprod.com

3. PERMIT APPLICANT (Owner's Agent):

Company Name: Morris P. Hebert, Inc.
Company Address: 10101 Southwest Freeway, Suite 620
Agent Name: Marie Taylor Agent Title: Regulatory Project Manager
Agent Phone: 713-219-4406 Agent Fax: N/A
Agent Email: mtaylor@mphinc.com

4. PIPELINE CONTRACTOR:

Company Name: TBD - Contractor's information to be provided prior to the start of construction.
Company Address: _____
Primary Contact Name: _____ Primary Contact Title: _____
Primary Contact Phone 1: _____ Primary Contact Phone 2: _____
Primary Contact E-Mail: _____

5. 24-HOUR EMERGENCY CONTACTS:

Primary Contact Name: 24-Hour Emergency Hotline Primary Contact Title: Emergency Hotline
Primary Contact Phone 1: 888-883-6308 Primary Contact Phone 2: _____
Primary Contact E-Mail: _____
Secondary Contact Name: Benny Porter Secondary Contact Title: Operations Manager - Houston Region
Secondary Contact Phone 1: 281-470-4986 Secondary Contact Phone 2: 281-932-1547
Secondary Contact E-Mail: bporter@eprod.com

6. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION (Check applicable boxes):

- COMPLETE ITEMS 1-6 OF PERMIT APPLICATION
- SUBMIT PROJECT PLANS (3 HARDCOPIES -OR- DIGITAL .PDF)
- ATTACH PIPELINE APPLICATION FEE OF \$1,000.00
- PRINT & SIGN APPLICANT NAME BELOW

SCHEDULED START DATE OF CONSTRUCTION:

February 2020

ESTIMATE DURATION OF CONSTRUCTION:

8 months

APPLICANT'S PRINTED NAME: Marc D. Tausend *Agent and Attorney-in-Fact* APPLICANT'S SIGNATURE: Marc D. Tausend

(STAFF USE ONLY):

PERMIT NO: 19-1305

PERMIT APPROVED BY: _____ DATE OF APPROVAL: _____

Marie Taylor

From: Marie Taylor
Sent: Monday, October 14, 2019 10:29 AM
To: 'permits@laportetx.gov'; 'Wingate, Lorenzo'
Cc: Michael.Walker@Pinnaclelandgroup.com; 'Tausend, Marc'
Subject: La Porte Pipeline Permit #19-1305 (Revised Drawings)
Attachments: Permit Review Cover Sheet (Pipeline).pdf; Pipeline Permit #19-1305 - CITY OF LA PORTE PERMIT_Sealed 10-14-19.pdf

Good morning,

Attached are the updated pipeline exhibits that have been sealed on each page as requested in your October 11, 2019 comment letter. A hard copy is also being delivered to the Permitting Office.

As previously stated, HSC Pipeline Partnership, LLC respectfully requests that the City consider conditional approval of the pipeline permit in advance of issuance of third-party easements and authorizations.

Feel free to contact me should you have any questions or need additional information.

Thank you,

Marie Taylor

Environmental and Regulatory Services

Morris P. Hebert, Inc.

Direct Line 713.219.4406 | Cellular 713.504.4075
10101 Southwest Freeway, Suite 620, Houston, TX 77074
San Antonio, TX 210.366.9350 | Houma, LA 985.879.2731
Midland, TX 432.276.3300 | Houston, TX 713.219.1470
www.mphinc.com | mtaylor@mphinc.com





City of La Porte

Established 1892

Public Works Department

Providing essential public services to the citizens of La Porte in the most efficient and cost effective manner possible.

PIPELINE PERMIT REVIEW – ENGINEERING

All resubmittals must be directed to the attention of the Permitting Division.

Plan Reviewed: HSC Pipeline - Permit # 19-1305

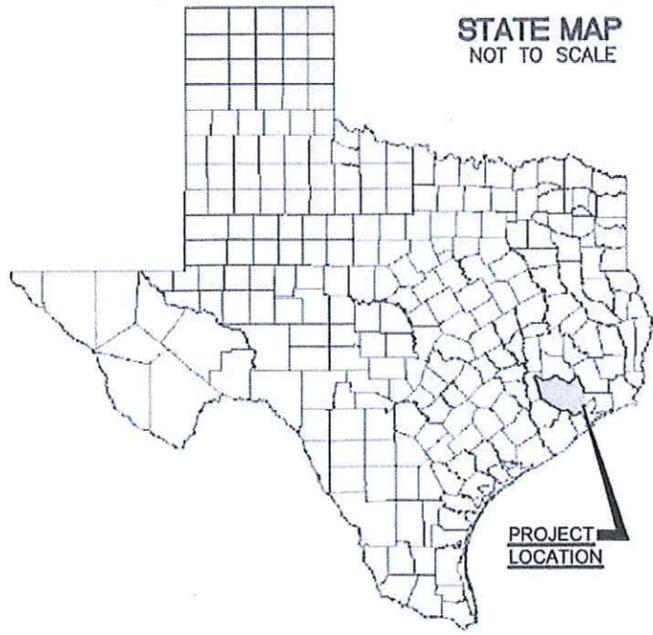
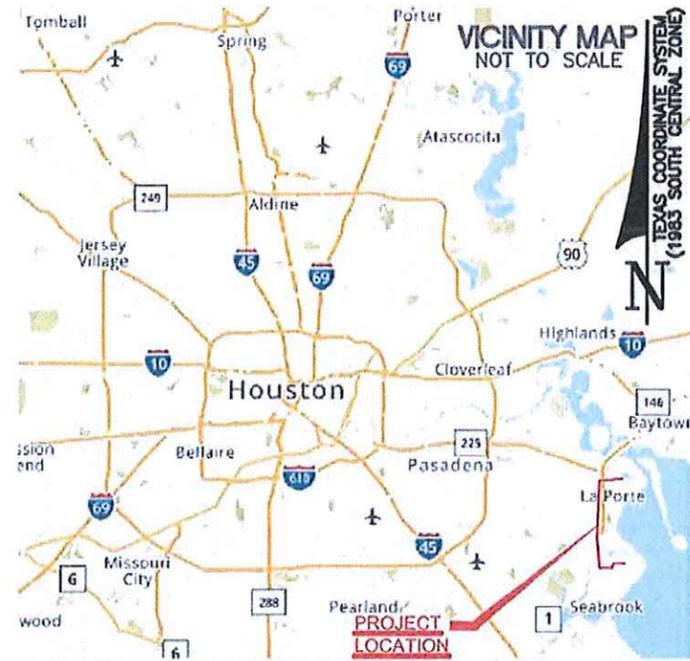
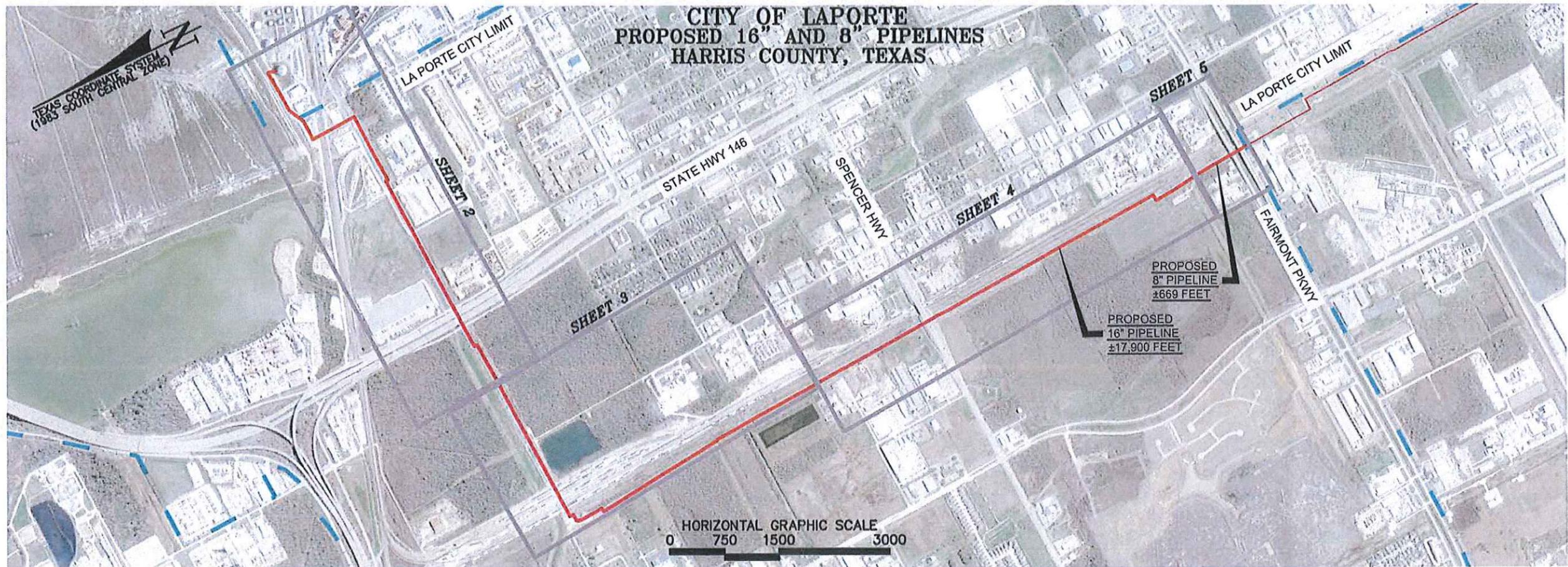
Prepared by: _____ Friday, October 11, 2019
Engineering Technician Date

Reviewed by: Lorenzo Wingate Friday, October 11, 2019
Lorenzo Wingate, P.E., C.F.M. Date
City Engineer

Date Submitted: October 7, 2019

General Comments: All plan sheets shall signed and sealed. Provide copy of TxDOT Permit. Provide copy of Harris County permit. Please provide copy of railroad permits. Provide copy of all recorded easements along the route.

RECEIVED
OCT 15 2019
BY: _____



I DANIEL ALCORN, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, P.E. NO. 79234, AN EMPLOYEE OF NC NORTH STAR ENERGY SERVICES, INC., TX FIRM NO. F-14939, HAVE REVIEWED THE PIPELINE DESIGN AND PIPE TESTING SPECIFICATIONS OF THIS EXHIBIT AND HAVE FOUND THEM ACCURATE AND SUITABLE FOR THE PROPOSED PROJECT. I DO NOT ATTEST TO THE ACCURACY, COMPLETENESS, OR CORRECTNESS OF OTHER ASPECTS OF THE EXHIBIT, INCLUDING BUT NOT LIMITED TO, SURVEY, RIGHT-OF-WAY, PROPERTY OWNERSHIP DETERMINATION, AND LOCATION OF EXISTING FACILITIES THAT ARE THE RESPONSIBILITY OF OTHER PARTIES. THIS CERTIFICATION APPLIES TO EVERY SHEET CONTAINED WITHIN THIS SUBMITTAL (SHEETS 1 THROUGH 5).

RECEIVED OCT 15 2019 BY:

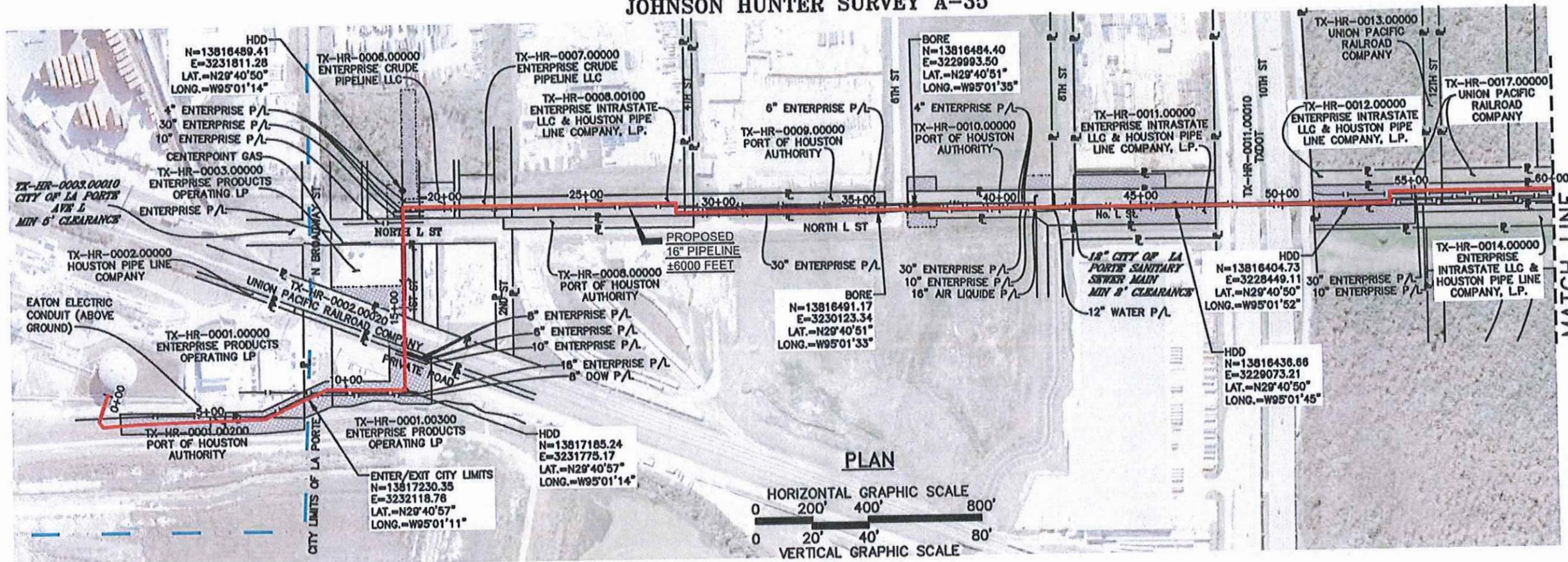
HSC PIPELINE PARTNERSHIP, LLC

**PROPOSED 16-INCH & 8-INCH PIPELINE
ACROSS THE CITY OF LA PORTE
LOCATED IN THE JOHNSON HUNTER SURVEY A-35
HARRIS COUNTY, TEXAS**

DRAWN BY: AB/TH	SHEET: 1 OF 5
CHKD./APPD. BY:	SCALE: AS SHOWN
UPDATED BY:	DATE: 08/28/19
DATA BASE: 13448	JOB NO. 13448
MPH CAD FILE: CITY OF LAPORTE COVER SHEET	

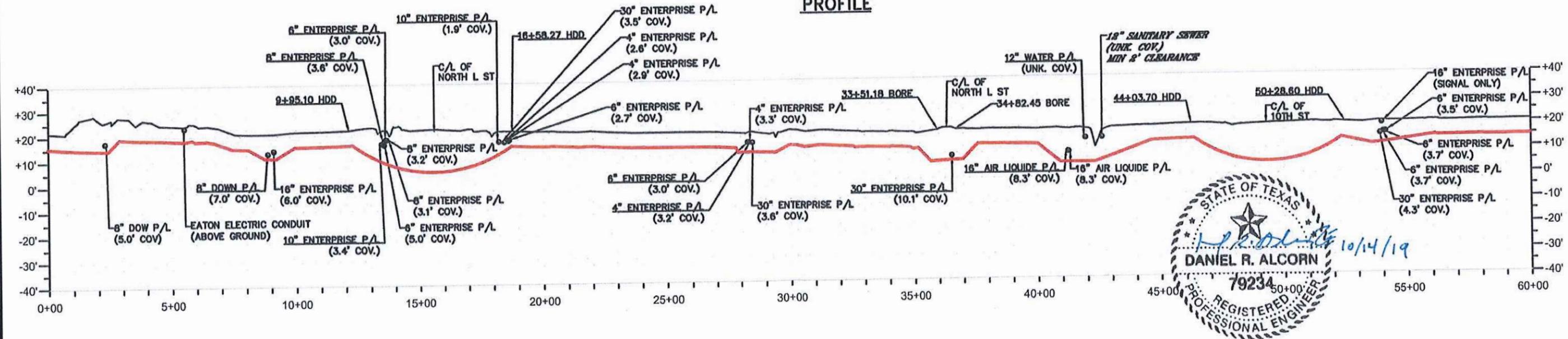
HARRIS COUNTY, TEXAS
JOHNSON HUNTER SURVEY A-35

TEXAS COORDINATE SYSTEM
(1983 SOUTH CENTRAL ZONE)



MATCH LINE
SHEET 3

PROFILE



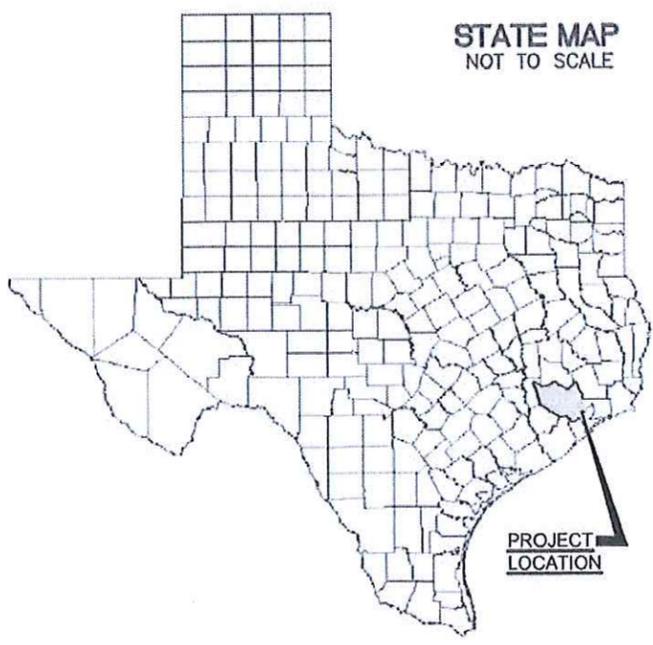
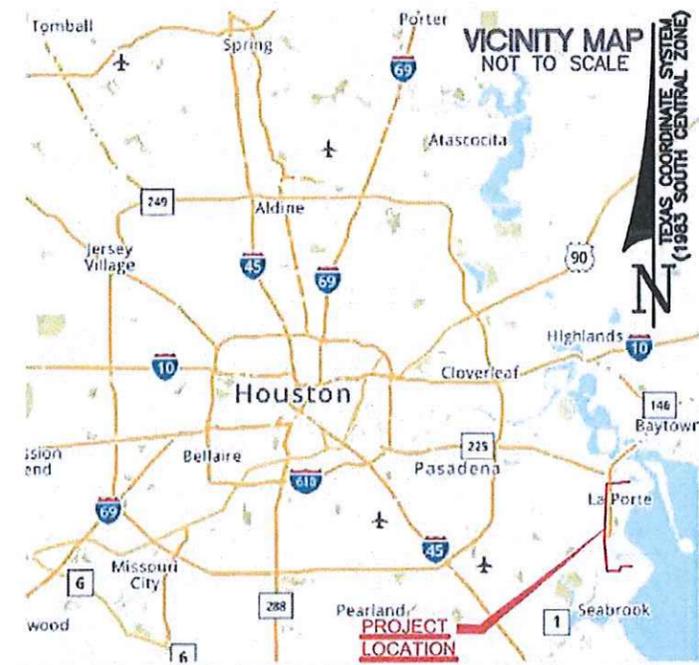
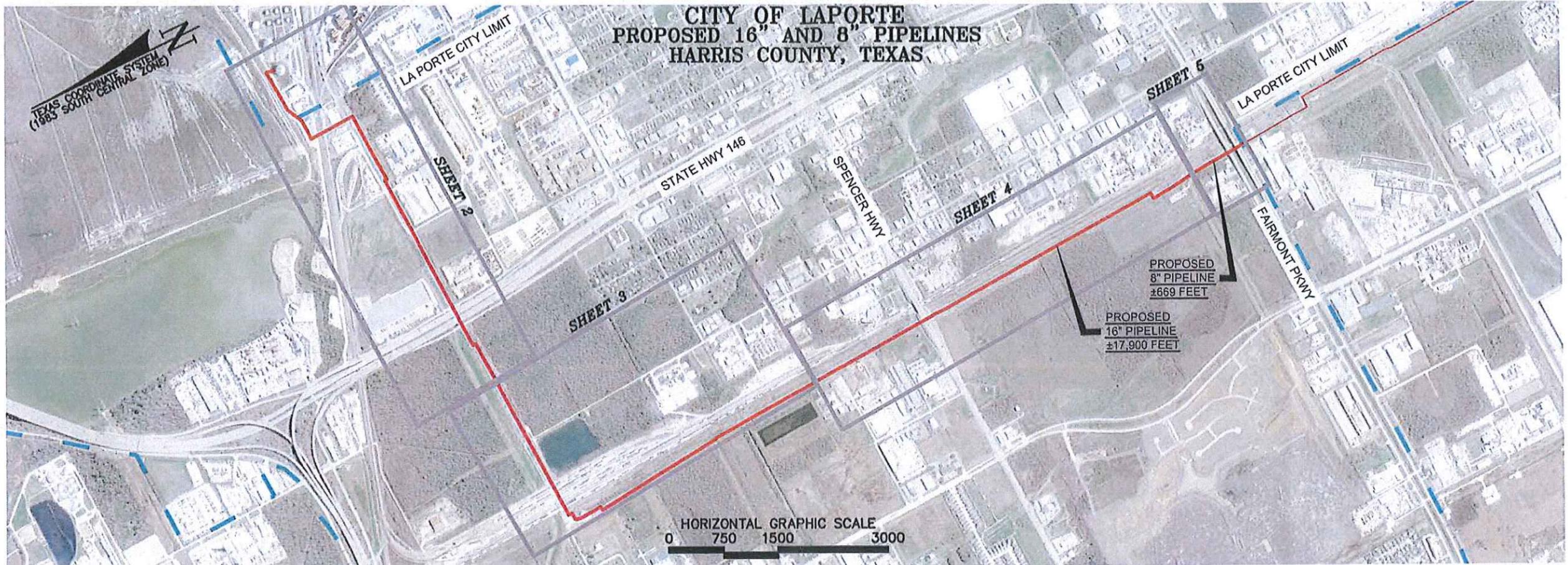
STATE OF TEXAS
DANIEL R. ALCORN
79234
REGISTERED PROFESSIONAL ENGINEER
10/14/19

RECEIVED
OCT 13 2019
BY:

mph
Morris P. Hebert, Inc.
SURVEYING • ENGINEERING • ENVIRONMENTAL • GIS
1540 UNIVERSAL CITY BLVD. • UNIVERSAL CITY, TEXAS 78148 • (210) 366-9350
HOUMA, LA. • HOUSTON, TX. • SAN ANTONIO, TX. • MIDLAND, TX.
TEXAS SURVEY FIRM REGISTRATION NUMBER: 10193717 (SAN ANTONIO OFFICE)

HSC PIPELINE PARTNERSHIP, LLC
PROPOSED 16-INCH & 8-INCH PIPELINE
ACROSS THE CITY OF LA PORTE
STATION 0+00 - 60+00
LOCATED IN THE JOHNSON HUNTER SURVEY A-35

DRAWN BY:	AB/TH	SHEET:	2 OF 5
CHKD./APPD. BY:		SCALE:	AS SHOWN
UPDATED BY:		DATE:	08/28/19
DATA BASE:	13448	JOB NO.:	13448
MPH CAD FILE: CITY OF LAPORTE.DWG			



I DANIEL ALCORN, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, P.E. NO. 79234, AN EMPLOYEE OF NC NORTH STAR ENERGY SERVICES, INC., TX FIRM NO. F-14939, HAVE REVIEWED THE PIPELINE DESIGN AND PIPE TESTING SPECIFICATIONS OF THIS EXHIBIT AND HAVE FOUND THEM ACCURATE AND SUITABLE FOR THE PROPOSED PROJECT. I DO NOT ATTEST TO THE ACCURACY, COMPLETENESS, OR CORRECTNESS OF OTHER ASPECTS OF THE EXHIBIT, INCLUDING BUT NOT LIMITED TO, SURVEY, RIGHT-OF-WAY, PROPERTY OWNERSHIP DETERMINATION, AND LOCATION OF EXISTING FACILITIES THAT ARE THE RESPONSIBILITY OF OTHER PARTIES. THIS CERTIFICATION APPLIES TO EVERY SHEET CONTAINED WITHIN THIS SUBMITTAL (SHEETS 1 THROUGH 5).

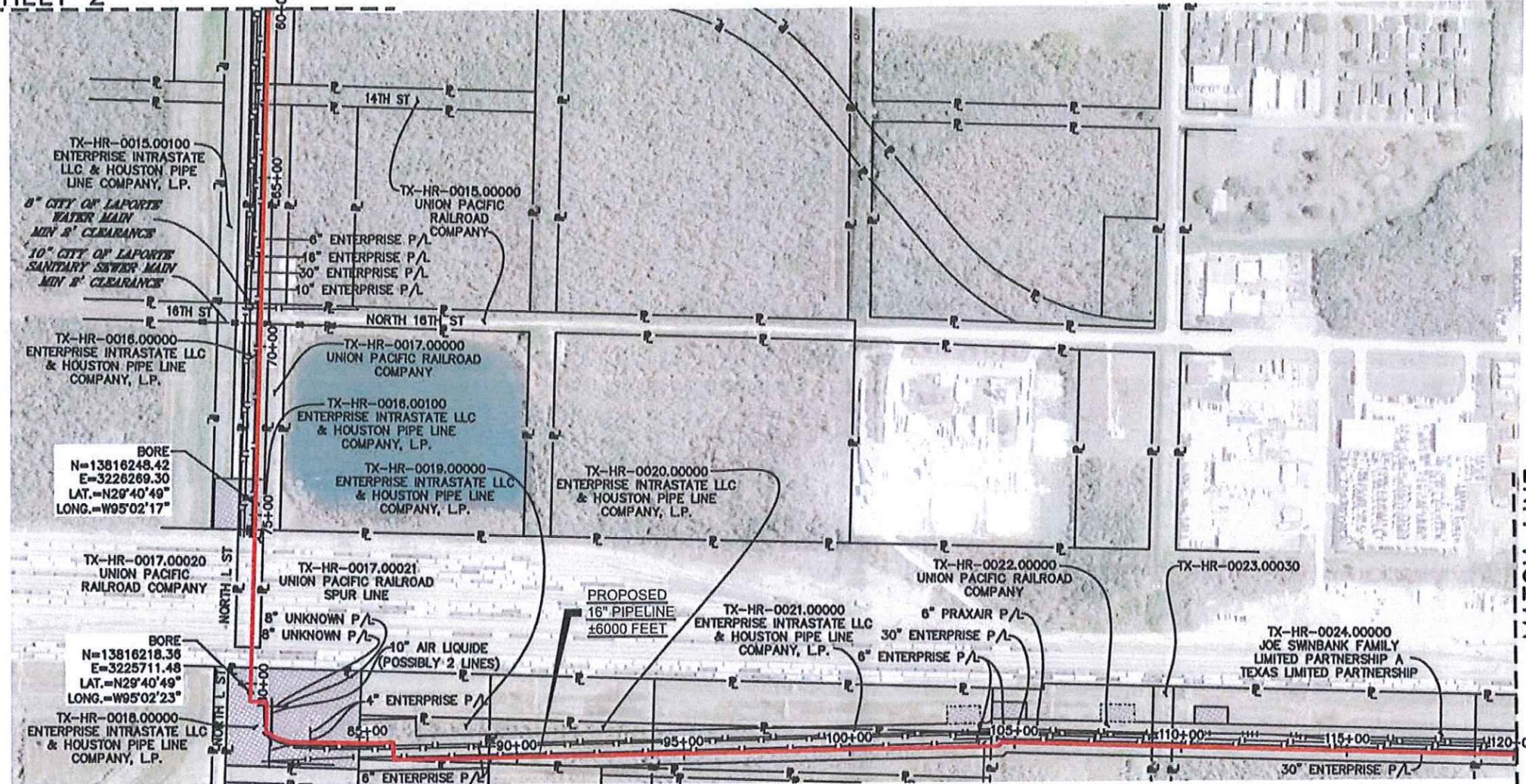
RECEIVED
 OCT 15 2019
 BY:

HSC PIPELINE PARTNERSHIP, LLC
PROPOSED 16-INCH & 8-INCH PIPELINE
ACROSS THE CITY OF LA PORTE
LOCATED IN THE JOHNSON HUNTER SURVEY A-35
HARRIS COUNTY, TEXAS

DRAWN BY: AB/TH	SHEET: 1 OF 5
CHKD./APPD. BY:	SCALE: AS SHOWN
UPDATED BY:	DATE: 08/28/19
DATA BASE: 13448	JOB NO. 13448
MPH CAD FILE: CITY OF LAPORTE COVER SHEET	

HARRIS COUNTY, TEXAS
 MATCH LINE SHEET 2 ENOCH BRINSON SURVEY A-5, JOHNSON HUNTER SURVEY A-35, AND RICHARD PEARSALL SURVEY A-625

TEXAS COORDINATE SYSTEM
 (1983 SOUTH CENTRAL ZONE)

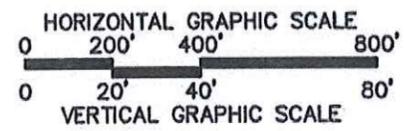


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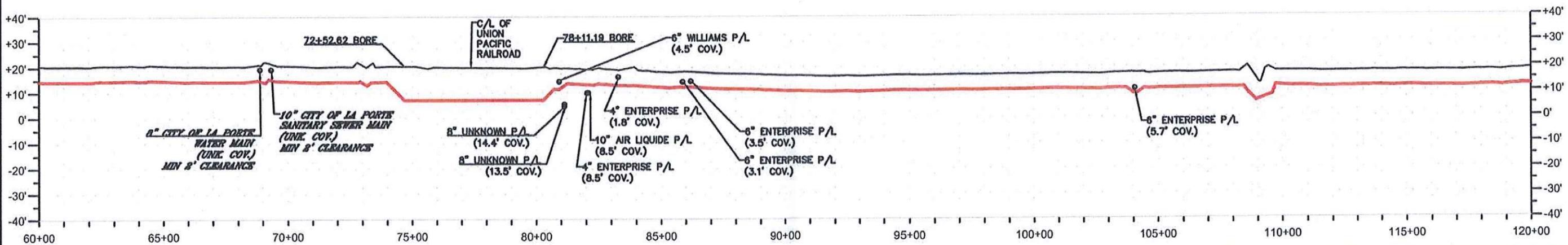


10/14/19

PLAN



PROFILE



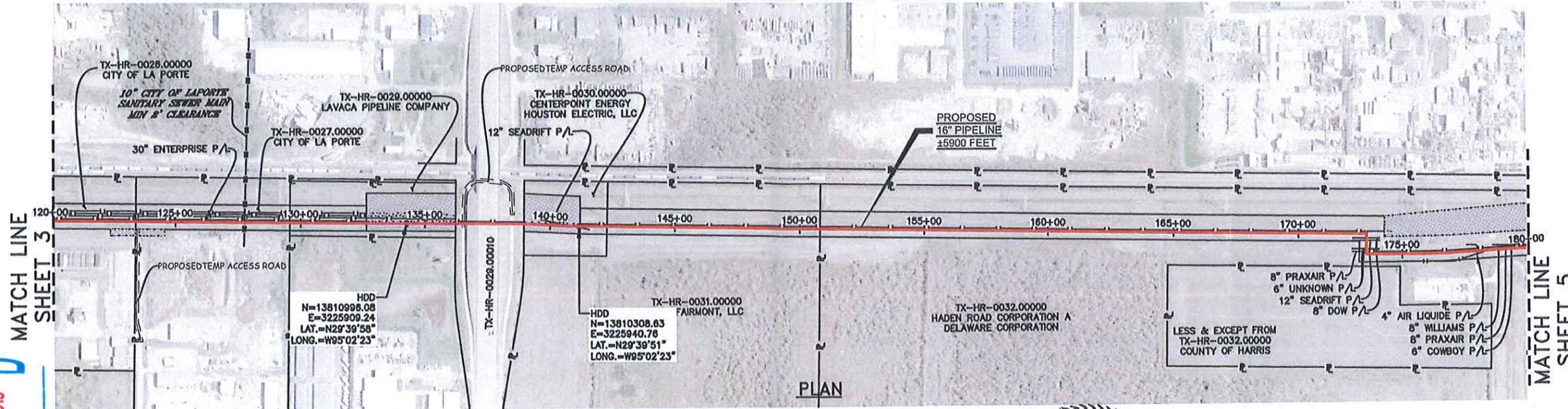
HSC PIPELINE PARTNERSHIP, LLC

PROPOSED 16-INCH & 8-INCH PIPELINE ACROSS THE CITY OF LA PORTE
 STATION 60+00 - 120+00
 LOCATED IN THE ENOCH BRINSON SURVEY A-5, JOHNSON HUNTER SURVEY A-35,
 AND THE RICHARD PEARSALL SURVEY A-625

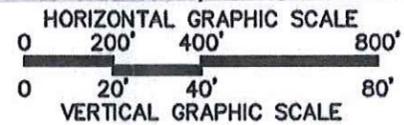
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CHKD./APPD. BY:	SCALE: 1" = 400'
UPDATED BY:	DATE: 08/28/19
DATA BASE: 13448	JOB NO. 13448
MPH CAD FILE: CITY OF LAPORTE.DWG	

TEXAS COORDINATE SYSTEM
(1983 SOUTH CENTRAL ZONE)

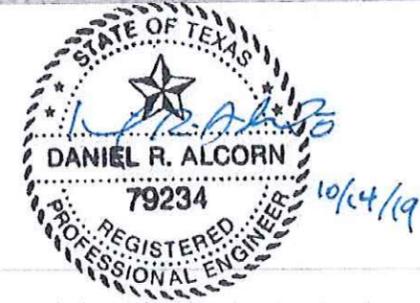
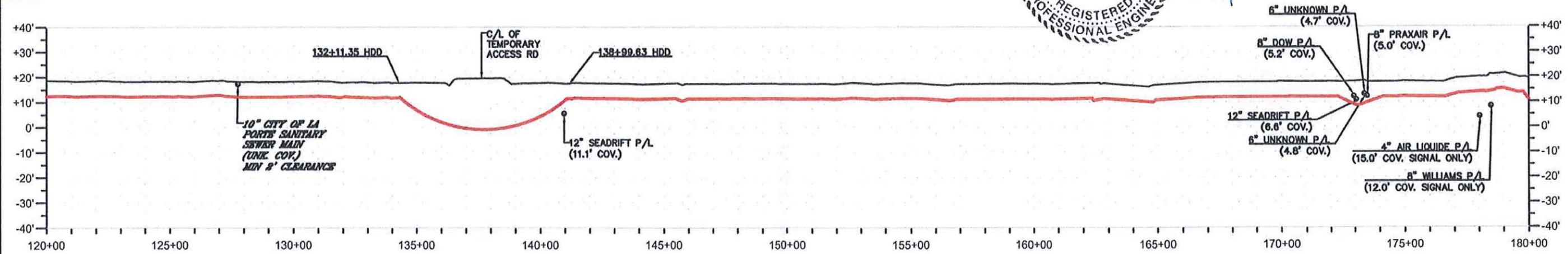
HARRIS COUNTY, TEXAS
RICHARD PEARSALL SURVEY A-625



PLAN



PROFILE



RECEIVED
 OCT 15 2019
 BY:

MATCH LINE SHEET 3

MATCH LINE SHEET 5

HSC PIPELINE PARTNERSHIP, LLC
PROPOSED 16-INCH & 8-INCH PIPELINE
ACROSS THE CITY OF LA PORTE
STATION 120+00 - 180+00
LOCATED IN THE RICHARD PEARSALL SURVEY A-625

DRAWN BY: AB/TH	SHEET: 4 OF 5
CHKD./APPD. BY:	SCALE: 1" = 400'
UPDATED BY:	DATE: 08/28/19
DATA BASE: 13448	JOB NO. 13448
MPH CAD FILE: CITY OF LAPORTE.DWG	

PROPOSED HSC 16" ETHYLENE PIPELINE DESIGN DATA

1.0 GENERAL INFORMATION

- 1.1 APPLICANT/OWNER: HSC PIPELINE PARTNERSHIP, LLC
- 1.2 PIPELINE NAME: PROPOSED HSC 16" ETHYLENE PIPELINE
- 1.3 PRODUCT: ETHYLENE
- 1.4 PROPOSED CONSTRUCTION ACTIVITIES SCHEDULED FOR FEBRUARY 2020 THROUGH SEPTEMBER 2020

2.0 PIPELINE DESIGN DATA

- 2.1 DESIGN CODES: THE DEPARTMENT OF TRANSPORTATION ("DOT") STANDARD CFR TITLE 49, PART 195, "TRANSPORTATION OF HAZARDOUS LIQUIDS BY PIPELINE" AND THE RAILROAD COMMISSION PIPELINES SAFETY RULES AND ASME B31.4
- 2.2 DESIGN PRESSURE: 2180 PSIG
- 2.3 HYDROSTATIC TEST PRESSURE: 3240 PSIG MAX 2700 PSIG MIN.
- 2.4 MINIMUM DESIGN FACTOR: 0.72

3.0 CATHODIC PROTECTION

- 3.1 RECTIFIER IMPRESSED CURRENT

4.0 CONSTRUCTION METHOD

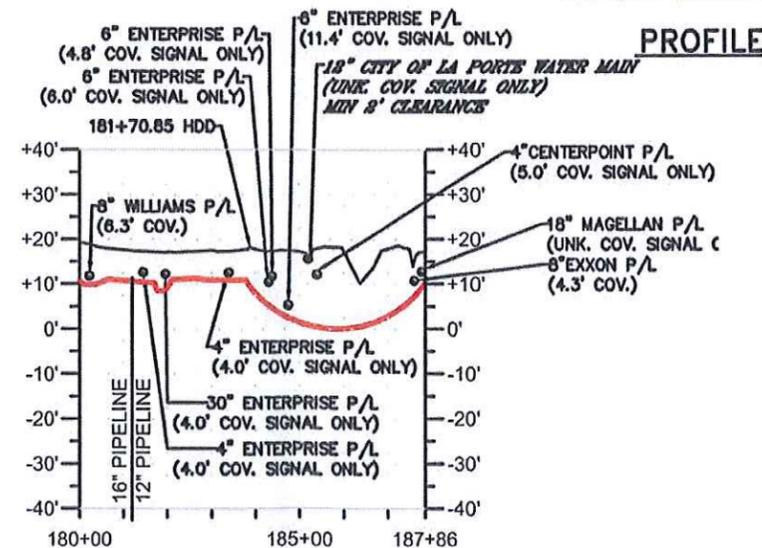
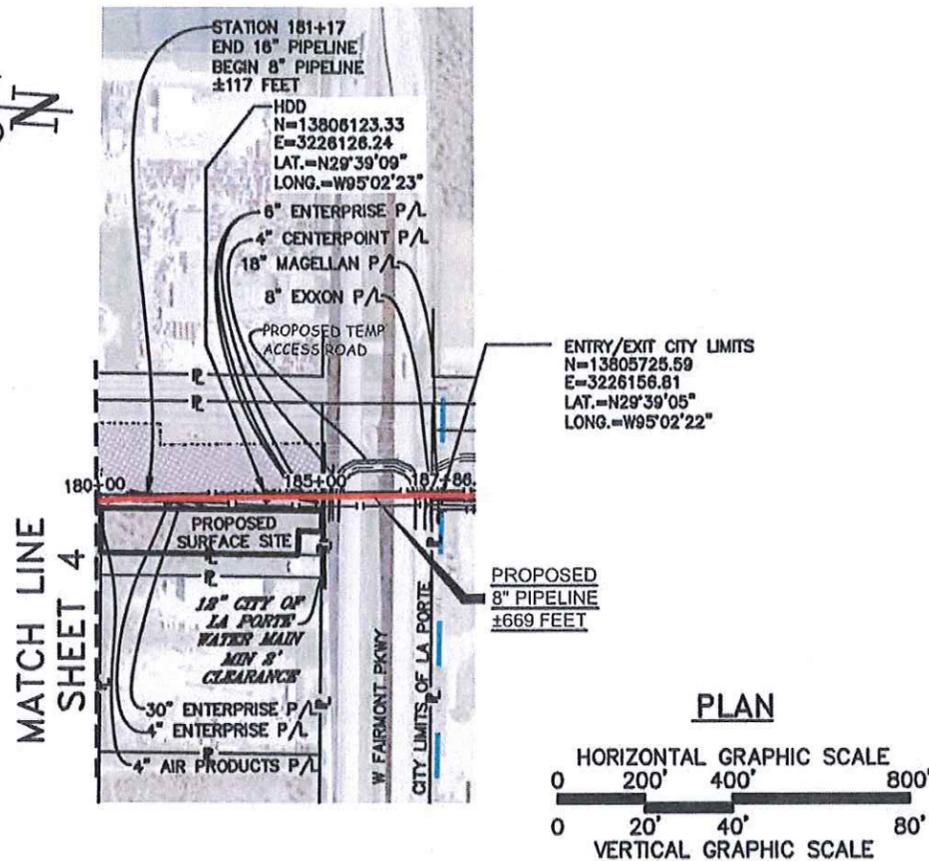
- 4.1 PIPELINE WILL BE INSTALLED BY HORIZONTAL DIRECTIONAL DRILL (HDD) AND/OR CONVENTIONAL BORE, AND OPEN CUT

5.0 ROAD BORE AND HDD LINE PIPE

- 5.1 OUTSIDE DIAMETER: 16"
- 5.2 WALL THICKNESS: 0.500"
- 5.3 PIPE SPECIFICATION: API 5L
- 5.4 SPECIFIED MINIMUM YIELD STRENGTH: X60 (60,000 PSI)
- 5.5 MATERIAL: CARBON STEEL
- 5.6 PROCESS OF MANUFACTURE: HFW
- 5.7 EXTERIOR COATING: 15 TO 22 MILS FUSION BONDED EPOXY (FBE) & 30 TO 40 MILS ABRASION RESISTANT OVERLAY (ARO)

HARRIS COUNTY, TEXAS
RICHARD PEARSALL SURVEY A-625

TEXAS COORDINATE SYSTEM
(1983 SOUTH CENTRAL ZONE)



PROPOSED HSC 8" ETHYLENE PIPELINE DESIGN DATA

1.0 GENERAL INFORMATION

- 1.1 APPLICANT/OWNER: HSC PIPELINE PARTNERSHIP, LLC
- 1.2 PIPELINE NAME: PROPOSED HSC 8" ETHYLENE PIPELINE
- 1.3 PRODUCT: ETHYLENE
- 1.4 PROPOSED CONSTRUCTION ACTIVITIES SCHEDULED FOR FEBRUARY 2020 THROUGH SEPTEMBER 2020

2.0 PIPELINE DESIGN DATA

- 2.1 DESIGN CODES: THE DEPARTMENT OF TRANSPORTATION ("DOT") STANDARD CFR TITLE 49, PART 195, "TRANSPORTATION OF HAZARDOUS LIQUIDS BY PIPELINE" AND THE RAILROAD COMMISSION PIPELINES SAFETY RULES AND ASME B31.4
- 2.2 DESIGN PRESSURE: 2160 PSIG
- 2.3 HYDROSTATIC TEST PRESSURE: 3240 PSIG MAX 2700 PSIG MIN.
- 2.4 MINIMUM DESIGN FACTOR: 0.72

3.0 CATHODIC PROTECTION

- 3.1 RECTIFIER IMPRESSED CURRENT

4.0 CONSTRUCTION METHOD

- 4.1 PIPELINE WILL BE INSTALLED BY HORIZONTAL DIRECTIONAL DRILL (HDD) AND/OR CONVENTIONAL BORE, AND OPEN CUT

5.0 ROAD BORE AND HDD LINE PIPE

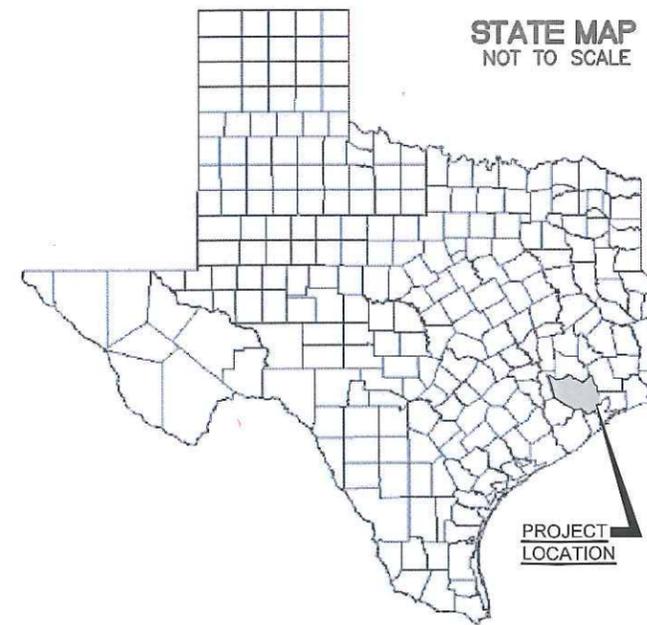
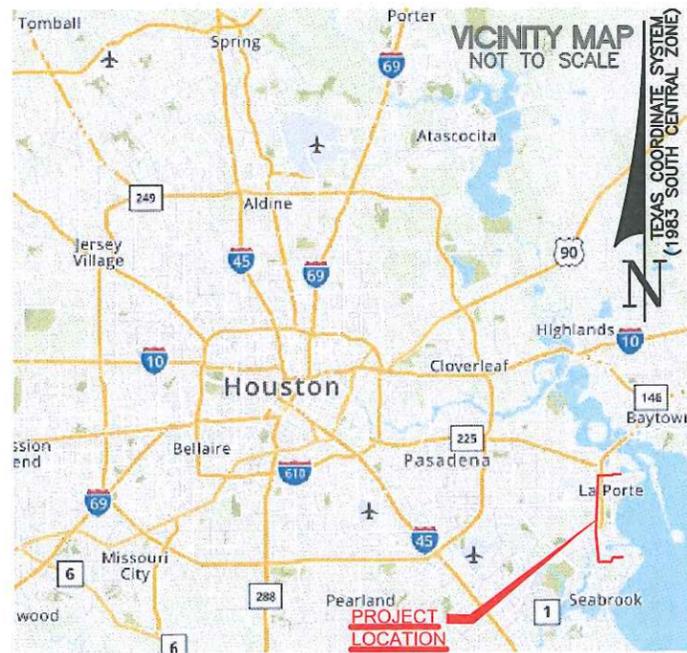
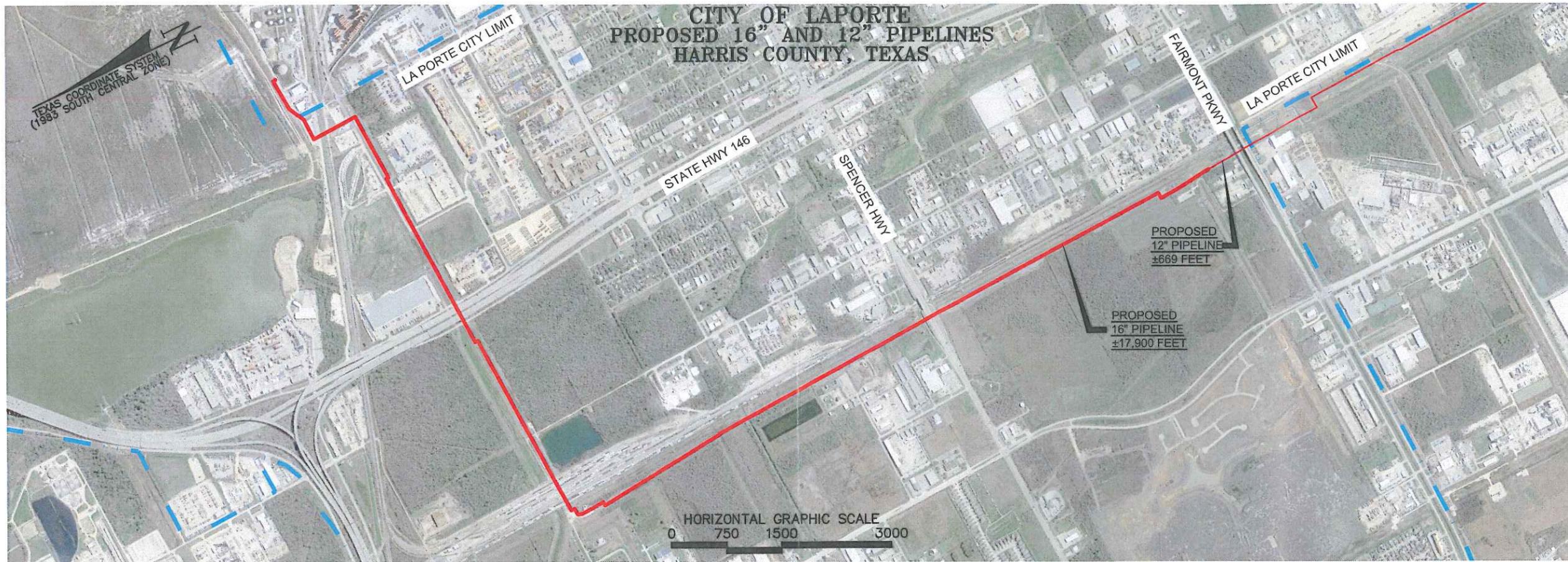
- 5.1 OUTSIDE DIAMETER: 8.625"
- 5.2 WALL THICKNESS: 0.322"
- 5.3 PIPE SPECIFICATION: API 5L PSL2
- 5.4 SPECIFIED MINIMUM YIELD STRENGTH: X60 (60,000 PSI)
- 5.5 MATERIAL: CARBON STEEL
- 5.6 PROCESS OF MANUFACTURE: HFW
- 5.7 EXTERIOR COATING: 15 TO 22 MILS FUSION BONDED EPOXY (FBE) & 30 TO 40 MILS ABRASION RESISTANT OVERLAY (ARO)

RECEIVED
OCT 15 2019
BY:



HSC PIPELINE PARTNERSHIP, LLC
PROPOSED 16-INCH & 8-INCH PIPELINE
ACROSS THE CITY OF LA PORTE
STATION 180+00 - 185+69
LOCATED IN THE RICHARD PEARSALL SURVEY A-625

DRAWN BY: AB/TH	SHEET: 5 OF 5
CHKD./APPD. BY:	SCALE: 1" = 400'
UPDATED BY:	DATE: 08/28/19
DATA BASE: 13448	JOB NO. 13448
MPH CAD FILE: CITY OF LAPORTE.DWG	



mph
Morris P. Hebert, Inc.
 SURVEYING • ENGINEERING • ENVIRONMENTAL • GIS
 1540 UNIVERSAL CITY BLVD. • UNIVERSAL CITY, TEXAS 78148 • (210) 366-9350
 HOUMA, LA. • HOUSTON, TX. • SAN ANTONIO, TX. • MIDLAND, TX.
 TEXAS SURVEY FIRM REGISTRATION NUMBER: 10193717 (SAN ANTONIO OFFICE)

HSC PIPELINE PARTNERSHIP, LLC

**PROPOSED 16-INCH & 12-INCH PIPELINE
 ACROSS THE CITY OF LA PORTE
 LOCATED IN THE JOHNSON HUNTER SURVEY A-35
 HARRIS COUNTY, TEXAS**

DRAWN BY: AB	SHEET: 1 OF 5
CHKD./APPD. BY:	SCALE: AS SHOWN
UPDATED BY:	DATE: 06/25/19
DATA BASE: 13448	JOB NO. 13448
MPH CAD FILE: CITY OF LAPORTE COVER SHEET	



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>November 11, 2019</u>
Requested By: <u>Ian Clowes, City Planner</u>
Department: <u>Planning and 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 2019-3765
 Proposed SCUP
 P & Z letter of recommendation
 Aerial map
 Zoning map
 Applicant information

SUMMARY

Applicant Charles Anders, on behalf of owner Bayway Homes, is seeking approval of a SCUP to allow for the construction of a single duplex home on two lots located on Bayshore Drive. This request is similar to a previously approved SCUP which permitted the development of nine duplex homes in Block 32 of the Beach Park subdivision, two blocks north of the current proposal. The previous SCUP was approved in 2016 and amended in February 2019.

The total subject site area is legally described as Lots 10 & 11, Block 30, Beach Park Subdivision and is located 536 Bayshore Drive. The attached Area Map Exhibit shows the location of the subject property. The lot is zoned MU, Mixed Use, and is currently undeveloped.

Staff received one comment sheet in favor of the proposed SCUP. Staff sent out nineteen notifications to all property owners within 200' of the subject property.

The Planning and Zoning Commission, at their October 17, 2019, regular meeting, voted 5-2 to recommend denial of the proposed SCUP, as presented. Commissioners Barrera and Warren were the dissenting votes. Commissioner Martin was not present for the vote.

In accordance with Sec. 106-171. (8) *Vote to overrule*. The affirmative vote of at least three-fourths of the city council is required to overrule a recommendation of the city planning and zoning commission that a proposed change to this chapter or boundary be denied. Council approval of the proposed SCUP will require seven (7) affirmative votes.

Should the City Council choose to approve the SCUP request, staff recommends adding the following conditions to the final SCUP document:

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte's development ordinance and shall comply with all provisions of Chapter 106, "Zoning" of the City's Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the state of Texas.
2. The underlying zoning is MU. All MU requirements will need to be met.
3. One single family attached duplex unit is permitted on two platted lots within the development area.
4. A fire wall is required along the shared property line separating each unit in accordance with applicable residential building and fire codes.
5. A 0' setback is permitted on the shared property line separating the two units of each duplex. Perimeter setbacks are 15' minimum to 25' maximum from the front property line, a minimum of 5' from the side property lines and a minimum of 10' from the rear property line.
6. A minimum of two off-street parking spaces shall be included for each individual unit.
7. All necessary documentation for building permit review must be submitted in conjunction with the City's building permit application process for any proposed building improvements.
8. 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.

Per Sec. 106-171. (6) Council Actions. "The city council shall act upon such motion or petition within 30 days from the date the final report of the city planning and zoning commission was submitted to the city council."

Should the Council wish to uphold the Planning and Zoning Commission's denial, a motion could be as follows:

I move that the Council uphold the Planning and Zoning Commission's denial of the application for Special Conditional Use Permit (SCUP) #19-91000007, for a 0.12-acre tract of land located at 536 Bayshore Drive, legally described as Lots 10 & 11, Block 30, Beach Park Subdivision

Should the Council wish to approve the request (not to follow the Planning and Zoning Commission's recommendation), a motion could be as follows:

I move that the Council adopt Ordinance 2019-3765 for Special Conditional Use Permit (SCUP) #19-91000007, for a 0.12-acre tract of land located at 536 Bayshore Drive, legally described as Lots 10 & 11, Block 30, Beach Park Subdivision

Per Sec. 106-171. (8) Vote to overrule. "The affirmative vote of at least three-fourths of the city council is required to overrule a recommendation of the city planning and zoning commission that a proposed change to this chapter or boundary be denied."

Council approval of the proposed SCUP amendment will require seven (7) affirmative votes.

RECOMMENDED MOTION

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2019-3765

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. 19-91000007, TO ALLOW FOR A SINGLE-FAMILY DUPLEX HOME TO LOCATE IN THE MIXED USE (MU) ZONING DISTRICT, ON 0.12 ACRES OF LAND AND BEING LEGALLY DESCRIBED AS LOTS 10 AND 11, BLOCK 30, BEACH PARK 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 #19-91000007 attached hereto as Exhibit A and incorporated by reference for all purposes, to allow for a single-family duplex home to locate on 0.12 acres of land, being legally described as Lots 10 and 11, Block 30, Beach Park Subdivision, La Porte, Harris County, Texas, and situated within the Mixed Use (MU) 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 11th day of November, 2019.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED:

Lee Woodward, City Secretary

Clark Askins, Assistant City Attorney

City of La Porte
Special Conditional Use Permit #19-9100007

This permit is issued to: Bayway Homes
Owner or Agent

PO Box 1244, Friendswood, TX, 77549
Address

For Development of: Bayway Homes Circle Single Family Attached Development Phase 2
Development Name

536 Bayshore Dr.
Address

Legal Description: Lots 10 & 11, Block 30, Beach Park Subdivision, Harris County, TX

Zoning: MU, Mixed Use

Use: Single family attached duplex homes

Permit Conditions:

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

1. A site development plan shall be submitted in accordance with applicable requirements of the City of La Porte’s Development Ordinance and shall comply with all provisions of Chapter 106, “Zoning” of the City’s Code of Ordinances and all other department reviews and applicable laws and ordinances of the City of La Porte and the State of Texas.
2. The underlying zoning is MU. All MU requirements will need to be met.
3. One single family attached duplex unit is permitted on two platted lots within the development area.
4. A fire wall is required along the shared property line separating each unit in accordance with applicable residential building and fire codes.
5. A 0’ setback is permitted on the shared property line separating the two units of each duplex. Perimeter setbacks are 15’ minimum to 25’ maximum from the front property line, a minimum of 5’ from the side property lines and a minimum of 10’ from the rear property line.
6. A minimum of two off-street parking spaces shall be included for each individual unit.
7. All necessary documentation for building permit review must be submitted in conjunction with the city’s building permit application process for any proposed building improvements.
8. Any substantive modifications to this Special Conditional Use Permit will require an amendment to this SCUP in accordance with Chapter 106, “Zoning” of the City’s Code of Ordinances.

Failure to start construction of the site within 12 months after issuance or as scheduled under the terms of a special conditional use permit shall void the permit as approved, except upon an extension of time granted

after application to the Planning and Zoning Commission.

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

Validation Date: _____

Teresa Evans
Director of Planning and Development

Lee Woodward, City Secretary



October 18, 2019

Honorable Mayor Rigby and City Council
City of La Porte

RE: Special Conditional Use Permit Request #19-9100007

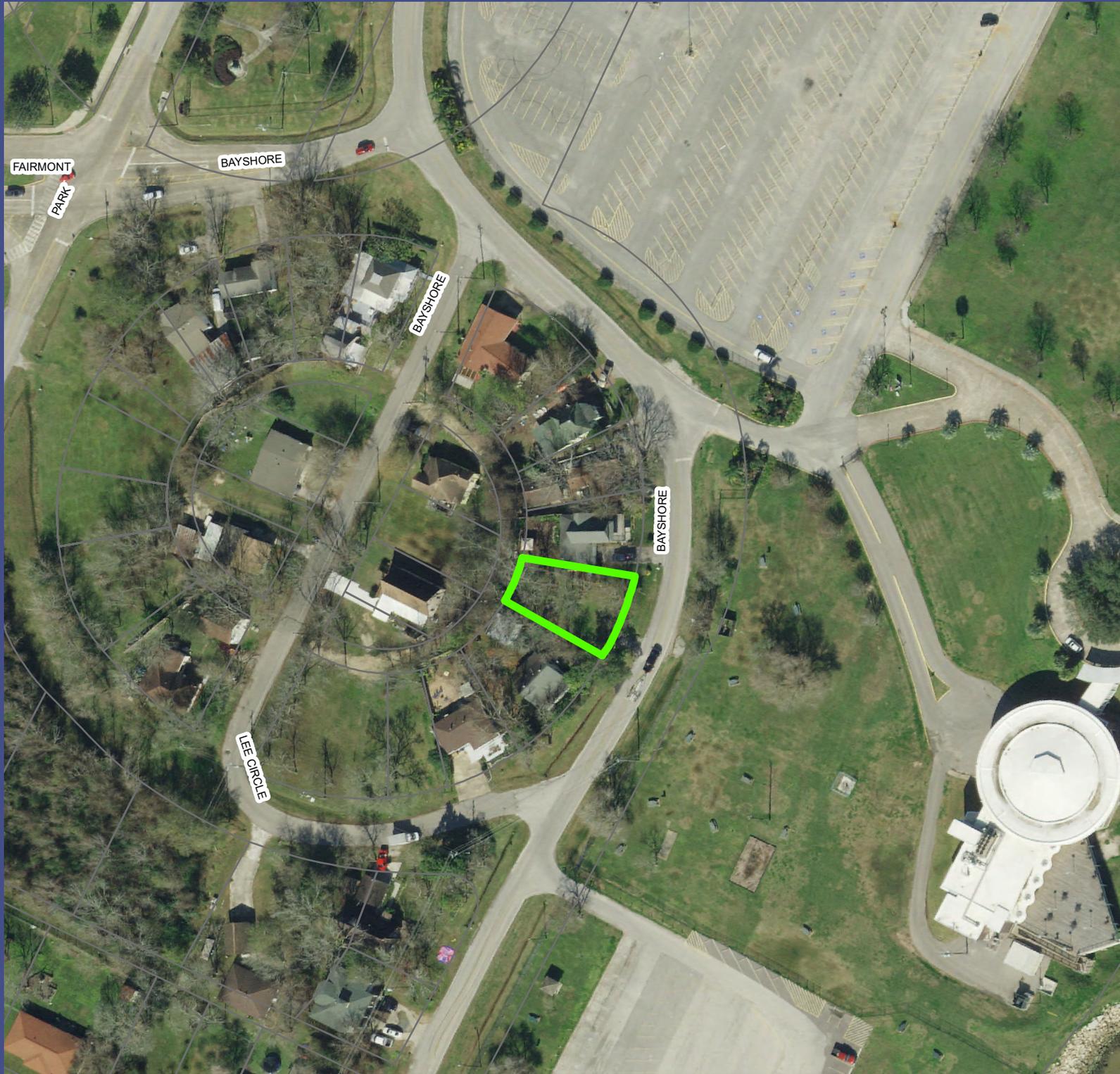
Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a regular meeting on October 17, 2019 to hear a Special Conditional Use Permit request by Charles Anders, applicant; on behalf of Bayway Homes, owner; for a Special Conditional Use Permit to allow for the construction of a single duplex home on two lots located on Bayshore Dr., and is legally described as Lots 10 and 11, Block 30, Beach Park Subdivision. The subject site is zoned Mixed Use (MU). Section 106-310 of the Code of Ordinances requires a Special Conditional Use Permit in order for the above referenced use to be permitted within the MU zoning district.

The Commission voted 5-2 to recommend denial of the proposed SCUP. Commissioners Warren and Barrera were the dissenting votes. Commissioner Martin was not present for the vote.

Respectfully submitted

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



AERIAL MAP

SCUP
#19-9100007

536 S. Bayshore Dr.

Legend

 Subject Parcel



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

1 inch = 114 feet

NOVEMBER 2019
PLANNING DEPARTMENT





ZONING MAP

**SCUP
#19-9100007**

536 S. Bayshore Dr.

Legend

 Subject Parcel



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

1 inch = 114 feet



**NOVEMBER 2019
PLANNING DEPARTMENT**



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: 536 S Bayshore Drive
 Legal description where SCUP is being requested: Lots 10 and 11 Blk 30 Beach Park Subdivision Harris Co, Tx
 HCAD Parcel Number where SCUP is being requested: 0070020000010
 Zoning District: MU Lot area: _____

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

Description of Request: We request a SCUP similar to existing SCUP# 16-91000001 to build a Duplex Townhome (Two Townhomes, One Building as Bayway Homes is building on N Bayshore Dr.

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: Paulotta C Fonteno
 Company (if applicable): _____
 Address: 618 Carmel Parkway
 City: Corpus Christi state: Tx Zip: 78411
 Phone: 332-316-3815 Email: _____

AUTHORIZED AGENT (If other than owner)

Name: Charles Anders
 Company (if applicable): Bayway Homes Inc
 Address: PO Box 1244
 City: Friendswood state: Tx Zip: 77549
 Phone: 2816482425x17 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: [Signature] Date: 6/26/2019
 Owner(s) Signature: [Signature: Paulotta C Fonteno] Date: 6/30/2019

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;

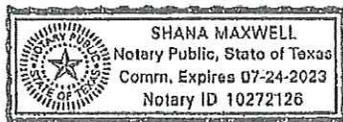
ADDRESS: 536 S. Bayshore Dr. La Porte Tx 77571
LEGAL DESCRIPTION: Lts 10 & 11 Block 30 Beach Park

- 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.

Paulette C. Fonteno
Applicant's Signature

PAULETTE C. FONTENO
Applicant's Printed Name

Subscribed and sworn before me this 30 day of August, 2019, by
Paulette C. Fonteno (Print Applicant's Name).



(Seal)

Shana Maxwell
Notary Public

My commission expires: 7/24/2023



Special Conditional Use Permit Application

Planning and Development Department

PROJECT INFORMATION

Address where SCUP is being requested: 536 S Bayshore Drive

Legal description where SCUP is being requested: Lots 10 and 11 Blk 30 Beach Park Subdivision Harris Co, Tx

HCAD Parcel Number where SCUP is being requested: 0070020000010

Zoning District: MU Lot area: _____

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

Description of Request: We request a SCUP similar to existing SCUP# 16-91000001 to build a Duplex Townhome (Two Townhomes, One Building as Bayway Homes is building on N Bayshore Dr.

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: Paulette C Fonteno

Company (if applicable): _____

Address: 618 Carmel Parkway

City: Corpus Christi State: Tx Zip: 78411

Phone: _____ Email: _____

AUTHORIZED AGENT (If other than owner)

Name: Charles Anders

Company (if applicable): Bayway Homes Inc

Address: PO Box 1244

City: Friendswood State: Tx Zip: 77549

Phone: 2816482425x17 Email: [REDACTED]

OWNER(S) & AGENT CERTIFICATION

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

Agent's Signature:  Date: 8/28/2019

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: _____
LEGAL DESCRIPTION: _____
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

Applicant's Printed Name

Subscribed and sworn before me this _____ day of _____, _____ by

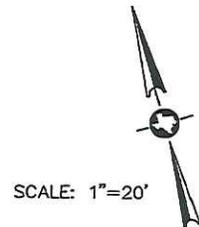
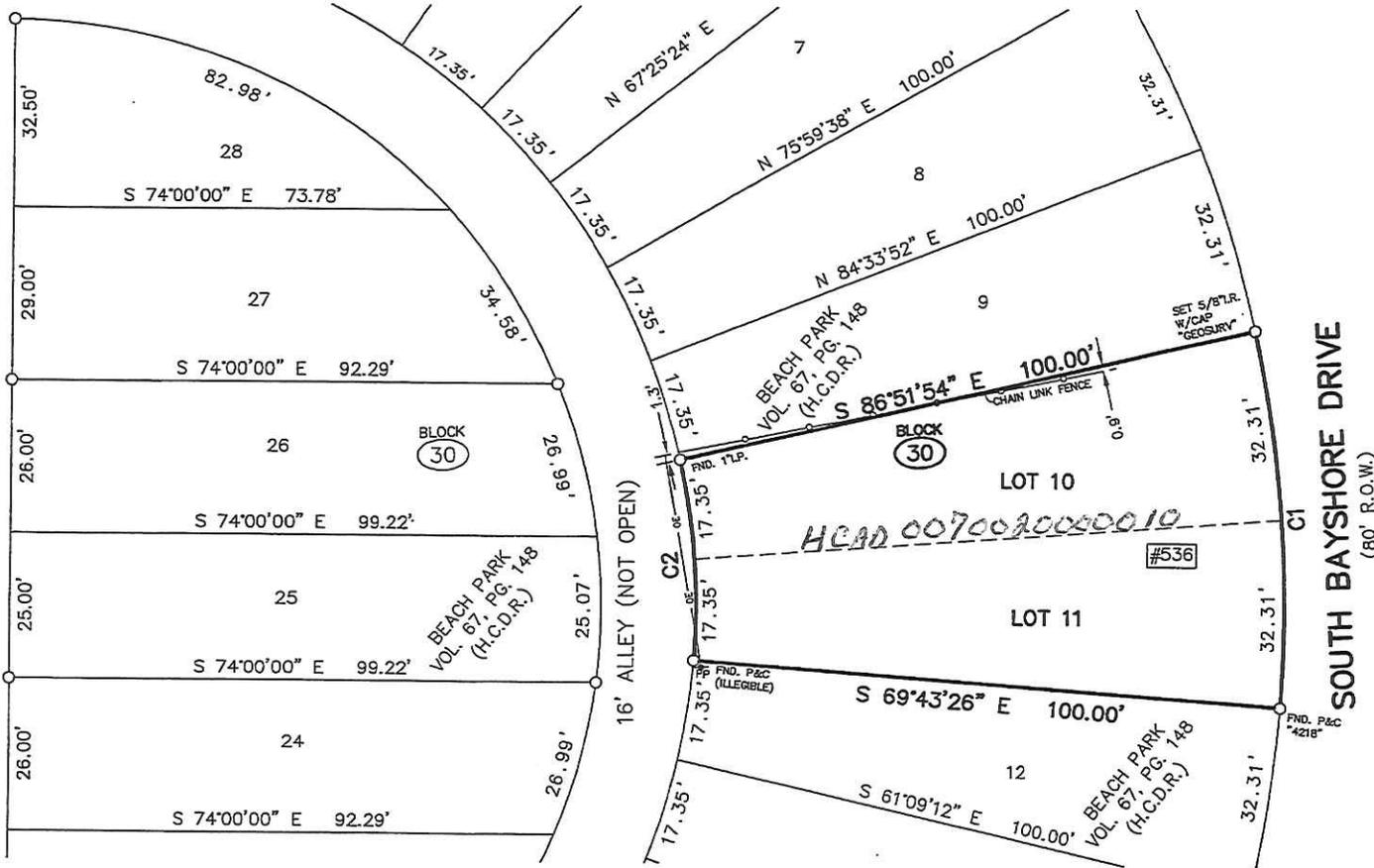
_____ (*Print Applicant's Name*).

Notary Public

(Seal)

My commission expires: _____

CIRCLE DRIVE
((60' R.O.W.))



LEGEND

H.C.D.R.	HARRIS COUNTY DEED RECORDS
R.O.W.	RIGHT-OF-WAY
I.P.	IRON PIPE
P&C	IRON ROD WITH CAP
#536	PROPERTY ADDRESS
+	POWER POLE

CURVE	RADIUS	ARC	BEARING	CHORD
C1	216.00'	64.62'	S 11°42'20" W	64.38'
C2	116.00'	34.70'	S 11°42'20" W	34.57'

Survey Prepared for: Paulette Fonteno

- Notes:
- 1.) This property lies in Zone "AE" (B.F.E. 14'), defined by FEMA as areas of base flood elevations determined, as scaled from Flood Insurance Rate Map Community-Panel Number 48201C0945M, map revised January 6, 2017.
 - 2.) This survey has been prepared without the benefit of a current title report or title commitment. This property may be subject to matters of record not reflected hereon which such a title report or title commitment may reveal.

July 9, 2019

Survey of Lots Ten (10) and Eleven (11) of BEACH PARK a Subdivision in Harris County, Texas, according to the map or plat thereof recorded in Volume 67, Page 148, of the Deed Records in the Office of the County Clerk of Harris County, Texas.

I hereby attest that on the above date, the herein described Lot, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.



P.O. Box 246, League City, Texas 77574
281-554-7729 409-765-6030 Fax: 281-554-6928
Firm No.: 10040100



GeoSurv, LLC
[Signature]
Dale L. Hardy
Registered Professional
Land Surveyor 4847

F:\V\010\02019\19-0106\19-0106.DWG



A Meeting of the La Porte
Planning & Zoning Commission

Scheduled for
October 17, 2019

To Consider
SCUP Request #19-91000007

I have received notice of the above referenced public hearing.

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

There was a home on this land before, so it should be
allowed to re-build a home.

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

Paulette C. Fonteno*

Name (please print)

Paulette C. Fonteno

Signature

618 Carmel Parkway

Address

Corpus Christi, Texas 78411

City, State, Zip

* Owner of Property 536 Bayshore Dr.
La Porte, Texas 7751



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>November 11, 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 2019-3766
P & Z letter of recommendation
Existing Land Use map
Proposed Land Use map

SUMMARY

This item is a request for consideration to amend the City's Future Land Use Plan (FLUP) in conjunction with a request by Ryan Sweezy, applicant; behalf of Texas Cargoways, LLC, owner, who is seeking approval of a Zone Change from the Mid Density Residential (R-2) zoning district to the General Commercial (GC) zoning district. The proposed zone change would allow for the development of an open air boat and RV storage facility on the site. The property in question is located at the 3400 Block of Canada Road, and legally described as Reserve A, Block 1 Dawson Subdivision.

The City's Future Land Use Plan (FLUP) identifies this property as "Mid-High Density Residential" land use. In order to accommodate the proposed development, the FLUP would need to be amended to allow for "Commercial" use.

The Planning and Zoning Commission, at their October 17, 2019, regular meeting, voted 7-0 to recommend denial of the proposed Future Land Use Amendment.

Per Sec. 106-171. (6) Council Actions. "The city council shall act upon such motion or petition within 30 days from the date the final report of the city planning and zoning commission was submitted to the city council."

Should the Council wish to uphold the Planning and Zoning Commission's denial, a motion could be as follows:

I move that the Council uphold the Planning and Zoning Commission's denial of the application for a zone change at the 3400 Block of Canada Road, and legally described as Reserve A, Block 1 Dawson Subdivision.

Should the Council wish to approve the request (not to follow the Planning and Zoning Commission's recommendation), a motion could be as follows:

I move that the Council adopt Ordinance 2019-3766, amending the City's Future Land Use Plan for a 6.921-acre tract of land located at the 3400 Block of Canada Road, and legally described as Reserve A, Block 1 Dawson Subdivision.

Per Sec. 106-171. (8) Vote to overrule. "The affirmative vote of at least three-fourths of the city council is required to overrule a recommendation of the city planning and zoning commission that a proposed change to this chapter or boundary be denied." Council approval of the proposed FLUP amendment will require seven (7) affirmative votes.

RECOMMENDED MOTION

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2019-3766

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; BY CHANGING THE DESIGNATION OF A 6.69-ACRE TRACT OF LAND AT THE 3400 BLOCK OF CANADA ROAD FROM “MID-DENSITY RESIDENTIAL” TO “COMMERCIAL”; 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; and

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 October 17, 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 6.921 acre tract of land located at the 3400 Block of Canada Rd., and legally described as follows: Reserve A, Block 1 Dawson Subdivision, City of La Porte, Harris County, Texas, from its present designation of “Mid-High Density Residential”, to “Commercial”, and at the conclusion of such review the La Porte Planning and Zoning Commission voted to recommend to the La Porte City Council that it deny approval of such amendment 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 November 11, 2019 meeting, pursuant to the recommendations of the Planning and Zoning Commission of the City of La Porte, Texas.

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

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

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

Section 4. This ordinance shall be in effect from and after its passage and approval.

PASSED AND APPROVED this, the 11th day of November, 2019.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED:

Lee Woodward, City Secretary

Clark Askins, Assistant City Attorney



October 17, 2019

Honorable Mayor Rigby and City Council
City of La Porte

RE: Request #19-92000006 to Amend the Future Land Use Map

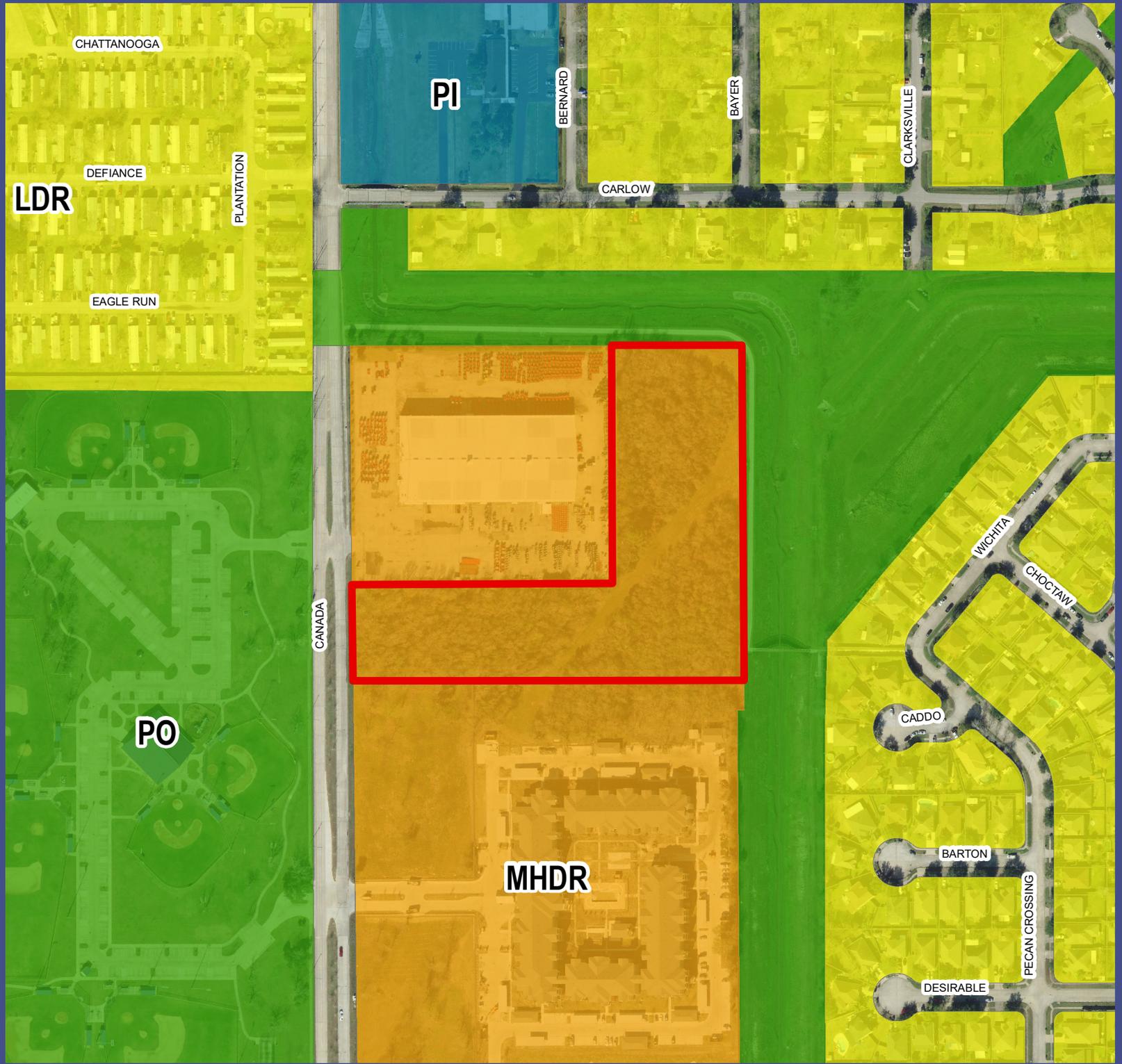
Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a meeting on October 17, 2019 for a request to amend the City's Future Land Use Plan as adopted in the Comprehensive Plan for a 6.921 acre tract of land located at the 3400 Block of Canada Rd., and is legally described as Reserve A, Block 1 Dawson Subdivision. The request was for approval of a change of the future land use designation from "Mid-High Density Residential" use to "Commercial" use

The Commission voted 7-0 to recommend denial of the proposed amendments to the City's Future Land Use Map. Commissioner Martin abstained from the vote.

Respectfully submitted,

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



FLUP MAP

**Zone Change
19-92000006**

**3400 Block
Canada Rd.**

Legend

 Subject Parcel

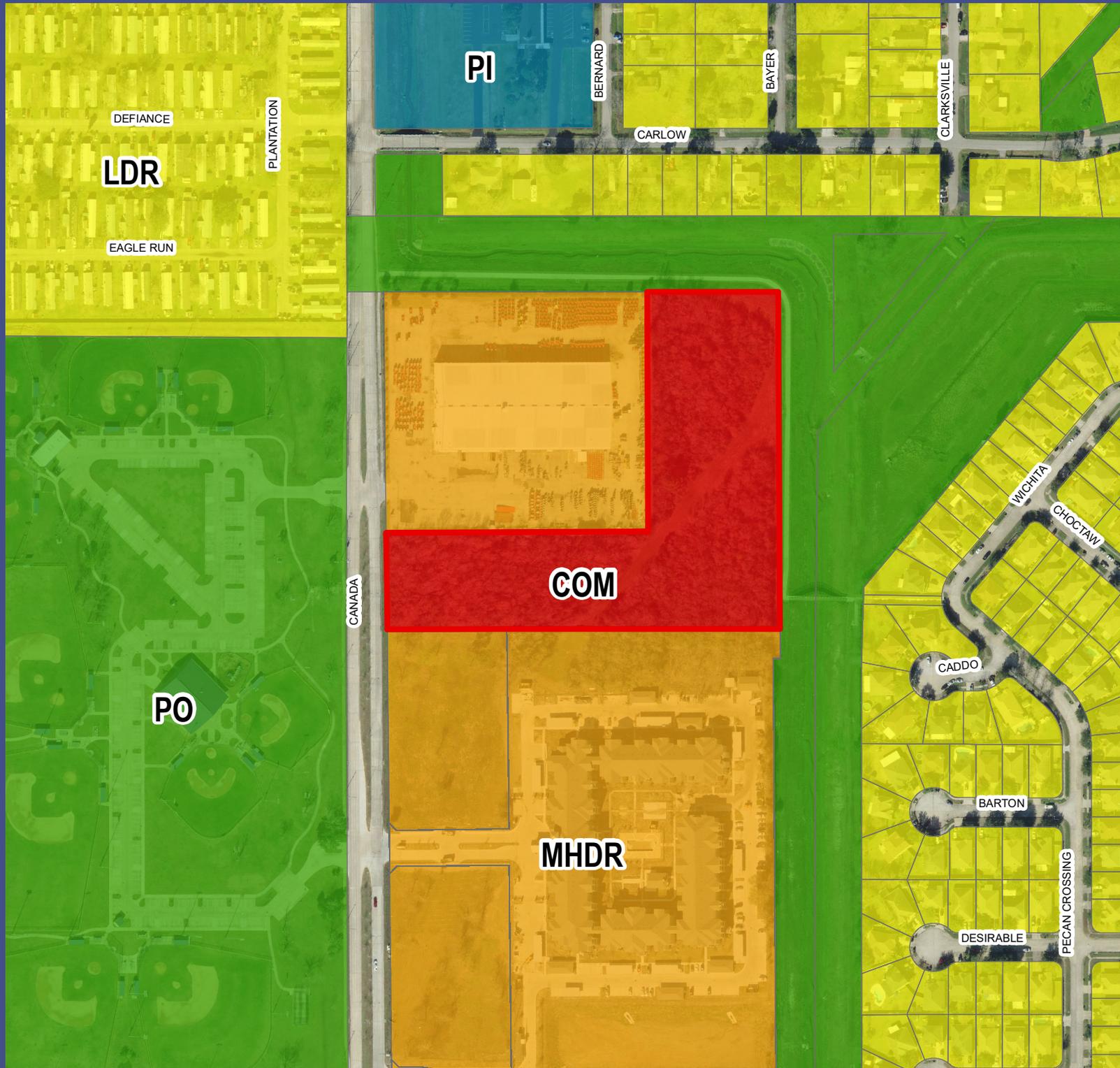


This product is for informational purposes and may not have been prepared for or be suitable for legal purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries

1 inch = 279 feet

NOVEMBER 2019
PLANNING DEPARTMENT





PROPOSED FLUP MAP

**Zone Change
19-9200006**

**3400 Block
Canada Rd.**

Legend

 Subject Parcel



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1 inch = 279 feet

**NOVEMBER 2019
PLANNING DEPARTMENT**





REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>November 11, 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 2019-3767
 P & Z letter of recommendation
 Aerial map
 Zoning map
 Future Land Use map
 Applicant information

SUMMARY

Ryan Sweezy, applicant, on behalf of Texas Cargoways, LLC, owner, is seeking approval of a Zone Change from the Mid Density Residential (R-2) zoning district to the General Commercial (GC) zoning district. The subject property is located at the 3400 Block of Canada Road, and legally described as Reserve A, Block 1 Dawson Subdivision.

The property is currently undeveloped. The applicant would like to develop the site for outdoor boat and recreation vehicle (RV) storage. In order to allow the proposed use, the site must be rezoned to GC. The adjacent property to the north, also zoned R-2, is currently occupied by a vacant commercial/light industrial facility.

Staff mailed fifteen public notices to property owners located within 200 feet of the subject property. Staff received two returned comment sheets for the proposed zone change that were in opposition to the request.

The Planning and Zoning Commission, at their October 17, 2019, regular meeting, voted 6-1 to recommend denial of the proposed Zone Change. Commissioner Tschappat was the dissenting vote. Commissioner Martin abstained from the vote. Planning Commission discussion focused on the proposed zone change and not the proposed use. The zone change to GC would open the property up to any use currently permitted in GC and would not be restricted to only boat and RV storage. Some of the Commissioners also cited their preference to maintain existing residential zoning.

Per Sec. 106-171. (6) Council Actions. "The city council shall act upon such motion or petition within 30 days from the date the final report of the city planning and zoning commission was submitted to the city council."

Should the Council wish to uphold the Planning and Zoning Commission's denial, a motion could be as follows:

I move that the Council uphold the Planning and Zoning Commission's denial of the application for zone change request #19-92000006, for a 6.921-acre tract of land located at the 3400 Block of Canada Road, and legally described as Reserve A, Block 1 Dawson Subdivision.

Should the Council wish to approve the request (not to follow the Planning and Zoning Commission's recommendation), a motion could be as follows:

I move that the Council adopt Ordinance 2019-3767 for zone change request #19-92000006, for a 6.921-acre tract of land located at the 3400 Block of Canada Road, and legally described as Reserve A, Block 1 Dawson Subdivision.

Per Sec. 106-171. (8) Vote to overrule. "The affirmative vote of at least three-fourths of the city council is required to overrule a recommendation of the city planning and zoning commission that a proposed change to this chapter or boundary be denied." Council approval of the proposed zone change will require seven (7) affirmative votes.

RECOMMENDED MOTION

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

ORDINANCE NO. 2019-3767

AN ORDINANCE AMENDING CHAPTER 106 “ZONING” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, BY CHANGING THE ZONING CLASSIFICATION OF A 6.921-ACRE TRACT OF LAND LOCATED AT THE 3400 BLOCK OF CANADA ROAD AND LEGALLY DESCRIBED AS RESERVE A, BLOCK 1 DAWSON SUBDIVISION, FROM MID DENSITY RESIDENTIAL (R-2) TO GENERAL COMMERCIAL (GC); 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 6.921-acre tract of land located at the 3400 Block of Canada Rd. and legally described as Reserve A, Block 1 Dawson Subdivision, Harris County, Texas, from Mid Density Residential (R-2) to General Commercial (GC).

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

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

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

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

Section 6. 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 11th day of November, 2019.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED:

Lee Woodward, City Secretary

Clark Askins, Assistant City Attorney



October 18, 2019

Honorable Mayor Rigby and City Council
City of La Porte

RE: Zone Change Request #19-92000006

Dear Mayor Rigby and City Council:

The La Porte Planning and Zoning Commission held a public hearing at the October 17, 2019 meeting on a zone change request by Ryan Sweezy, applicant, on behalf of Texas Cargoways, LLC, owner; for a zone change of property legally described as Reserve A, Block 1 Dawson Subdivision, from Mid Density Residential (R-2) to General Commercial (GC). The site is a 6.921 acre tract of land located at the 3400 Block of Canada Rd.

The Commission voted 6-1 to recommend denial of the proposed zone change. Commissioner Tschappat was the dissenting vote. Commissioner Martin abstained from the vote.

Respectfully submitted,

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



AERIAL MAP

**Zone Change
19-92000006**

**3400 Block
Canada Rd.**

Legend

 Subject Parcel

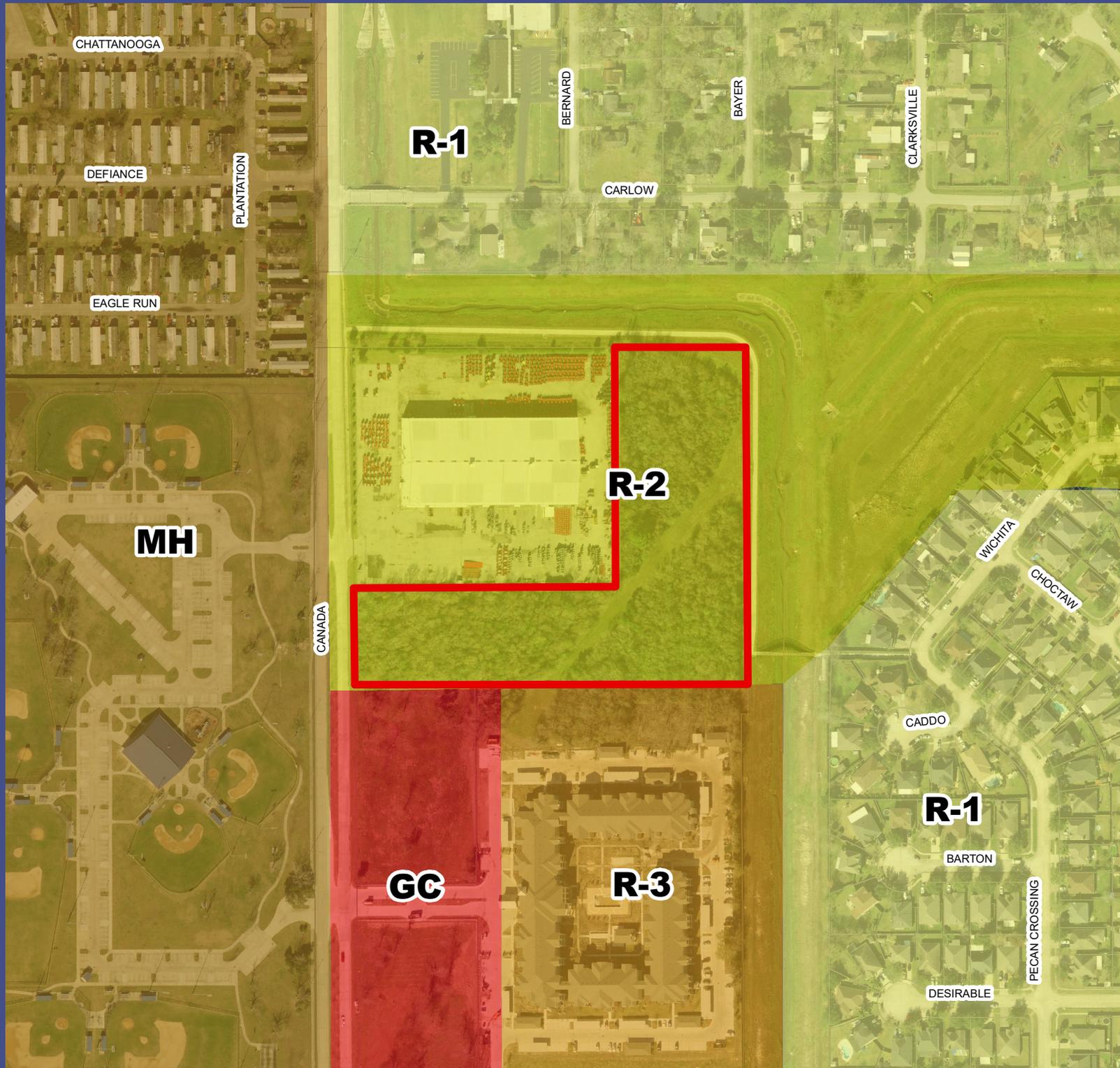


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1 inch = 279 feet

NOVEMBER 2019
PLANNING DEPARTMENT





ZONING MAP

**Zone Change
19-92000006**

**3400 Block
Canada Rd.**

Legend

 Subject Parcel

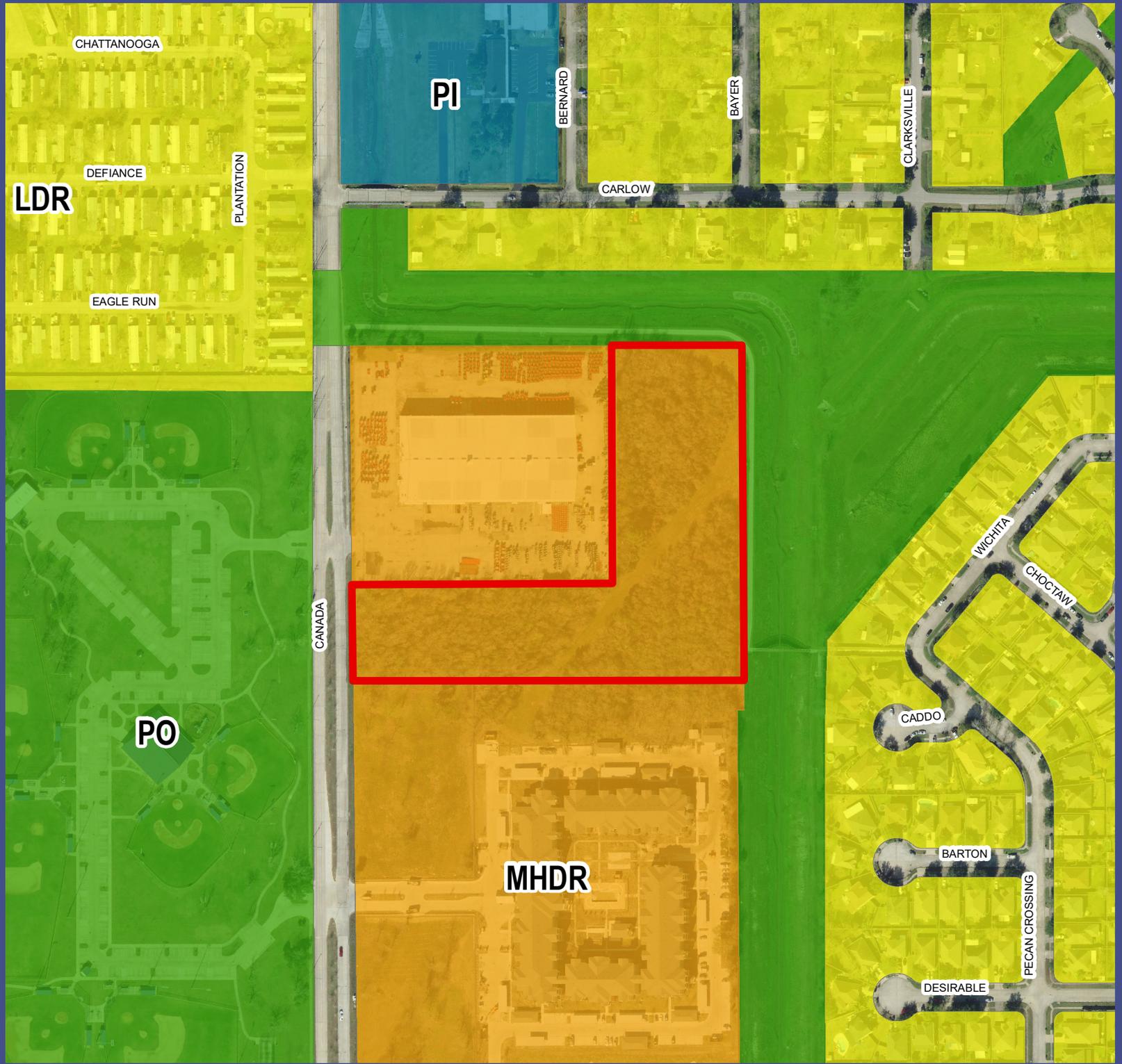


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1 inch = 279 feet

NOVEMBER 2019
PLANNING DEPARTMENT





LAND USE MAP

**Zone Change
19-92000006**

3400 Block Canada Rd.

Legend

 Subject Parcel



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1 inch = 279 feet

NOVEMBER 2019
PLANNING DEPARTMENT





Zone Change Application

Planning and Development Department

PROJECT INFORMATION

Address where zone change is being requested: 0 Canada Road
Legal description where zone change is being requested: 6.921 Acres Blk 1 Reserve "A"
HCAD Parcel Number where zone change is being requested: 129-914-001-0001
Zoning District: _____ Lot area: _____

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

Description of Request: Zone change to Commercial
in order to put in a Boat and RV
Storage

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: Texas Cargoways LLC
Company (if applicable): _____
Address: 1201 Hahlo St
City: Houston State: TX Zip: 77020-7339
Phone: 713 672-0515 Email: _____

AUTHORIZED AGENT (If other than owner)

Name: Ryan Sweezy
Company (if applicable): _____
Address: 2302 E Lawther
City: Deer Park State: TX Zip: 77536
Phone: 281-380-3669 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: [Signature] Date: 9/10/19
Owner(s)' Signature(s): [Signature] Date: 9/10/19

STAFF USE ONLY:

Case Number:
19-9200006

Date Application Received:
9/10/19



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: 0 Canada Rd, LaPorte, TX 77541
LEGAL DESCRIPTION: RES A BLK I DAWSON

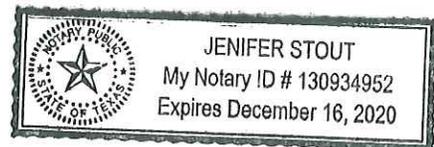
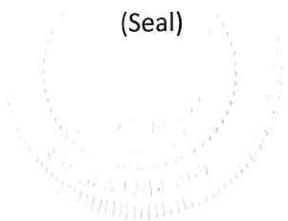
- 2. In accordance with the provisions of Section 106-194 of the city's Code of Ordinances, I hereby attest that said sign will be posted on the described property for no less than fifteen (15) days prior to the scheduled public hearing; starting at least on the following date:
3. Said sign shall be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

Melissa Sweezy
Applicant's Signature
Melissa Sweezy
Applicant's Printed Name

Subscribed and sworn before me this 10 day of September, 2019 by melissa Sweezy (Print Applicant's Name).

Jenifer Stout
Notary Public

My commission expires: 12/16/2020





A Meeting of the La Porte
Planning & Zoning Commission

Scheduled for
OCTOBER 17, 2019

RECEIVED
OCT 17 2019
BY: _____

To Consider
Zone Change Request #19-92000006

I have received notice of the above referenced public hearing.

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

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

There are wild animals living
there and will end up on our backyard
if those woods are removed.

Poli Carrizo Braly

Name (please print)

Poli Carrizo Braly

Signature

9106 Carlton Ln

Address

La Porte TX 77571

City, State, Zip



A Meeting of the La Porte
Planning & Zoning Commission

Scheduled for
OCTOBER 17, 2019

To Consider
Zone Change Request #19-92000006

OCT 17 2019

BY:

I have received notice of the above referenced public hearing.

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

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

There are wild animals living there
and will not have a home once the
woods are removed and they will
end up in our back yards

Abelcarpio Brnly

Name (please print)

Abelcarpio Brnly

Signature

9104 Carlow Ct

Address

La Porte TX 77571

City, State, Zip



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>November 11, 2019</u>
Requested By: <u>Corby Alexander, City Manager</u>
Department: <u>CMO</u>
<input 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: Updated sponsorship policy
Updated sponsorship application

SUMMARY

Staff brought the first iteration of this new sponsorship policy to the Council on September 9th, and received feedback for the changes presented on the updated forms. For FY2019-20, staff has budgeted \$10,000 for the Houston Yacht Club and \$10,000 for the San Jacinto Festival, along with \$125,000 for Sylvan Beach Day.

RECOMMENDED MOTION

As appropriate to provide direction to staff. Should the desire be to adopt the policy as presented: I move to adopt the City Sponsorship Policy as presented.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date



Sponsorship Policy

I. Introduction

The purpose of this sponsorship policy is to provide administrators with guidelines when the City is approached by organizations to support local festivals, special events, community projects or programs.

The City of La Porte recognizes the value of these partnerships to the community but also its charge to maintain fiscal responsibility. The following policy has been established to direct when co-sponsorship or in-kind services can be approved.

II. Policy

In order to be considered for approval, the opportunity must:

- Move forward the mission and goals of the City of La Porte.
- Have an entirely filled application form.
- Demonstrate value to either the Citizens of La Porte, the La Porte Business Community, or the area as a whole
- Conform to all applicable federal and state statutes, and to all applicable City ordinances, policies, and practices.
- The sponsorship must not result in any competitive advantage, benefit, or preferential treatment for the sponsor outside of the sponsorship agreement.
- Be presented to City staff at least **one month** before the opportunity is to take place. **If the City is being asked to participate more than \$10,000**, the application must be in by February 15th before the budget year in which the opportunity takes place.
- Show the City logo on all materials showing event sponsors.
- Get pre-approval of the use of City logo, slogan, branding statement, or quote.
- Opportunities receiving money from Local Hotel Occupancy Tax revenues must comply with state law, show collaboration with at least one local hotel or motel beforehand and complete an after action report.

Also note:

- Sponsorship approvals are made on an annual basis and shall be considered as one-time approvals. City participation should not be an expected line item in the receiving organization's budget.

- The City reserves the right to assess all activities at any time to ensure all rules, regulations, conditions of use, and City and health and safety laws are not violated. Sponsorships and in-kind services can be revoked at any time, effective immediately.
- ~~The sponsorship cannot make up over half of the opportunity's total cost.~~
- The opportunity cannot be held to advocate a political position or figure.
- The hosting organization will not discriminate on the grounds of race, religious creed, color, national origin, ancestry, age, physical disability, mental disability, medical condition, marital status, sex, or sexual orientation. Further, the organization must agree to conform to the requirements of the Americans with Disabilities Act.
- Religious organizations, companies, or groups may obtain sponsorships if the proposed program, event, or project neither promotes religious messages nor advocates for or promotes religious beliefs.
- Any sponsorship above \$500 **5000** must be approved by La Porte City Council.

III. Definitions

- In-Kind Contributions: Donations of goods, services, or time instead of cash.
- Opportunity: The program or event in which the applicant is asking for City participation, whether it be cash or in-kind.
- Sponsorship: When the City decides to donate either cash or in-kind contributions to an opportunity.



Sponsorship Request Application

The City of La Porte is excited to potentially partner with your program or event. Please fill out the information below and return it to the City.

Organization Name: Click here to enter text.	Contact Name: Click here to enter text.
Federal Tax I.D.: Click here to enter text.	Contact Number: Click here to enter text.
Organization Address: Click here to enter text.	Contact Email: Click here to enter text.
City/State/ZIP: Click here to enter text.	Which Describes Your Organization? For-Profit Corporation: <input type="checkbox"/> 501.C*: <input type="checkbox"/> Government Entity: <input type="checkbox"/>

*If you have identified your organization as a 501.C, please attach a copy of your IRS determination letter

Funding

Please Indicate Sponsorship Type Requested:	Monetary <input type="checkbox"/> In-Kind <input type="checkbox"/>
Describe In-Kind Services Requested:	Click here to enter text.
Total Amount Requested:	Click here to enter text.
Name of the Program/Event:	Click here to enter text.
Describe the Program/Event:	Click here to enter text.

I certify that all figures, facts and representations made in this application, including attachments, are true and correct to the best of my knowledge and that I am empowered to sign on behalf of the applicant organization.

X

Applicant Representative, Date

About Your Event or Program

Are you requesting sponsorship for an event or program? Event Program

Official name of the event or program: _____

Dates(s) of event/program: _____

Time(s) and duration of event/program: _____

Physical location of the event/program: _____

Is this a request for an event/program in the city limits of La Porte or on city-owned property?

Yes No

Total expected attendance: _____

How many hotel stays are expected? If none, answer N/A: _____

Total event/program budget: _____

*Please attach the budgeted and actual costs for the event/program the last 2 years.

Who is served by your event or program (Age range, profession, etc.)? _____



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>November 28, 2019</u>
Requested By: <u>Louis R. Rigby, Mayor</u>
Department: <u>City Council</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: Ordinance 2019-3758
Current, proposed redline, and proposed clean versions of the Council Rules of Procedure

SUMMARY

This item has been considered at several City Council meetings beginning September 9, and has been placed as an ongoing item for discussion.

The City Council adopted the current *Organization and Procedures for City Council Meetings* with Ordinance 2003-2646A in May 2008 (first established by Ordinance 2003-2646 in July 2003). Changes in custom, procedure, and law over the last decade make it appropriate for review and potential amendment.

Additionally, it is proposed that the current City Council Ethics Policy (adopted in 2013) be made a part of the Rules of Procedure, so it has been reviewed and several items near the end have been recommended for deletion.

RECOMMENDED MOTION

No motion necessary for the November 11 reading, it has been brought for discussion at this meeting.

ORDINANCE NO. 2019-3758

AN ORDINANCE AMENDING THE CITY COUNCIL’S ADOPTED RULES OF PROCEDURE FOR CITY COUNCIL MEETINGS; AMENDING AN ETHICS AND CONFLICT OF INTEREST POLICY FOR CITY OFFICIALS AND EMPLOYEES; FINDING COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, Section 2.07. Meetings. b. *Rules*. provides that “City council shall determine its own rules and order of business.”; and

WHEREAS, the City Council adopted Ordinance 2003-2646-A on May 19, 2008, updating the organization and procedures for City Council meetings and thereby repealing Ordinances 1435 and 1435-A; and

WHEREAS, the City Council adopted Ordinance 2013-3489 on July 22, 2013, establishing an ethics and conflict of interest policy applicable to City officials and employees; and

WHEREAS, the passage of time has allowed for additional review of legislation and consideration of suitable rules and guidelines for the procedures of City Council meetings and the conduct of members of Council at all times.

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

Section 1. The Rules of Procedure for the City Council of the City of La Porte are hereby amended as attached.

Section 2. Open Meetings Law Notice. 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 Act, 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 1-226. Repeal. Ordinance 2003-2646-A and Ordinance 2013-3489 are repealed as of the effective date hereof. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

Section 1-227. Effective Date. This ordinance shall take effect immediately upon its passage and approval.

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

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED AS TO FORM:

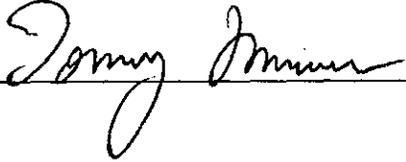
Lee Woodward, City Secretary

Clark T. Askins, Assistant City Attorney

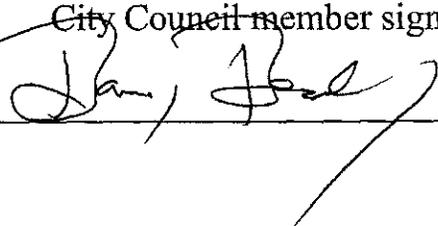
FOR MAY 19th agenda

Please add to City Council Agenda requesting to change Ordinance No. 2646- Establishing City Council Meetings under Section 1-211 "Addressing the Council" (B) Oral Communications (1)... that will allow Citizens, Tax Payers to sign up on Council meeting nights to speak on any subject regardless of whether the item is on the agenda. (limited to five minutes)

1. City Council member signature:



2. ~~City Council member signature:~~



3. City Council member signature:



ORDINANCE NO. 2003- 2646-A

AN ORDINANCE ESTABLISHING ORGANIZATION AND PROCEDURES FOR CITY COUNCIL MEETINGS; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING AN EFFECTIVE DATE HEREOF.

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

Section 1-201. Regular Meetings.

- (A) Time. The City Council shall hold regular meetings on the second and fourth Monday of each month, at 6:00 o'clock p.m.; provided, however, that when the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal or national holiday, such meeting shall be held on such other date as determined by City Council.
- (B) Time. The City Council shall hold special or workshop meetings, if necessary, on the third Monday of each month, at 6:00 o'clock p.m., or at such other date and time as may be determined under Section 1-202 Special Meetings, hereof; provided, however, that when the day fixed for any special or workshop meeting of the Council falls upon a day designated by law as a legal or national holiday, such meetings shall be held on such other date as determined by City Council.
- (C) Place. All regular, special, and workshop meetings of the City Council shall be held in the Council Chambers, City Hall, 604 West Fairmont Parkway, in the City of La Porte, Harris County, Texas, unless otherwise directed by City Council, or required by law.

Section 1-202. Special Meetings. The Mayor on his own motion or at the request of the City Manager shall call special meetings of the City Council whenever in their opinion the public business may require it, or at the express written request of any three (3) members of the City Council. Such written request shall be filed with the City Secretary, and shall contain the agenda item requested for the special meeting. Whenever a special meeting shall be called, written notice thereof shall be delivered to each member of the Council, or, if written notice cannot be timely delivered, telephone notice shall be given, stating the date and hour of the meeting and the purpose for which such meeting is called.

Section 1-203. Agenda. The Mayor, the City Manager, or the City Attorney, or any three (3) members of the City Council by written request, may place an item on a City Council agenda. The written request by three (3) members of City Council shall be filed with the City Secretary, and shall contain the agenda item requested. All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Council shall, at least seven (7) days prior to each Council meeting, be delivered to the City Secretary, whereupon the City Secretary shall immediately arrange a list of such matters according to the Order of Business and furnish each member of the Council, the Mayor, the City Manager, and the City Attorney with a copy of the same

prior to the Council meeting and as far in advance of the meeting as time for preparation will permit. None of the foregoing matters shall be presented to the Council by the administrative officials except those of an urgent nature, and the same, when so presented, shall have the written approval of the City Manager before presentation.

Section 1-204. The Presiding Officer--Duties. The presiding officer of the Council shall be the Mayor. The Presiding Officer shall preserve strict order and decorum at all regular and special meetings of the Council. He shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order, subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. He shall be entitled to vote on all questions. He shall sign all ordinances and resolutions adopted by the Council during his presence. In the event of the absence of the Mayor, the Mayor Pro Tem shall sign ordinances or resolutions as then adopted.

Section 1-205.Call to Order--Presiding Officer. The Mayor, or in his absence, the Mayor Pro Tem, shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Council to order. In the absence of the Mayor or the Mayor Pro Tem, the City Secretary, or his or her Assistant, shall call the Council to order, whereupon a temporary chairman shall be elected by members of the Council present. Upon arrival of the Mayor or the Mayor Pro Tem, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Council.

Section 1-206. Roll Call. Before proceeding with the business of the Council, the City Secretary, or his or her deputy shall note in the minutes, the names of those present. Late arrivals or departures of Council members shall be noted by the Presiding Officer, and recorded by the City Secretary in the minutes.

Section 1-207. Quorum. A majority of all the members elected to the Council shall constitute a quorum at any regular or special meeting of the Council. In the absence of a quorum, the Presiding Officer shall, at the request of any three (3) members present, compel the attendance of absent members.

Section 1-208. Order of Business. All meetings of the Council shall be open to the public, in accordance with the Texas Open Meetings Law. Promptly at the hour set by law on the day of each regular meeting as posted as required by law, the members of the Council, the City Secretary, the City Attorney, the Mayor, and the City Manager, shall take their regular stations in the Council Chambers, and the business of the Council shall be taken up for consideration and disposition in the following order:

1. Invocation and Pledge of Allegiance.
2. Proclamations and Presentations.
3. Consent Agenda. (Any member of the Council may remove any item from the Consent Agenda for discussion.) These items are typically routine in nature.
 - a. Approval of minutes of previous meeting.

- b. Purchases, Contracts, or Transactions.
- 4. Petitions, remonstrances, communications, and citizens and taxpayers wishing to address the Council.
- 5. Public Hearings.
- 6. New Business:
 - a. Introduction and adoption of resolutions and ordinances.
 - b. Receive reports and recommendations from City staff.
 - c. Report of Officers—Boards—Committees.
- 7. Previously tabled items.
- 8. Executive Session.
- 9. Workshop Items.
- 11. Administrative Reports.
- 12. Council Comments.
- 13. Adjournment.

Section 1-209. Reading of Minutes. Unless a reading of the minutes of a Council meeting is requested by a member of the Council, such minutes may be approved without reading if the City Secretary has previously furnished each member with a copy thereof.

Section 1-210. Rules of Debate.

- (A) Presiding Officer May Debate and Vote, Etc. The Mayor or Mayor Pro Tem, or such other member of the Council as may be presiding may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a Councilperson by reason of his acting as the Presiding Officer.
- (B) Getting the Floor-Improper References to be Avoided. Every member desiring to speak shall address the Chair, and, upon recognition by the Presiding Officer, shall confine himself to the question under debate, avoiding all personalities and indecorous language.
- (C) Interruptions. A member, once recognized, shall not be interrupted when speaking unless it be to call him to order, or as herein otherwise provided. If a member, while speaking, be called to order, he shall cease speaking until the question of order be determined, and, if in order, he shall be permitted to proceed.
- (D) Privilege of Closing Debate. The Councilperson moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.
- (E) Motion to Reconsider. A motion to reconsider any action taken by the Council may be made only on the day such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion must be made by one of the prevailing side, but may be seconded by any member, and may be made

at any time and have precedence over all other motions or while a member has the floor; it shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council.

- (F) Remarks of Councilperson--When Entered in Minutes. A Councilperson may request, through the Presiding Officer, the privilege of having an abstract of his statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.
- (G) Synopsis of Debate--When Entered in Minutes. The City Secretary may be directed by the Presiding Officer, with consent of the Council, to enter in the minutes a synopsis of the discussion on any question coming regularly before the Council.

Section 1-211. Addressing the Council. Before each meeting of City Council the City Secretary shall place public comment cards on the table in the rear of the Council Chambers, on which any taxpayer or resident, or his authorized representative, or any member of the public, may sign his name and address, and indicate the subject matter on which he wishes to speak or submit a written communication.

- (A) Oral Communications. Individuals may address the Council by oral communication in regard to matters appearing on the City Council agenda, or any other subject matter, by completing all requested information on the public comment card, and placing said public comment card in the box located on the table in the rear of the Council Chambers, not later than five (5) minutes before commencement of the meeting. Oral communication to Council shall be in the manner provided in Section 1.212 hereof.
- (B) Written Communications. Individuals may address the Council by written communication in regard to matters appearing on the City Council agenda, or any other subject matter, by completing all requested information on the public comment card, and placing said public comment card, along with the proposed written communication, in the box located on the table in the rear of the Council Chambers, not later than five (5) minutes before commencement of the meeting.

Section 1-212. Manner of Addressing Council

- (A) Time Limit. Each person addressing the Council shall step up to the podium, shall give his name and address in an audible tone of voice for the records, and unless further time is granted by the Council, shall limit his address to five (5) minutes. All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council,

without the permission of the Presiding Officer. No question shall be asked to a Councilperson except through the Presiding Officer. Any such question shall be referred by City Council to the City manager, for further handling.

- (B) Limits on Repetitive or Redundant Presentations. The City Council shall have the right to place reasonable limits on the number, frequency, and length of presentations made during the comment period, in accordance with law. For such purposes the City Council may limit the number of persons who speak on a particular subject at a meeting, and the length of the individual presentations made, on such topic; accordingly, the City Council may place reasonable limits on the number of occasions that a person or persons speak on a particular subject, at successive Council meetings. Subject to the foregoing, the City Council shall not place limits on discussion of specific subject matter as it relates to any constitutionally guaranteed right of freedom of speech, or otherwise discriminate against a particular point of view.

Section 1-213. Addressing the Council After Motion Made. After a motion is made by the Council, no person shall address the Council without first securing the permission of the Council so to do.

Section 1-214. Silence Constitutes Affirmative Vote. Unless a member of the Council states that he is not voting, his silence shall be recorded as an affirmative vote.

Section 1-215. Decorum.

- (A) By Council Members. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its Presiding Officer, except as otherwise herein provided.
- (B) By Persons. Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Council shall be forthwith, by the Presiding Officer, barred from further audience before the Council, unless permission to continue be granted by a majority vote of the Council.

Section 1-216. Enforcement of Decorum. The Chief of Police, or such member or members of the Police Department as he may designate, shall be Sergeant-at-Arms of the Council meetings. He, or they, shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum at the Council meeting. Upon instructions of the Presiding Officer, it shall be the duty of the Sergeant-at-Arms, or any of them present, to place any person who violates the order and decorum of the meeting under arrest, and cause him to be prosecuted under the provisions of this Code, the complaint to be signed by the Presiding Officer.

Section 1-217. Persons Authorized to be at Tables. No person shall be permitted to be at the two tables in front of the Council table, without the express consent of the Council.

Section 1-218. Special Committees. All special committees shall be appointed by majority vote of the Council.

Section 1-219. Members May File Protests Against Council Action. Any member shall have the right to have the reasons for his dissent from, or protest against, any action of the Council entered on the minutes.

Section 1-220. Claims Against City. No account or other demand against the City shall be allowed until the same has been considered and reported upon by the City Manager and the City Attorney.

Section 1-221. Ordinances, Resolutions, Motions and Contracts.

(A) Preparation of Ordinances. All ordinances shall be approved by the City Attorney. No ordinance shall be prepared for presentation to the Council unless ordered by three (3) members of the Council, or requested by the City Manager, or prepared by the City Attorney on his own initiative, in consultation with the City Manager.

(B) Prior Approval by Administrative Staff. All ordinances, resolutions and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney or his authorized representative, and shall have been examined and approved for administration by the City Manager or his authorized representative, where there are substantive matters of administration involved.

(C) Introducing for Passage or Approval.

- (1) Ordinances, resolutions, and other matters or subjects requiring action by the Council must be introduced and sponsored by a member of the Council, except that the City Manager or City Attorney may present ordinances, resolutions, and other matters or subjects to the Council, and any Councilperson may assume sponsorship thereof by moving that such ordinances, resolutions, matters or subjects be adopted; otherwise, they shall not be considered.
- (2) An ordinance may have final passage on the same day on which it was introduced.
- (3) No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance, or section thereof, shall be amended or repealed unless the new

ordinance contains the title of the ordinance or section amended or repealed, and when practical all ordinances shall be introduced as amendments to existing ordinances or sections thereof.

- (4) Any resolution providing for the appropriation of money shall designate the particular fund from which the appropriation is to be made.

Section 1-222. Reports and Resolutions to be Filed with the City Secretary.

All reports and resolutions shall be filed with the City Secretary and entered on the minutes.

Section 1-223. Adjournment. A motion to adjourn shall always be in order and decided without debate.

Section 1-224. Executive Sessions. Every regular, special or called meeting or session of City Council shall be open to the public. No closed or executive meeting or session of City Council for any of the purposes for which closed or executive meetings or sessions are authorized by the Open Meetings Law, Chapter 551, Texas Government Code, shall be held unless City Council has first been convened in open meeting or session for which lawful notice has been given and during which meeting or session the Presiding Officer has publicly announced that a closed or executive meeting or session will be held and identified the section or sections of said Act authorizing the holding of such closed or executive session. No final action, decision, or vote with regard to any matter considered in the closed meeting shall be made except in a meeting which is open to the public and in compliance with the notice provisions of the Act.

Section 1-225. Open Meetings Law Notice. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 1-226. Repeal. Ordinance No. 1435 and Ordinance No. 1435-A are repealed as of the effective date hereof.

Section 1-227. Effective Date. This ordinance shall be effective from and after its passage and approval.

PASSED AND APPROVED, this 10th day of May, 2008.

CITY OF LA PORTE

By: Alton E. Porter
Alton E. Porter, Mayor

ATTEST:

Martha A. Gillett
Martha A. Gillett, City Secretary

APPROVED:

Clark T. Askins
Clark T. Askins, City Attorney

ORDINANCE NO. 2013- 3489

AN ORDINANCE ESTABLISHING AN ETHICS AND CONFLICT OF INTEREST POLICY APPLICABLE TO CITY OFFICIALS AND EMPLOYEES; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; CONTAINING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE HEREOF.

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

Section 1. Policy and purposes.

- (a) *General policy statement.* It is the policy of the city that all city officials and employees shall conduct themselves both inside and outside the city's service so as to give no occasion for distrust of their integrity, impartiality or devotion to the best interest of the city and the public trust which the city holds.
- (b) *Appearance of impropriety.* Public service is a public trust. All city officials and employees are stewards of the public trust. They have a responsibility to the citizens of the city to administer and enforce the City Charter and city ordinances. To ensure and enhance public confidence in city government, each city official and employee must strive not only to maintain technical compliance with the principles of ethical conduct set forth in this article and in state law, but also to avoid the appearance of impropriety at all times.
- (c) This code of ethics has three purposes:
 - (1) To encourage ethical conduct on the part of city officials and employees;
 - (2) To encourage public service with the city;
 - (3) To establish standards for ethical conduct for city officials and employees by defining and prohibiting conduct that is incompatible with the interests of the city;
- (d) This code of ethics is not intended to be used as a political weapon or to intimidate or embarrass affected persons. The officials charged with administration of this code of ethics shall administer it in a manner that avoids any such use of this code of ethics.

Section 2. Definitions.

In this policy:

Benefit means anything reasonably regarded as pecuniary gain or pecuniary advantage, including any money, real or personal property, purchase, sale, lease, contract, option, credit, loan, discount, service or other tangible or intangible thing of value. *Benefit* includes a pecuniary gain or pecuniary advantage to any other person in whose welfare the beneficiary has a direct and substantial interest.

Business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law, including a nonprofit organization or governmental entity.

Economic interest includes a legal or equitable interest in real property, personal property, or intangible property, or a contractual right, including but not limited to receipt of compensation and/or benefits. Service by a city official or employee as an officer, director, advisor, or other active participant in a nonprofit educational, religious, charitable, fraternal, or civic organization does not create for that city official or employee an *economic interest* in the property of the organization. Ownership of an interest in a mutual or common investment fund that holds securities or other assets is not an *economic interest* in the securities or other assets unless the person in question participates in the management of the fund.

Employee means any person employed by the city, whether under civil service regulations or not, including those individuals on a part-time basis, but not including any independent contractor.

Immediate family means the spouse, children, brothers, sisters and parents of an officer or employee.

Officer or official means the mayor or any member of the city council and any appointive member of a city board, commission or committee established by ordinance, charter or state law.

Section 3. Prohibition against involvement in actions affecting economic interests.

(a) *General rule.* It shall be a violation of this policy for a city official or employee to participate in any proceedings or take any official action that he or she knows is likely to:

(1) Affect an economic interest of:

(A) The official or employee;

(B) His or her immediate family member;

(C) A member of his or her household;

(D) An outside employer of the official or employee or of his or her immediate family member;

(E) A business entity in which the official or employee or his or her immediate family member holds an economic interest;

(F) A business entity for which the city official or employee serves as an employee, officer or director, or otherwise functions in any policy making position; or

(G) A person or business entity from whom the official or employee, or his or her immediate family member, has solicited, received and not rejected, or accepted an offer of employment within the past twelve months; or

(2) Confer a benefit on the official or employee, or deprive the official or employee of a benefit, where the effect of the action on the official or employee is distinguishable from the effect of the action on other employees or officials, members of the public in general or a substantial segment of the public.

(b) *Meaning of "affect"*.

(1) In subsection (a)(1) above, an action is likely to *affect* an official's or employee's economic interest if it meets all of the following:

(A) The action is likely to have an effect on that interest, either positive or negative, that is distinguishable from its effect on other employees or officials, members of the public in general or a substantial segment of the public.

(B) The effect of the action on that interest is direct, and not secondary or indirect. However, the action need not be the only producing cause of the effect in order for the effect to be direct.

(C) The effect on the interest must be more than insignificant or de minimis in nature or value.

(2) In determining whether a person, entity or property is or was *affected* by an official's or employee's participation in proceedings, vote or decision, it will not be necessary to prove the actual existence or occurrence of an economic effect or consequence if the effect or consequence would be reasonably expected to exist or occur.

(c) *Recusal and disclosure.* A city official or employee whose conduct would otherwise violate subsection (a), or a state conflict of interest law if he or she participated in proceedings or took an action, must abstain from participation in the action in accordance with the following:

(1) Immediately refrain from further participation in the matter, including discussions with any persons likely to consider the matter, from the time he or she discovers or reasonably should have discovered the matter triggering the recusal;

(2) Promptly file necessary documentation disclosing the nature and extent of the interest triggering the recusal with the city clerk, if the person is an official, or with the person's supervisor, if the person is an employee;

(3) Promptly notify the person's supervisor of the nature and extent of the interest triggering the recusal, if the person is a city employee, so that the supervisor can reassign responsibility for handling the matter to another person; and

(4) Promptly disclose the interest triggering the recusal, if the person is a member of the city council, a city board or commission, to other members of the city council, board or commission, and leave the room in which the city council, board or commission is meeting during the board or commission's discussion of, or voting on, the matter.

(d) No prohibition established in this section shall be construed to prevent members of city council, or the appointees to any board or commission of the city, or a city employee, from voting on or participating in a matter relating to the adoption of laws, rules and/or policies that apply generally to all employees, officials and/or members of the public and the effect of which does not confer a benefit on the official or employee that is distinguishable from the effect on other employees, officials or members of the public or a substantial segment of the public.

Section 4. Standards of conduct.

(a) *Standards for immediate family members.* A city official or employee commits a violation of this policy if an immediate family member, with the official's or employee's knowledge, intentionally or knowingly:

(1) Solicits, accepts or agrees to accept from another person any benefit that the member's relative, who is a city officer or employee, is prohibited from soliciting, accepting or agreeing to accept under state law;

(2) Misuses any official information obtained from the member's relative, who is a city officer or employee, to which the relative has access by virtue of the relative's office or employment and that has not been made public, in a manner prohibited as to the relative under state law; or

(3) Misuse, as defined in V.T.C.A., Penal Code §39.01, any city property, services, personnel or any other thing of value belonging to the city that has come into the member's custody or possession by virtue of the office or employment of the member's relative who is a city officer or employee.

(b) *Representation and appearance at meetings.* No city official or employee shall knowingly:

(1) Appear before the body of which the officer or employee is a member, or otherwise participate in any proceedings, as a representative for any private person, including the officer or employee or any immediate family member, except that an official or employee may represent their interests in their own property before a board, agency, commission or department of the city.

(2) Participate in any proceedings, directly or indirectly, wherein the official or employee represents the interests of any outside employer, business entity, group or interest in any matter, action or proceeding against the interests of the city or in any litigation in which the city or any department, agency, commission or board thereof is a party;

(3) Accept other employment or engage in outside activities incompatible with the full and proper discharge of city duties or that might impair independent judgment in the performance of city duties; or

(4) Make a false statement of material fact at a public meeting. This subsection shall not be construed to deprive an officer or employee of the right to due process under the law, including the right to represent himself/herself in a court proceeding.

(c) *Representation by council members.* No city council member shall knowingly represent any private person, including the city council member or any immediate family member, or any outside employer, business entity, group or interest in any matter before any department, agency, commission or board of the city, except that city council members may represent their interests in their own property before a board, agency, commission or department of the city.

(d) *Representation in municipal court.* In any action or proceeding in the municipal court which is instituted by a city officer or employee in the course of official duties:

(1) No city council member shall knowingly represent any private person other than himself or herself. If a city council member elects to have a trial in municipal court, the city council, without the participation of the affected city council member, will appoint a special judge to preside over the trial.

(2) No city officer or employee shall knowingly represent any private person other than himself or herself, including any immediate family member, or any group or interest.

(e) *Representation in land use and development matters.* A member of the planning and zoning commission shall not knowingly represent the member or any other person, group or interest in any matter before the zoning board of adjustments involving land use or development, and a member of the zoning board of adjustments shall not knowingly represent the member or any other person, group or interest in any matter before the planning and zoning commission involving land use or development. This subsection does not apply to members representing their interests in their own property.

(f) *Prohibited use of city position.* A city official or employee shall not use his or her position to unfairly advance or impede private interests, or to grant or secure, or attempt to grant or secure, for any person (including himself or herself) any form of special consideration, treatment, exemption, or advantage beyond that which is lawfully available to other persons. A city official or employee who represents to a person that the official or employee may provide an advantage or impediment to the person based on the official's or employee's office or position violates this rule.

Section 5 . Contracts with city; eligibility for appointment or election to office.

(a) No member of the city council and no city employee shall have a financial interest in the sale to the city of any land, materials, supplies or service, outside of the person's position with the city. Any person having an interest shall be ineligible for election as a city council member or appointment as a city employee, and any city council member or city employee who acquires an interest shall forfeit the office or employment. Any violation of this subsection with the actual or constructive knowledge of the city council member or employee shall render the contract voidable by the city manager or the city council.

(b) In subsection (a) of this section and in subsection 2.425(c), the term "sale to the city" includes a sale to city-sponsored entities and organizations subject to substantial control by the city in one or more of the following respects:

(1) All or a majority of the governing body of the entity or organization is appointed by the city council;

(2) The city provides more than one-half of the operating funds of the entity or organization;

(3) The city has approval authority over purchasing decisions made by the entity or organization;

(4) The city has approval authority over bonds or other indebtedness issued by the entity or organization; or

(5) The city has approval authority over the budget of the organization.

(c) This section does not apply to acquisition of property by the city as a result of eminent domain proceedings or the threat of eminent domain proceedings.

Section 6 . Restrictions on former employees.

(a) No former city employee shall, for a period of one year from the date of leaving city employment, knowingly:

(1) Appear at a meeting of a board or commission staffed by members of the department of which the employee was a member, as a representative for any private person, including the employee or any immediate family member, or any group or interest.

(2) Represent, directly or indirectly, any private person, including the former employee or any immediate family member, or any group or interest in any action or proceeding against the interests of the city or in any litigation in which the city or any department, agency, commission or board thereof is a party.

(b) Notwithstanding the foregoing prohibitions, a former employee may represent their interests in their own property before a board, agency, commission or department of the city. Furthermore, this subsection shall not be construed to deprive a former employee of the right to due process under the law, including the right to represent himself in a court proceeding.

(c) In any action or proceeding in the municipal court which is instituted by a city officer or employee in the course of official duties, no former city employee shall, for a period of one year from the date of leaving city employment, knowingly represent any private person other than himself or herself, including any immediate family member, or any group or interest.

(d) For a period of one year from the date of leaving employment, a former city employee shall not have any financial interest in the sale to the city of any land, materials, supplies or service. Any violation of this subsection with the actual or constructive knowledge of the former city employee shall render the contract voidable by the city manager or the city council. This subsection shall not apply to a former city employee whose employment was terminated as part of a reduction in force.

Section 7. Each and every provision, paragraph, sentence and clause of this Ordinance has been separately considered and passed by the City Council of the City of La Porte, Texas, and each said provision would have been separately passed without any other provision, and if any provision hereof shall be ineffective, invalid or unconstitutional, for any cause, it shall not impair or affect the remaining portion, or any part thereof, but the valid portion shall be in force just as if it had been passed alone.

Section 8. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

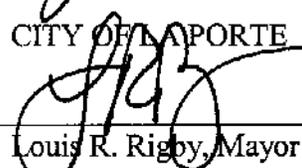
Section 9. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding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

Section 10. This Ordinance shall be in effect immediately upon its passage and approval.

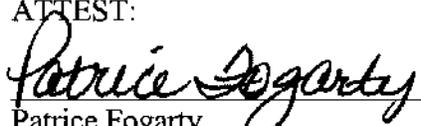
PASSED AND APPROVED, this 22nd day of July, 2013.

CITY OF LA PORTE

By: _____

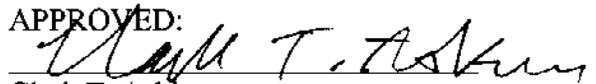

Louis R. Rigby, Mayor

ATTEST:


Patrice Fogarty

City Secretary

APPROVED:


Clark T. Askins

Assistant City Attorney



**ORGANIZATION AND
CITY COUNCIL RULES
OF PROCEDURES
FOR CITY COUNCIL
MEETINGS**

Amended XXXXX XX, 2019, by Ord. 2019-3758

First Adopted May 19, 2008 July 28, 2003

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ORDINANCE NO. 2003-2646-A

~~AN ORDINANCE ESTABLISHING ORGANIZATION AND PROCEDURES FOR CITY COUNCIL MEETINGS; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING AN EFFECTIVE DATE HEREOF.~~

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

Section 1 – GENERAL

Parliamentary law and the rules of procedure derived from such law are essential to all deliberative organizations so that they may consider all matters before them in an effective and efficient manner and produce results that are legal and binding. Moreover, such procedural safeguards ensure due process during deliberations among members of the organization while at the same time protecting the rights of both the group and each member. Accordingly, these rules of procedure establish guidelines to be followed by all persons attending City Council meetings, including members of the City Council, administrative staff, news media, citizens, and visitors.

Section 2 – AUTHORITY

The City Charter of La Porte, Texas, provides in Article II, City Council, Section 2.07 that the Council “shall meet regularly as such times as may be prescribed by its rules but not less frequently than once each month.” and that the Council “shall determine its own rules and order of business.” Thus, these rules of procedure are established. In the event of any conflict between the City Charter and these rules of procedure, the City Charter shall prevail.

The parliamentary reference for the City Council is the most recent edition of *Robert’s Rules of Order Newly Revised* (RONR). When any issue concerning procedure arises that is not covered by the Rules of Procedure, the City Charter, or state law, the Council will refer to RONR, which shall determine such procedural issue.

Section 3 – MEETINGS

The City Council shall follow both the letter and the spirit of Chapter 551 of the Texas Government Code (the Texas Open Meetings Act).

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Section 1-23.01. Regular Meetings.

- (A) Time. The City Council will generally shall hold regular meetings on the second and fourth Monday of each month, at 6:00 o'clock p.m.; ~~provided, however, that when the day fixed for any regular meeting of the Council falls upon a day designated by law as a legal or national holiday, such meeting shall be held on such other date as determined by City Council.~~

- (B) Time. The City Council shall hold special or workshop meetings, if necessary, on the third Monday of each month, at 6:00 o'clock p.m., or at such other date and time as may be determined under Section 1-202 Special Meetings, hereof; ~~provided, however, that when the day fixed for any special or workshop meeting of the Council falls upon a day~~

~~designated by law as a legal or national holiday, such meetings shall be held on such other date as determined by City Council.~~

~~(C)(B)~~ Place. All regular, special, and workshop meetings of the City Council shall be held in the Council Chambers, City Hall, 604 West Fairmont Parkway, in the City of La Porte, ~~Harris County,~~ Texas, unless otherwise directed by City Council, or required by law.

~~**Section 1-23.02. Special Meetings.** The Mayor on his/her own motion or at the request of the City Manager shall call special meetings of the City Council whenever in their opinion the public business may require it, or at the express written request of any three (3) members of the City Council. Such written request shall be filed with the City Secretary, and shall contain the agenda item requested for the special meeting. Whenever a special meeting shall be called, ~~written notice thereof shall be delivered to each member of the Council, or, if written notice cannot be timely delivered, telephone notice shall be given,~~ stating the date and hour of the meeting and the purpose for which such meeting is called.~~

~~**Section 1-23.03. Agenda.** The Mayor, the City Manager, the City Secretary, or the City Attorney, or any three (3) members of the City Council by written request, may place an item on a City Council agenda. The written request ~~by three (3) members of City Council, removed @ 9/23 CC mtg,~~ shall include a clear description of the proposed action by the Council (in the form of a proposed motion), or shall clearly state the item is for discussion purposes only, shall be of sufficient detail to allow staff to contribute background information on the topic, and shall be filed with the City Secretary by 5:00 p.m., Thursday, two weeks prior to the Monday night City Council meeting (and a commensurate period for special meetings) ~~be filed with the City Secretary, and shall contain the agenda item requested.~~ Any deviations from or amendments to an agenda, either past the established deadlines or once posted, should be exceedingly rare and of a clearly significant nature. All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Council shall; ~~at least seven (7) days prior to each Council meeting,~~ also be delivered to the City Secretary on the same schedule.~~

~~The City Secretary will coordinate the placement and content of items on the agenda with the City Manager, who will resolve any conflicts with Mayor and Councilpersons. Agenda items may be removed only by the person who initially placed that item on the agenda, whereupon the City Secretary shall immediately arrange a list of such matters according to the Order of Business and furnish each member of the Council, the Mayor, the City Manager, and the City Attorney with a copy of the same prior to the Council meeting and as far in advance of the meeting as time for preparation will permit.~~

~~Drafts of contracts, ordinances, resolutions, or other items requiring review should be submitted to the City Attorney in a manner timely enough to allow for their review prior to this submittal deadline above. None of the foregoing matters shall be presented to the Council by the administrative officials except those of an urgent nature, and the same, when so presented, shall have the written approval of the City Manager before presentation.~~

Section 4 - STANDARDS OF CONDUCT

4.01. City Councilpersons.

It is important that Councilpersons demonstrate civility to one another as individuals, for the validity of different opinions, for the democratic process, and for the community and citizens being served.

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Elected officials should exhibit appropriate behavior. All members of the City Council have equal votes and all Councilpersons speak only for themselves.

4.02. Council Relations with the Media.

All City press releases, media advisories, story suggestions, or similar items should go through the City Secretary's office for distribution, with exception of factual police department bulletins which designated officers may send directly, with copy to the City Secretary.

4.03. Citizens and Visitors.

- (A) Reactions from the audience following the recognition and rewarding of citizens and special guests is considered appropriate and encouraged. Reactions from the audience during staff presentations to the Council and during debate between Councilpersons, are not appropriate and not permitted. The presiding officer will ensure that the decorum of the meeting is maintained and is appropriate.
- (B) No placards, banners, or signs will be permitted in the City Council chamber or in any other room in which the City Council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the City Council, however, are permitted.

With the exception of those locations designated as free speech venues, or for City-sponsored or City co-sponsored *Meet the Candidate* forums for City elections, City Hall may not be used for political campaign-related functions or events. City resources or equipment may not be used for other election campaigning which includes, but is not limited to, the passing out of campaign flyers, signs, buttons, or other campaign materials for any candidate or officeholder. No one may make a contribution to a candidate or officeholder in City Hall. No one may solicit support for a candidate or officeholder or accept a contribution for such in City Hall. Campaign flyers, signs, buttons, or other campaign materials for any candidate or officeholder are prohibited in City Hall or on City property except as allowed by state law or as the City Council shall formally restrict or authorize by other ordinance or resolution.

Section 5 – DUTIES AND PRIVILEGES OF COUNCILPERSONS

5.01. Seating Arrangement.

The Mayor shall determine seating of the Council and Charter Officers.

5.02. Conflict of Interest.

A City Councilperson prevented from voting by a conflict of interest, shall step down from the dais and leave the room (per Sec. 3(c)(4) of the City's adopted Ethics & Conflict of Interest Policy, attached as Appendix A), shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council's deliberation of the matter in any way, shall not attend executive sessions regarding the matter, and shall otherwise comply with the state law and city ordinances concerning conflicts of interest including Chapter 171 of the Local Government Code.

5.03. Voting.

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(A) When a vote is called, every member present shall vote either "Aye" or "No" or shall abstain, following 10/14 meeting except on matters involving a conflict of interest that compels a Councilperson to abstain.

(B) Any vote to which there is an objection shall be taken by counted vote; except that, on the demand of a single Councilperson, a roll call vote shall be taken. After the result of a vote is announced, a member may not change a vote unless, before the adjournment of that meeting, permission is given to change the vote by a majority vote of the members present.

Section 6 - CHAIR AND DUTIES

Section 1-2046.01. The Presiding Officer-Duties. The presiding officer of the Council shall be the Mayor. The Presiding Officer shall preserve strict order and decorum at all regular and special meetings of the Council. He/She added 10/14 shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order, subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. He/She shall be entitled to vote on all questions. He/She shall sign all ordinances and resolutions adopted by the Council during his/her presence. In the event of the absence of the Mayor, the Mayor Pro Tem shall sign ordinances or resolutions as then adopted.

Section 1-2056.02. Call to Order-Presiding Officer. The Mayor, or in his/her absence, the Mayor Pro Tem, shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Council to order. In the absence of the Mayor or the Mayor Pro Tem, the City Secretary, or his/-or-her Assistant, shall call the Council to order, whereupon a temporary chairman shall be elected by members of the Council present. Upon arrival of the Mayor or the Mayor Pro Tem, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the Council.

Section 1-2066.03. Roll Call. Before proceeding with the business of the Council, the City Secretary, or his/-or-her deputy shall note in the minutes, the names of those present. Late arrivals or departures of Council members shall be noted by the Presiding Officer, and recorded by the City Secretary in the minutes.

~~6.16. Section 1-2076.04. Quorum.~~ A majority of all the members elected to the Council shall constitute a quorum at any regular or special meeting of the Council. In the absence of a quorum, the Presiding Officer shall, at the request of any three (3) members present, compel the attendance of absent members. (9/18/19 emails & default to TGC 551.001(6))

Section 1-2086.05. Order of Business. All meetings of the Council shall be open to the public, in accordance with the Texas Open Meetings Law Act. Promptly at the hour set by law on the day of each regular meeting as posted as required by law, the members of the Council, the City Secretary, the City Attorney, the Mayor, and the City Manager, shall take their regular stations in the Council Chambers, and the business of the Council shall generally be taken up for consideration and disposition in the following order:

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1. Call to Order
- ~~1-2. Invocation and Pledges of Allegiance.~~
3. Proclamations and Presentations.
- ~~2-4. Public Comments~~
- ~~3-5. Consent Agenda. (Any member of the Council may remove any item from the Consent Agenda for discussion.) These items are typically routine in nature.~~
 - ~~a. Approval of minutes of previous meeting.~~
 - ~~b. Purchases, Contracts, or Transactions.~~
- ~~4. Petitions, remonstrances, communications, and citizens and taxpayers wishing to address the Council.~~
- ~~5. Public Hearings.~~
- ~~6. New Business:~~
 - ~~a. Introduction and adoption of resolutions and ordinances.~~
 - ~~b. Receive reports and recommendations from City staff.~~
 - a. 6. Statutory Agenda
 - b.
 - ~~e. 7. Reports of City Officers and Staff, Boards Committees.~~
- ~~7. Previously tabled items.~~
- ~~8. Executive Session.~~
- ~~9. Workshop Items.~~
11. 8. Administrative Reports.
- ~~12. Council Comments.~~ 9. Items of Community Interest (in accordance with state law)
- ~~12.~~ 10. Executive and/or workshop sessions (as appropriate)
- ~~13.~~ 11. Reconvene in public session (as needed following executive sessions)
- ~~13-14.~~ 12. Adjournment.

~~**Section 1-209. Reading of Minutes.** Unless a reading of the minutes of a Council meeting is requested by a member of the Council, such minutes may be approved without reading if the City Secretary has previously furnished each member with a copy thereof.~~

Section 1-2106.06. Rules of Debate.

- (A) Presiding Officer May Debate and Vote, Etc. The Mayor or Mayor Pro Tem, or such other member of the Council as may be presiding may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a Councilperson by reason of his/her acting as the Presiding Officer.
- (B) Getting the Floor-Improper References to be Avoided. Every member desiring to speak shall address the Chair, and, upon recognition by the Presiding Officer, shall confine himself to the question under debate, avoiding all personalities and indecorous language.
- (C) Interruptions. A member, once recognized, shall not be interrupted when speaking unless it be to call him to order, or as herein otherwise provided. If a member, while speaking, be called to order, he shall cease speaking until the question of order be determined, and, if in order, he shall be permitted to proceed.
- ~~(D) Did something get omitted Privilege of Closing Debate. The Councilperson moving the adoption of an ordinance or resolution shall have the privilege of closing the debate.~~

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~~(E) Motion to Reconsider. A motion to reconsider any action taken by the Council may be made only on the day such action was taken. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion must be made by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable. Nothing herein shall be construed to prevent any member of the Council from making or remaking the same or any other motion at a subsequent meeting of the Council.~~

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~~(D) Remarks of Councilperson--When Entered in Minutes. A Councilperson may request, through the Presiding Officer, the privilege of having an abstract of his/her statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.~~

~~(E) Synopsis of Debate--When Entered in Minutes. The City Secretary may be directed by the Presiding Officer, with consent of the Council, to enter in the minutes a synopsis of the discussion on any question coming regularly before the Council.~~

~~(E) Relevance of Debate. In the interest of being respectful of the time commitment of City Councilpersons, the Council expects that issues adequately addressed prior to the meeting not be reprised during the meeting. **10/14 decision to remove**~~

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Section 1-2116.07. Addressing the Council. Before each meeting of City Council the City Secretary shall ~~place-make~~ public comment ~~cards-forms available on the table in the rear of the Council Chambers,~~ on which any taxpayer or resident, or his/her authorized representative, or any member of the public, may sign his/her name and address, and indicate the subject matter on which he wishes to speak ~~or submit a written communication.~~

~~(A) Oral Communications. Individuals may address the Council by oral communication ~~in regard to matters appearing on the City Council agenda, or any other subject matter,~~ by completing all requested information on the public comment ~~cardform,~~ and placing ~~it at the City Secretary's desk on the dais, said public comment card in the box located on the table in the rear of the Council Chambers,~~ not later than five (5) minutes before commencement of the meeting. Oral communication to Council shall be in the manner provided in Section 1.212 hereof.~~

~~(B) Written Communications. Individuals may address the Council by written communication in regard to matters appearing on the City Council agenda, or any other subject matter, by completing all requested information on the public comment card, and placing said public comment card, along with the proposed written communication, in the box located on the table in the rear of the Council Chambers, not later than five (5) minutes before commencement of the meeting.~~

Section 1-212. Manner of Addressing Council

~~(A)(B) Time Limit. Each person addressing the Council shall step up to the podium, shall give his/her name and address in an audible tone of voice for the records, and unless further time is granted by the Council, shall limit his/her address to five (5)~~

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minutes. All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer. No question shall be asked to a Councilperson except through the Presiding Officer. Any such question shall be referred by City Council to the City ~~manager~~ Manager, for further handling.

~~(B)~~ **(C) Limits on Repetitive or Redundant Presentations.** The City Council shall have the right to place reasonable limits on the ~~number, frequency, and~~ length of presentations made during the comment period, in accordance with law. For such purposes the City Council may limit ~~the number of persons who speak on a particular subject at a meeting, and~~ the length of the individual presentations made, ~~on such topic; accordingly, the City Council may place reasonable limits on the number of occasions that a person or persons speak on a particular subject, at successive Council meetings.~~ Subject to the foregoing, the City Council shall not place limits on discussion of specific subject matter as it relates to any constitutionally guaranteed right of freedom of speech, or otherwise discriminate against a particular point of view. **7/19 addition in light of HB 2840 changes made above –** Persons wishing to address the Council on more than one agenda item in a single meeting must speak on them all the first time they are called upon (additional time is not given for additional items – emailing, writing, calling, or visiting with Councilpersons outside of meetings is, of course, unlimited).

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~~**Section 1-213. Addressing the Council After Motion Made.** After a motion is made by the Council, no person shall address the Council without first securing the permission of the Council so to do.~~

Section 1-2146.09. Silence Constitutes Affirmative Vote. Unless a member of the Council states that he is not voting, his/her silence shall be recorded as an affirmative vote.

Section 1-2156.10. Decorum.

- (A) By Councilpersons ~~Members~~. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its Presiding Officer, except as otherwise herein provided.
- (B) By Persons. Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Council shall be forthwith, by the Presiding Officer, barred from further audience before the Council, unless permission to continue be granted by a majority vote of the Council.

Section 1-2166.11. Enforcement of Decorum. The Chief of Police, or such member or members of the Police Department as he may designate, shall be Sergeant-at-Arms of the Council meetings. He, or they, shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum at the Council meeting. Upon instructions of the Presiding

Officer, it shall be the duty of the Sergeant-at-Arms, or any of them present, to ~~place~~ remove any person who violates the order and decorum of the meeting ~~under arrest, and cause him to be prosecuted under the provisions of this Code, the complaint to be signed by the Presiding Officer.~~

~~**Section 1-217. Persons Authorized to be at Tables.** No person shall be permitted to be at the two tables in front of the Council table, without the express consent of the Council.~~

~~**Section 1-218.12. Special Committees.** The establishment and members of a~~ All special committees shall be ~~appointed~~ decided by a majority vote of the Council, ~~unless prescribed by the City Charter or other action of the Council.~~

~~**Section 1-219. Members May File Protests Against Council Action.** Any member shall have the right to have the reasons for his dissent from, or protest against, any action of the Council entered on the minutes.~~

~~**Section 1-220. Claims Against City.** No account or other demand against the City shall be allowed until the same has been considered and reported upon by the City Manager and the City Attorney.~~

~~**Section 1-221.6.13. Ordinances, Resolutions, Motions and Contracts.**~~

~~(A) Preparation of Ordinances. All ordinances shall be approved by the City Attorney. No ordinance shall be prepared for presentation to the Council unless ordered by three (3) members of the Council, or requested by the City Manager, or prepared by the City Attorney on his own initiative, in consultation with the City Manager.~~

~~(B)~~(A) Prior Approval by Administrative Staff. All ordinances, resolutions and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney or his/her authorized representative, and shall have been examined and approved for administration by the City Manager or his/her authorized representative, where there are substantive matters of administration involved.

~~(C) Introducing for Passage or Approval.~~

(1) Ordinances, resolutions, and other matters or subjects requiring action by the Council must initially be produced/written, introduced, and sponsored ~~by a member of the Council, except that the City Manager or City Attorney may present ordinances, resolutions, and other matters or subjects to the Council, and any Councilperson may assume sponsorship thereof by moving that such ordinances, resolutions, matters or subjects be adopted; otherwise, they shall not be considered. per the guidelines of 3.03 Agenda, above.~~

~~(2) An ordinance may have final passage on the same day on which it was introduced.~~

~~(3)~~(2) No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance, or section thereof, shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed, and when practical all ordinances shall be introduced as amendments to existing ordinances or sections thereof.

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~~(4) Any resolution providing for the appropriation of money shall designate the particular fund from which the appropriation is to be made.~~

Section 1-2226.14. Reports and Resolutions to be Filed with the City Secretary. All reports and resolutions shall be filed with the City Secretary and entered on the minutes.

Section 7 – CITY COUNCIL COMMITTEES

7.01. Council Committees Established.

(A) The following standing committees of the City Council are established:

- (1) Fiscal Affairs Committee
- (2) Drainage and Flooding Committee

(B) Each standing committee shall review matters in its area of responsibility that are referred to it by the City Council or the City Manager. A standing committee may, by majority vote, recommend action to the City Council, but committee recommendation is not necessary for a matter to be placed on the City Council agenda. The committee chair may make a statement on behalf of the committee on an item in a meeting of the Council.

7.02. Appointment. Appointment to and composition of the committees has been established through prior Council action and may be amended by such.

7.03. Council Committee Meetings.

(A) Council standing committees shall meet as necessary. The quorum of Council committees will be a majority of the members serving. Except when serving during a meeting for an absent member, an alternate to the committee should not be seated at the dais, nor participate in discussion or vote. (9/9/ & 9/18 additions from emails w/Askins, Rigby, Alexander)

(B) The committee chair shall develop committee meeting agendas through coordination with fellow committee members and appropriate supporting staff members. The committee chair will coordinate with the City Secretary to ensure that the committee meeting agenda is posted as appropriate.

7.04. Council Ad Hoc Committees. 10/14 discussion of ad hoc vs special, please see email of 10/17

The Mayor may appoint ad hoc committees from time to time to study and review specific issues. The Mayor shall determine the number of members and appoint a chair of ad hoc committees. The ad hoc committees shall be established for a designated period of time, which may be extended by the Mayor and shall meet as needed. The Mayor shall formally announce the establishment of any ad hoc committee along with his/her appointments to that committee in a session of Council prior to the committee convening to conduct business.

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Section 8 – RULES SUSPENSION

Any provision of these rules not governed by the City Charter, City Code, or state law may be temporarily suspended by a two-thirds vote of the members of the City Council present.

~~**Section 1-223. Adjournment.** A motion to adjourn shall always be in order and decided without debate.~~

~~**Section 1-224. Executive Sessions.** Every regular, special or called meeting or session of City Council shall be open to the public. No closed or executive meeting or session of City Council for any of the purposes for which closed or executive meetings or sessions are authorized by the Open Meetings Law, Chapter 551, Texas Government Code, shall be held unless City Council has first been convened in open meeting or session for which lawful notice has been given and during which meeting or session the Presiding Officer has publicly announced that a closed or executive meeting or session will be held and identified the section or sections of said Act authorizing the holding of such closed or executive session. No final action, decision, or vote with regard to any matter considered in the closed meeting shall be made except in a meeting which is open to the public and in compliance with the notice provisions of the Act.~~

~~**Section 1-225. Open Meetings Law Notice.** The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.~~

~~**Section 1-226. Repeal.** Ordinance No. 1435 and Ordinance No. 1435 A are repealed as of the effective date hereof.~~

~~**Section 1-227. Effective Date.** This ordinance shall be effective from and after its passage and approval.~~

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APPENDIX A

ETHICS POLICY

Adopted July 22, 2013, by Ordinance 2013- 3489

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Section 1. Policy and purposes.

(A)General policy statement. It is the policy of the city that all city officials and employees shall conduct themselves both inside and outside the city's service so as to give no occasion for distrust of their integrity, impartiality, or devotion to the best interest of the city and the public trust which the city holds.

(B)Appearance of impropriety. Public service is a public trust. All city officials and employees are stewards of the public trust. They have a responsibility to the citizens of the city to administer and enforce the City Charter and city ordinances. To ensure and enhance public confidence in city government, each city official and employee must strive not only to maintain technical compliance with the principles of ethical conduct set forth in this article and in state law, but also to avoid the appearance of impropriety at all times.

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(C)This code of ethics has three purposes:

- (1) To encourage ethical conduct on the part of city officials and employees;
- (2) To encourage public service with the city;
- (3) To establish standards for ethical conduct for city officials and employees by defining and prohibiting conduct that is incompatible with the interests of the city;

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(D)This code of ethics is not intended to be used as a political weapon or to intimidate or embarrass affected persons. The officials charged with administration of this code of ethics shall administer it in a manner that avoids any such use of this code of ethics.

Section 2. Definitions.

In this policy:

Benefit means anything reasonably regarded as pecuniary gain or pecuniary advantage, including any money, real or personal property, purchase, sale, lease, contract, option, credit, loan, discount, service or other tangible or intangible thing of value. Benefit includes a pecuniary gain or pecuniary advantage to any other person in whose welfare the beneficiary has a direct and substantial interest.

Business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law, including a nonprofit organization or governmental entity.

Economic interest includes a legal or equitable interest in real property, personal property, or intangible property, or a contractual right, including but not limited to receipt of compensation and/or benefits. Service by a city official or employee as an officer,

director, advisor, or other active participant in a nonprofit educational, religious, charitable, fraternal, or civic organization does not create for that city official or employee an economic interest in the property of the organization. Ownership of an interest in a mutual or common investment fund that holds securities or other assets is not an economic interest in the securities or other assets unless the person in question participates in the management of the fund.

Employee means any person employed by the city, whether under civil service regulations or not, including those individuals on a part-time basis, but not including any independent contractor.

Immediate family means the spouse, children, brothers, sisters and parents of an officer or employee.

Officer or official means the mayor or any member of the city council and any appointive member of a city board, commission or committee established by ordinance, charter or state law.

Section 3. Prohibition against involvement in actions affecting economic interests.

(A) General rule. It shall be a violation of this policy for a city official or employee to participate in any proceedings or take any official action that he or she knows is likely to:

(1) Affect an economic interest of:

(a) The official or employee;

(b) His or her immediate family member;

(c) A member of his or her household;

(d) An outside employer of the official or employee or of his or her immediate family member;

(e) A business entity in which the official or employee or his or her immediate family member holds an economic interest;

(f) A business entity for which the city official or employee serves as an employee, officer or director, or otherwise functions in any policy making position; or

(g) A person or business entity from whom the official or employee, or his or her immediate family member, has solicited, received and not rejected, or accepted an offer of employment within the past twelve months; or

(2) Confer a benefit on the official or employee, or deprive the official or employee of a benefit, where the effect of the action on the official or employee is distinguishable from the effect of the action on other employees or officials, members of the public in general or a substantial segment of the public.

(B) Meaning of "affect".

(1) In subsection (a)(1) above, an action is likely to affect an official's or employee's economic interest if it meets all of the following:

(a) The action is likely to have an effect on that interest, either positive or negative, that is distinguishable from its effect on other employees or officials, members

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- of the public in general or a substantial segment of the public.
- (b) The effect of the action on that interest is direct, and not secondary or indirect. However, the action need not be the only producing cause of the effect in order for the effect to be direct.
- (c) The effect on the interest must be more than insignificant or de minimis in nature or value.
- (2) In determining whether a person, entity or property is or was affected by an official's or employee's participation in proceedings, vote or decision, it will not be necessary to prove the actual existence or occurrence of an economic effect or consequence if the effect or consequence would be reasonably expected to exist or occur.
- (C) Recusal and disclosure. A city official or employee whose conduct would otherwise violate subsection (a), or a state conflict of interest law if he or she participated in proceedings or took an action, must abstain from participation in the action in accordance with the following:
- (1) Immediately refrain from further participation in the matter, including discussions with any persons likely to consider the matter, from the time he or she discovers or reasonably should have discovered the matter triggering the recusal;
- (2) Promptly file necessary documentation disclosing the nature and extent of the interest triggering the recusal with the city clerk, if the person is an official, or with the person's supervisor, if the person is an employee;
- (3) Promptly notify the person's supervisor of the nature and extent of the interest triggering the recusal, if the person is a city employee, so that the supervisor can reassign responsibility for handling the matter to another person; and
- (4) Promptly disclose the interest triggering the recusal, if the person is a member of the city council, a city board or commission, to other members of the city council, board or commission, and leave the room in which the city council, board or commission is meeting during the board or commission's discussion of or voting on, the matter. (Please give attention, as this provision is referenced in the Rules above, under proposed 5.02.)
- (D) No prohibition established in this section shall be construed to prevent members of city council, or the appointees to any board or commission of the city, or a city employee, from voting on or participating in a matter relating to the adoption of laws, rules and/or policies that apply generally to all employees, officials and/or members of the public and the effect of which does not confer a benefit on the official or employee that is distinguishable from the effect on other employees, officials or members of the public or a substantial segment of the public.

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Section 4. Standards of conduct.

- (A) Standards for immediate family members. A city official or employee commits a violation of this policy if an immediate family member, with the official's or employee's knowledge, intentionally or knowingly:
- (1) Solicits, accepts or agrees to accept from another person any benefit that the member's relative, who is a city officer or employee, is prohibited from soliciting, accepting or agreeing to accept under state law;

(2) Misuses any official information obtained from the member's relative, who is a city officer or employee, to which the relative has access by virtue of the relative's office or employment and that has not been made public, in a manner prohibited as to the relative under state law; or

(3) Misuse, as defined in V.T.C.A., Penal Code §39.01, any city property, services, personnel or any other thing of value belonging to the city that has come into the member's custody or possession by virtue of the office or employment of the member's relative who is a city officer or employee.

(B) Representation and appearance at meetings. No city official or employee shall knowingly:

(1) Appear before the body of which the officer or employee is a member, or otherwise participate in any proceedings, as a representative for any private person, including the officer or employee or any immediate family member, except that an official or employee may represent their interests in their own property before a board, agency, commission or department of the city.

(2) Participate in any proceedings, directly or indirectly, wherein the official or employee represents the interests of any outside employer, business entity, group or interest in any matter, action or proceeding against the interests of the city or in any litigation in which the city or any department, agency, commission or board thereof is a party;

(3) Accept other employment or engage in outside activities incompatible with the full and proper discharge of city duties or that might impair independent judgment in the performance of city duties; or

(4) Make a false statement of material fact at a public meeting. This subsection shall not be construed to deprive an officer or employee of the right to due process under the law, including the right to represent himself/herself in a court proceeding.

(C) Representation by council members. No city council member shall knowingly represent any private person, including the city council member or any immediate family member, or any outside employer, business entity, group or interest in any matter before any department, agency, commission or board of the city, except that city council members may represent their interests in their own property before a board, agency, commission or department of the city.

(D) Representation in municipal court. In any action or proceeding in the municipal court which is instituted by a city officer or employee in the course of official duties:

(1) No city council member shall knowingly represent any private person other than himself or herself. If a city council member elects to have a trial in municipal court, the city council, without the participation of the affected city council member, will appoint a special judge to preside over the trial.

(2) No city officer or employee shall knowingly represent any private person other than himself or herself, including any immediate family member, or any group or interest.

(E) Representation in land use and development matters. A member of the planning and

zoning commission shall not knowingly represent the member or any other person, group or interest in any matter before the zoning board of adjustments involving land use or development, and a member of the zoning board of adjustments shall not knowingly represent the member or any other person, group or interest in any matter before the planning and zoning commission involving land use or development. This subsection does not apply to members representing their interests in their own property.

(F) Prohibited use of city position. A city official or employee shall not use his or her position to unfairly advance or impede private interests, or to grant or secure, or attempt to grant or secure, for any person (including himself or herself) any form of special consideration, treatment, exemption, or advantage beyond that which is lawfully available to other persons. A city official or employee who represents to a person that the official or employee may provide an advantage or impediment to the person based on the official's or employee's office or position violates this rule.

Section 5. Contracts with city; eligibility for appointment or election to office.

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(A) No member of the city council and no city employee shall have a financial interest in the sale to the city of any land, materials, supplies or service, outside of the person's position with the city. Any person having an interest shall be ineligible for election as a city council member or appointment as a city employee, and any city council member or city employee who acquires an interest shall forfeit the office or employment. Any violation of this subsection with the actual or constructive knowledge of the city council member or employee shall render the contract voidable by the city manager or the city council.

(B) In subsection (a) of this section and in subsection 2.425(c), the term "sale to the city" includes a sale to city-sponsored entities and organizations subject to substantial control by the city in one or more of the following respects:

- (1) All or a majority of the governing body of the entity or organization is appointed by the city council;
- (2) The city provides more than one-half of the operating funds of the entity or organization;
- (3) The city has approval authority over purchasing decisions made by the entity or organization;
- (4) The city has approval authority over bonds or other indebtedness issued by the entity or organization; or
- (5) The city has approval authority over the budget of the organization.

(C) This section does not apply to acquisition of property by the city as a result of eminent domain proceedings or the threat of eminent domain proceedings.

Section 6. Restrictions on former employees.

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~~(a) No former city employee shall, for a period of one year from the date of leaving city employment, knowingly:~~

- ~~(1) Appear at a meeting of a board or commission staffed by members of the department of which the employee was a member, as a representative for any private person;~~

~~including the employee or any immediate family member, or any group or interest.
(2) Represent, directly or indirectly, any private person, including the former employee or any immediate family member, or any group or interest in any action or proceeding against the interests of the city or in any litigation in which the city or any department, agency, commission or board thereof is a party.~~

~~(b) Notwithstanding the foregoing prohibitions, a former employee may represent their interests in their own property before a board, agency, commission or department of the city. Furthermore, this subsection shall not be construed to deprive a former employee of the right to due process under the law, including the right to represent himself in a court proceeding.~~

~~(c) In any action or proceeding in the municipal court which is instituted by a city officer or employee in the course of official duties, no former city employee shall, for a period of one year from the date of leaving city employment, knowingly represent any private person other than himself or herself, including any immediate family member, or any group or interest.~~

~~(d) For a period of one year from the date of leaving employment, a former city employee shall not have any financial interest in the sale to the city of any land, materials, supplies or service. Any violation of this subsection with the actual or constructive knowledge of the former city employee shall render the contract voidable by the city manager or the city council. This subsection shall not apply to a former city employee whose employment was terminated as part of a reduction in force.~~

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CITY COUNCIL RULES OF PROCEDURE

Amended **XXXXXX XX, 2019, by Ord. 2019-3758
First Adopted July 28, 2003**

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Section 1 – GENERAL

Parliamentary law and the rules of procedure derived from such law are essential to all deliberative organizations so that they may consider all matters before them in an effective and efficient manner and produce results that are legal and binding. Moreover, such procedural safeguards ensure due process during deliberations among members of the organization while at the same time protecting the rights of both the group and each member. Accordingly, these rules of procedure establish guidelines to be followed by all persons attending City Council meetings, including members of the City Council, administrative staff, news media, citizens, and visitors.

Section 2 – AUTHORITY

The City Charter of La Porte, Texas, provides in Article II. City Council, Section 2.07 that the Council “shall meet regularly as such times as may be prescribed by its rules but not less frequently than once each month.” and that the Council “shall determine its own rules and order of business.” Thus, these rules of procedure are established. In the event of any conflict between the City Charter and these rules of procedure, the City Charter shall prevail.

The parliamentary reference for the City Council is the most recent edition of *Robert’s Rules of Order Newly Revised* (RONR). When any issue concerning procedure arises that is not covered by the Rules of Procedure, the City Charter, or state law, the Council will refer to RONR, which shall determine such procedural issue.

Section 3 – MEETINGS

The City Council shall follow both the letter and the spirit of Chapter 551 of the Texas Government Code (the Texas Open Meetings Act).

3.01. Regular Meetings.

- (A) Time. The City Council will generally hold regular meetings on the second and fourth Monday of each month, at 6:00 p.m.
- (B) Place. All regular, special, and workshop meetings of the City Council shall be held in the Council Chambers, City Hall, 604 West Fairmont Parkway, in the City of La Porte, Texas, unless otherwise directed by City Council, or required by law.

3.02. Special Meetings. The Mayor on his/her own motion or at the request of the City Manager shall call special meetings of the City Council whenever in their opinion the public business may require it, or at the express written request of any three (3) members of the City Council. Such written request shall be filed with the City Secretary, and shall contain the agenda item requested for the special meeting. Whenever a special meeting shall be called, notice shall be given.

3.03. Agenda. The Mayor, the City Manager, the City Secretary, or the City Attorney, or any three (3) members of the City Council by written request, may place an item on a City Council agenda. The written request shall include a clear description of the proposed action by the Council (in the form of a proposed motion), or shall clearly state the item is for discussion purposes only, shall be of sufficient detail to allow staff to contribute background information on the topic, and shall be filed with the City Secretary by 5:00 p.m., Thursday, two weeks prior to the Monday night City

Council meeting (and a commensurate period for special meetings) Any deviations from or amendments to an agenda, either past the established deadlines or once posted, should be exceedingly rare and of a clearly significant nature. All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Council shall also be delivered to the City Secretary on the same schedule.

The City Secretary will coordinate the placement and content of items on the agenda with the City Manager, who will resolve any conflicts with Mayor and Councilpersons. Agenda items may be removed only by the person who initially placed that item on the agenda

Drafts of contracts, ordinances, resolutions, or other items requiring review should be submitted to the City Attorney in a manner timely enough to allow for their review prior to this submittal deadline above. None of the foregoing matters shall be presented to the Council by the administrative officials except those of an urgent nature, and the same, when so presented, shall have the written approval of the City Manager before presentation.

Section 4 - STANDARDS OF CONDUCT

4.01. City Councilpersons.

It is important that Councilpersons demonstrate civility to one another as individuals, for the validity of different opinions, for the democratic process, and for the community and citizens being served. Elected officials should exhibit appropriate behavior. All members of the City Council have equal votes and all Councilpersons speak only for themselves.

4.02. Council Relations with the Media.

All City press releases, media advisories, story suggestions, or similar items should go through the City Secretary's office for distribution, with exception of factual police department bulletins which designated officers may send directly, with copy to the City Secretary.

4.03. Citizens and Visitors.

- (A) Reactions from the audience following the recognition and rewarding of citizens and special guests is considered appropriate and encouraged. Reactions from the audience during staff presentations to the Council and during debate between Councilpersons are not appropriate and not permitted. The presiding officer will ensure that the decorum of the meeting is maintained and is appropriate.
- (B) No placards, banners, or signs will be permitted in the City Council chamber or in any other room in which the City Council is meeting. Exhibits, displays, and visual aids used in connection with presentations to the City Council, however, are permitted.

With the exception of those locations designated as free speech venues, or for City-sponsored or City co-sponsored *Meet the Candidate* forums for City elections, City Hall may not be used for political campaign-related functions or events. City resources or equipment may not be used for other election campaigning which includes, but is not limited to, the passing out of campaign flyers, signs, buttons, or other campaign materials for any candidate or officeholder. No one may make a contribution to a candidate or officeholder in City Hall. No one may solicit support for a candidate

or officeholder or accept a contribution for such in City Hall. Campaign flyers, signs, buttons, or other campaign materials for any candidate or officeholder are prohibited in City Hall or on City property except as allowed by state law or as the City Council shall formally restrict or authorize by other ordinance or resolution.

Section 5 – DUTIES AND PRIVILEGES OF COUNCILPERSONS

5.01. Seating Arrangement.

The Mayor shall determine seating of the Council and Charter Officers.

5.02. Conflict of Interest.

A City Councilperson prevented from voting by a conflict of interest, shall step down from the dais and leave the room (per Sec. 3(c)(4) of the City's adopted Ethics & Conflict of Interest Policy, attached as Appendix A), shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council's deliberation of the matter in any way, shall not attend executive sessions regarding the matter, and shall otherwise comply with the state law and city ordinances concerning conflicts of interest including Chapter 171 of the Local Government Code.

5.03. Voting.

- (A) When a vote is called, every member present shall vote either "Aye" or "No" or shall abstain, except on matters involving a conflict of interest that compels a Councilperson to abstain.
- (B) Any vote to which there is an objection shall be taken by counted vote; except that, on the demand of a single Councilperson, a roll call vote shall be taken. After the result of a vote is announced, a member may not change a vote unless, before the adjournment of that meeting, permission is given to change the vote by a majority vote of the members present.

Section 6 - CHAIR AND DUTIES

6.01. The Presiding Officer-Duties. The presiding officer of the Council shall be the Mayor. The Presiding Officer shall preserve strict order and decorum at all regular and special meetings of the Council. He/She shall state every question coming before the Council, announce the decision of the Council on all subjects and decide all questions of order, subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. He/She shall be entitled to vote on all questions. He/She shall sign all ordinances and resolutions adopted by the Council during his/her presence. In the event of the absence of the Mayor, the Mayor Pro Tem shall sign ordinances or resolutions as then adopted.

6.02. Call to Order-Presiding Officer. The Mayor, or in his/her absence, the Mayor Pro Tem, shall take the chair precisely at the hour appointed for the meeting, and shall immediately call the Council to order. In the absence of the Mayor or the Mayor Pro Tem, the City Secretary, or his/her Assistant, shall call the Council to order, whereupon a temporary chairman shall be elected by members of the Council present. Upon arrival of the Mayor or the Mayor Pro Tem, the temporary chairman shall immediately relinquish the chair upon the conclusion of the business immediately before the

Council.

6.03. Roll Call. Before proceeding with the business of the Council, the City Secretary, or his/her deputy shall note in the minutes the names of those present. Late arrivals or departures of Council members shall be noted by the Presiding Officer, and recorded by the City Secretary in the minutes.

6.04. In the absence of a quorum, the Presiding Officer shall, at the request of any three (3) members present, compel the attendance of absent members.

6.05. Order of Business. All meetings of the Council shall be open to the public, in accordance with the Texas Open Meetings Act. Promptly at the hour set on the day of each regular meeting as posted as required by law, the members of the Council, the City Secretary, the City Attorney, the Mayor, and the City Manager, shall take their regular stations in the Council Chambers, and the business of the Council shall generally be taken up for consideration and disposition in the following order:

1. Call to Order
2. Invocation and Pledges of Allegiance
3. Proclamations and Presentations
4. Public Comments
5. Consent Agenda. (Any member of the Council may remove any item from the Consent Agenda for discussion.) These items are typically routine in nature.
6. Statutory Agenda
7. Reports of City Officers and Staff
8. Administrative Reports.
9. Items of Community Interest (in accordance with state law)
10. Executive and/or workshop sessions (as appropriate)
11. Reconvene in public session (as needed following executive sessions)
12. Adjournment.

6.06. Rules of Debate.

- (A) Presiding Officer May Debate and Vote, Etc. The Mayor or Mayor Pro Tem, or such other member of the Council as may be presiding may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a Councilperson by reason of his/her acting as the Presiding Officer.
- (B) Getting the Floor-Improper References to be Avoided. Every member desiring to speak shall address the Chair, and, upon recognition by the Presiding Officer, shall confine himself to the question under debate, avoiding all personalities and indecorous language.
- (C) Interruptions. A member, once recognized, shall not be interrupted when speaking unless it be to call him to order, or as herein otherwise provided. If a member, while speaking, be called to order, he shall cease speaking until the question of order be determined, and, if in order, he shall be permitted to proceed.
- (D) Remarks of Councilperson--When Entered in Minutes. A Councilperson may request, through the Presiding Officer, the privilege of having an abstract of his/her statement on

any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.

- (E) Synopsis of Debate--When Entered in Minutes. The City Secretary may be directed by the Presiding Officer, with consent of the Council, to enter in the minutes a synopsis of the discussion on any question coming regularly before the Council.

6.07. Addressing the Council. Before each meeting of City Council the City Secretary shall make public comment forms available, on which any taxpayer or resident, or his/her authorized representative, or any member of the public, may sign his/her name and address, and indicate the subject matter on which he wishes to speak.

- (A) Individuals may address the Council by oral communication by completing all requested information on the public comment form, and placing it at the City Secretary's desk on the dais, not later than five (5) minutes before commencement of the meeting. Oral communication to Council shall be in the manner provided in Section 1.212 hereof.
- (B) Time Limit. Each person addressing the Council shall step up to the podium, shall give his/her name and address in an audible tone of voice for the records, and unless further time is granted by the Council, shall limit his/her address to five (5) minutes. All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the Council and the person having the floor shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the Presiding Officer. No question shall be asked to a Councilperson except through the Presiding Officer. Any such question shall be referred by City Council to the City Manager, for further handling.
- (C) Limits on Repetitive or Redundant Presentations. The City Council shall have the right to place reasonable limits on the length of presentations made during the comment period, in accordance with law. For such purposes the City Council may limit the length of the individual presentations made. Subject to the foregoing, the City Council shall not place limits on discussion of specific subject matter as it relates to any constitutionally guaranteed right of freedom of speech, or otherwise discriminate against a particular point of view.

Persons wishing to address the Council on more than one agenda item in a single meeting must speak on them all the first time they are called upon (additional time is not given for additional items – emailing, writing, calling, or visiting with Councilpersons outside of meetings is, of course, unlimited).

6.09. Silence Constitutes Affirmative Vote. Unless a member of the Council states that he is not voting, his/her silence shall be recorded as an affirmative vote.

6.10. Decorum.

- (A) By Councilpersons. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its Presiding Officer, except as otherwise herein provided.

- (B) By Persons. Any person making personal, impertinent, or slanderous remarks or who shall become boisterous while addressing the Council shall be forthwith, by the Presiding Officer, barred from further audience before the Council, unless permission to continue be granted by a majority vote of the Council.

6.11. Enforcement of Decorum. The Chief of Police, or such member or members of the Police Department as he may designate, shall be Sergeant-at-Arms of the Council meetings. He, or they, shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum at the Council meeting. Upon instructions of the Presiding Officer, it shall be the duty of the Sergeant-at-Arms, or any of them present, to remove any person who violates the order and decorum of the meeting.

6.12. Special Committees. The establishment and members of all special committees shall be decided by a majority vote of the Council, unless prescribed by the City Charter or other action of the Council.

6.13. Ordinances, Resolutions, and Contracts.

- (A) All ordinances, resolutions and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney or his/her authorized representative, and shall have been examined and approved for administration by the City Manager or his/her authorized representative, where there are substantive matters of administration involved.

- (1) Ordinances, resolutions, and other matters or subjects requiring action by the Council must initially be produced/written, introduced, and sponsored per the guidelines of 3.03 Agenda, above.
- (2) No ordinance shall relate to more than one subject, which shall be clearly expressed in its title, and no ordinance, or section thereof, shall be amended or repealed unless the new ordinance contains the title of the ordinance or section amended or repealed, and when practical all ordinances shall be introduced as amendments to existing ordinances or sections thereof.

6.14. Reports and Resolutions to be Filed with the City Secretary. All reports and resolutions shall be filed with the City Secretary and entered on the minutes.

Section 7 – CITY COUNCIL COMMITTEES

7.01. Council Committees Established.

- (A) The following standing committees of the City Council are established:

- (1) Fiscal Affairs Committee
- (2) Drainage and Flooding Committee

- (B) Each standing committee shall review matters in its area of responsibility that are referred to it by the City Council or the City Manager. A standing committee may, by majority vote, recommend action to the City Council, but committee recommendation is not necessary for a matter to be placed on the City Council agenda. The committee chair may make a statement on behalf of the committee on

an item in a meeting of the Council.

7.02. Appointment. Appointment to and composition of the committees has been established through prior Council action and may be amended by such.

7.03. Council Committee Meetings.

- (A) Council standing committees shall meet as necessary. The quorum of Council committees will be a majority of the members serving. Except when serving during a meeting for an absent member, an alternate to the committee should not be seated at the dais, nor participate in discussion or vote.
- (B) The committee chair shall develop committee meeting agendas through coordination with fellow committee members and appropriate supporting staff members. The committee chair will coordinate with the City Secretary to ensure that the committee meeting agenda is posted as appropriate.

7.04. Council Ad Hoc Committees. 10/14 discussion of ad hoc vs special, please see email of 10/17

The Mayor may appoint ad hoc committees from time to time to study and review specific issues. The Mayor shall determine the number of members and appoint a chair of ad hoc committees. The ad hoc committees shall be established for a designated period of time, which may be extended by the Mayor and shall meet as needed. The Mayor shall formally announce the establishment of any ad hoc committee along with his/her appointments to that committee in a session of Council prior to the committee convening to conduct business.

Section 8 – RULES SUSPENSION

Any provision of these rules not governed by the City Charter, City Code, or state law may be temporarily suspended by a two-thirds vote of the members of the City Council present.

APPENDIX A

ETHICS POLICY

Section 1. Policy and purposes.

- (A) *General policy statement.* It is the policy of the city that all city officials and employees shall conduct themselves both inside and outside the city's service so as to give no occasion for distrust of their integrity, impartiality, or devotion to the best interest of the city and the public trust which the city holds.
- (B) *Appearance of impropriety.* Public service is a public trust. All city officials and employees are stewards of the public trust. They have a responsibility to the citizens of the city to administer and enforce the City Charter and city ordinances. To ensure and enhance public confidence in city government, each city official and employee must strive not only to maintain technical compliance with the principles of ethical conduct set forth in this article and in state law, but also to avoid the appearance of impropriety at all times.
- (C) This code of ethics has three purposes:
- (1) To encourage ethical conduct on the part of city officials and employees;
 - (2) To encourage public service with the city;
 - (3) To establish standards for ethical conduct for city officials and employees by defining and prohibiting conduct that is incompatible with the interests of the city;
- (D) This code of ethics is not intended to be used as a political weapon or to intimidate or embarrass affected persons. The officials charged with administration of this code of ethics shall administer it in a manner that avoids any such use of this code of ethics.

Section 2. Definitions.

In this policy:

Benefit means anything reasonably regarded as pecuniary gain or pecuniary advantage, including any money, real or personal property, purchase, sale, lease, contract, option, credit, loan, discount, service or other tangible or intangible thing of value. *Benefit* includes a pecuniary gain or pecuniary advantage to any other person in whose welfare the beneficiary has a direct and substantial interest.

Business entity means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, unincorporated association, or any other entity recognized by law, including a nonprofit organization or governmental entity.

Economic interest includes a legal or equitable interest in real property, personal property, or intangible property, or a contractual right, including but not limited to receipt of compensation and/or benefits. Service by a city official or employee as an officer, director, advisor, or other active participant in a nonprofit educational, religious,

charitable, fraternal, or civic organization does not create for that city official or employee an *economic interest* in the property of the organization. Ownership of an interest in a mutual or common investment fund that holds securities or other assets is not an *economic interest* in the securities or other assets unless the person in question participates in the management of the fund.

Employee means any person employed by the city, whether under civil service regulations or not, including those individuals on a part-time basis, but not including any independent contractor.

Immediate family means the spouse, children, brothers, sisters and parents of an officer or employee.

Officer or official means the mayor or any member of the city council and any appointive member of a city board, commission or committee established by ordinance, charter or state law.

Section 3. Prohibition against involvement in actions affecting economic interests.

- (A) *General rule.* It shall be a violation of this policy for a city official or employee to participate in any proceedings or take any official action that he or she knows is likely to:
- (1) Affect an economic interest of:
 - (a) The official or employee;
 - (b) His or her immediate family member;
 - (c) A member of his or her household;
 - (d) An outside employer of the official or employee or of his or her immediate family member;
 - (e) A business entity in which the official or employee or his or her immediate family member holds an economic interest;
 - (f) A business entity for which the city official or employee serves as an employee, officer or director, or otherwise functions in any policy making position; or
 - (g) A person or business entity from whom the official or employee, or his or her immediate family member, has solicited, received and not rejected, or accepted an offer of employment within the past twelve months; or
 - (2) Confer a benefit on the official or employee, or deprive the official or employee of a benefit, where the effect of the action on the official or employee is distinguishable from the effect of the action on other employees or officials, members of the public in general or a substantial segment of the public.
- (B) *Meaning of "affect".*
- (1) In subsection (a)(1) above, an action is likely to affect an official's or employee's economic interest if it meets all of the following:
 - (a) The action is likely to have an effect on that interest, either positive or negative, that is distinguishable from its effect on other employees or officials, members of the public in general or a substantial segment of the public.

- (b) The effect of the action on that interest is direct, and not secondary or indirect. However, the action need not be the only producing cause of the effect in order for the effect to be direct.
 - (c) The effect on the interest must be more than insignificant or de minimis in nature or value.
- (2) In determining whether a person, entity or property is or was affected by an official's or employee's participation in proceedings, vote or decision, it will not be necessary to prove the actual existence or occurrence of an economic effect or consequence if the effect or consequence would be reasonably expected to exist or occur.
- (C) *Recusal and disclosure.* A city official or employee whose conduct would otherwise violate subsection (a), or a state conflict of interest law if he or she participated in proceedings or took an action, must abstain from participation in the action in accordance with the following:
- (1) Immediately refrain from further participation in the matter, including discussions with any persons likely to consider the matter, from the time he or she discovers or reasonably should have discovered the matter triggering the recusal;
 - (2) Promptly file necessary documentation disclosing the nature and extent of the interest triggering the recusal with the city clerk, if the person is an official, or with the person's supervisor, if the person is an employee;
 - (3) Promptly notify the person's supervisor of the nature and extent of the interest triggering the recusal, if the person is a city employee, so that the supervisor can reassign responsibility for handling the matter to another person; and
 - (4) Promptly disclose the interest triggering the recusal, if the person is a member of the city council, a city board or commission, to other members of the city council, board or commission, and leave the room in which the city council, board or commission is meeting during the board or commission's discussion of or voting on, the matter.
- (D) No prohibition established in this section shall be construed to prevent members of city council, or the appointees to any board or commission of the city, or a city employee, from voting on or participating in a matter relating to the adoption of laws, rules and/or policies that apply generally to all employees, officials and/or members of the public and the effect of which does not confer a benefit on the official or employee that is distinguishable from the effect on other employees, officials or members of the public or a substantial segment of the public.

Section 4. Standards of conduct.

- (A) *Standards for immediate family members.* A city official or employee commits a violation of this policy if an immediate family member, with the official's or employee's knowledge, intentionally or knowingly:
- (1) Solicits, accepts or agrees to accept from another person any benefit that the member's relative, who is a city officer or employee, is prohibited from soliciting, accepting or agreeing to accept under state law;
 - (2) Misuses any official information obtained from the member's relative, who is a city officer or employee, to which the relative has access by virtue of the relative's

- office or employment and that has not been made public, in a manner prohibited as to the relative under state law; or
- (3) Misuse, as defined in V.T.C.A., Penal Code §39.01, any city property, services, personnel or any other thing of value belonging to the city that has come into the member's custody or possession by virtue of the office or employment of the member's relative who is a city officer or employee.
- (B) *Representation and appearance at meetings.* No city official or employee shall knowingly:
- (1) Appear before the body of which the officer or employee is a member, or otherwise participate in any proceedings, as a representative for any private person, including the officer or employee or any immediate family member, except that an official or employee may represent their interests in their own property before a board, agency, commission or department of the city.
 - (2) Participate in any proceedings, directly or indirectly, wherein the official or employee represents the interests of any outside employer, business entity, group or interest in any matter, action or proceeding against the interests of the city or in any litigation in which the city or any department, agency, commission or board thereof is a party;
 - (3) Accept other employment or engage in outside activities incompatible with the full and proper discharge of city duties or that might impair independent judgment in the performance of city duties; or
 - (4) Make a false statement of material fact at a public meeting. This subsection shall not be construed to deprive an officer or employee of the right to due process under the law, including the right to represent himself/herself in a court proceeding.
- (C) *Representation by council members.* No city council member shall knowingly represent any private person, including the city council member or any immediate family member, or any outside employer, business entity, group or interest in any matter before any department, agency, commission or board of the city, except that city council members may represent their interests in their own property before a board, agency, commission or department of the city.
- (D) *Representation in municipal court.* In any action or proceeding in the municipal court which is instituted by a city officer or employee in the course of official duties:
- (1) No city council member shall knowingly represent any private person other than himself or herself. If a city council member elects to have a trial in municipal court, the city council, without the participation of the affected city council member, will appoint a special judge to preside over the trial.
 - (2) No city officer or employee shall knowingly represent any private person other than himself or herself, including any immediate family member, or any group or interest.
- (E) *Representation in land use and development matters.* A member of the planning and zoning commission shall not knowingly represent the member or any other person, group or interest in any matter before the zoning board of adjustments involving land use or

development, and a member of the zoning board of adjustments shall not knowingly represent the member or any other person, group or interest in any matter before the planning and zoning commission involving land use or development. This subsection does not apply to members representing their interests in their own property.

- (F) *Prohibited use of city position.* A city official or employee shall not use his or her position to unfairly advance or impede private interests, or to grant or secure, or attempt to grant or secure, for any person (including himself or herself) any form of special consideration, treatment, exemption, or advantage beyond that which is lawfully available to other persons. A city official or employee who represents to a person that the official or employee may provide an advantage or impediment to the person based on the official's or employee's office or position violates this rule.

Section 5. Contracts with city; eligibility for appointment or election to office.

- (A) No member of the city council and no city employee shall have a financial interest in the sale to the city of any land, materials, supplies or service, outside of the person's position with the city. Any person having an interest shall be ineligible for election as a city council member or appointment as a city employee, and any city council member or city employee who acquires an interest shall forfeit the office or employment. Any violation of this subsection with the actual or constructive knowledge of the city council member or employee shall render the contract voidable by the city manager or the city council.
- (B) In subsection (a) of this section and in subsection 2.425(c), the term "sale to the city" includes a sale to city-sponsored entities and organizations subject to substantial control by the city in one or more of the following respects:
- (1) All or a majority of the governing body of the entity or organization is appointed by the city council;
 - (2) The city provides more than one-half of the operating funds of the entity or organization;
 - (3) The city has approval authority over purchasing decisions made by the entity or organization;
 - (4) The city has approval authority over bonds or other indebtedness issued by the entity or organization; or
 - (5) The city has approval authority over the budget of the organization.
- (C) This section does not apply to acquisition of property by the city as a result of eminent domain proceedings or the threat of eminent domain proceedings.



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>November 11, 2019</u>
Requested By: <u>Teresa Evans, Director</u>
Department: <u>Planning and Development</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input 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: None

SUMMARY

The Warehouse/Wholesaler/Distribution Operations Council Committee met with staff to review associated regulations and recommend amendments to the code. Committee participants included Councilpersons Ojeda, Earp, and Martin, the City Manager, Assistant City Manager, Planning & Development Director, City Planner, and Planning Technician. Councilperson Ojeda served as the Committee Chairperson. The Committee began its review with a discussion of land use regulations governing said activities, as outlined below.

The City of La Porte is a zoned municipality in accordance with the City of La Porte Code of Ordinances Chapter 106- Zoning. Section 106-310- Table A lists the commercial and industrial uses permitted in the commercial and industrial zoning districts. Commercial and industrial uses are categorized by the 2017 North American Industry Classification System (NAICS).

Warehouse/Wholesaler/Distribution Operations fall under the following NAICS codes:

1. NAICS 42 Wholesale Trade: Wholesale trade is defined as the sale of products, often in large quantities, to retailers and other merchants. Merchant wholesalers, agents and brokers help move goods between producers and retailers. An example is the recently constructed 100,000 sq. ft. SNAPP USA facility on Fairmont Parkway.

2. NAICS 493 Warehousing and Storage and NAICS 493190 Other Warehousing and Storage: Industries in the Warehousing and Storage subsectors are primarily engaged in operating warehousing and storage facilities for general merchandise, refrigerated goods, and other warehouse products. These establishments provide facilities to store goods; they do not sell the goods they handle.

Upon the recommendation of the Planning and Zoning Commission, the City Council approved amendments to Section 106-310- Table A, Commercial and Industrial Uses for NAICS 42 Wholesale Trade on April 8, 2019. With limited exceptions, NAICS 42 Wholesale Trade activity in the Business Industrial (BI) district was changed from a permitted (P) use to a conditional (C) use. Footnote 19 was added to permitted (P) uses in the Light Industrial (LI) and Heavy Industrial (HI) districts. Footnote 19 states "Total site area may not exceed 5 acres with a maximum building size of 40,000 sq. ft. A conditional use permit (CUP) may be sought for individual sites in excess of 5 acres or buildings greater than 40,000 sq. ft."

The current regulations are in effect, in accordance with Section 106-310 – Table A, Commercial & Industrial Uses, Table A:

- NAICS 493 Warehousing and Storage is a permitted (P) use in the Light Industrial (LI) and Heavy Industrial (HI) districts with footnote 6. Footnote 6 states, “Must be adjacent to high frequency truck roads as shown on High Frequency Truck Route Map (Ref. Section 106-746).”
- NAICS 493190 Other Warehousing and Storage is a permitted (P) use in the Light Industrial (LI) and Heavy Industrial (HI) districts with footnote 17. Footnote 17 states, “Automobile dead storage must be fully contained within an enclosed building. Use must be located adjacent to high frequency truck roads as shown on High Frequency Truck Route Map.”
- NAICS 42 Wholesale Trade, with limited exceptions, is a conditional (C) use in the Business Industrial (BI) district and a permitted (P) use with footnote 19 in the Light Industrial (LI) and Heavy Industrial (HI) districts. Footnote 19 states, “Total site area may not exceed 5 acres with a maximum building size of 40,000 sq. ft. A conditional use permit (CUP) may be sought for individual sites in excess of 5 acres or buildings greater than 40,000 sq. ft.”

The Committee discussed and recommends consideration of the following amendments to Section 106-310- Table A:

1. NAICS 42 Wholesale Trade: Change the Business Industrial (BI) district from a conditional (C) use to permitted (P) use with the following footnote, “Total site may not exceed 2 acres with a maximum building size of 15,000 sq. ft. A conditional use permit (CUP) may be sought for individual sites in excess of 2 acres or buildings greater than 15,000 sq. ft.” No changes are proposed to the Light Industrial (LI) or Heavy Industrial (HI) permitted (P) use or footnote.
2. NAICS 493 Warehousing and Storage and NAICS 493190 Other Warehousing and Storage: Add a second footnote for permitted (P) uses in the Light Industrial (LI) and Heavy Industrial (HI) districts that states, “Total site area may not exceed 5 acres with a maximum building size of 40,000 sq. ft. A conditional use permit (CUP) may be sought for individual sites in excess of 5 acres or buildings greater than 40,000 sq. ft.”

If the Council would like to proceed, it would be appropriate for the Planning and Zoning Commission to review the Committee’s proposals and make recommendations to the City Council.

RECOMMENDED MOTION

I move that the Council request the Planning & Zoning Commission consider and provide recommendations for proposed amendments to Chapter 106-Zoning.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date