

City of Shoreacres



NOTICE OF MEETING

Notice is hereby given that a Regular Meeting of the
City Council
of the City of Shoreacres, Texas, will be held on
Monday, October 28, 2013 at 7:00 p.m.
in the City Council Chambers on the first floor at City Hall, 601 Shore Acres Blvd.,
Shoreacres, Texas, at which time the following subjects will be discussed, to wit:

1.0 CALL TO ORDER / ROLL CALL: Members Present and Absent

2.0 PLEDGES OF ALLEGIANCE

Texas Pledge:

Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

3.0 SPECIAL PRESENTATIONS

3.1 Service Recognition: Chief David Newman.

4.0 APPROVAL OF MINUTES

4.1 Regular Council Meeting: October 14, 2013.

5.0 COUNCIL REPORTS & REQUESTS

5.1 Mayor Webber – Report on meetings attended.

6.0 PUBLIC HEARINGS & PUBLIC COMMENTS

6.1 Citizen's Comments

This is the opportunity for citizens to comment on items which do not appear on the agenda. Time is limited to five minutes per speaker. Members of Council are prohibited by law from participating in the discussion or deliberation of items that are not specifically identified on this agenda.

7.0 ADMINISTRATIVE REPORTS

7.1 City Administrator – General activity report.

7.1.2 Street and drainage project updates.

7.1.3 Water and Sewer project updates.

7.1.4 Homeland Security Grant Program (radios) update.

7.1.5 NFIP Community Rating System application update.

7.2 Monthly Financial report. ^{Stall}

7.3 Police Department management review report. ^{Massey}

8.0 BUSINESS

- 8.1 Consideration and approval of invoices. ^{Stall}
- 8.2 Consideration and approval of Ordinance No. 2013-147 amending the City Code relating to rates and charges for water and sewer services. ^{Schnell}
- 8.3 Consideration and action to adopt Ordinance No. 2013-148 awarding a contract for the reconstruction of two city streets and associated drainage identified as street segments 33 (East Forest) and 36 (Oakdale) as set out on the city's street maintenance map. ^{Stall}
- 8.4 Consideration and action to adopt Ordinance No. 2013-149 approving an interlocal agreement with the City of La Porte to provide the City of Shoreacres with jail services and emergency dispatch service (Police Department). ^{Stall}
- 8.5 Consideration and action to adopt Ordinance No. 2013-150 approving an interlocal agreement between the City of Houston and the City of Shoreacres to provide access to the City of Houston's public safety radio system. ^{Stall}
- 8.6 Discussion, consideration and adoption of Resolution No. 2013-123 casting a ballot for the election of a person to the board of directors of the Harris County Appraisal District (HCAD). ^{Webber}
- 8.7 Inquiry into accidents involving city vehicles and adherence to requirements for substance abuse testing since October 1, 2010. ^{Schnell}

9.0 ADJOURNMENT

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the governing body of the City of Shoreacres, Texas is a true and correct copy of said Notice and that I posted a copy of said Notice on the bulletin board at City Hall on October 24, 2013 at or before 10:00 p.m., at a place convenient and readily accessible to the general public at all times; to remain so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

DATED THIS 24TH DAY OF OCTOBER 2013.

BY:

David K. Stall, ^{CFM} City Administrator / City Secretary



SHOREACRES, TEXAS

The City Council of the City of Shoreacres reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development).

The City Council Chamber is wheelchair accessible and accessible parking spaces are available.

Requests for accommodations or interpretive services must be made at least two (2) working days prior to the meeting. Please contact City Office at 281.471.2244 or fax 281.471.8955 for additional information.

City of Shoreacres



MEETING MINUTES

The City Council of the City of Shoreacres, Texas, met in Regular Session on
Monday, October 14, 2013 at 7:00 p.m.
in the City Council Chambers of City Hall, 601 Shore Acres Blvd., Shoreacres, Texas
with the following present constituting a quorum:

Mayor	Matt Webber
Mayor pro tem	Rick Moses
Alderman	Steven Jones
Alderwoman	Nancy J. Schnell
Alderman	Bo Bunker
Alderman	Mike Wheeler

City Administrator / City Secretary David K. Stall

1.0 CALL TO ORDER / ROLL CALL:

The meeting was called to order by Mayor Webber at 7:00 p.m.

2.0 PLEDGE OF ALLEGIANCE

3.0 SPECIAL PRESENTATIONS

4.0 APPROVAL OF MINUTES

- 4.1 Regular Council Meeting September 23, 2013. Mike Wheeler moved to approve the September 23, 2013 Regular Council Meeting minutes; seconded by Rick Moses. Motion carried unanimously.
- 4.2 Regular Council Meeting September 30, 2013. Nancy Schnell moved to approve the September 30, 2013 Regular Council Meeting minutes; seconded by Bo Bunker. Motion carried unanimously.
- 4.3 Special Council Meeting October 7, 2013. Rick Moses moved to approve the October 7, 2013 Special Council Meeting minutes; seconded by Nancy Schnell. Motion carried unanimously.

5.0 COUNCIL REPORTS & REQUESTS

- 5.1 Mayor Webber – attended the East End Mayor's Meeting Hosted by the City of Deer Park. The main discussion of the meeting was the Biggert Water Act and the opening of the Bayport cruise ship terminal.

6.0 PUBLIC HEARINGS & PUBLIC COMMENTS

6.1 Public Hearing – Proposed FY-2013/2014 Operating Budgets: Mayor Webber opened the Public Hearing at 7:05 p.m. and the following are comments from residents:

- Gerry Victor – 3346 Miramar, Mr. Victor stated that the City's budgeted expenses for the fiscal year 2013/14, exceeds its income. Council had held several workshops trying find ways to reduce costs. Mr. Victor asked council if they are burned out and if they are, then they will just need to accept the budget at hand and re-visit it again in January.
- Darlene Gamble Bays – Baywood, Ms. Bays urged council to act responsibly and not to dip into the reserve funds in order to accommodate the suggested fiscal 2013/2014 budget. She stated that personnel cost are too high and that the amount will need to be reduced greatly; she also is opposed to raising taxes or utility rates.
- David Jennings – 1017 W. Forest Ave., Mr. Jennings thanked Council for their hard work on the budget but there's still more work to be done. He asked council to vote against the proposed budget.
- Charlotte Wells – Miramar, Ms. Wells asked for an explanation of changes from the 1st proposed budget to the now revised budget. She also stated that the City needs to set aside funds to modify our water infrastructure and as far as the budget for Public Works Department, yes, she does agree with cutting out the additional vehicle purchase but sees no need to cut public works personnel. Ms. Wells then advised Council to stay within our means and Thanked council for their hard work.

There were no additional comments and the Public Hearing closed at 7:16 p.m.

The regular council meeting reconvened at 7:16 p.m.

6.2 Citizen's Comments:

Mr. Stan Krauhs – 1102 Shore Acres Blvd., Mr. Krauhs would like to acknowledge all of the council members for their hard work tackling the difficult task of balancing the budget. He understands that it will not be balance this year but we are on the right track. He especially would like to acknowledge Bo Bunker for putting in extra efforts by meeting with individual department heads to go over the budget with them. Furthermore, he acknowledged Nancy Schnell: (1) for willing to propose cut in areas that are not enjoyable; (2) For posting of recorded meetings on the City's website for citizens to listen to at their convenience.

David Jennings – 1017 W. Forest Ave. Mr. Jennings stated that there is a conflict with tonight's agenda it has to do with the budget approval and the ordinance to increase the water rate. He also commended Officer Ford for his law enforcement professionalism.

Gerry Victor – 3346 Miramar, Mr. Victor addressed that there are still more cuts needed to be made in salary, benefits and positions. Need to bring businesses into the City. Tax increase will not help. Utility rates will need to be increased in order for us to be comparable with surrounding areas.

7.0 ADMINISTRATIVE REPORTS

7.1 City Administrator Report:

- 7.1.2 Street and drainage project updates - Round 2.2 concrete streets project are projected to be fully completed October 31. BetterStreets2Neighborhoods project will be finished this week.

Bids were opened for additional streets in Round 1 earlier today and the low bid was Mar-Con at \$355,039.40.

- 7.1.3 Water and Sewer project updates - The water & sewer plant project walk thru was completed last week and the contractor has a long punch list to work on.

- 7.1.4 NFIP Community Rating System update - Had a phone conversation with our CRS specialist today, she stated that she will not be able to work on FEMA's request for another two weeks, it is slow going but the application is moving forward.

- 7.2 Monthly Police Department report – Chief Massey suggested for a few changes to be made to the monthly report to Council.

- 7.3 Monthly Public Works Department report – Water purchase continued to increase due to numerous of water leaks. We should see a drop in the number of water leaks in October, as cooler temperatures approaching.

8.0 BUSINESS

8.1 Consideration and approval of invoices

Rick Moses moved to pay our bills; seconded by Mike Wheeler. Motion carried unanimously.

8.2 Discussion, consideration and action by Ordinance No. 2013-144 to adopt the General Fund and Utility Fund operating budgets for fiscal year 2013/2014.

Mike Wheeler moved to adopt Ordinance No. 2013-144; seconded by Rick Moses. Motion carries with Mike Wheeler, Rick Moses, and Bo Bunker in favor. Steven Jones and Nancy Schnell opposed.

8.3 Consideration and action to adopt Ordinance No. 2013-145 establishing the 2013 property tax rate for the City of Shoreacres.

Steven Jones moved to adopt Ordinance No. 2013-145; seconded by Mike Wheeler. Motion carries unanimously.

8.4 Consideration and approval of Ordinance No. 2013-146 amending the City Code relating to intra-county expense allowance of mayor and city councilmen.

Nancy Schnell moved to approve Ordinance No. 2013-146; seconded by Rick Moses. Motion carries unanimously.

Then Nancy Schnell moved to amend the motion to approve Ordinance No. 2013-146 amending the City Code relating to intra-county expense allowance of mayor and city councilmen, specific to Section 2-38 B and C. Motion carries unanimously.

City of Shoreacres – Meeting Minutes

- 8.5 Consideration and approval of Ordinance No. 2013-147 amending the City Code relating to rates and charges for water and sewer services.

Nancy Schnell moved to close the discussion on item 8.5 and re-schedule it for the next council meeting.

9.0 ADJOURNMENT.

Rick Moses moved to adjourn; second by Bo Bunker. The meeting was adjourned at 8:34 p.m.

PASSED AND APPROVED ON THIS 28TH DAY OF OCTOBER, 2013.

(CITY SEAL)

Matt Webber, Mayor

ATTEST:

David K. Stall, CFM
City Administrator / City Secretary



General Fund			Utility Fund			Service Deposits		
Credits	Debits	Balance	Credits	Debits	Balance	Credits	Debits	Balance
		\$ 37,754.20			\$ 44,189.07			\$ 126,977.48
OCT \$ 192,349.05	\$ (212,961.13)	\$ 17,142.12	\$ 61,502.26	\$ (57,739.75)	\$ 47,951.58	\$ 1,100.00	\$ (14.74)	\$ 128,062.74
Gain/(Loss)	\$ (20,612.08)		Gain/(Loss)	\$ 3,762.51		Gain/(Loss)	\$ 1,085.26	
NOV \$ 209,871.93	\$ (116,951.68)	\$ 110,062.37	\$ 27,026.81	\$ (51,433.58)	\$ 23,544.81	\$ 500.00	\$ (13.09)	\$ 128,549.65
Gain/(Loss)	\$ 92,920.25		Gain/(Loss)	\$ (24,406.77)		Gain/(Loss)	\$ 486.91	
DEC \$ 148,918.69	\$ (91,612.05)	\$ 167,369.01	\$ 39,264.06	\$ (40,051.58)	\$ 22,757.29	\$ 1,545.35	\$ (38.33)	\$ 130,056.67
Gain/(Loss)	\$ 57,306.64		Gain/(Loss)	\$ (787.52)		Gain/(Loss)	\$ 1,507.02	
JAN \$ 441,236.82	\$ (127,674.37)	\$ 480,931.46	\$ 58,601.69	\$ (33,318.73)	\$ 48,040.25	\$ 1,100.00	\$ (925.70)	\$ 130,230.97
Gain/(Loss)	\$ 313,562.45		Gain/(Loss)	\$ 25,282.96		Gain/(Loss)	\$ 174.30	
FEB \$ 243,273.41	\$ (207,375.38)	\$ 516,829.49	\$ 53,115.35	\$ (26,705.50)	\$ 74,450.10	\$ 600.00	\$ (175.12)	\$ 130,655.85
Gain/(Loss)	\$ 35,898.03		Gain/(Loss)	\$ 26,409.85		Gain/(Loss)	\$ 424.88	
MAR \$ 63,643.86	\$ (134,704.82)	\$ 445,768.53	\$ 41,816.84	\$ (28,811.64)	\$ 87,455.30	\$ 3,427.20	\$ (12.66)	\$ 134,070.39
Gain/(Loss)	\$ (71,060.96)		Gain/(Loss)	\$ 13,005.20		Gain/(Loss)	\$ 3,414.54	
APR \$ 43,571.76	\$ (338,193.17)	\$ 151,147.12	\$ 45,281.14	\$ (54,770.13)	\$ 77,966.31	\$ 1,000.00	\$ (17.68)	\$ 135,052.71
Gain/(Loss)	\$ (294,621.41)		Gain/(Loss)	\$ (9,488.99)		Gain/(Loss)	\$ 982.32	
MAY \$ 74,414.97	\$ (143,672.34)	\$ 81,889.75	\$ 42,575.96	\$ (63,118.01)	\$ 57,424.26	\$ 500.00	\$ (12.17)	\$ 135,540.54
Gain/(Loss)	\$ (69,257.37)		Gain/(Loss)	\$ (20,542.05)		Gain/(Loss)	\$ 487.83	
JUN \$ 243,588.02	\$ (103,458.31)	\$ 222,019.46	\$ 42,248.19	\$ (31,805.57)	\$ 67,866.88	\$ 500.00	\$ (10.68)	\$ 136,029.86
Gain/(Loss)	\$ 140,129.71		Gain/(Loss)	\$ 10,442.62		Gain/(Loss)	\$ 489.32	
JUL \$ 42,193.31	\$ (136,588.47)	\$ 127,624.30	\$ 53,216.98	\$ (56,565.33)	\$ 64,518.53	\$ 100.00	\$ (72.37)	\$ 136,057.49
Gain/(Loss)	\$ (94,395.16)		Gain/(Loss)	\$ (3,348.35)		Gain/(Loss)	\$ 27.63	
AUG \$ 48,816.08	\$ (119,812.82)	\$ 56,627.56	\$ 47,670.29	\$ (42,491.84)	\$ 69,696.98	\$ 1,000.00	\$ (217.23)	\$ 136,840.26
Gain/(Loss)	\$ (70,996.74)		Gain/(Loss)	\$ 5,178.45		Gain/(Loss)	\$ 782.77	
SEP \$ 135,708.37	\$ (87,371.10)	\$ 104,964.83	\$ 122,507.86	\$ (145,401.86)	\$ 46,802.98	\$ 300.00	\$ (83,685.44)	\$ 53,454.82
Gain/(Loss)	\$ 48,337.27		Gain/(Loss)	\$ (22,894.00)		Gain/(Loss)	\$ (83,385.44)	
\$ 1,887,586.27 \$ (1,820,375.64)			\$ 634,827.43 \$ (632,213.52)			\$ 11,672.55 \$ (85,195.21)		
Gain/(Loss) \$ 67,210.63			Gain/(Loss) \$ 2,613.91			Gain/(Loss) \$ (73,522.66)		

FY-2012/2013

TxCDBG Fund

		Credits	Debits	Balance
				\$ 2,492.20
OCT	\$ 115,796.64	\$ (115,956.31)	\$ 2,332.53	
	Gain/(Loss)	\$ (159.67)		
NOV	\$ 206,309.51	\$ (206,415.61)	\$ 2,226.43	
	Gain/(Loss)	\$ (106.10)		
DEC	\$ 541,466.48	\$ (438,986.53)	\$ 104,706.38	
	Gain/(Loss)	\$ 102,479.95		
JAN	\$ 0.60	\$ (102,732.27)	\$ 1,974.71	
	Gain/(Loss)	\$ (102,731.67)		
FEB	\$ 198,758.48	\$ (105.60)	\$ 200,627.59	
	Gain/(Loss)	\$ 198,652.88		
MAR	\$ 0.46	\$ (198,783.01)	\$ 1,845.04	
	Gain/(Loss)	\$ (198,782.55)		
APR	\$ 363,955.33	\$ (47.60)	\$ 365,752.77	
	Gain/(Loss)	\$ 363,907.73		
MAY	\$ 1.23	\$ (363,979.75)	\$ 1,774.25	
	Gain/(Loss)	\$ (363,978.52)		
JUN	\$ 48,200.46	\$ (47.60)	\$ 49,927.11	
	Gain/(Loss)	\$ 48,152.86		
JUL	\$ 0.08	\$ (48,226.11)	\$ 1,701.08	
	Gain/(Loss)	\$ (48,226.03)		
AUG	\$ 0.03	\$ (36.30)	\$ 1,664.81	
	Gain/(Loss)	\$ (36.27)		
SEP	\$ 22,261.02	\$ (22,285.86)	\$ 1,639.97	
	Gain/(Loss)	\$ (24.84)		
		\$ 1,496,750.32	\$ (1,497,602.55)	
	Gain/(Loss)	\$ (852.23)		



TexPool				
	Deposits	Interest	Withdrawals	Balance
				\$ 953,933.89
OCT	\$ -	\$ 119.66	\$ (150,000.00)	\$ 804,053.55
			Gain/(Loss)	\$ (149,880.34)
NOV	\$ -	\$ 92.42	\$ (100,000.00)	\$ 704,145.97
			Gain/(Loss)	\$ (99,907.58)
DEC	\$ -	\$ 90.03	\$ -	\$ 704,236.00
			Gain/(Loss)	\$ 90.03
JAN	\$ -	\$ 58.96	\$ -	\$ 704,294.96
			Gain/(Loss)	\$ 58.96
FEB	\$ 100,000.00	\$ 51.24	\$ -	\$ 804,346.20
			Gain/(Loss)	\$ 100,051.24
MAR	\$ -	\$ 71.54	\$ -	\$ 804,417.74
			Gain/(Loss)	\$ 71.54
APR	\$ 150,000.00	\$ 72.53	\$ -	\$ 954,490.27
			Gain/(Loss)	\$ 150,072.53
MAY	\$ -	\$ 57.98	\$ -	\$ 954,548.25
			Gain/(Loss)	\$ 57.98
JUN	\$ -	\$ 45.22	\$ -	\$ 954,593.47
			Gain/(Loss)	\$ 45.22
JUL	\$ -	\$ 43.02	\$ -	\$ 954,636.49
			Gain/(Loss)	\$ 43.02
AUG	\$ -	\$ 35.44	\$ -	\$ 954,671.93
			Gain/(Loss)	\$ 35.44
SEP	\$ -	\$ 30.97	\$ -	\$ 954,702.90
			Gain/(Loss)	\$ 30.97
<hr/>				
	\$ 250,000.00	\$ 769.01	\$ (250,000.00)	
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	Gain/(Loss)		\$ 769.01	

Certificate	Issue Date	Interest Paid	Value	Interest Rate	Maturity Date	
42716758	7/19/2012		\$ 60,161.20	0.0500%	7/19/2013	\$ 30.08
42716757	7/19/2012		\$ 60,161.20	0.0500%	7/19/2013	\$ 30.08
42713649	12/19/2011		\$ 64,709.55	0.8500%	2/19/2014	\$ 550.03
42713648	12/19/2011		\$ 64,709.55	0.8500%	2/19/2014	\$ 550.03
			\$ 249,741.50			\$ 1,160.22

FY 2012/2013 PROPERTY TAX COLLECTION

2012 Taxable Value: \$ 89,507,567.00

Budgeted Tax Revenue: \$ 800,228.00

Delinquent Taxes: \$ 36,110.51

	Tax Roll		2012 Taxes		Delinquent Taxes			Disbursed Totals	
	Correction (+/-)	Adjusted Value	Current Levy	Collections	Correction	Current Levy	Collections	Month	YTD
OCT	\$ 3,972,657.00	\$ 93,480,224.00	\$ 789,329.39	\$ 21,233.34	\$ (656.10)	\$ 35,454.41	\$ 1,387.20	\$ 23,021.92	\$ 23,021.92
NOV	\$ 3,409,112.00	\$ 96,889,336.00	\$ 818,115.31	\$ 39,676.01	\$ (328.05)	\$ 35,126.36	\$ 2,506.07	\$ 42,863.11	\$ 65,885.03
DEC	\$ 177,655.00	\$ 97,066,991.00	\$ 819,615.41	\$ 428,873.86	\$ -	\$ 35,126.36	\$ 1,987.35	\$ 431,309.81	\$ 497,194.84
JAN	\$ -	\$ 97,066,991.00	\$ 819,615.41	\$ 235,730.66	\$ -	\$ 35,126.36	\$ 1,927.33	\$ 238,181.18	\$ 735,376.02
FEB	\$ (55,804.00)	\$ 97,013,187.00	\$ 819,161.10	\$ 43,501.51	\$ 48.55	\$ 35,174.91	\$ 798.09	\$ 46,117.68	\$ 781,493.70
MAR	\$ -	\$ 97,013,187.00	\$ 819,161.10	\$ 7,685.50	\$ -	\$ 35,174.91	\$ 217.50	\$ 8,544.22	\$ 790,037.92
APR	\$ (14,495.00)	\$ 96,998,692.00	\$ 819,038.70	\$ 5,749.59	\$ -	\$ 35,174.91	\$ 428.92	\$ 6,768.79	\$ 796,806.71
MAY	\$ (381,576.00)	\$ 96,617,116.00	\$ 815,816.74	\$ 5,829.56	\$ (164.02)	\$ 35,010.89	\$ 850.12	\$ 7,570.48	\$ 804,377.19
JUN	\$ -	\$ 96,617,116.00	\$ 815,816.74	\$ 6,721.33	\$ -	\$ 35,010.89	\$ 1,474.47	\$ 9,571.16	\$ 813,948.35
JUL	\$ (64,707.00)	\$ 96,552,409.00	\$ 815,270.37	\$ 5,526.32	\$ -	\$ 35,010.89	\$ 62.99	\$ 6,345.54	\$ 820,293.89
AUG	\$ -	\$ 96,552,409.00	\$ 815,270.37	\$ 1,949.89	\$ -	\$ 35,010.89	\$ 693.01	\$ 3,313.39	\$ 823,607.28
SEP	\$ (40,000.00)	\$ 96,512,409.00	\$ 814,932.62	\$ 1,159.90	\$ -	\$ 35,010.89	\$ 3,873.41	\$ 8,876.03	\$ 832,483.31

\$ 7,002,842.00	Correction	Collection	\$ 803,637.47 100%	\$ (1,099.62)	Collection	\$ 16,206.46 45%	\$ 832,483.31	Disbursed 104%
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Item 7.2
 10/28/13

General Sales Tax (4030)					Road Maintenance Sales Tax (4035)				
	FY-2011	FY-2012	+ / -			FY-2011	FY-2012	+ / -	
OCT	\$ 4,305.10	\$ 5,314.10	\$ 1,009.00	23%	OCT	\$ 1,076.28	\$ 1,328.52	\$ 252.24	23%
NOV	\$ 5,230.01	\$ 5,740.59	\$ 510.58	10%	NOV	\$ 1,307.50	\$ 1,435.15	\$ 127.65	10%
DEC	\$ 4,177.70	\$ 5,091.71	\$ 914.01	22%	DEC	\$ 1,044.43	\$ 1,272.93	\$ 228.50	22%
JAN	\$ 3,741.54	\$ 4,254.22	\$ 512.68	14%	JAN	\$ 935.39	\$ 1,063.55	\$ 128.16	14%
FEB	\$ 4,495.57	\$ 5,352.90	\$ 857.33	19%	FEB	\$ 1,123.89	\$ 1,338.22	\$ 214.33	19%
MAR	\$ 4,305.72	\$ 4,775.10	\$ 469.38	11%	MAR	\$ 1,076.43	\$ 1,193.78	\$ 117.35	11%
APR	\$ 3,832.63	\$ 5,071.94	\$ 1,239.31	32%	APR	\$ 958.16	\$ 1,267.98	\$ 309.82	32%
MAY	\$ 4,016.93	\$ 4,605.09	\$ 588.16	15%	MAY	\$ 1,004.23	\$ 1,151.27	\$ 147.04	15%
JUN	\$ 4,244.66	\$ 5,292.29	\$ 1,047.63	25%	JUN	\$ 1,061.17	\$ 1,323.07	\$ 261.90	25%
JUL	\$ 4,490.28	\$ 5,398.82	\$ 908.54	20%	JUL	\$ 1,122.57	\$ 1,349.70	\$ 227.13	20%
AUG	\$ 5,147.10	\$ 5,212.73	\$ 65.63	1%	AUG	\$ 1,286.78	\$ 1,303.18	\$ 16.40	1%
SEP	\$ 4,685.70	\$ 8,980.06	\$ 4,294.36	92%	SEP	\$ 1,171.42	\$ 2,245.02	\$ 1,073.60	92%
TOTAL	\$ 52,672.94	\$ 65,089.55	\$ 12,416.61	24%	TOTAL	\$ 13,168.25	\$ 16,272.37	\$ 3,104.12	24%
BUDGET	\$ 50,000.00	\$ 52,000.00			BUDGET	\$ 12,500.00	\$ 13,000.00		
+ / -	\$ 2,672.94	\$ 13,089.55			+ / -	\$ 668.25	\$ 3,272.37		
	105%	125%				105%	125%		



City of Shoreacres

Organizational Assessment of the Shoreacres Police Department

Organizational Assessment
Of the
Shoreacres, Texas Police Department

October 2013

Submitted by:
Michael R. Massey
Chief of Police, Retired

Policing for People/A Blueprint for Change

October 23, 2013

The Honorable Matt Webber
City of Shoreacres
602 Shoreacres Blvd.
Shoreacres, TX 77571

Re: Organizational Assessment of the Shoreacres Police Department

Dear Mayor Webber:

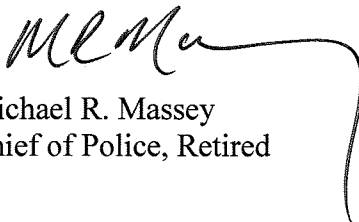
I would like to thank you for allowing me to participate in the Police Department Organizational Assessment. The experience was both professionally and personally rewarding. The City of Shoreacres is an outstanding community with a great future.

The summary of my work is contained within the attached report that incorporates my findings and recommendations. I hope that the greatest value you find in this report is its basis as a foundation to improve and enhance the short and long-term effectiveness of the police department and overall law enforcement in your community.

I would like to thank you, members of City Council, City Administrator David Stall and staff of the Police Department for your accessibility, information, and honesty in our meetings and conversations. I could not have completed the analysis and findings without the input of many people who have knowledge about the City and the Department. To that end, I wish each of you success as you move forward with your review of the information and discussion on the policy recommendations identified within the report.

Thank you again for the opportunity to be involved in helping the Shoreacres community. Please contact me at chiefmassey@comcast.net or 281-960-7331 at any time if you would like to discuss any aspect of this work.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "MR Massey", with a long, sweeping horizontal line extending to the right.

Michael R. Massey
Chief of Police, Retired

Organizational Assessment of the Shoreacres, Texas Police Department

Contents

Thanks and Appreciation.....	1
Role of the Consultant.....	2
Introduction and Purpose.....	3
Executive Summary.....	6
Top 11 Recommendations.....	10
Process and Methodology.....	13
General Overview.....	14
Recommendations.....	16
Conclusion.....	25
Appendix: Suggested Policies.....	26

Organizational Assessment of the Shoreacres, Texas Police Department

THANKS AND APPRECIATION

I would like to thank Mayor Matt Webber, City Administrator David Stall, City Council Members, Rick Moses, Nancy Schnell, Bo Bunker, Mike Wheeler, Steve Jones and all of the members of the Shoreacres Police Department for their cooperation and assistance in this project. I was impressed with your candor, honesty, and willingness to express sincere opinions and perspective regarding our questions and discussion topics. Each person was instrumental in ensuring that this assessment could be conducted in a timely and productive manner. In addition, we want to thank the city administration staff for their help and support during my stay. The staff was professional, helpful and courteous.

Your support of this effort, to enhance the overall effectiveness of the Shoreacres Police Department is greatly appreciated.

Organizational Assessment of the Shoreacres, Texas Police Department

ROLE OF THE CONSULTANT

When an *outside* organizational assessment is requested by a governmental entity to review the operations of a department, it is often the result of a problem(s), and/or concerns about the efficiency and/or effectiveness of a service or program. In my experience and profession, I have learned that these assessments are not always fully understood by sponsoring entities and that, for within an entity itself, expectations of the consultant can vary dramatically.

The cornerstone of this assessment was a visit to the City of Shoreacres which included interactions with approximately fifteen (15) people including elected officials, appointed officials, police representatives, community members at large, and a review of all available documents pertaining to the operation of the police department. It is impossible to identify and assess all issues or propose recommendations for all facets of a community's police department in this time frame. However, our commitment and obligation is to conduct the most thorough, honest and comprehensive assessment within the parameters of the contract.

This report contains findings and recommendations that identify areas needing improvement and/or areas where the current practice needs affirmation by the City Council and the Shoreacres community. The topics are in the report either because they were identified by participants as areas negatively affecting the overall performance of the department from being the professional and progressive police agency the residents of Shoreacres expect and desire.

This process was credible, interviews legitimate and recommendations were not predetermined. Even though I heard many different perspectives and was encouraged to consider diverse viewpoints, it is important to point out that I was not given an agenda (by anyone) to substantiate nor was I given a specific outcome to validate.

It is my belief and professional opinion that I have captured the essence of the culture and internal workings of the Shoreacres Police Department.

Organizational Assessment of the Shoreacres, Texas Police Department

INTRODUCTION AND PURPOSE

The City of Shoreacres, consistent with local governments across Texas, is challenged with increasing needs, reduced budgets, fiscal stress, and competing public policy demands. These factors, woven together, require local officials to ask tough questions, review past practices, and seek new and innovative ideas.

In today's fiscally challenging environment, local officials must pursue a course that reviews long-standing traditions and practices by analyzing all aspects of their business to find needed efficiencies in services and effectiveness in programs. Furthermore, it is common to look at those areas or departments that are the most visible and/or the most costly to operate. Police departments routinely fit into this category and the City, like many of its peers, has raised questions which are being reviewed and analyzed by independent professional advisors.

Never before has the City of Shoreacres encumbered the time and/or monetary resources to perform a "top-down" audit or assessment if you will, of its police department. Organizational assessments are often driven by an event or series of events that are unique and challenging in nature.

In the City of Shoreacres, the following items contributed to the timing of this study:

- the competency and leadership style of the Police Chief
- the competency and leadership style of the Sergeant
- the perceived low morale of the officers in the field
- the lack of investigatory experience in conducting cases of major importance
- the grievances filed among the officers based on the aforementioned variables

As a retired Police Chief for the Pasadena Police Department, I was retained by the City of Shoreacres to assist in this evaluation process. After meeting with Mayor Webber and City Administrator David Stall, the following objectives were determined: (1) serve as acting chief due to previous chief being placed on administrative leave, (2) provide a "top-down" assessment of the department with recommendations for improvement, (3) evaluate operational and staffing policies and practices, (4) benchmark current practices with similar entities when and where feasible and (5) to handle in a satisfactory manner all investigations and grievances pending. **The major goal of the assessment and/or evaluation is to enhance the level of both effectiveness and efficiency of the police department in a manner that clearly demonstrates a high level of professionalism.**

Organizational Assessment of the Shoreacres, Texas Police Department

Organizational Culture Defined

Organizational culture includes an organization's expectations, experiences, philosophy and values that hold it together, and is expressed in its self image, inner workings and future expectations. It is based on shared attitudes, beliefs, customs and written and unwritten rules that have developed over time and are deemed acceptable practice.

Difficult to change it's shown in:

- 1) the ways the organization (police department) conducts its business, treats its employees, citizens and the wider community.
- 2) the extent to which freedom is allowed in decision making, developing new ideas and personal expression, and
- 3) how power and information flow through the established channels of communication.

Note: Examples of the Shoreacres Organizational Culture will be articulated throughout this study; however, some aspects are worth mentioning here:

- Officers felt like they could pretty much do what they want.
- Memos issued from the Chief's office traditionally mean nothing.
- Officer's uniforms are not consistent. Officers, for the most part, wear what they desire – from shorts to coveralls.
- No consistency in report writing. All officers use different report forms and write in different formats and styles.
- No supervisory inspections of uniforms and vehicles.
- No log mechanism to track which officer is driving a certain vehicle and/or driving a vehicle due to a mechanical problem.
- Code Enforcement issues are a consistent problem throughout the city. Chief sends code enforcement complaints via email but there is no customer/citizen follow-up to advise them what is being done, etc. The citizens are frustrated.
- No face-to-face feedback from either the Chief or Sergeant among the officers in the field – yet the expectations from the officers are that both the Chief and Sergeant are “working supervisors”. They too are out in the field.
- Perceived political interference from previous Mayors and Councils in how police service is directed. (See Political Mechanic's of Change page 19)

Organizational Assessment of the Shoreacres, Texas Police Department

Expectations

Goals are extremely important in lifting a low performing organization to higher levels of accomplishment and revitalizing an organizational culture. Goals became a means not only of measuring success but of replacing unproductive or counterproductive behavior. Goals can be used to inspire an organization – like the Shoreacres Police Department – long dominated by negativism, fault finding and lack of leadership and supervision.

“No organization, whether it is a police department or a private business is going to achieve high performance results in an atmosphere of such low expectations.”

There is, however, difficulty in small agencies in the manner and extent in which 1) organizational competence, 2) skill in the use of force and 3) integrity are assessed.

One important variable that determines the success of any police agency is the degree of how well managed and highly directed it (agency) is. Clearly, the Shoreacres Police Department lacks any degree of direction.

Organizational Assessment of the Shoreacres, Texas Police Department

EXECUTIVE SUMMARY

A community that is engaged in the future of their public safety organization is a tremendous asset, and through respectful inquiry will make the best decision. As in any business or organization there are growing pains that accompany change. Some people may experience change as a negative thing, but in Shoreacres, change can mean multiple opportunities. Presently, the Shoreacres Police Department is a micromanaged organization that it "strategically adrift". What this plan will hopefully accomplish is to lay the foundation for improving the department and enabling the organization to undertake enormous strides in promoting public safety throughout the City of Shoreacres.

Several circumstances have evolved in Shoreacres that now provide an opportunity to make some positive changes to the public safety organization and culture. Questions swirling around the effectiveness of management, together with lack of vision and direction, require priority attention of the elected City leaders. The study was designed to provide city officials an objective assessment including an outside viewpoint on the public safety profession, a reflection on the present conditions, and ideas and suggestions for the future.

Major incidents such as home invasion burglaries, robberies, stranger sexual assaults, officer involved shootings, or child abduction have the potential to change the feeling of safety and security that citizens of Shoreacres have come to value. Thankfully, most of these types of incidents have largely skirted Shoreacres but could at some point in the future unexpectedly present themselves as they have in towns across the State and Country. The ability of a City to provide the leadership, training, equipment, and community support to determine an acceptable level of professional police services capable of handling many difficult and unforeseen situations is essential.

The police services provided by the officers in Shoreacres are well regarded by the majority of citizens; however, they seem to be holding things together by their collective good will. Individual officers for the most part, all agree that they work well together, are committed to providing excellent law enforcement and are collectively eager for new, energetic and visionary leadership.

The Police Chief is a key leader in the community who is responsible for providing professional police services to the City. The Chief must ensure that the right people are hired and trained and that they are all moving in a direction that will accomplish the mission and goals of the community. Like in sports, the role is akin to a Coach who sets a mission that is consistent with the desires of the stakeholders and accomplishes this by making policies, recruiting and training team members, procuring equipment, and holding team members accountable.

Most often a Coach does not have responsibilities for first line tasks. Many divergent demands have been placed on the police department without a police/community dialogue. The City of Shoreacres has an opportunity to realign the mission and vision of the police department and set concrete, measureable goals that will ensure success.

Organizational Assessment of the Shoreacres, Texas Police Department

Without a mission and goals officers will be (expensive) security guards who fill shifts, make reports, and apply the law without clear, consistent and concise direction. The Police Chief will need to facilitate a dialogue concerning the mission and goals and then focus on the business of leading and managing the team.

Several circumstances have evolved since the appointment of the Police Chief. The mere fact that the Chief was appointed from the position of Patrol Officer certainly comes into question. In addition, the only other supervisor (Sergeant) in the department who has held the position for three years had participated in a "first line supervisor" school in 1999. It has been 14 years since this officer has received any formal training with regards to leadership and/or managing and supervising people. Clearly, the organizational culture is no longer congruent with the expectations of the community, requiring that changes be made and new policies and procedures be established immediately. To be successful, you have to change the existing culture by implementing the following:

- Adopt a mission statement
- Raise expectations
- Establish objectives based on input from the cops and the citizens, and
- Performance measurement

Additional factors must be considered when evaluating quality police service. These factors are:

- Leadership
- Organization
- Policy characteristics

Leadership

In order to evaluate the leadership characteristics of a police agency, one must inquire as to the personal and professional characteristics of the Chief.

The Chief's leadership ability is the single most important factor in the agency's ability to promote quality police service. The Chief must lead by example and display a level of personal integrity which inspires respect from the employees of the agency, the members of the community and the elected officials.

The Chief must set the tone for the department. He or she must also be able to clearly articulate the mission and policies of the police agency. A nice person, but clearly, the Chief has failed miserably in this area.

Organization

The organizational characteristics of an agency also serves as an indicator of the quality of police service in all dealings with the public, police officers must follow the legal requirements for use of force, arrest and search and seizure.

Organizational Assessment of the Shoreacres, Texas Police Department

A police agency must ensure that it has well trained personnel with access to the most advanced equipment and technology to assist in the effort to prevent crime and enhance the quality of life in the city. Because of Shoreacres small size and limited financial resources, it is somewhat difficult to possess the most advanced technology. In these cases, it is necessary that cooperative agreements are coordinated with other agencies to provide or support these services. Presently, the Shoreacres Police Department is contracted with Lakeview Police to provide dispatching services. The jail facility is contracted with LaPorte Police.

Paramount to bringing the Shoreacres Police Department into the 21st century is to implement a Records Management System that will immediately improve both the efficiency and effectiveness of the police department.

Note: The current Chief of Police has proposed a new system "Crime Star" in the 2013-2014 budget.

Policy

Policy characteristics are equally important when evaluating the quality of police service. Policy characteristics include the agency's ability to provide written policies for operational practices; recruit and employ the most qualified individuals; provide the highest quality of training for its employees; ensure that employees conduct themselves in a professional and ethical manner, and investigate and discipline officers that may engage in misconduct.

After review of internal affairs complaints, and criminal investigations to determine their quality, clearly there is a desperate need to improve. A complete review of the policy manuals is essential to any initial evaluation; it will help guide and/or direct future changes. Presently, a full review of "Use of Force", "High Speed Pursuits" and "Formal Grievance Procedures" are being evaluated and shall be implemented at the time this report is submitted.

Plan of Action

Simply stated, we need to recognize that our proper and legitimate roles as a police department are 1) the protection of life and property under the law 2) the maintenance of order in the community and 3) the reduction of crime, fear and disorder. With that in mind, several improvements are warranted that should be the basic building blocks of the department:

- Transform the entire culture of the Shoreacres Police Department as a proactive – problem solving agency Responsive to the needs of the public.
- Improve both internal and external communications within the department.
- Reduce crime, fear and disorder.
- Enhance the professionalism of the department.
- Enhance ownership among the police officers and citizens as it relates to the problems of the city.

Organizational Assessment of the Shoreacres, Texas Police Department

- Be more results-oriented and deliver top-notch quality services to the citizens.
- Increase the level of training for management with a strong emphasis on leadership. There is a need to prepare the Chief and the Sergeant with the leadership and management skills required to carry out their mission. A complete evaluation and assessment training is being addressed.
- Overhauling Promotional System – Clearly the lack of leadership and management throughout the department is a direct result of inadequate criteria (political or otherwise) to hire and/or promote employees.
- Technology – Implementing Crime Star Records Management/or similar RMS.
- Increase the capabilities and effectiveness of investigations.

Performance Indicators

Although response times, number of arrests, clearance rates, etc. are relatively important, we should be mindful of the fact that reducing citizen fear and enhancing a sense of security in the city are equally important. Consequently, the focus should be toward productivity measures that are more reflective of **Police Effectiveness, Not Activities.**

We would be well served if we consider information drawn from four areas:

- 1) Levels of crime and fear of crime – crime stats/surveys
- 2) Police processes – use of force/IAD complaints/quality control
- 3) The overall health of the organization – employee turnover/complaints/sick days, etc.
- 4) The community context, as it relates to the political climate, demographics and critical events. With public and employee surveys, the city and police department will be in a better position to address questions about our performance.

Clearly, by focusing on Prevention, Partnership & Problem Solving the Shoreacres Police Department will be able to garner enhanced public support.

Organizational Assessment of the Shoreacres, Texas Police Department

TOP 11 RECOMMENDATIONS

The following recommendations are prioritized based on four primary values: 1) public safety risk; 2) policy relevance and strategic importance to the City of Shoreacres; 3) ability to operate a more efficient and effective police department; and 4) enhance and strengthen the department (and City) workplace culture. These priorities are subject to discussion and further review.

The recommendations are identified by priority, goals (bolded) and outcomes, a brief description and a placeholder on time and cost considerations.

Priority	Goals and Outcomes	Brief Description	Cost
1	Improve Department Leadership Standards and Expectations <ul style="list-style-type: none">• Develop higher level of trust• Hire a new Chief of Police• Improve reputation to <i>best in the business</i>• Increase accountability	Resolve current Chief's status. Discuss accountability, chain of command, and performance expectations. Review salary range and market position of current pay and benefits. Review chief's position description; edit to ensure duties and responsibilities are agreed upon and up-to-date. If the Chief position is open, conduct a search. Develop procedures for complaints and concerns both internally and externally. Enhance internal police department communications – both written and verbal.	Ongoing
2	Identify Public Safety Goals: Mission, Vision, Strategic Plan <ul style="list-style-type: none">• Create a process for community input• Review annually• Create set of metrics• Periodic 3rd party evaluation/audit	Prepare a mission/vision statement. Excellent communication tool as well as strategic planning outcome. Ensure everyone is working on the same priorities and moving in the same direction. Review practices and strategies of peer cities.	Minimal cost Ongoing Mission statement complete

Organizational Assessment of the Shoreacres, Texas Police Department

3	Create Police Department Standard Operating Procedures (SOP) Manual <ul style="list-style-type: none"> • Best practices in law enforcement • Efficient training • Avoids liability 	<p>Current SOP is outdated and not relevant. Research best practices and policies for all law enforcement operations; create inclusive process that involves police, fire, and EMS. Write down existing policies and practices. Publish an electronic policy manual. Determine priorities for resource allocation and policy implementation. (Presently being done.)</p>	<p>Minimal cost</p> <p>Ongoing</p>
4	Consider a New Staffing Plan for Police Officers <ul style="list-style-type: none"> • Restructure and reprioritize • Schedule options Consider a New Dispatch Agency <ul style="list-style-type: none"> • Restructure and reprioritize • Cost savings • Efficiency 	<p>Research and study the potential to increase the police staff by one full time officer position or add three part time positions, to fill and augment shifts. Additional non-paid reserves.</p> <p>Restructure current dispatch service. Note: 2014 Budget LaPorte Police Dispatch</p>	<p>Salary of officer</p> <p>Cost: \$31K Well worth the investment.</p>
5	Enhance Communication Between the Police Department and Community <ul style="list-style-type: none"> • Public Education • Acceptance of new service models • City wide priority • Participate in community groups 	<p>Utilize website more effectively. Create a "hot button" for public safety notices, road closings, emergencies, etc. Create a periodic newsletter and disseminate via email. Create new reporting tools to City Council. Move beyond providing only historical statistical information.</p>	<p>Minimal cost</p>

Organizational Assessment of the Shoreacres, Texas Police Department

6	Update and Develop Mutual Aid Agreements <ul style="list-style-type: none"> • Create efficiencies and share resources • Enhance services • Community understanding of mutual aid services • Improve public safety 	<p>Identify existing agreements. Work with the neighboring jurisdictions. Include the department to develop new mutual aid agreements for services. Prepare, update and modify to address current conditions, citizen expectations and the agencies capacity for sharing resources and responding to calls and emergencies. (Presently being done.)</p>	Staff Time
7	Implement a Formal Training Program <ul style="list-style-type: none"> • Efficient operations • Ensure maximum value of time and resources spent • Improve staff morale • Increase officer skills • Enhance citizen safety 	<p>All members of the police department discuss and train regularly on the SOP's.</p> <p>Create training and development plans for each member of the department.</p> <p>Participate in training offered by state, county, and other local agencies that offer training that is relevant to the departments.</p> <p>Purchase rifles and train all officers (rifles are now the industry standard for active shooter response.)</p>	<p>Staff time</p> <p>Revision training budget</p> <p>Minimal cost</p>
8	Organize Property and Evidence Storage Space <ul style="list-style-type: none"> • Efficiency • Avoids liability • Court validity 	<p>Review policies, ordinances, and practices to include disposal of property. Audit the police property room. Determine process to dispose of the found, forfeited, abandoned and seized items. (Presently being done)</p>	<p>Ongoing</p> <p>Minimal cost</p>

Organizational Assessment of the Shoreacres, Texas Police Department

9	Evaluate Police Department Equipment <ul style="list-style-type: none">• Pride and Professionalism• Perception issue• Respect	Audit police department equipment; create a replacement schedule, include items in budget: i.e., records management system (Presently being done)	Minimal cost
10	Build Positive Labor Management Culture <ul style="list-style-type: none">• Build strong workplace culture• Mentor leadership	Chiefs focus should be creating positive work environment. Change existing workforce culture.	Minimal
11	Officer Retention <ul style="list-style-type: none">• Seek creative ways to retain officers.• Generate "buy-in" from the officers as the organization moves forward. Everyone wants to be a part of a winning team.	Survey the officers and provide feedback. Solicit input and increase training.	None

PROCESS AND METHODOLOGY

The study began with a conference call between the consultant, City Administrator, Mayor and Mayor Pro-Tem. The agenda for call was to discuss the study details, review the scope of the analysis and to develop a preliminary schedule and timeframe.

Interviews were conducted with representatives of the police department, Mayor, City Council, administrative city officials and neighboring law enforcement agencies.

Internal documents from the City of Shoreacres including City Personnel Policy, Police Department Schedule, 2013 & 2014 City Budget, Police Activity Reports, Rules and Regulations of the Police Department (undated) Shoreacres Crime Statistics, police chief job description, mutual aid and city website, were carefully reviewed and examined.

External documents were examined and included Texas Penal Code, Use of Force, Manner of Making Arrest, Safekeeping and Disposition of Seized Property, Policies and Procedures from City of Shoreacres.

A report was prepared and sent to the City Administrator and Mayor for review and comment. Upon receipt of the city comments a revised report was prepared.

Organizational Assessment of the Shoreacres, Texas Police Department

To ensure a complete and thorough process and to validate the findings and recommendations, interviews were held with Police Chief David Newman and all police officers. Information from these interviews was used to support and revise, as necessary, the findings and recommendations.

A copy of the final report was sent to the City on November 1, 2013. A presentation on the report is pending.

GENERAL OVERVIEW

Strengths

The perception of the community is that Shoreacres residents are well served by the police officers. This perception is universal even with those that disagree on other policy and police matters. The police are visible and responsive to calls and have a commitment to overall community policing. The officers take pride in their work and are committed to citizen and public safety.

Overall, the Shoreacres community is perceived to be *safe and secure*. Crime rates are low and citizens acknowledge the fact that their City is a safe place to live, work and play. This is proven true by an analysis of the crime statistics and by affirmation of the citizens and city officials. There are very few part one and part two crimes in Shoreacres. Proactive law enforcement efforts and problem solving on quality of life concerns are informally handled through individual initiative.

The department personnel are genuinely liked and respected and have the best interests of the citizens in mind. Examples used to substantiate this point included community events and patrol. Although individual opinions varied on certain individuals, especially the top leadership, overall the department is very well thought of.

In an obvious paradox, the overall perception of the police department is, at times, at odds with and inconsistent with some of the findings and recommendations below. It is my belief that this scenario is a function of what is commonly perceived to be an *internal versus external* phenomenon. This means, in effect, that the issues and problems of the department are largely internally driven and not externally or community focused. Therefore, if the internal issues are addressed and resolved, it only follows that the existing external perception will be strengthened and further enhanced.

Challenges and Opportunities

The most important area of need within the department is the need to strengthen the role, reputation, and expectations of both the police chief and sergeant positions. Presently the incumbents in these positions (whether deserved or not) are lightning rods of opinions, debate, and concern. All of the individuals interviewed had an opinion about the chief and sergeant, their roles, performance and impact on the community. There is no doubt that the chief and sergeant have created an operating culture that is

Organizational Assessment of the Shoreacres, Texas Police Department

the subject of much disagreement and anxiety, both internal to the department and external in the community.

The department lacks clear direction and operates almost exclusively on a day-to-day basis. This results in conflict and disagreements over mission and strategy. Furthermore, the department presently lacks any formal standard operating policies and procedures that are up-to-date. These are very important operating rules that need time and attention as soon as possible. Other internal needs include a formalized and developed training plan, and a review of equipment, including evidence procedures and storage.

Mutual aid and the responsiveness of the department generate much debate and discussion. Differences of opinion and understanding exist about the role of the department outside the city limits of Shoreacres. A mutual aid policy is an important need and a goal to strengthen relations with other law enforcement agencies and this should be a high priority.

There are no formal existing agreements with the Shoreacres and Harris County Sheriffs' Investigative Teams on response to major case investigations. Because of the infrequency of serious crimes, there is no current need for a full-time investigator. Sheriffs' investigators, as well as the Pasadena Police Department, have more experience and training in major case investigations and indicate they are willing to involve the Shoreacres officers as much as possible in order to expand the training and resources of the Shoreacres Police Department. County investigators depend on timely notification of serious incidents (including reports of missing children) which require follow-up investigation and continued cooperation for the Shoreacres officers. Shoreacres officers follow up on routine property crimes, and non-felony assaults, and should take advantage of opportunities to improve the quality of their reports and complaints.

A few items of note, however, there is no case-tracking program, and from various interviews, the consensus was that complainants do not typically know what happened to their report. In addition, for repeat calls to the same location, there appears to be no formal follow-up or proactive approach to permanently address the underlying issues. A case-tracking program for Shoreacres would prove a worthy investment, so the police department can identify patterns and problem areas, and provide proactive enforcement efforts. Call backs to citizens even on routine reports to ask if there is additional information and to inform the person of the status, even if nothing has changed, would be welcomed by most reporting persons. At the time of this evaluation, budgetary decisions are being reviewed to employ a new records management system.

Organizational Assessment of the Shoreacres, Texas Police Department

RECOMMENDATIONS

The balance of the report contains information on specific study topics. Included is a list of eleven (11) recommendations for the police department. Although distinct and unique in their own right, it is important to point out that each are interconnected and interrelated. City officials are encouraged to review them individually, but also discuss them in total. Each topic is described by a format consisting of a brief description of the issue along with a synopsis of findings and recommendations.

Recommendation #1: Improve Department Leadership Standards and Expectations

The police chief position within the Police Department must be a unifying force. He/she must represent the best interests of the community and be responsive to the citizens. He/she must be respectful to staff, set the direction for the department, and provide effective leadership on a day-to-day basis. The citizens and business people and the men and women in the Shoreacres Police Department, as well as other public safety entities expect professional police leadership that is accountable, competent, and approachable. Nearly all of the people interviewed – including the police officers – did not believe that the current police chief was providing leadership at a level they would expect. The police chief must ensure that police officers treat people right by consistent and fair application of the law, are well trained and have the equipment and resources they need to be effective. Beyond that, a police chief must determine the current and future public safety needs of the community and seek ways to provide it in a fiscally responsible manner.

Findings

- The relationship between the current police chief, the members of the police department, the community, and the larger public safety community is eroded.
- The officers have lost confidence in the ability of the Chief to lead the department.
- The officers believe that morale and teamwork within the department has diminished greatly since the Chief was appointed.
- There is a need to improve and enhance the performance review process for the officers. There has not been a performance evaluation of the officers since January 2012.

Suggestions for Improvement

- Replace the Chief of Police.
- Discuss accountability, chain of command, and performance expectations.
- Review chief's position description; edit to ensure duties and responsibilities are agreed upon and up-to-date.
- Follow appropriate procedures to ensure leadership in the police department adheres to new expectations and standards of behavior.

Organizational Assessment of the Shoreacres, Texas Police Department

- Ensure that the police chief achieves goals for both himself and the men and women in the police department. This includes open and honest communication, regular planning, and training meetings with staff, thorough update of standard operating procedures, conducting performance reviews, equipment procurement and implementation, establishing a community presence, development of procedures for complaints and concerns both internally and externally, etc.
- Ensure that the police chief actively communicates with the public through media, website, in person, and civic organizations.
- Follow-up with yearly goals and annual performance evaluations.
- Some people said the police chief should be working shifts. If all of the department policies, equipment, training, records management system (RMS), position descriptions, budget and city policies were up-to-date, it might be possible to have the chief of police take a regular or emergency patrol shift, however, this is not possible at this time due to the heavy administrative work load required to realign the department and provide adequate supervision. Have the chief respond to high priority calls whenever possible, but having the chief drive around randomly on patrol is probably not a good use of resources. Reserve the chief for backing up officers on an emergency basis.
- Ensure that the police chief manages projects including; scheduling, Computer Aided Dispatch (CAD), RMS, Standard Operating Procedures (SOP), training, facilities, equipment and procurement, property and evidence, position descriptions, performance evaluations, field training, preparing for and attending City Council meetings, and set benchmarks for progress in the above areas.
- Replace the existing Sergeant. The Sergeant and Chief do not communicate with each other.

Recommendation #2: Identify Public Safety Goals: Mission, Vision, Strategic Plan

While most members of the community agree that the police department is 'doing a good job,' there is no agreement on what that means. The lack of current policy, common mission, vision, and department goals have created disparity in the level and quality of service provided to the community. Expectations within the community vary dramatically as to expected roles, law enforcement priorities and policing strategies. There is no apparent process for discussing or documenting the course of action when repeated issues are not resolved. New emphasis and direction is necessary in the police department to lead the community and the police department in determining and agreeing upon a mission, vision, and values in cooperation with the elected officials and the community.

Findings

- Members of the police department are seeking unifying goals and a clear direction for the department.
- There are no clear and unified goals for the department.
- There is an absence of key policies with regard to level of service, how service is to be provided and how service is to comply with state, local and county laws and statutes.

Organizational Assessment of the Shoreacres, Texas Police Department

- The level of service in the police department may be directed by the Mayor, individual council members, or general community sentiment, but it is nearly always in response to a problem, and has not been proactive.
- Patrol strategies and level of enforcement are determined by the individual officer.

Suggestions for Improvement

- A new mission statement has already been implemented.
- Institute a formal planning process between the police department and community, meet yearly, set goals, and review annually, if feasible.
- Periodically involve an independent party to assist in evaluating/auditing the planning and strategy tools used by the department.

Recommendation #3: Update Police Department Rules and Procedures Manual

Policy manuals are valuable tools for law enforcement agencies – they serve as a guide and framework for all police activities. A policy manual contains standard operating procedures (SOPs) which are general orders that direct the work of the police department. These policies are formal communications that set parameters for conduct, equipment use, incident protocol, police response, and compliance with federal, state, and local statutes and ordinances. They provide a written guide for officers and are a basic tool for accountability. Without policies, training, and review of policies, services are applied inconsistently. A process to ensure understanding of policy will decrease the latitude in the use of discretion, help prevent misuse of discretion, and help aid in accountability.

Findings

- Police officers are not aware of a current operational policy manual for the Police Department.
- Apparently there is an old paper copy of Rules and Regulations in the police department, but it is regularly updated or distributed properly.
- Police officers do not have a written guide to most standard operating procedures.
- The policy manual is not integrated into a field-training program.
- An effective manual with enforced procedures can enhance officer training and serve to reduce department liability.

Suggestions for Improvement

- The Chief, Mayor and City Administrator should meet and determine a process for compiling and completing Standard Operating Procedures in a written policy manual. It should be available electronically to every officer at all times.
- The police officers should be involved in the process of writing department policies and establishing a periodic review process. Communication of the policies should be ensured. The policy manual should not serve as a contract for employment.

Organizational Assessment of the Shoreacres, Texas Police Department

- Implement policies by a written receipt of understanding by every officer. (Currently being done.)
- Policies such as Pursuit Policy, Use of Force, Grievance Procedures and Internal Affairs have been identified to be evaluated. These policies and procedures have been updated and/or revised.

Recommendation #4: Consider a New Staffing Plan for Police Officers

Although various formulas and standards are often applied or used to guide staffing or personnel within a community, it should be a “value-laden” community based decision on the level of services desired.

Findings

- The police department relies on six full-time officers and four reserve officers to cover shifts in a 24 hour basis – 12 hour shifts (7:00 am – 7:00 pm).
- Attempts have been made to staff two officers on duty at all times with the reserves filling the gap.
- The sergeant currently works four (4 x 10) ten hour days coming in at 3:00 pm and working until 1:00 am.
- Officers are generally content with the working hours (shifts) with departmental seniority determining choice of shift.
- Obviously, on occasion, the schedule proves difficult at best when one person is sick, undergoing training or on vacation.
- There is some flexibility in scheduling through the use of reserve officers working and the sergeant filling in where needed.
- Public Safety Concerns – the department is currently stretching its manpower resources to the max. Long term solution is the hiring of one more full-time officer. This would enable the officers to have two officers on duty at all times. Presently, there is only one officer on duty – particularly on nights after the sergeant leaves at 1:00 am. Short term solution to the manpower issue is to enhance the participation of the reserve officers to accommodate the full-time staff. With several reserves having full-time jobs at the Houston Fire Department and other reserves employed full-time, it is problematic to schedule manpower with any degree of certainty.

NOTE: Two additional non-paid reserves are in the process to be hired.

Suggestions for Improvement

- Continue to utilize “sister cities”, i.e., LaPorte, Seabrook, Lakeview, etc. to assist in backups, etc.
- Develop a shift schedule that is posted as far in advance as possible.
- Conducted research on the benefits of pros vs cons of 8, 10 & 12 hour shifts. The current 12 hour shift presently works to maximize coverage and minimize overtime.

Organizational Assessment of the Shoreacres, Texas Police Department

Recommendation #5: Enhance Communication between the Police Department and Community

The support for the police department is strong among the community. Ideally, the chief and officers having a non-enforcement/police related contact with the citizens will build positive relationships.

Findings

- The community has historically relied on calling the Police Department and speaking with a dispatcher as a primary method of communication.
- All police officers, including the chief, do not reside in Shoreacres, yet they are personally acquainted with the citizens.
- The officers want to have a strong connection with the citizens.

Suggestions for Improvement

- Department should utilize the website more effectively to provide information to the public.
- Police Department should provide public education on public safety issues; create a periodic newsletter and disseminate by email and submit articles of public interest – beyond crime control.

Recommendation #6: Update and Develop Mutual Aid Agreements

Community members clearly have differences of opinion about what role the Police Department should play in responding to calls and emergencies outside of the City's boundaries. The police officers generally notify a back-up officer (if available) or the County when they leave the city limits.

Findings

- The Shoreacres Police Department can be relied upon to respond to requests for outside assistance to the City of LaPorte.
- City of LaPorte shall provide police dispatching services.
- Harris County Sheriff's Department shall respond to all critical incidents and major case investigations, i.e. police officer shootings, murders, etc.

Suggestions for Improvement

- Enhance the relationships among top law enforcement officials.
- Mutual aid agreements and memorandums of understandings must be discussed and clarified.

Recommendation #7: Implement a Formal Training Program

Although the community believes that the police are effective, the officers themselves have expressed concerns over the quality of investigations in Shoreacres. There is some concern about the level of training for the newer Shoreacres police officers with regard to such basic skills as report writing. There is also a concern about the level of

Organizational Assessment of the Shoreacres, Texas Police Department

training for the investigation of crime and the preparation of warrants, complaints, and court testimony.

Training plans for police officers should be based on the mission and the goals of the police department. Understanding the level of services should drive the training in the department. Annual training and development plans for the officers and chief should be done in conjunction with the employee's supervisor. People expect that police officers are capable of handling all types of crime. Dollars for training are scarce. Be that as it may, the most valuable resource is your people. Yet, look at what you are spending on training for that valuable resource: virtually nothing! Bottom line: you get what you pay for.

Findings

- Officer training and staff development is not driven through long and short-term goal setting.
- Officers are seeking a more organized, formal and professional development oriented training program.
- There are questions about protocol and responsibilities of police at accident scenes and medicals. Police and EMS do not train together or conduct post event debriefings.
- Get creative!
- Agencies outside of Shoreacres agree that the quality of police response and reporting, information sharing and investigations should be improved through training.
- The recent hiring of a Training Coordinator has improved the level of training.

Suggestions for Improvement

- As policies are adopted, ensure that all police are trained on them, and that each officer (including the chief) signs off on them. Policies should be available to the officers electronically, and officers should be notified of updates in writing. Signed receipts of policies should be retained. (Just recently implemented.)
- Increase the level of training for the Shoreacres officers through an organized accepted field-training program – including but not limited to ride-alongs with outside officers to get the necessary exposure.
- Increase the level of training for the Shoreacres officers by participating in training with outside agencies. (Pasadena and LaPorte Police Departments)

Recommendation #8: Organize Property and Evidence Storage Space

Issues with property retention, evidence handling, and property disposal cause liability issues for cities and police departments in terms of civil litigation, but may also compromise criminal convictions. Property and evidence must be safely secured and accurately tracked in order to maintain a chain of evidence. Provisions for items which are too large for the property room must also be made. Careful records of disposal of contraband must be retained. Procedures for the disposal of property should be set forth by city ordinance. At no time, should the chief, the police department or individual

Organizational Assessment of the Shoreacres, Texas Police Department

officers keep items that have been abandoned, found, forfeited, seized, donated, or otherwise obtained without implicit approval by the Mayor and Council.

Findings

- The storage space for property is a storage closet in the middle of the patrol officers work area.
- The property room is accessed by a key and does not have the capacity to retain dated records of entry by individuals.
- It appears difficult for officers to adequately secure seized property.
- It is unknown when the last audit of the property contained in the room was made.
- It is unknown if the property room can safely retain items that corrode or rust (i.e. firearms).

Suggestions for Improvement

- Determine best practices in property and evidence.
- Develop internal policies and procedures for property and evidence. (ongoing)
- The police officers should have access to property lockers where they can confidently control the chain of evidence.
- All property items should be associated with a case report number and logged in and out of the property room.
- An officer other than the chief should serve as the property officer with appropriate oversight.
- City ordinance is needed to establish how the police department should dispose of property and evidence, including used police vehicles.

Recommendation #9: Evaluate Facilities and Police Department Equipment

The police department should provide a clean and efficient workspace which imparts a sense of pride, discipline, and professionalism. The police department facility should provide safety for officers and citizens. The facility should provide for confidential and safe meeting space for visitors and persons reporting crimes or concerns. It should provide adequate workspace, including lighting, ventilation, security, and storage. It should provide space for the daily operations of the police department and space for training. It should provide a locker room for male and female officers and a non-public restroom. A modern police facility may serve to increase the numbers of persons interested in employment with the City.

Findings

- New police station is more than adequate for police employees.
- There is no police garage. All of the department vehicles are parked in front of the police department. It is easy for people to know whether the officers are out on patrol or not.

Organizational Assessment of the Shoreacres, Texas Police Department

Suggestions for Improvement

- Audit police department equipment; create a replacement schedule, include items in budget; i.e., RMS, in-squad computers, software, licensing and workstations.
- Fleet Management: (Patrol) research best practices in squad selection and replacement schedule and make written recommendations to police chief for inclusion in the budget. (Include type of police vehicles, optimum mileage before replacement, and management of the sale and outfitting of the vehicles.)
- Police Department to research costs associated with the purchase of rifles, ammunition, and training; present for discussion and approval to city, and seek creative funding if approved.
- Maintain a minimum of four police vehicles.

Recommendation #10: Build a Positive Labor-Management Relations Culture

When evaluating an operation or a department it is important to make an assessment of the workplace culture. This is defined by such things as internal stress levels, morale, levels of communication, and other behavioral characteristics exhibited by top leaders and the staff. A strong workplace culture sustains positive morale, builds teamwork, camaraderie, and serves to create a good working environment. On the contrary, a negative workplace culture, is a seed for discontent, poor morale, greater turnover, and serves to create a negative working environment. If the workplace culture issues are not addressed, they will become evident in the external relations with the community and impact the perception of the department and ultimately the service provided to the residents.

Findings

- The workplace culture has been declining and has become a serious problem within the department most notably over the past 12 months.
- The culture is improving since the day-to-day operations have been lead by the Acting Chief.
- Both the Chief's and Sergeant's management style are leading causes of concern among the officers.
- There are no staff meetings or formal communication procedures.

Suggestions for Improvement

- Strengthening the overall workplace culture needs to be a focus of top leadership.
- Develop new standards for workplace behaviors from the top leaders within the department.
- Share information with the Mayor and Council about policies, strategies, long-term goals and objectives – this is equally important regarding crime rates, statistics, and general operating information.

Organizational Assessment of the Shoreacres, Texas Police Department

Recommendation #11: Officer Retention

For small agencies like Shoreacres Police to compete, creative ways need to be developed to enhance retention. There is not one single step an agency can take to retain officers longer. An inter-departmental survey could be used to solicit input from officers on what is important to them that would keep them at their current agency. From that survey, a strategy could be developed with the help of officers. This would help with the officers "buy-in" on the implementation of the strategy and therefore possibly help in the retention. By getting officer participation in the process, it would create ownership of the problem, therefore creating a more unified effort in effecting change and improving overall retention.

Political Mechanics of Change

One aspect of the organizational/political culture of the City and Police Department is the perceived interference from previous Mayors and Council in the manner and extent in which police services are delivered.

Experienced in each of my personal interviews with the officers, was the fact that more often than not, each officer has had a persona/professional experience with certain members of Council and previous Mayors that tried to "push their weight around" by directing officers to take certain actions – whether having an officer stationed at a certain location for hours at a time and/or encouraging officers to issue more traffic citations. It is concerning to say the least in larger cities, but it could be characterized as outright dangerous in a city the size of Shoreacres.

In politics, it has been said by many that "perception is reality". The propensity for members of the governing body to engage in such behavior is looked upon with outright disfavor among the community and the police officers and should stop immediately.

Organizational Assessment of the Shoreacres, Texas Police Department

CONCLUSION

As part of the assessment process, probing into the basic foundations of performance obstacles, cultural issues, as well as the specific types of impact they have on police performances throughout the organization was undertaken. This exercise, if handled properly, can send a powerful message throughout the organization and the police administration: Mayor and Council values the opinions expressed by the agency's members and is waiting not only to listen to those opinions but to base policy on them.

The City of Shoreacres should be applauded for its initiative and effort to evaluate the police department during what is clearly a trying and stressful time. City leaders recognize that there are opportunities to enhance and improve the performance, reputation and vision of the department.

The immediate challenge for the City is to discuss and debate the merits and value of the recommendations within this report. Once that is concluded, then the actions to implement and move forward must be pursued with commitment.

Above all else, it is the perspective of the study author that the most important step is to develop existing leadership or hire new leadership at the top of the department. The position of and role of the Police Chief is the most important consideration for the City in the immediate future. If trained and/or hired correctly, the vast majority of these recommendations and improvements, with the support of the City and the Shoreacres community, will begin to take place naturally in due time and in due course.

As a governing body, this administration is encouraged to take the data and harsh criticisms alike that were articulated in this report to heart. You should recognize the need to transform management and rather than passing the buck, paying lip service or attempting to shift responsibility, take the opportunity to articulate an entirely new kind of message to the officers; the department's problems are primarily the problems of poor managers, not because of poor cops.

Essentially, this administration should be saying that it values the opinions and the dedication of its police officers and truly mean it.

Organizational Assessment of the Shoreacres, Texas Police Department

Appendix: Suggested Policies

Policies and SOP's may be researched by collecting format and content from International Association of Chiefs of Police (IACP).

Harris County Sherriff's Department last updated their policy manual in 2007. They are in the process of updating it for 2011 – a review of the Sheriff's policies might be helpful to the department in terms of cooperation, coordination, and consistency.

It might be helpful to write, organize and color code in order of (1) High risk, high frequency non-discretionary time tasks, (2) High risk, low frequency non-discretionary time tasks, (3) High risk, moderate frequency, discretionary time tasks, (4) Low risk, high frequency non-discretionary time tasks, and (5) Low risk, low frequency, discretionary time task.

Some high priority policies which are of high risk to the city in terms of safety and have criminal and/or legal implications include:

1. Use of Deadly Force
2. Use of Force (force continuum)
3. Pursuit Policy
4. Weapons
5. Child Abduction (Amber Alert)
6. Active Shooter Response
7. Officer Misconduct Complaints
8. Warrantless Entry
9. Property & Evidence
10. Missing Persons
11. Death Investigations
12. Barricaded Subjects
13. Crisis Response (Mental Illness)
14. Operating While Intoxicated
15. Arrests & Detention
16. Search and Seizure
17. Major Case Investigations
18. Training
19. Racial Profiling
20. Sexual Harrassment

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**ORDINANCE No. 2013-147
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE OF THE CITY OF SHOREACRES, TEXAS, PROVIDING FOR CHANGES IN RATES AND CHARGES FOR WATER AND SEWER SERVICES; CONTAINING A SEVERABILITY CLAUSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING AN EFFECTIVE DATE.

* * * *

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES:

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

That 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.

That section 66-183 of the Shoreacres City Code is hereby amended to read as follows:

Sec. 66-183. - Water rates.

Effective [October 1, 2008] November 1, 2013, water rates for the city shall be as follows:

RESIDENTIAL WATER RATES

	Rate
First [3,000] <u>2000</u> gallons, per month	\$14.50
[3,001] <u>2,001</u> —5,000 gallons or portions thereof, per 1,000 gallons	6.00
5,001—12,000 gallons or portions thereof, per 1,000 gallons	6.25
12,001 gallons and up or portions thereof, per 1,000 gallons	6.50

NONRESIDENTIAL WATER RATES

	Rate
First 3,000 gallons, per month	\$25.00
3,001—5,000 gallons or portions thereof, per 1,000 gallons	6.00
5,001—12,000 gallons or portions thereof, per 1,000 gallons	6.25
12,001 gallons and up or portions thereof, per 1,000 gallons	6.50

That section 66-184 of the Shoreacres City Code is hereby amended to read as follows:

Sec. 66-184. - Sewer rates.

Monthly sewer rates for the city for sewage service for residences within the city, and unless otherwise provided by contract, outside the city are as follows and are effective **[October 1, 2008]** November 1, 2013.

RESIDENTIAL SEWER RATES

Sewer service

[\$17.50 per month (flat rate)]

	<u>Rate</u>
<u>First 5,000 gallons of water usage, per month</u>	<u>\$17.50</u>
<u>5,001 gallons and up or portions thereof, per 1,000 gallons water use</u>	<u>1.10</u>

NONRESIDENTIAL SEWER RATES

Base of \$45.00 for each water meter and \$1.10 per each 1,000 gallons used.

The Houston Yacht Club is exempt from sewer fees for those meters where sanitary sewer service is not provided (such as water meters serving docks).

This Ordinance shall be effective immediately after its passage and approval.

PASSED AND APPROVED this the 14th day of October 2013.

(CITY SEAL)

Matt Webber, Mayor

ATTEST:

David K. Stall, CFM
City Secretary

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	M. Webber	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	B. Bunker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	S. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Moses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M. Wheeler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed _____

David Stall, City Secretary - Date

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ORDINANCE No. 2013-148
CITY OF SHOREACRES, TEXAS

AN ORDINANCE ACCEPTING THE LOW, QUALIFIED TOTAL BID FOR CONSTRUCTION SERVICES TO PAVE EAST FOREST AVENUE AND OAKDALE STREET AND IMPROVE ASSOCIATED DRAINAGE (CFA PROJECT NUMBER 1012-003-03-38); AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT SUBJECT TO THE REQUIREMENTS OF THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY ROUND ONE (GLO CONTRACT NUMBER 10-5268-000-5273); PROVIDING FOR PAYMENT; FUNDING IS FROM THE CDBG DISASTER GRANT FUNDS REIMBURSABLE TO THE CITY; 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 SHOREACRES:

THAT, the low qualified bid of \$355,039.40 from Mar-Con Services, LLC, comprised of \$280,184.40 for street improvements and \$74,855.00 for flood and drainage improvements has been accepted. These improvements include Oakdale Avenue from Old Highway 146 to Byway Avenue (36) and East Forest Avenue from Old Highway 146 to Byway Avenue (33); and,

THAT, the Mayor is hereby authorized to execute a construction contract for the job. A copy of the contractor's bid is affixed hereto and incorporated herein for all purposes as Attachment I. All other bids will be deemed rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of sixty (60) days from the effective date of this ordinance accepting the low bid, whichever event occurs first; and,

THAT, the amount of \$355,039.40 is of a reimbursement type program by the State of Texas to the City for this project, and is contingent upon the State's receipt of the CDBG Disaster Round One funds and upon presentation of properly submitted and approved contractor invoices to the Texas General Land Office; and,

THAT, payments to contractor are contingent upon the actual receipt of adequate state or federal funds to the City for this contract. If adequate funds are not made available to the City, then the City will notify the contractor and terminate the contract and the City will not be liable for failure to make payments for work that has yet to be performed; and,

THAT, the amount of \$355,039.40 is authorized to be encumbered and made payable to Mar-Con Services, LLC in connection with the street, flood and drainage improvements projects pursuant to the continuing availability of funds from the State of Texas; and,

THAT, the City Council hereby approves and authorizes the contract, agreement, or other undertaking described in the title of this ordinance, a copy of which is on file in the office of the City Secretary. The Mayor is hereby authorized to execute all related documents on behalf of the City of Shoreacres to confirm acceptance by the City of Shoreacres. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents; and,

THAT, if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

THAT, 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; and,

THAT, this Ordinance shall be effective from and after its passage and approval, and it is so ordered.

PASSED AND APPROVED this the 28th day of October 2013.

(CITY SEAL)

Matt Webber, Mayor

ATTEST:

David K. Stall, CFM
City Secretary

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	M. Webber	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	B. Bunker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	S. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Moses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M. Wheeler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

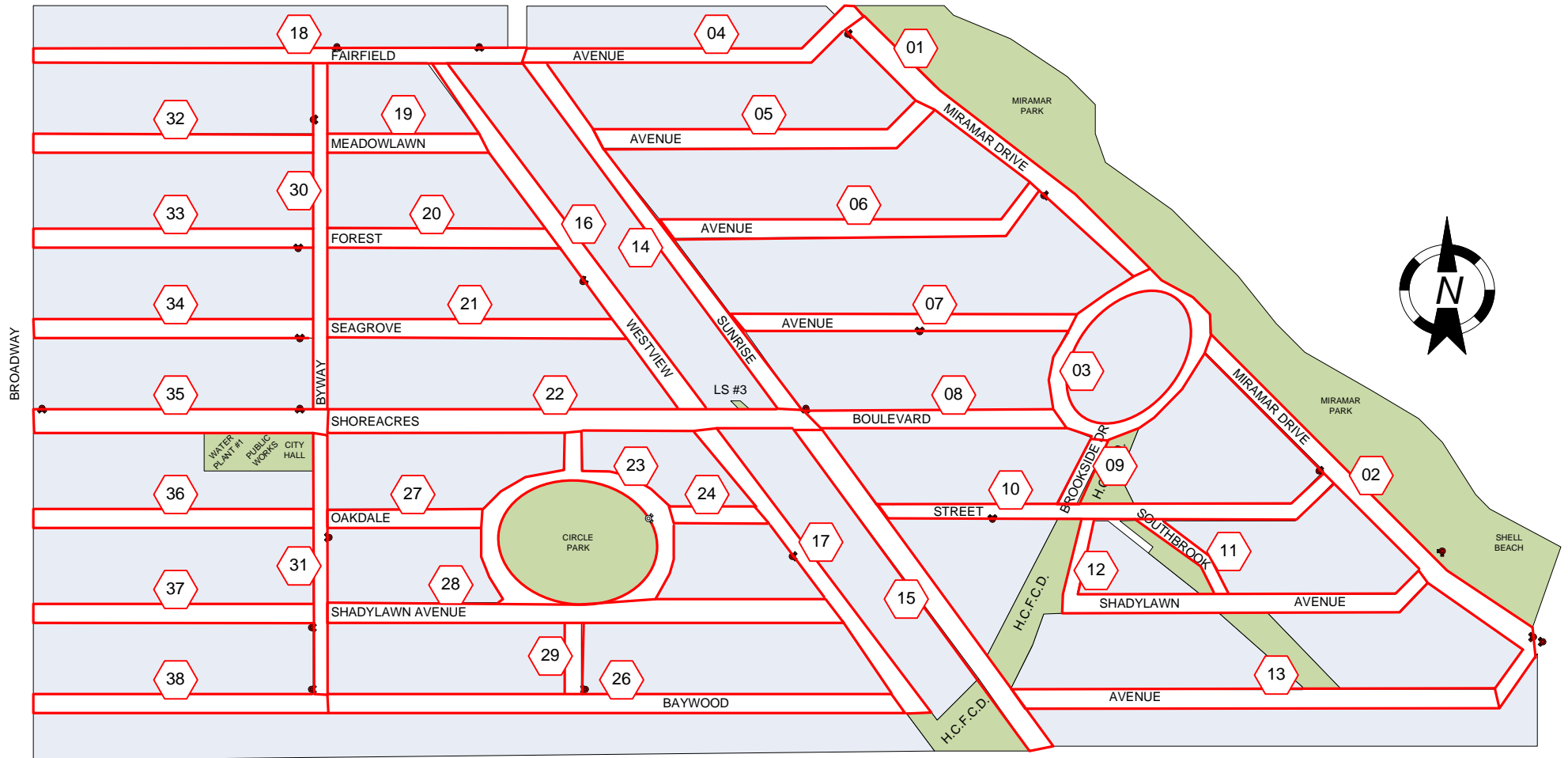
Passed / Failed _____

David Stall, City Secretary - Date



City of Shoreacres

STREET MAINTENANCE MAP



FILE: Zmap-E-06-Street-Maint
DATE: 13JAN09
BY: D. K. Stall

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**ORDINANCE No. 2013-149
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE APPROVING AND AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF SHOREACRES AND THE CITY OF LA PORTE / LA PORTE POLICE DEPARTMENT, RECEIVE TELEPHONE CALLS AND TO DISPATCH RADIO CALLS AND TO HOUSE PRISONERS AND PROVIDE MUNICIPAL JAIL SERVICES FOR THE SHOREACRES POLICE DEPARTMENT; 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 SHOREACRES:

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

Section 1. The City Council hereby approves and authorizes the contract, agreement, or other undertaking described in the title of this ordinance, a copy of which is on file in the office of the City Secretary. The Mayor is hereby authorized to execute all related documents on behalf of the City of Shoreacres to confirm acceptance by the City of Shoreacres. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

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

thereof.

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

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

PASSED AND APPROVED this the 28th day of October 2013.

(CITY SEAL)

Matt Webber, Mayor

ATTEST:

David K. Stall, CFM
City Secretary

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	M. Webber	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	B. Bunker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	R. Moses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M. Wheeler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed _____

David Stall, City Secretary - Date



AGREEMENT

THE STATE OF TEXAS §

COUNTY OF HARRIS §

This Agreement made and entered into by and between the CITY OF LA PORTE, a municipal corporation of Harris County, Texas hereinafter referred to as "LA PORTE" and the CITY OF SHOREACRES, a municipal corporation of Harris County, Texas, hereinafter referred to as "CITY",

WITNESSETH

WHEREAS, CITY is in need of certain governmental services for the benefit of the people and property within its city limits, and

WHEREAS, LA PORTE is able and willing to provide said governmental services to CITY, upon the terms, conditions, and covenants herein contained:

NOW, THEREFORE, PURSUANT TO THE AUTHORITY GRANTED BY Chapter 791, "Interlocal Cooperation Contracts", Texas Government Code, and in consideration of the mutual covenants, agreements, and benefits to both cities, it is hereby agreed as follows:

A. GENERAL PROVISIONS

I.

For and during the two years and nine months beginning on the 30th day of December, 2013, and ending on the 30th day of September, 2016, LA PORTE agrees to furnish CITY, the governmental services hereinafter more specifically described, and continuing thereafter automatically for one (1) additional renewal term of one (1) year, unless otherwise canceled as provided in Paragraph A-IV hereof. This agreement supersedes any prior agreement between the parties on the subject matter hereof.

II.

For and in consideration of the governmental services to be provided by LA PORTE to CITY, CITY agrees to pay LA PORTE as follows, to wit:

(1) **Monthly base charge as follows:**

Jail Service	\$1,692.50
Emergency Dispatch/911 Service	\$3,028.33

Total	\$4,720.83
--------------	-------------------

CITY agrees to remit to LA PORTE the monthly base charge no later than 30 days after receipt of invoice from LA PORTE.

III.

LA PORTE will not be liable for loss or damage to person or property arising from, caused by, or resulting from alleged negligence of LA PORTE, its officers or employees or volunteers in carrying out the terms of this agreement. To the extent allowed by law CITY agrees to indemnify, and save and hold LA PORTE harmless, from any such claim for loss or damage by itself, or by any person, firm, corporation, or association, in connection with this agreement.

IV.

Either party to this agreement may cancel by giving sixty (60) days written notice to the other party. Such notice will be effective as of midnight of the last day of the expiration of such sixty (60) days notice.

V.

CITY personnel shall abide by all LA PORTE rules, regulations, and policies, as they now exist, or may be amended hereafter, relating to the services rendered including the use of facilities made available to the CITY under the terms of this agreement.

B. EMERGENCY 911 DISPATCH SERVICES

I.

LA PORTE agrees to receive telephone calls and to dispatch radio calls to CITY patrol units.

II.

LA PORTE further agrees that a dispatcher will be available at the LA PORTE Police Department to render this service twenty-four (24) hours a day for the duration of this agreement.

III.

CITY agrees to purchase and maintain its own portable and/or mobile radios, which must be interoperable with the LA PORTE radio system. The CITY must also maintain a separate access agreement with the City of Houston, which owns the public safety trunked radio system that is licensed by the Federal Communications Commission, which permits radio communications and transmissions via radio units.

C. JAIL

I.

LA PORTE agrees to allow CITY to temporarily confine persons arrested by CITY'S law enforcement officers in the LA PORTE City Jail until such time as they can be properly released or conveniently moved by the proper authorities to the Harris County Jail.

II.

CITY agrees to keep certifications current of all law enforcement officers, required by the Texas Commission on Law Enforcement standards and education or other appropriate regulatory authority having jurisdiction, and shall provide copies of same to LA PORTE, if so requested.

III.

CITY will be solely responsible for all medical care for, and all transportation of arrestees brought to and/or being taken from the LA PORTE jail. In addition, CITY shall be solely responsible for the security of the arrestee during said transportation.

IV.

LA PORTE may suspend service and may refuse to accept an arrestee from CITY, in its sole discretion.

V.

CITY will be solely responsible for providing appropriate magistrate services for arrestees brought to the LA PORTE jail by officers of the City of Shoreacres.

WITNESS OUR HANDS and the seals of our respective Cities, effective as of the 30th day of December, 2013.

PASSED AND APPROVED by the City Council of the City of La Porte, by its Ordinance No. _____, on the _____ day of _____, 2013.

CITY OF LA PORTE

By: _____
Corby D. Alexander
City Manager

ATTEST:

City Secretary

APPROVED:

City Attorney

PASSED AND APPROVED by the City Council of the City of SHOREACRES, by its Ordinance No. _____, on the _____ day of _____, 2013.

CITY OF SHOREACRES

By: _____
Mayor Matt Webber



**ORDINANCE No. 2013-150
CITY OF SHOREACRES, TEXAS**

AN ORDINANCE APPROVING AND AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF SHOREACRES AND THE CITY OF HOUSTON TO PROVIDE ACCESS TO, AND USE OF, THE CITY OF HOUSTON PUBLIC SAFETY RADIO SYSTEM BY THE CITY OF SHOREACRES; 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 SHOREACRES:

That if any section, clause, sentence, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance; and,

Section 1. The City Council hereby approves and authorizes the contract, agreement, or other undertaking described in the title of this ordinance, a copy of which is on file in the office of the City Secretary. The Mayor is hereby authorized to execute all related documents on behalf of the City of Shoreacres to confirm acceptance by the City of Shoreacres. The City Secretary is hereby authorized to attest to all such signatures and to affix the seal of the City to all such documents.

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

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

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

PASSED AND APPROVED this the 28th day of October 2013.

(CITY SEAL)

Matt Webber, Mayor

ATTEST:

David K. Stall, CFM
City Secretary

M/2		Yea	Nay	N/V	Absent
<input type="checkbox"/>	M. Webber	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	B. Bunker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	S. Jones	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	R. Moses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	N. Schnell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M. Wheeler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Passed / Failed _____

David Stall, City Secretary - Date



**INTERLOCAL AGREEMENT
FOR USE OF CITY OF HOUSTON PUBLIC SAFETY RADIO SYSTEM**

THE STATE OF TEXAS

COUNTY OF HARRIS

This Agreement is made pursuant to Chapter 791 of the Texas Government Code and entered into by and between the City of Houston, a home rule city of the State of Texas (the "City") acting by and through its governing body, the City Council of Houston, and the City of Shoreacres, Texas (the "User") acting by and through its governing body, the Shoreacres City Council.

RECITALS

The City of Houston owns a public safety trunked radio system that is licensed by the Federal Communications Commission (the "FCC"), which permits radio communications and transmissions via radio units, and

The User desires to obtain access to the City's communication system in order to communicate among various public safety units.

NOW, THEREFORE, the parties, in consideration of the mutual covenants and agreements herein contained, do mutually agree as follows:

I. DEFINITIONS

For purposes of this agreement, the following definitions apply:

- a. **Primary Dispatch System**: A communications system upon which the User, its agents, employees or assigns rely primarily when it desires or attempts the engagement of radio communications or radio transmissions of energy among its Radio Units;
- b. **Priority Access**: An assigned level of system access that determines the choice of access to the Radio System between two or more Radio Units seeking use simultaneously;
- c. **SmartZone Radio System**: Trunked Radio System in and about The City of Houston operating under a single centralized controller as a radio system and managed by the City of Houston Information Technology Department;
- d. **Public Safety Radio System**: The SmartZone Radio System and all of its components;
- e. **Radio Unit**: Mobile, stationary, or portable voice radio communications units communicating among other radio communications units at certain air wave frequencies; and

- f. **System Code Identification Number:** An identification number that allows Radio Units to gain access to the Radio System to enable the Radio Units to communicate among other Radio Units at certain airwave frequencies, providing a Primary Dispatch System for a User's Radio Units.

II. DUTIES OF THE CITY

The City agrees that during the term of this Agreement, it will:

- a. Allow the User to have access to its Radio System to engage in radio communications among its Radio Units as a Primary Dispatch System;
- b. Provide the User with a Systems Code Identification Number for all Radio Units;
- c. Upon being notified that one or more of the User's Radio Units have been lost or stolen, attempt to disable the lost or stolen Radio Units;
- d. Provide the same level of Priority Access to the Radio System for the User as that afforded the City.
- e. It is expressly understood and agreed that one hundred percent (100%) coverage of any area at all times is improbable. There may be adverse transmission conditions such as short-term unpredictable meteorological effects and sky-wave interference from distant stations that can interrupt the Radio System. Likewise, there are other causes beyond reasonable control of City, including, but not limited to, motor ignition and other electrical noise that may be minimized by corrective devices at User's expense. Any surveys, studies, research, or other measures taken to ensure the adequacy of coverage provided to User under this Agreement are the sole responsibility and expense of User.

III. DUTIES OF USER

During the term of this Agreement, the User agrees to:

- a. Assume all costs or responsibility for providing the Radio Units that will have access to the City's Radio System;
- b. Give the City at least ten (10) days prior written notice of its intent to increase, decrease, or otherwise change the number of Radio Units that have access to the City's Radio System;
- c. Notify the City, in accordance with Section VII, if one or more of its Radio Units have been lost or stolen within twenty-four (24) hours of determining that the Radio Units have been lost or stolen;
- d. Use the System Code Identification Number described in this Agreement to access the City's Radio System as a Primary Dispatch System; and

- e. Observe and abide by all applicable statutes, laws, rules and regulations, including, but not limited to, those of the FCC. In addition, the User agrees to observe and abide by any applicable administrative rules promulgated by the City from and after the date such rules become effective and have been delivered to User. Further, the User acknowledges that should any of these statutes, rules, regulations or administrative rules change during the term of this Agreement and if the change necessitates a modification of the Agreement, the modification may be effectuated by the City without incurring any liability for this modification. Should the City notify the User of any such change, the User shall have thirty (30) days to review and agree to any proposed changes made to this Agreement. If assent to the change is not given, this Agreement terminates.

IV. PAYMENTS BY USER

The User shall pay the City for access to the Radio System at the rate specified in the Fee Schedule attached hereto as Exhibit A. The User expressly shall prepay yearly charges in full at the beginning of each Annual Term of this Agreement, based upon the number of the Radio Units then in service. During such term, the following provisions apply:

- a. In the event the number of Radio Units in service increases during an Annual Term of this Agreement, the charge for each additional Radio Unit is based upon the remaining annual charge multiplied by the fractional part of the current one-year term of this Agreement. The User agrees to prepay the City the entire amount owed for additional Radio Units for the time remaining in the then current term at least ten (10) days before the User obtains access to the Radio System with the additional Radio Units.
- b. In the event the number of Radio Units in service decreases during an Annual Term of this Agreement, the City agrees to either allow a credit or make a refund to the User of a fractional part of the current one-year term remaining under this Agreement. The City agrees to effectuate said credit/refund within thirty (30) days of the date the User gives the City written notice of its decrease in the number of Radio Units it has in service.
- c. The User shall pay the City for the programming of the User's radios for use on the Radio System at a rate specified in the Fee Schedule, attached hereto and incorporated herein, upon initial access to the Radio System. Should the User's Radio Units require maintenance that destroys the original programming referred to above, after such maintenance each radio will be reprogrammed by the City to the standard configuration at the rate specified in the attached Fee Schedule. In any instance in which the City performs Radio Unit programming services, the User agrees to pay the City the entire amount owed for the re-programming of Radio Units within thirty (30) days of the invoice date of such services.

- d. The City may increase the fees provided in this Agreement by giving the User written notice of its intention to increase fees at least ninety (90) days before the effective date of the proposed increase. Should such increase become effective during an Annual Term of this Agreement, the increase will be prorated based upon the number of months remaining in the then current term of this Agreement. In the event of such mid-term fee increase, the User agrees to pay the City the total, prorated fee increase on or before thirty (30) days after the effective date of the fee increase. The User agrees to pay the City the entire amount owed from the fee increase within thirty (30) days of receiving notice. Notice may be in the form of an invoice.
- e. The User will pay its obligations hereunder from available current revenues.

V. RADIO EQUIPMENT INSTALLATION AND RADIO SERVICES

To the extent resources are available and solely at its discretion, City may provide radio equipment installation and radio services upon request of the User. If these services are provided, the User agrees to pay the City on a Time and Material basis at the rate specified in the Fee Schedule attached hereto and incorporated herein. The City agrees to invoice the User after the services are rendered, and the User agrees to pay invoices within thirty (30) days of the invoice date. Solely at the discretion of the City, the User may purchase certain additional parts and/or accessories from the City at a price set by the City. The City agrees to invoice the User after the parts and/or accessories are supplied to the User. The User agrees to pay the invoice within thirty (30) days of the invoice's date.

IT IS EXPRESSLY UNDERSTOOD THAT THE CITY NEITHER WARRANTS NOR ASSUMES ANY RESPONSIBILITY FOR INSTALLATION OR USE OF EQUIPMENT OR FOR THE RELIABILITY OR ADEQUACY OF SERVICES PROVIDED HEREUNDER. FURTHER, BY REQUESTING THAT THE CITY PROVIDE THESE SERVICES, THE USER ASSUMES THE TOTAL RISK OF ANY LOSS ASSOCIATED WITH THE INSTALLATION OF THE RADIO EQUIPMENT; ANY LOSS RESULTING FROM THE USE OF THE RADIO EQUIPMENT SO INSTALLED; AND ANY LOSS RESULTING FROM THE USE OF THE RADIO EQUIPMENT TO WHICH OTHER RADIO SERVICES HAVE BEEN PROVIDED BY THE CITY.

VI. TERM AND TERMINATION

The term of this Agreement is one year ("Annual Term") and shall commence on the Countersignature Date. Thereafter, this Agreement will automatically renew for 30 successive one-year terms unless it is terminated by either party by giving the other party prior written notice of its intention to terminate not less than sixty (60) days prior to the expiration of the then current Annual Term of this Agreement. Notwithstanding the preceding, this Agreement terminates:

- a. Immediately if all or substantially all of the authorization held by the City or the User is revoked by the FCC or its successor agency; or

- b. Upon either party giving the other party thirty (30) days prior written notice of its intention to terminate. Should the User terminate this Agreement as provided in this paragraph, the User agrees that payment in full of all obligations owed to the City by the User is a condition precedent to termination. Should either party terminate this Agreement, the User is entitled to a refund of the pro rata share of any prepayment.
- c. If the User fails to make any payment of any sum due under this Agreement and such failure continues for forty-five (45) days after the City has given the User written notice of such failure, then the User is in default under this Agreement. In the event of the User's default, the City has the right to terminate this Agreement, deny the User any service provided by the City under this Agreement, and retain all moneys paid to the City pursuant to the terms and conditions of this Agreement as liquidated damages.
- d. Each and every right and remedy of the City and User are cumulative to and not in lieu of each and every other such right and remedy afforded by law and equity.
- e. Should the City fail to perform as provided under the terms of this Agreement, the User's sole remedy is termination of this Agreement, and the City agrees to make a refund to the User of the portion of the pre-paid fee based upon that fractional part of the one-year term remaining under the Agreement.

VII. NOTICES

All notices to either Party to this Agreement must be in writing and must be delivered by hand, facsimile, United States registered or certified mail, return receipt requested, United States Express Mail, Federal Express, Airborne Express, UPS or any other national overnight express delivery service. The notice must be addressed to the Party to whom the notice is given at its address given for notices or other address the receiving Party has designated previously by proper notice to the sending Party. Postage or delivery charges must be paid by the Party giving the notice.

FOR THE CITY: All notices and communications must be mailed as follows:

If to City, to the following address:

with duplicate Copy to:

Tom Sorley, Deputy Director
Radio Communications Services
611 Walker Street, Ste. 901
Houston, Texas 77002

City of Houston
Director, Information Technology
611 Walker Street 9th Floor
Houston, Texas 77002

FOR THE USER:

If to User, to the following address:

with duplicate Copy to:

City of Shoreacres
David K. Stall, City Secretary
601 Shore Acres Blvd
Shoreacres, TX 77571

Shoreacres Police Department
Chief of Police
601 Shore Acres Blvd
Shoreacres, TX 77571

These addresses may be changed upon giving prior written notice to the other party. All mailed notices and communications are deemed given and complete upon mailing as provided above.

VIII. ASSIGNMENT; PARTIES BENEFITED

Neither party hereto shall sell, assign, or transfer any of its rights or obligations under this Agreement in whole or in part, without the prior written consent of the other party. This Agreement shall bind and benefit the City and the User and shall not bestow any rights upon any third party.

IX. GOVERNING LAW AND REVENUE

This Agreement is governed by and construed according to the laws of the State of Texas. Exclusive venue of any action or claim arising out of this Agreement is Harris County, Texas. Failure of either party hereto to insist on the strict performance of any of the agreements herein or to exercise any rights or remedies accruing hereunder upon the default or failure by an appropriate remedy, shall not be considered a waiver of strict compliance with any other obligation hereunder, and shall not be considered a waiver of any rights or remedies occurring as a result of any future development or failure of performance.

X. ENTIRE AGREEMENT

This instrument contains the entire Agreement between the parties relating to the rights granted and obligation assumed. Any modifications concerning this Agreement are of no force and effect unless in writing and executed by both parties except for those modifications effectuated pursuant to the provisions of Paragraph III (e).

This Agreement may be executed in multiple counterparts, each having equal force and effect of an original. This Agreement shall become binding and effective only after it has been authorized and approved by the governing bodies of each governmental entity, as evidenced by the signature of the appropriate authority.

XI. FORCE MAJEURE

Neither Party shall be liable for any default or delay in the performance of its obligations under this Agreement if, while and to the extent such default or delay is caused by acts of God, unusual weather conditions, fire, riots, sabotage, acts

of domestic or foreign terrorism, or any other cause beyond the reasonable control of such Party ("Force Majeure"). Force Majeure does not include economic or market conditions, which affect a Party's cost, but not its ability to perform. The party invoking Force Majeure shall give prompt, timely and adequate notice to the other Party, by facsimile transmission or telephone confirmed promptly thereafter in writing, and shall use due diligence to remedy the event of Force Majeure, as soon as reasonably possible. In the event of default or delay in Agreement performance due to any of the foregoing causes, then the time for completion of the services will be extended by a mutually agreeable period of time reasonably necessary to overcome the effect of such failure to perform.

XII. LIAISONS

The Police Chief of User and the Director of Information Technology of Houston will designate a Project Liaison for each Party from time to time. The initial Liaisons are as follows:

For Houston: Tom Sorley

For User: David K. Stall

XIII. COMPLIANCE WITH OTHER LAWS

The Parties shall observe and comply with all federal, state, and local laws, rules, ordinances, and regulations in any manner affecting the conduct of the services herein provided and performance of all obligations undertaken by this Agreement.

XIV. SEVERABILITY

In the event that one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability of this Agreement shall be construed as if such invalid, illegal or unenforceable provision has never been contained herein, but shall not affect the remaining provisions of this Agreement, which shall remain in full force and effect.

XV. LIABILITY OF PARTIES

The Parties agree and acknowledge that no entity is an agent of the other entity and that each entity is responsible for its own acts, forbearance, negligence and deeds, and for those of its agents or employees in conjunction with the utilization of City's SPA and the Communication Equipment License except as hereinafter provided. The Parties agree that no City funds, equipment or personnel will be utilized in the acquisition of goods or services for the User pursuant to this Agreement.

Nothing in this Agreement may be construed as creating any personal liability on the part of any officer, director, employee or agent of any public body that may be a Party to this Agreement and the Parties expressly agree

that the execution of this Agreement does not create any personal liability on the part of any officer, director, employee or agent of City or User. The Parties shall be responsible for their own acts of negligence.

Where any injury or property damage results from the joint or concurring negligence of the Parties, liability, if any, shall be shared by each Party on the basis of comparative responsibility in accordance with the applicable laws of the State of Texas, subject to all defenses, including governmental immunity.

These provisions are solely for the benefit of the Parties hereto and not for the benefit of any person or entity not a party to this Agreement. No provisions shall be deemed a waiver of any defenses available by law.

[Intentionally left blank]

The Parties have executed this Agreement in multiple copies, each of which is an original.

CITY OF SHOREACRES	ATTEST/SEAL
By: _____	By: _____
Name: Matt Webber	Name: David K. Stall
Mayor	City Secretary
CITY OF HOUSTON	ATTEST/SEAL
By: _____	By: _____
Name: Annise Parker	Name: Anna Russell
Mayor	City Secretary
APPROVED:	COUNTERSIGNED BY:
_____	_____
Chief Information Officer	City Controller
APPROVED AS TO FORM:	DATE COUNTERSIGNED:
_____	_____
Assistant City Attorney	
L.D. File No. _____	

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Harris County Appraisal District
Interoffice Memorandum

OFFICE OF THE CHIEF APPRAISER



Item 8.6

10/28/13

TO: Presiding Officers of Taxing Units
Served by the Harris County Appraisal District

FROM: Sands Stiefer, Chief Appraiser

SUBJECT: Election of Board of Directors of the
Harris County Appraisal District

DATE: October 17, 2013

The nomination period for board candidates representing the small cities, school districts, junior college districts and conservation & reclamation districts closed October 15, 2013. The names of all candidates officially nominated to me on or before that date are reflected on the enclosed "Certification of Ballot" forms.

Candidates for contested positions are listed alphabetically on the ballots in the manner required by the Texas Tax Code.

Katherine (Toni) Trumbull was the only person nominated for the board position representing school districts other than Houston ISD and the junior college districts.

Ed Heathcott was the only person nominated for the board position representing cities other than the City of Houston.

Glenn Peters, Charles Johnson and Howard Martin, Jr. are nominees for the position representing the conservation and reclamation districts.

To assist you in the election procedure, I have enclosed a Certification of Ballot and a suggested form of resolution for casting your vote for the candidate representing your type of taxing unit. ***Ballot forms for all four types of units are enclosed to make you aware of all nominees, even though only taxing units of a particular type may vote in the election applicable to that type of unit.*** The governing body of each taxing unit is entitled to one vote for the candidate of its choice from the names appearing on the appropriate Certification of Ballot. Please note, the

junior college districts vote collectively. Each board of trustees for the respective junior college districts may file a vote by resolution with the chief appraiser, however, the collective vote of the junior college districts will thereafter be cast for the candidate who receives the most votes from among the junior college districts.

Each governing body must cast its vote for one of the nominees, formally adopt a resolution naming the person for whom it votes, and submit a certified copy to the chief appraiser. ***The vote must be by resolution.*** The resolution, or a certified copy thereof, together with the completed Certification of Ballot, must be delivered to Sands Stiefer, Chief Appraiser, 13013 Northwest Freeway, Houston, Texas 77040, or mailed to P. O. Box 920975, Houston, Texas 77292-0975 ***to arrive before 5:00 p.m. Monday, December 16, 2013.*** The outside of the envelope should be marked "Ballot for Board of Directors." Ballots that arrive after that day and time will not be counted.

On Tuesday, December 17, 2013, the chief appraiser will count the votes, declare the results, and notify the winners, the nominees, and the presiding officers of each taxing unit. A tie vote will be resolved by a method of chance chosen by the chief appraiser.

These procedures do not apply to Harris County, the City of Houston, or the Houston Independent School District. Those units will select their board member by adopting a resolution appointing such member by December 16, 2013, and delivering an original or certified copy to the Office of the Chief Appraiser.

If you have questions about the board selection process, please call me at 713/957-5299.

Attachments

c: HCAD Board Members
 Tax Assessors
 Attorneys



A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF _____
CASTING ITS BALLOT FOR THE ELECTION OF A PERSON
TO THE BOARD OF DIRECTORS OF THE
HARRIS COUNTY APPRAISAL DISTRICT

WHEREAS, the chief appraiser of the Harris County Appraisal District has delivered to the mayor of this city, the names of those persons duly nominated as candidates to serve in that position on the board of directors of the Harris County Appraisal District, representing and to be filled by the cities other than the City of Houston, participating in said appraisal district; and

WHEREAS, this city deems it appropriate and in the public interest to cast its vote for the candidate of its choice to fill such position; now, therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF _____:

Section 1. That the facts and recitations set forth in the preamble of this resolution be, and they are hereby, adopted, ratified, and confirmed.

Section 2. That the City of _____ does hereby cast its vote for _____, to fill the position on the board of directors of the Harris County Appraisal District, representing and to be filled by the cities, other than the City of Houston, participating in the appraisal district.

Section 3. That the mayor be, and he or she is hereby, authorized and directed to deliver or cause to be delivered an executed or certified copy of this resolution to the chief appraiser of the Harris County Appraisal District no later than December 16, 2013.

PASSED AND APPROVED this _____ day of _____, 2013.

Mayor

ATTEST:

City Secretary

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