

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, March 10, 2014 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

None.

4.0 APPROVAL OF MINUTES

None.

5.0 COUNCIL REPORTS & REQUESTS

5.1 Mayor Webber – Report on meetings attended.

5.2 Mayor pro tem Moses

5.2.1 Report on city actions relating to the employment of temporary acting Chief of Police Michael Massey.

5.2.2 Report on city consideration of traffic humps on Miramar Drive.

5.2.3 Report on city actions relating to residential development.

6.0 PUBLIC HEARINGS & PUBLIC COMMENTS

6.1 Citizen's Comments – Patrick Stanton: New CAER Line

6.2 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 David Stall – General Activity Report.

7.2 Police Chief Troy Harrison

7.2.1 Monthly Department Report.

7.2.2 Annual Racial Profiling Report.

7.3 Acting Public Works Director Erick Ingram – Monthly Department Report.

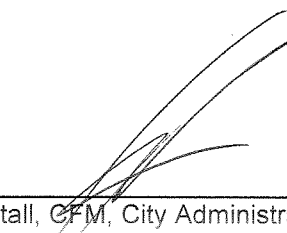
8.0 BUSINESS

- 8.1 Consideration and approval of invoices. ^{Stall}
- 8.2 Consideration and action to appoint citizen members to the Miramar Shoreline Advisory Group. ^{Webber}
- 8.3 Consideration and action to adopt Resolution No. 2014-126 approving an interlocal agreement with Harris County Public Health & Environmental Services to provide veterinary public health services to include housing and quarantining of animals and related animal control services; and, authorizing the Mayor to execute such agreement. ^{Stall}
- 8.4 Consideration and action to adopt Resolution No. 2014-129 adopting a limit on the amount of time that personnel are required to spend producing public information for inspection or duplication by a requestor without recovering costs attributable to that personnel time. ^{Bunker}
- 8.5 Consideration and action to ratify Mayor's nominee for appointment to Position 1 of the Planning and Zoning Commission for a term beginning March 11, 2014 and ending January 31, 2015. ^{Webber}
- 8.6 Consideration and action to ratify Mayor's nominee for appointment to Position 3 of the Planning and Zoning Commission for a term beginning March 11, 2014 and ending January 31, 2015. ^{Webber}
- 8.7 Consideration and action to ratify Mayor's nominee for appointment to Position 5 of the Planning and Zoning Commission for a term beginning March 11, 2014 and ending January 31, 2016. ^{Webber}
- 8.8 Consideration and action to ratify Mayor's nominee for appointment to Position 5 of the Parks and Recreation Advisory Board for a term beginning March 11, 2014 and ending January 31, 2016. ^{Webber}

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 March 6, 2014 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 6TH DAY OF MARCH 2014.

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.

I, the undersigned, do hereby certify that this Notice of Meeting was removed from the City Hall bulletin board at _____ AM/PM on _____, 2014.

BY: _____

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Shoreacres Police Department

602 Shore Acres Blvd., Shoreacres, Texas 77571 / 281.307.1950 / Fax: 281.471.8955



MEMORANDUM

DATE: March 5, 2014
TO: City Council
FROM: Troy D. Harrison
RE: February Activity report

Below are the listed calls for service during the month of February, 2014:

Traffic Issue:	6
Residential Alarms:	2
Animal Control:	7
Assist other LEA:	8
Assist Citizen:	4
Burglary:	0
Criminal Mischief:	0
Disturbance:	6
Traffic Accident:	1
Susp Circumstance:	12
Theft:	1
City Ord Violation:	2
Welfare Concern:	2
Total Calls for Service:	105
Citations:	29
House Watch:	3

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TIER 1 - PARTIAL EXEMPTION RACIAL PROFILING REPORT

Agency Name: SHOREACRES POLICE DEPT.
Reporting Date: 02/07/2014
TCOLE Agency Number: 201223
Chief Administrator: TROY HARRISON
Agency Contact Information: Email: chief@cityofshoreacres.us
Mailing Address:
SHOREACRES POLICE DEPT.
601 Shoreacres Blvd
Shoreacres, TX 77471

This Agency claims partial racial profiling report exemption because:

Our vehicles that conduct motor vehicle stops are equipped with video and audio equipment and we maintain videos for 90 days.

Certification to This Report 2.132 (Tier 1) – Partial Exemption

Article 2.132(b) CCP Law Enforcement Policy on Racial Profiling

SHOREACRES POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- (1) clearly defines acts constituting racial profiling;
- (2) strictly prohibits peace officers employed by the SHOREACRES POLICE DEPT. from engaging in racial profiling;
- (3) implements a process by which an individual may file a complaint with the SHOREACRES POLICE DEPT. if the individual believes that a peace officer employed by the SHOREACRES POLICE DEPT. has engaged in racial profiling with respect to the individual;
- (4) provides public education relating to the agency's complaint process;
- (5) requires appropriate corrective action to be taken against a peace officer employed by the SHOREACRES POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the SHOREACRES POLICE DEPT.'s policy adopted under this article;
- (6) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - (A) the race or ethnicity of the individual detained;
 - (B) whether a search was conducted and, if so, whether the individual detained consented to the search; and

(C) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

(7) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:

(A) The Commission on Law Enforcement; and

(B) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

I certify these policies are in effect.

Executed by: **TROY HARRISON**

Chief Administrator

SHOREACRES POLICE DEPT.

Date: 02/07/2014

**SHOREACRES POLICE DEPT. Motor Vehicle Racial Profiling
Information**

Number of motor vehicle stops:

- 1. **812** citation only
- 2. **0** arrest only
- 3. **0** both
- 4. **812 Total** (4, 11, 14 and 17 must be equal)

Race or Ethnicity:

- 5. **89** African
- 6. **13** Asian
- 7. **582** Caucasian
- 8. **93** Hispanic
- 9. **27** Middle Eastern
- 10. **8** Native American
- 11. **812 Total** (lines 4, 11, 14 and 17 must be equal)

Race or Ethnicity known prior to stop?

- 12. **0** Yes
- 13. **812** No
- 14. **812 Total** (lines 4, 11, 14 and 17 must be equal)

Search conducted?

- 15. **7** Yes
- 16. **805** No
- 17. **812 Total** (lines 4, 11, 14 and 17 must be equal)

Was search consented?

- 18. **1** Yes
- 19. **6** No
- 20. **7 Total** (must equal line 15)

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MEMORANDUM

City of Shoreacres

601 Shore Acres Blvd., Shoreacres, TX 77571-7262 / 281.471.2244 / 281.471.8955 Fax



DATE: March 6, 2014

TO: David Stall, City Administrator

CC:

FROM: Erick Ingram, Interim Public Works Director

REF: Monthly Report (February) 2014

We purchased 4.0 million gallons of water this month compared to 4.8 million gallons in January.

Public Works assisted Friends of Heron Park with installation of signs.

There were no other special projects to report on for February.

**PUBLIC WORKS
Monthly Productivity Report**

Month : Febuary 2014

	Total Calls		Total Collected in Cu. Yrds.
Water/Wastewater	7	***Solid Waste***	40
Water Repairs	3	Recycling :	40
Meter Changeouts	2	* Paper	9
Backfills (Yard Cleanups)	1	* Plastic	13
Fire Hydrant Repairs	0	* Cardboard	15
Water Taps	1	* Aluminum Cans	2
Water Plant Repairs	0	* Glass	1
Sewer Taps	0	Debris Removal	0
Sewer Point Repairs	0		
Lift Station Repairs	0		
Manhole Repairs	0		
After Hour Repairs	0		

Repairs

Streets and Drainage		***ROW Maintenance***	
Potholes :	0	Miles Mowed	0
* Concrete Repairs	0	Miles of Ditch Inspected	0
* Asphalt Repairs	0	Culverts Inspected	0
Drainage Cave-in Repairs	0	Hours Mowed	0
Traffic	0	***Parks***	
Stop Sign Repairs	2	Cubic Yards of Trash Removed	3
Safety Sign Repairs	0	Park Equipment Repair	0
Public Notification Signs Repaired	0	Lighting Repairs	0

**RESOLUTION NO. 2014-126
CITY OF SHOREACRES**

A RESOLUTION APPROVING AN INTERLOCAL AGREEMENT WITH HARRIS COUNTY PUBLIC HEALTH & ENVIRONMENTAL SERVICES TO PROVIDE VETERINARY PUBLIC HEALTH SERVICES TO THE CITY OF SHOREACRES; AUTHORIZING THE MAYOR TO SIGN THE INTERLOCAL AGREEMENT; AND, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW.

* * * *

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

Section 1. The City Council hereby approves and authorizes the Mayor to sign an interlocal agreement with Harris County Public Health & Environmental Services to provide veterinary public health services to include housing and quarantining of animals and related animal control services; a copy of which is attached hereto.

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 resolution 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 10th day of March, 2014.

CITY OF SHOREACRES

(CITY SEAL)

By: _____
Matt Webber, Mayor

ATTEST:

David K. Stall, CFM
City Secretary

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**RESOLUTION No. 2014-129
CITY OF SHOREACRES**

A RESOLUTION ADOPTING 36 HOURS IN A 12 MONTH PERIOD THAT CORRESPONDS WITH THE CITY'S FISCAL YEAR AS THE TIME LIMIT ON THE AMOUNT OF TIME THAT PERSONNEL OF THE CITY OF SHOREACRES ARE REQUIRED TO SPEND PRODUCING PUBLIC INFORMATION FOR INSPECTION OR DUPLICATION BY A REQUESTOR, OR PROVIDING COPIES OF PUBLIC INFORMATION TO A REQUESTOR, WITHOUT RECOVERING ITS COSTS ATTRIBUTABLE TO THAT PERSONNEL TIME; PROVIDING RULES FOR REQUESTS BY MINORS AND SENDING NOTICES OF TIME LEFT, IF ANY, AND OTHER COMPLIANCE RULES, AND PROVIDING CERTAIN EXCEPTIONS; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

* * * * *

WHEREAS, The City of Shoreacres (hereinafter sometimes "City") has received multiple voluminous requests for Open Records which has prompted the City to review the Texas Public Information Act and to adopt policies/procedures to recover an increased portion of personnel costs attributable to the time required to respond to such requests; and,

WHEREAS, Pursuant to Subsection 552.275(a) of the Texas Government Code, The City of Shoreacres may establish a reasonable limit on the amount of time that personnel of the City of Shoreacres are required to spend producing public information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering its costs attributable to that personnel time; and,

WHEREAS, the City of Shoreacres' fiscal year is from October 1 to September 30;

NOW, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHOREACRES:

THAT the City of Shoreacres wishes to adopt 36 hours in a 12 month period that corresponds with the City's fiscal year (from October 1 to September 30) as the time limit on the amount of time that personnel of the City of Shoreacres are required to spend producing public information for inspection or duplication by a requestor, or providing copies of public information to a requestor, without recovering its costs attributable to that personnel time.

FURTHER RESOLVED, in determining whether a time limit established above applies, any time spent complying with a request for public information submitted in the name of a minor, as defined by Section 101.003(a), Family Code, is to be included in the calculation of the cumulative amount of time spent complying with a request for public information by a parent, guardian, or other person who has control of the minor under a court order and with whom the minor resides, unless that parent, guardian, or other person establishes that another person submitted that request in the name of the minor.

FURTHER RESOLVED, each time the City complies with a request for public information, the City shall provide the requestor with a written statement of the amount of personnel time spent complying with that request and the cumulative amount of time spent complying with requests for public information from that requestor during the applicable 12-month period. The amount of

time spent preparing the written statement may not be included in the amount of time included in the statement provided to the requestor.

FURTHER RESOLVED, if in connection with a request for public information, the cumulative amount of personnel time spent complying with requests for public information from the same requestor equals or exceeds the limit established by the City hereunder, the City shall provide the requestor with a written estimate of the total cost, including materials, personnel time, and overhead expenses, necessary to comply with the request. The written estimate must be provided to the requestor on or before the 10th day after the date on which the public information was requested. The amount of this charge relating to the cost of locating, compiling, and producing the public information shall be established by rules prescribed by the attorney general under Texas Government Code Sections 552.262(a) and (b).

FURTHER RESOLVED, if the City of Shoreacres determines that additional time is required to prepare the written estimate under Texas Government Code 552.275, subsection (e) and provides the requestor with a written statement of that determination, the City must provide the written statement under that subsection as soon as practicable, but on or before the 10th day after the date the City provided the statement under this subsection.

FURTHER RESOLVED, if a City provides a requestor with the written statement under this policy, the City is not required to produce public information for inspection or duplication or to provide copies of public information in response to the requestor's request unless on or before the 10th day after the date the City provided the written statement under that subsection of Texas Government Code Section 552.275, the requestor submits a statement in writing to the City in which the requestor commits to pay the lesser of:

- (1) the actual costs incurred in complying with the requestor's request, including the cost of materials and personnel time and overhead; or
- (2) the amount stated in the written statement provided hereunder.

FURTHER RESOLVED, if the requestor fails or refuses to submit the written statement hereunder, the requestor is considered to have withdrawn the requestor's pending request for public information.

FURTHER RESOLVED, this policy does not prohibit a City from providing a copy of public information without charge or at a reduced rate under Section 552.267 or from waiving a charge for providing a copy of public information under that section.

FURTHER RESOLVED, this policy does not apply if the requestor is an individual who, for a substantial portion of the individual's livelihood or for substantial financial gain, gathers, compiles, prepares, collects, photographs, records, writes, edits, reports, investigates, processes, or publishes news or information for and is seeking the information for:

- (1) a radio or television broadcast station that holds a broadcast license for an assigned frequency issued by the Federal Communications Commission;
- (2) a newspaper that is qualified under Section 2051.044 to publish legal notices or is a free newspaper of general circulation and that is published at least once a week and available and of interest to the general public in connection with the dissemination of news;

- (3) a newspaper of general circulation that is published on the Internet by a news medium engaged in the business of disseminating news or information to the general public; or
- (4) a magazine that is published at least once a week or on the Internet by a news medium engaged in the business of disseminating news or information to the general public.

FURTHER RESOLVED, this policy does not apply if the requestor is an elected official of the United States, this state, or a political subdivision of this state.

FURTHER RESOLVED, this policy does not apply if the requestor is a representative of a publicly funded legal services organization that is exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as amended, by being listed as an exempt entity under Section 501(c)(3) of that code.

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 resolution 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.

This Resolution is effective immediately following adoption by the City Council and signature by the Mayor.

PASSED AND APPROVED, this 10th day of March, 2014.

CITY OF SHOREACRES

(CITY SEAL)

By: _____
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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