

HUMBLE CITY COUNCIL PACKET
FEBRUARY 14, 2013 @ 6:30PM

HUMBLE CITY COUNCIL

AGENDA

FEBRUARY 14, 2013 - 6:30 P.M.

1. INVOCATION/PLEDGE OF ALLEGIANCE
2. MINUTES - JANUARY 10, 2013
3. FINANCIAL STATEMENT
4. CURRENT INVOICES
5. ORDINANCE NO. 13-713 CALLING CITY OF HUMBLE GENERAL ELECTION TO BE HELD MAY 11, 2013 FOR THE ELECTION OF MAYOR, COUNCILMEMBER PLACE NO. 1 AND COUNCILMEMBER PLACE NO. 2
6. RENTAL OF EQUIPMENT AND SALE OF SERVICES AGREEMENT WITH ES&S FOR GENERAL ELECTION TO BE HELD MAY 11, 2013
7. ORDINANCE NO. 13-714 CITY OF HUMBLE CODE OF ORDINANCES SECTION 12 BUILDING AND BUILDING REGULATIONS, ARTICLE VII, TOWERS, SECTION 12-328 DEED RESTRICTION TITLE REPORT; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO
8. ENGINEERING PROPOSAL WITH ARKK, L.L.C. FOR 2013 CONCRETE PAVEMENT IMPROVEMENTS PROJECT - AREA NORTH OF FIRST STREET BOUNDED BY CHARLES STREET, SEVENTH STREET, AND HOUSTON AVENUE; WEST MAIN, US 59 TO RAILROAD; CHARLES STREET, HIGGINS TO FIRST STREET; SOUTH MEMORIAL, MEMORIAL TO DEAD END; BENDER AT TOWNSHIP DRAINAGE IMPROVEMENTS; INTERCONTINENTAL VILLAGE WATER LINE REPLACEMENT; VARIOUS SIDEWALKS WITHIN THE COMMERCIAL AND SCHOOL AREAS - AND AUTHORIZATION TO ADVERTISE FOR BIDS
9. ENGINEERING PROPOSAL WITH ARKK, L.L.C. FOR 2013 ASPHALT PAVEMENT IMPROVEMENTS PROJECT - WILSON ROAD FROM WILL CLAYTON PARKWAY TO ATASCOCITA ROAD; WEST HIGGINS FROM US 59 TO RAILROAD AVENUE; NORTH RAILROAD AVENUE FROM HIGGINS TO FIRST STREET; AVENUE D SOUTH OF STAITTI; AVENUE H FROM MAIN TO GRANBERRY; GRANBERRY FROM AVENUE H TO HOUSTON AVENUE; GRACE LANE; WINDSWEPT FROM MONTGOMERY TO HCFCD DITCH; ANNE AVENUE FROM WINDSWEPT TO SHARON; J&L RANCLAND SIDE STREETS - AND AUTHORIZATION TO ADVERTISE FOR BIDS
10. HOUSTON PLATING - HUMBLE DEVELOPMENT PLAT, HOUSTON PLATING & COATINGS, L.L.P., 2622 WILSON ROAD, BUILDING "H"
11. APPOINTMENT OF SERGIO M. CORRALES AS CIVIC CENTER DIRECTOR
12. REQUEST TO PURCHASE PROPERTIES (0 BOWER STREET AND 0 WILLOW STREET) FOR PUBLIC WORKS DRAINAGE PROJECTS FOR ROAD IMPROVEMENTS
13. APPROVAL OF AMENDED CITY OF HUMBLE ORGANIZATIONAL CHART
14. CORRESPONDENCE: TML LEGISLATIVE UPDATE
15. REPORTS
 - A. MONTHLY DEPARTMENT REPORTS
 - B. POLICE DEPARTMENT ANNUAL DATA CAPTURE REPORT (CCP 2.134)
16. ADJOURNMENT

AGENDA ITEM # 2

MINUTES - JANUARY 10, 2013

CITY OF HUMBLE

MINUTES

REGULAR MEETING

JANUARY 10, 2013 - 6:30 P.M.

HELD AT CITY HALL, 114 WEST HIGGINS STREET, HUMBLE, TEXAS

MEMBERS PRESENT:

Mayor Donnie McMannes
Mayor Pro Tempore Merle Aaron
Councilmember Bill Conner
Councilmember Allen Lee
Councilmember Allan Steagall
City Manager Darrell Boeske
City Secretary Sue Daniel

EMPLOYEES PRESENT:

Finance Director Dixie Kellum
Chief Gary Outlaw
Chief Gary Warman
Assistant Chief Mike Legoudes
Assistant Director of Public Works Mark Arnold
Lieutenant Delbert Dawes
Chris Green, Police Department
Sergeant Perry Burkeen, Police Department
Teresa Ower, Employee Benefits

VISITORS PRESENT:

Juanita Steagall
Becky Robertson
Sharon Mittag
David Pierce
John Rudloff
Bebb Francis
Arliss Bentley
Ron Appleby
Kyle Irvine
Heath Rushing
Representatives of:

Linda Aaron
Ray Victor
Diane Pierce
Norman Funderburk
Tom Broad
Jimmy Taylor
Fran Morris
Katherine Irvine
Bob Roy
V-Twinn Services
Red Palate
The Artistic
CenterPoint Energy
CenturyLink
First United Methodist Church of Humble
Timberwood Middle School 8th Grade Cheer
Kingwood Park High School Silver Stars Dance Team
Key Realty

Mayor Donnie McMannes called the regular meeting of the Humble City Council to order at 6:30 p.m. with all members present except Councilmember Ray Calfee.

1. INVOCATION/PLEDGE OF ALLEGIANCE

Councilmember Merle Aaron gave the invocation and led the Pledge of Allegiance.

2. MINUTES - DECEMBER 13, 2012

Minutes of the council meeting held December 13, 2012 were presented to the mayor and councilmembers for approval. Councilmember Allen Lee moved to approve the minutes of December 13, 2012 as printed and circulated.

Ayes: Aaron, Conner, Lee, McMannes, Steagall
Nays: None
Motion Carried.

3. FINANCIAL STATEMENT

The financial statement for the month of December 2013 was presented to the mayor and councilmembers for approval. Councilmember Aaron moved to accept the financial statement.

Ayes: Aaron, Conner, Lee, McMannes, Steagall
Nays: None
Motion Carried.

4. CURRENT INVOICES

Invoices were presented to the mayor and councilmember for approval of payment.

Accounts Payable:

General Fund	\$ 801,491.30
W/S Operating Fund	243,288.68
Special Revenue Fund	7,780.11
Red Light Camera Fund	111,152.31
Beautification Committee Fund	3,033.35
C.O., Series 2005A	<u>3,530.00</u>
Total	\$ 1,170,275.75

Purchase Cards - November:

General Fund	\$ 56,945.98
W/S Operating Fund	28,188.21

Special Revenue Fund	2,485.16
Red Light Camera Fund	3,837.59
Beautification Committee Fund	<u>875.64</u>
Total	\$ 92,332.58

5. PRESENTATION OF AWARDS TO CHRISTMAS PARADE WINNERS AND CHRISTMAS LIGHTING CONTEST WINNERS

Sergeant Perry Burkeen, Chairperson of the City of Humble Beautification Committee, appeared before the mayor and councilmembers to present the awards to the winners of the Christmas Parade and the Lighting Contest. Sergeant Burkeen thanked the mayor, councilmembers and the city manager for their support for the 22nd annual Christmas Parade. He stated the parade was a success. He then thanked the parade marshals, the Floyd Burton family; the judges, Scott Brady, Lynette Calfee, Charles Cunningham; the emcees, Raymond Foster and David and Diane Pierce. He also thanked the banner bearers of Atascocita Middle School; the volunteers from the Citizens Police Academy and the committee members - Chris Green, Sharon Mittag, Margaret Jo Byron, Gwen Key, Arliss Bentley, Carolyn McCarty and Mona Garcia at City Hall. He then thanked the Public Works Department, the Fire Department and the Police Department's Traffic Division and Bike Patrol.

At this time Sgt. Burkeen, Sharon Mittag and Mayor McMannes gave plaques to the corporate sponsors: CenturyLink, Super Cuts, Key Realty, Red Door Realty, and Humble Football League. Next were presentations to the winners of the Christmas Lighting Contest:

Residential:

- 1st Place - Kyle and Katherine Irvine
- 2nd Place - Kent Sandefer
- 3rd Place - Melinda LeBlanc;

Business :

- 1st Place - V-Twinn Service
- 2nd Place - Red Palette Art Gallery
- 3rd Place - The Artistic

Sgt. Burkeen then began the presentation to the parade winners:

Float Category:

- | | |
|---------------------------------|---|
| Corporate/Franchise Business | CenterPoint Energy |
| Locally Owned Business Float | CenturyLink |
| Motor Vehicle Float | Super Cuts |
| Adult Community Org. Float | First United Methodist Church |
| Children's Community Org. Float | Community Performing Arts Center |
| School Float | Timberwood MS 8 th Grade Cheer |

Walking Category:

School Group

Children's Group

Adult Group

KW Park HS Silver Stars Dance Team

Community Performing Arts Center

Knights of Columbus 2517

Sgt. Burkeen then thanked the parade participants for their support of the parade.

6. PRESENTATION TO NORTHEAST HOSPITAL BOARD OF AUTHORITY

Mayor McMannes moved to present a \$100,000.00 donation to the Memorial Hermann Northeast Trauma Center from the City of Humble Red Light Camera Fund.

Ayes: Aaron, Conner, Lee, McMannes, Steagall

Nays: None

Motion Carried.

Northeast Hospital Board of Authority Member Norman Funderburk and Heath Rushing, COO OF Memorial Hermann Hospital Northeast were in attendance to receive the donation.

7. ORDINANCE NO. 13-712 AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES, "FIRE PREVENTION AND FIRE PROTECTION"; AMENDING, DEFINING AND PRESCRIBING THE POWERS AND DUTIES OF THE FIRE MARSHAL; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO

City Manager Darrell Boeske presented Ordinance No. 13-712 to the mayor and councilmembers for approval.

ORDINANCE NO. 13-712

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES, "FIRE PREVENTION AND FIRE PROTECTION"; AMENDING, DEFINING AND PRESCRIBING THE POWERS AND DUTIES OF THE FIRE MARSHAL; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO.

Councilmember Allan Steagall moved to approve Ordinance No. 13-712.

Ayes: Aaron, Conner, Lee, McMannes, Steagall

Nays: None

Motion Carried.

8. AWARD BID - WELL SITE NO. 6 ELEVATED TANK AND GROUND STORAGE TANK

REHABILITATION PROJECT

The City received and opened bids for the Well Site No. 6 Elevated Tank and Ground Storage Tank Rehabilitation on January 3, 2013.

Four bids were received:

<u>Bidder</u>	<u>Base Bid</u>	<u>Total Bid with All Add Alternates</u>
MK Painting	\$ 621,000.00	\$ 629,000.00
NG Painting	\$ 625,500.00	\$ 637,500.00
Blastco	\$ 713,500.00	\$ 721,500.00
Gulf States Coatings	\$ 725,500.00	\$ 765,500.00

The project engineer, ARKK Engineers, recommended awarding the contract to the low bidder, MK Painting, in the amount of \$ 629,000.00. Councilmember Lee moved to accept the low bid of \$ 629,000.00.

Ayes: Aaron, Conner, Lee, McMannes, Steagall

Nays: None

Motion Carried.

9. CHANGE ORDER NO. 2/FINAL - LIFT STATION AUXILIARY PUMPS

City Manager Boeske presented Change Order No. 2/Final for the Lift Station Auxiliary Pumps and recommended approval. He stated the change order is a decrease in the overall contracted amount by \$ 24,612.00 which brings the final contracted amount to \$ 357,888.00. The decrease amount reflects the final quantities that were not used in the project. Councilmember Bill Conner moved to approve item # 9.

Ayes: Aaron, Conner, Lee, McMannes, Steagall

Nays: None

Motion Carried.

10. LONGHORN STEAKHOUSE DEERBROOK DEVELOPMENT PLAT - A SUBDIVISION OF 1.309 ACRES OF LAND OUT OF BLOCK 5, RESERVE "M" OF DEERBROOK MALL

City Manager Boeske presented the Longhorn Steakhouse Deerbrook Development Plat and recommended approval. He stated the plat complies with all city requirements. Councilmember Aaron moved to accept the Longhorn Steakhouse Deerbrook Development Plat.

Ayes: Aaron, Conner, Lee, McMannes, Steagall

Nays: None

Motion Carried.

11. CELL TOWER APPLICATION - TRISTAR INVESTORS, INC. - REPLACEMENT OF EXISTING 150' COMMUNICATION SELF-SUPPORT TOWER WITH NEW 150' MONOPOLE TOWER - 600 NORTH HOUSTON AVENUE

City Manager Boeske asked the agenda item be deferred to a future date.

12. CORRESPONDENCE: TML LEGISLATIVE UPDATE

Mayor McMannes stated the correspondence was for information only.

13. ADJOURNMENT

There being no further business to transpire, Mayor McMannes moved the meeting be adjourned. Meeting Adjourned. 6:48 p.m.

D. G. McMannes
Mayor

ATTEST:

Sue Daniel
City Secretary

AGENDA ITEM # 3
FINANCIAL STATEMENT

City of Humble
Balance on Deposit, All Funds
For the Month of January 2013

General Fund:

Cash	\$ 1,985,424.02
Certificate of Deposit	6,695,851.80
Treasury Bills and Other Investments	9,165,218.22
Total	<u>17,846,494.04</u>

Water & Sewer Operating Fund:

Cash	3,423,166.82
Certificate of Deposit	1,712,399.84
Treasury Bills and Other Investments	1,197,244.43
Total	<u>6,332,811.09</u>

Sewer Plant Construction Fund:

Cash	444,896.80
Treasury Bills and Other Investments	-
Total	<u>444,896.80</u>

Certificates of Obligation, Series 2005 B Construction:

Cash	6,178.33
Treasury Bills and Other Investments	-
Total	<u>6,178.33</u>

Total All Funds:

Cash	5,859,665.97
Certificate of Deposit	8,408,251.64
Treasury Bills and Other Investments	10,362,462.65
Total	<u><u>\$ 24,630,380.26</u></u>

AGENDA ITEM # 4
CURRENT INVOICES

ACCOUNTS PAYABLE CHECKS

Date	General Fund	Water & Sewer Operating Fund	Special Revenue	Red Light Camera	Beautification	2005 A Const	TOTAL
1/10/2013	547,196.29	14,929.89	17,793.70	1,348.61	300.00		\$ 581,568.49
1/25/2013	321,806.38	121,799.09	12,135.36	55,007.70	550.00	50,555.04	\$ 561,853.57
2/7/2013	159,830.53	45,228.02	974.72	104,720.70	300.00		\$ 311,053.97
	\$ 1,028,833.20	\$ 181,957.00	\$ 30,903.78	\$ 161,077.01	\$ 1,150.00	\$ 50,555.04	\$ 1,454,476.03

DECEMBER PURCHASE CARDS

63,718.65	26,085.93	212.58	1,826.42	1,559.18			93,402.76
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Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
Cash Account: 01-1070-00-00					
95829	01/10/13	A-LINE AUTO PARTS #25	64.44	0	Regular
95830	01/10/13	ADT SECURITY SERVICES	136.47	0	Regular
95831	01/10/13	ALARM MONITORING SVCS-HOU	136.70	0	Regular
95832	01/10/13	ALLIED WASTE SERVICES #852	5,912.50	0	Regular
95833	01/10/13	ALWAYS IN SEASON INC	204.59	0	Regular
95834	01/10/13	AMERICAN LAFRANCE, LLC	154.91	0	Regular
95835	01/10/13	AMERICAN MESSAGING	316.14	0	Regular
95836	01/10/13	AMERICAN TIRE DISTRIBUTORS	430.04	0	Regular
95837	01/10/13	APPLIED CONCEPTS, INC.	1,884.61	0	Regular
95838	01/10/13	ASHBROOK SIMON HARTLEY	1,250.00	0	Regular
95839	01/10/13	AT&T MOBILITY	324.39	0	Regular
95840	01/10/13	BEST PUBLICATIONS LLP	254.15	0	Regular
95841	01/10/13	BWI-SCHULLENBURG	588.50	0	Regular
95842	01/10/13	C.W. DUNLAP TRUCKING INC	160.00	0	Regular
95843	01/10/13	CALDWELL COUNTRY CHEVROLET	97,361.00	0	Regular
95844	01/10/13	CAMPBELL CONCRETE & MATERIALS,	855.00	0	Regular
95845	01/10/13	CARRILLO'S LANDSCAPE	2,150.00	0	Regular
95846	01/10/13	CENTER FOR EDUCATION &	159.00	0	Regular
95847	01/10/13	CENTERPOINT ENERGY	1,021.77	0	Regular
95848	01/10/13	CHAMPIONSHIP PRINTING INC	1,043.10	0	Regular
95849	01/10/13	CHILDRENS ASSESSMENTCTR	1,100.00	0	Regular
95850	01/10/13	CLARK EQUIPMENT DBA BOBCAT CO	245.83	0	Regular
95851	01/10/13	COASTAL TANK & TESTING	395.00	0	Regular
95852	01/10/13	COMCAST BUSINESS SERVICES	1,470.01	0	Regular
95853	01/10/13	CONROE WELDING SUPPLY	168.10	0	Regular
95854	01/10/13	D L PETERSON TRUST	100.00	0	Regular
95855	01/10/13	DANIEL HERNANDEZ	100.00	0	Regular
95856	01/10/13	DATATEK BUSINESS FORMS	199.80	0	Regular
95857	01/10/13	DAZIE WILLIAMS	100.00	0	Regular
95858	01/10/13	DE LAGE LANDEN	1,345.13	0	Regular
95859	01/10/13	DESERT PUBLICATIONS INC	7,486.00	0	Regular
95860	01/10/13	DEX ONE	70.00	0	Regular
95861	01/10/13	DIPAK BHAKTA	250.00	0	Regular
95862	01/10/13	EASTEX ENVIRONMENTAL LAB, INC.	225.00	0	Regular
95863	01/10/13	EMPIRE, INC.	11,695.34	0	Regular
95864	01/10/13	EXCLUSIVE WINDOWS & DOORS	391.86	0	Regular
95865	01/10/13	FEDEX	18.81	0	Regular
95866	01/10/13	FIRESTONE	676.68	0	Regular
95867	01/10/13	FITTS ROBERTS & CO PC	32,496.45	0	Regular
95868	01/10/13	HARRIS COUNTY FIRE FIGHTERS	600.00	0	Regular
95869	01/10/13	HARRIS COUNTY TREASURER	19,233.28	0	Regular
95870	01/10/13	HENDRICKS POLYGRAPH INC	315.00	0	Regular
95871	01/10/13	HIGHER EXPECTATIONS CHURCH	250.00	0	Regular
95872	01/10/13	HOUSTON COMMUNITY NEWSPAPERS	692.20	0	Regular
95873	01/10/13	HUMBLE TOWING	350.00	0	Regular
95874	01/10/13	TOP SERVICES	47.75	0	Regular

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
95875	01/10/13	IOBAL SHAMSI	550.00	0	Regular
95876	01/10/13	JANIE TELLEZ	100.00	0	Regular
95877	01/10/13	JAVIER DUARTE	250.00	0	Regular
95878	01/10/13	JAY STORR PHOTOGRAPHY FILM & V	275.00	0	Regular
95879	01/10/13	JENNIFER JOHNSON	250.00	0	Regular
95880	01/10/13	JOSE ALCARAZ	100.00	0	Regular
95881	01/10/13	KIDS ARE KIDS	250.00	0	Regular
95882	01/10/13	LAKE HOUSTON AREA	800.00	0	Regular
95883	01/10/13	LINCOLN NATIONAL LIFE INS CO	243.00	0	Regular
95884	01/10/13	LINCOLN NATIONAL LIFE INS CO	1,841.43	0	Regular
95885	01/10/13	LINDA HOUSTON	100.00	0	Regular
95886	01/10/13	LINDSEY'S OFFICE FURNITURE	4,000.00	0	Regular
95887	01/10/13	LISA GRISBY	100.00	0	Regular
95888	01/10/13	MAILFINANCE	248.86	0	Regular
95889	01/10/13	MAINTENANCE OF HOUSTON, INC.	1,268.00	0	Regular
95890	01/10/13	MARIA GARZA	100.00	0	Regular
95891	01/10/13	MARILYN KOEHLER	150.00	0	Regular
95892	01/10/13	MBM FINANCIAL INTERESTS LP	265.42	0	Regular
95893	01/10/13	MCDONALD'S	649.27	0	Regular
95894	01/10/13	MHHS NORTHEAST HOSPITAL	661.00	0	Regular
95895	01/10/13	NAPCO CHEMICAL CO INC	434.00	0	Regular
95896	01/10/13	NAVSUPWARCENDIV CRANE	600.00	0	Regular
95897	01/10/13	NEEMA MODI	250.00	0	Regular
95898	01/10/13	NET SALES DIRECT	21,739.25	0	Regular
95899	01/10/13	PHYSIO-CONTROL, INC	2,042.30	0	Regular
95900	01/10/13	PLANET FORD	2,325.84	0	Regular
95901	01/10/13	PLANET FORD	1,877.93	0	Regular
95902	01/10/13	PLATINUM COFFEE SERVICE INC	711.40	0	Regular
95903	01/10/13	PLATINUM COPIER SOLUTIONS	184.86	0	Regular
95904	01/10/13	PORTER READY MIX	637.50	0	Regular
95905	01/10/13	PORTER STABILIZED MATERIALS	161.90	0	Regular
95906	01/10/13	RAMONA GARCIA	100.00	0	Regular
95907	01/10/13	RENEE BRADFORD	100.00	0	Regular
95908	01/10/13	SAM'S CLUB DIRECT	3,361.68	0	Regular
95909	01/10/13	SEAMLESS SOLUTIONS	239.00	0	Regular
95910	01/10/13	SEAMLESS SOLUTIONS, INC.	430.13	0	Regular
95911	01/10/13	SIMPLEXGRINWELL	38.83	0	Regular
95912	01/10/13	SOPHIA BURNS	100.00	0	Regular
95913	01/10/13	SOUTHWEST SIGNAL SUPPLY	944.75	0	Regular
95914	01/10/13	STATE COMPTROLLER	698.48	0	Regular
95915	01/10/13	STATE COMPTROLLER	100.00	0	Regular
95916	01/10/13	STERICYCLE INC	58.77	0	Regular
95917	01/10/13	STRYKER SALES CORPORATION	105,940.00	0	Regular
95918	01/10/13	SUN COAST RESOURCES INC	19,159.38	0	Regular
95919	01/10/13	TEXAS DEPARTMENT OF LICENSING	100.00	0	Regular
95920	01/10/13	TML INTERGOVERNMENTAL RISK	95,898.50	0	Regular
95921	01/10/13	TRIPLE D UNIFORM RENTAL	2,289.40	0	Regular

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
95922	01/10/13	TX COMM ENVIRONMENTAL QUALITY	300.00	0	Regular
95923	01/10/13	UPENDRA PATEL	250.00	0	Regular
95924	01/10/13	VERIZON WIRELESS	21.88	0	Regular
95925	01/10/13	WASTE MANAGEMENT	544.12	0	Regular
95926	01/10/13	XEROX CORPORATION	290.42	0	Regular
95927	01/10/13	JEANNE H MCDONALD, PC	7,233.49	0	Regular
95928	01/15/13	CLINT STAGGS	773.15	0	Quick Check
95929	01/17/13	HUMBLE HIGH SCHOOL	5,000.00	0	Quick Check
95930	01/17/13	NORTHEAST HOSPITAL FOUNDATION	100,000.00	0	Quick Check

Check totals: 581,568.49
 ACH totals:
 EFTPS totals:
 Wire transfer totals:
 GRAND TOTALS 581,568.49

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
Cash Account: 01-1070-00-00					
95931	01/25/13	A-LINE AUTO PARTS #25	1,253.54	0	Regular
95932	01/25/13	AFLAC	2,111.68	0	Regular
95933	01/25/13	AHC DEERBROOK FOREST, LP	2,540.30	0	Regular
95934	01/25/13	AHC DEERBROOK FOREST, LP	2,728.49	0	Regular
95935	01/25/13	AMERICAN TIRE DISTRIBUTORS	670.72	0	Regular
95936	01/25/13	AMERICAN TRAFFIC SOLUTIONS INC	55,007.70	0	Regular
95937	01/25/13	ANTONIO GOMEZ-RENTERIA	40.00	0	Regular
95938	01/25/13	AQUA-METRIC SALES, CO.	3,960.49	0	Regular
95939	01/25/13	ARKK ENGINEERS	20,827.19	0	Regular
95940	01/25/13	ARTHOR ALLAN BELL OR	2,900.26	0	Regular
95941	01/25/13	AT&T	12.00	0	Regular
95942	01/25/13	AT&T SUBPOENA CENTER	40.00	0	Regular
95943	01/25/13	AUDREY HADNOT	100.00	0	Regular
95944	01/25/13	AUTO ZONE	358.39	0	Regular
95945	01/25/13	B DEPENDABLE PLUMBING INC	425.00	0	Regular
95946	01/25/13	BEATRIZ AVILA	100.00	0	Regular
95947	01/25/13	BERTHA ANGELICA VILLA	40.00	0	Regular
95948	01/25/13	BILLI DAVENPORT dba SAFETY FIR	375.00	0	Regular
95949	01/25/13	BPCCA	250.00	0	Regular
95950	01/25/13	BRENDA GIESEKE	900.00	0	Regular
95951	01/25/13	BROOKFIELD US REAL ESTATE	264.89	0	Regular
95952	01/25/13	CALDWELL COUNTRY CHEVROLET	20,454.00	0	Regular
95953	01/25/13	CAMPBELL CONCRETE & MATERIALS,	772.00	0	Regular
95954	01/25/13	CANON FINANCIAL SERVICES INC	675.17	0	Regular
95955	01/25/13	CECIL BURROUGHS	6.00	0	Regular
95956	01/25/13	CENTURY ASPHALT	140.00	0	Regular
95957	01/25/13	CENTURY LINK	1,405.97	0	Regular
95958	01/25/13	CHAMPIONSHIP PRINTING INC	302.66	0	Regular
95959	01/25/13	CHIPOTLE MEXICAN GRILL	1,500.00	0	Regular
95960	01/25/13	CHLORINATOR MAINTENANCE CONST	934.27	0	Regular
95961	01/25/13	CIGNA HEALTHCARE	217,725.15	0	Regular
95962	01/25/13	CITY OF HOUSTON	78,656.20	0	Regular
95963	01/25/13	CITY OF HOUSTON HEALTH DEPT.	247.50	0	Regular
95964	01/25/13	COLONIAL LIFE & ACCIDENT	1,606.54	0	Regular
95965	01/25/13	COMCAST BUSINESS SERVICES	846.37	0	Regular
95966	01/25/13	COMCAST SPOTLIGHT INC	4,098.70	0	Regular
95967	01/25/13	CONFIDENTIAL RESEARCH	15.00	0	Regular
95968	01/25/13	CONROE WELDING SUPPLY	10.05	0	Regular
95969	01/25/13	CONSUELO CHAMBERS	100.00	0	Regular
95970	01/25/13	COPECO INC dba SEAMLESS SOLUTI	94.90	0	Regular
95971	01/25/13	CSG INTERNATIONAL	2,441.26	0	Regular
95972	01/25/13	DANNY LEE	100.00	0	Regular
95973	01/25/13	DAVID CORONADO-ROMERO	40.00	0	Regular
95974	01/25/13	DE LAGE LANDEN	1,652.88	0	Regular
95975	01/25/13	DEERBROOK MOVIE TAVERN	1,125.00	0	Regular
95976	01/25/13	DEL CARMEN CONSULTING LLC	2,300.00	0	Regular

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
95977	01/25/13	DEPARTMENT OF STATE HEALTH SRV	205.41	0	Regular
95978	01/25/13	DERBY DRYWALL INC	6,164.00	0	Regular
95979	01/25/13	DEX ONE	97.50	0	Regular
95980	01/25/13	DOUGLAS B WILKERSON	6.00	0	Regular
95881	01/25/13	EASTEX ENVIRONMENTAL LAB, INC.	1,997.00	0	Regular
95982	01/25/13	ELECTRICAL FIELD SERVICES	3,766.56	0	Regular
95983	01/25/13	EMPIRE, INC.	8,886.00	0	Regular
95984	01/25/13	ENGLHEHARDT, JOHN	25.98	0	Regular
95985	01/25/13	ENRI HERNANDEZ-COLOGNA	250.00	0	Regular
95986	01/25/13	FBI-LEEDA	50.00	0	Regular
95987	01/25/13	FERNANDO YEPEZ	6.00	0	Regular
95988	01/25/13	FRANCISCO ZARATE MENDOZA	50.00	0	Regular
95989	01/25/13	GAMEZ, MIRZA	5.78	0	Regular
95990	01/25/13	GARCIA, DELIA	61.45	0	Regular
95991	01/25/13	GRADY'S POOL SERVICE	560.00	0	Regular
95992	01/25/13	GREY, KATHY	78.29	0	Regular
95993	01/25/13	GUITIERREZ, BYRON	50.27	0	Regular
95994	01/25/13	HARRIS COUNTY TREASURER	163.60	0	Regular
95995	01/25/13	HDR INC	35,788.75	0	Regular
95996	01/25/13	HECTOR FEDERICO	40.00	0	Regular
95997	01/25/13	HENDRICKS POLYGRAPH INC	1,600.00	0	Regular
95998	01/25/13	HUMBLE FIRE FIGHTER DUES	497.50	0	Regular
95999	01/25/13	HUMBLE POLICE ASSOCIATION	226.66	0	Regular
96000	01/25/13	HUMBLE TROPHY SHOP	550.00	0	Regular
96001	01/25/13	I C JANITORIAL SUPPLY	611.25	0	Regular
96002	01/25/13	IMMIX TECHNOLOGY INC	481.92	0	Regular
96003	01/25/13	ISAIAS GERARDO MARTINEZ	220.00	0	Regular
96004	01/25/13	IVORY, LACHELLE	55.13	0	Regular
96005	01/25/13	J.A. YOUR CLEANING SERVICE	3,531.64	0	Regular
96006	01/25/13	JEFFREY KYLE CHAUNCEY	14.50	0	Regular
96007	01/25/13	JERRILYN CHRISTIAN	1,063.96	0	Regular
96008	01/25/13	JOE'S CRAB SHACK	1,050.00	0	Regular
96009	01/25/13	KENNETH CHRISTOPHER STRATTON	150.00	0	Regular
96010	01/25/13	LAKE HOUSTON AREA	50.00	0	Regular
96011	01/25/13	LAKE HOUSTON FAMILY YMCA	480.00	0	Regular
96012	01/25/13	LANGUAGE LINE SERVICES	13.99	0	Regular
96013	01/25/13	LIMBO, JOEY	23.22	0	Regular
96014	01/25/13	LLOYD R LONG	6.00	0	Regular
96015	01/25/13	M & S ELECTRIC	1,874.00	0	Regular
96016	01/25/13	MACK ANDERSON	100.00	0	Regular
96017	01/25/13	MAGNA FLOW ENVIRONMENTAL INC	2,288.66	0	Regular
96018	01/25/13	MAINTENANCE OF HOUSTON, INC.	343.45	0	Regular
96019	01/25/13	MARGARET FRANKLIN	1,000.00	0	Regular
96020	01/25/13	MARK OF EXCELLENCE CAR CARE	50.00	0	Regular
96021	01/25/13	MARY C SULLIVAN	6.00	0	Regular
96022	01/25/13	MELISSA GARCIA	250.00	0	Regular
96023	01/25/13	MONITRONICS	235.80	0	Regular

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
96024	01/25/13	NANCY BOBCOCK	100.00	0	Regular
96025	01/25/13	NAPCO CHEMICAL CO INC	152.25	0	Regular
96026	01/25/13	NET SALES DIRECT	1,896.30	0	Regular
96027	01/25/13	OFFICE DEPOT	147.51	0	Regular
96028	01/25/13	OLSON & OLSON	6,394.50	0	Regular
96029	01/25/13	PATTON, LESLEY	58.94	0	Regular
96030	01/25/13	PEREZ, CARMEN	91.88	0	Regular
96031	01/25/13	PLANET FORD	2,266.58	0	Regular
96032	01/25/13	PLATINUM COFFEE SERVICE INC	926.70	0	Regular
96033	01/25/13	PLATINUM COPIER SOLUTIONS	60.81	0	Regular
96034	01/25/13	POOLSURE/MID-CO	44.47	0	Regular
96035	01/25/13	RAINBOW PEST CONTROL	509.00	0	Regular
96036	01/25/13	REAGAN QUALITY LIGHTING	1,323.00	0	Regular
96037	01/25/13	REBECCA FLORES	1,500.00	0	Regular
96038	01/25/13	ROBBINS CHEVROLET	436.13	0	Regular
96039	01/25/13	ROCHA, JUAN P	16.79	0	Regular
96040	01/25/13	RONNIE HUNTER	6.00	0	Regular
96041	01/25/13	ROSSONIAN CLEANERS	1,292.00	0	Regular
96042	01/25/13	ROZCO CONTRACTING, INC	536.50	0	Regular
96043	01/25/13	S.I.E.S.	4,840.00	0	Regular
96044	01/25/13	SEGURA, MARY JANE	52.94	0	Regular
96045	01/25/13	SERGIO CORRALES	1,830.00	0	Regular
96046	01/25/13	SERGIO GRANADOS	2,000.00	0	Regular
96047	01/25/13	SHELLA A THORNTON	1,066.37	0	Regular
96048	01/25/13	SHINER CLEANING INC	450.00	0	Regular
96049	01/25/13	SOUTHWEST SIGNAL SUPPLY	1,556.25	0	Regular
96050	01/25/13	TEXAS CRIMINAL JUSTICE	35.00	0	Regular
96051	01/25/13	TEXAS CRIMINAL JUSTICE	35.00	0	Regular
96052	01/25/13	TEXAS DEPT OF AGRICULTURE	36.00	0	Regular
96053	01/25/13	TEXAS MUNICIPAL LEAGUE	2,629.00	0	Regular
96054	01/25/13	THE KEEP ON TRUCKING CO., INC.	113.68	0	Regular
96055	01/25/13	TRENT JOSEPH HEMPHILL	150.00	0	Regular
96056	01/25/13	TX COMM ENVIRONMENTAL QUALITY	333.00	0	Regular
96057	01/25/13	TX LIFE WARRIORS	250.00	0	Regular
96058	01/25/13	TYCO INTEGRATED SECURITY LLC	707.51	0	Regular
96059	01/25/13	US HEALTH WORKS MEDICAL GROUP	245.00	0	Regular
96060	01/25/13	VERIZON WIRELESS	2,120.88	0	Regular
96061	01/25/13	VESTA HAMMONDS	828.33	0	Regular
96062	01/25/13	VIPER PRODUCTS & SERVICES LLC	1,790.00	0	Regular
96063	01/25/13	WAHLBERG-MCCREARY, INC	20.70	0	Regular
96064	01/25/13	WASTE MANAGEMENT	3,069.12	0	Regular
96065	01/25/13	WELLS FARGO FINANCIAL LEASING	315.00	0	Regular
96066	01/25/13	WEST PAYMENT CENTER	106.50	0	Regular
96067	01/25/13	WESTWIND BLDG CO	60.20	0	Regular
96068	01/25/13	WRIGHT, KATHERINE	41.08	0	Regular
96069	01/25/13	XYLEM DEWATERING SOLUTIONS INC	775.11	0	Regular
96070	01/25/13	YELLOW BOOK WEST	246.50	0	Regular

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
96071	01/25/13	YP	156.50	0	Regular
96072	01/25/13	ZIO'S	365.00	0	Regular
96073	01/28/13	BIO-AQUATIC TESTING INC	1,800.00	0	Regular
96074	01/28/13	MDN ENTERPRISES	2,448.00	0	Regular
96075	01/28/13	NOVUS WOOD GROUP	6,450.00	0	Regular
Check totals:			561,853.57		
ACH totals:					
EFTPS totals:					
Wire transfer totals:					
GRAND TOTALS			561,853.57		

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
Cash Account: 01-1070-00-00					
96077	02/07/13	A-LINE AUTO PARTS #25	159.56	0	Regular
96078	02/07/13	ALARM MONITORING SVCS-HOU	136.70	0	Regular
96079	02/07/13	ALLIED WASTE SERVICES #852	4,551.32	0	Regular
96080	02/07/13	ALPHA OMEGA PLUMBING REPAIR	310.00	0	Regular
96081	02/07/13	ALWAYS IN SEASON INC	204.59	0	Regular
96082	02/07/13	AMERICAN FIDELITY	952.00	0	Regular
96083	02/07/13	AMERICAN FIDELITY ASSURANCE	95.16	0	Regular
96084	02/07/13	AMERICAN MESSAGING	316.14	0	Regular
96085	02/07/13	AMERICAN TIRE DISTRIBUTORS	125.06	0	Regular
96086	02/07/13	AMERICAN TRAFFIC SOLUTIONS INC	57,020.70	0	Regular
96087	02/07/13	AQUA-METRIC SALES, CO.	12,711.21	0	Regular
96088	02/07/13	ARTHOR ALLAN BELL OR	1,371.33	0	Regular
96089	02/07/13	ASHLEY SONNIER	100.00	0	Regular
96090	02/07/13	AT&T MOBILITY	5,462.10	0	Regular
96091	02/07/13	BEST PUBLICATIONS LLP	254.15	0	Regular
96092	02/07/13	BOEKER'S HUMBLE ICE	180.00	0	Regular
96093	02/07/13	BOUND TREE MEDICAL LLC	3,647.04	0	Regular
96094	02/07/13	BRIAN D MAY	17.45	0	Regular
96095	02/07/13	BMI-SCHULENBURG	1,271.97	0	Regular
96096	02/07/13	CANON FINANCIAL SERVICES INC	675.17	0	Regular
96097	02/07/13	CARRILLO'S LANDSCAPE	2,400.00	0	Regular
96098	02/07/13	CBM ARCHIVES CO., LLC	175.00	0	Regular
96099	02/07/13	CECILIA RUIZ	250.00	0	Regular
96100	02/07/13	CENTERPOINT ENERGY	2,954.52	0	Regular
96101	02/07/13	CENTURY ASPHALT	298.20	0	Regular
96102	02/07/13	CHARISSA PRICE	87.36	0	Regular
96103	02/07/13	CHLORINATOR MAINTENANCE CONST	1,495.00	0	Regular
96104	02/07/13	COBAN TECHNOLOGIES INC	2,700.00	0	Regular
96105	02/07/13	COBAN TECHNOLOGIES INC	47,625.00	0	Regular
96106	02/07/13	COMCAST BUSINESS SERVICES	1,577.96	0	Regular
96107	02/07/13	COMMERCIAL WIRELESS SOLUTION	338.75	0	Regular
96108	02/07/13	CONCRETE RAISING CORP	6,767.95	0	Regular
96109	02/07/13	CONFIDENTIAL RESEARCH	30.00	0	Regular
96110	02/07/13	CONROE WELDING SUPPLY	211.22	0	Regular
96111	02/07/13	CONSOLIDATED TRAFFIC CONTROLS	570.00	0	Regular
96112	02/07/13	COOL TECH REFRIGERATION INC	181.00	0	Regular
96113	02/07/13	COPECO INC dba SEAMLESS SOLUTTI	320.69	0	Regular
96114	02/07/13	COX CPA SERVICES INC	300.00	0	Regular
96115	02/07/13	DANIELS, DOROTHY J	42.14	0	Regular
96116	02/07/13	DATATEK BUSINESS FORMS	49.95	0	Regular
96117	02/07/13	ELECTRICAL FIELD SERVICES	7,739.83	0	Regular
96118	02/07/13	EMPIRE, INC.	2,553.23	0	Regular
96119	02/07/13	FERNANDO SILVA	600.00	0	Regular
96120	02/07/13	FIRESTONE	437.80	0	Regular
96121	02/07/13	FITTS ROBERTS & CO PC	47,384.08	0	Regular
96122	02/07/13	GATES IN MOTION INC	240.00	0	Regular

Check Number	Check Date	Vendor Name	Net Check Amount	Check Status	Check Type
96170	02/07/13	WAHLBERG-MCCREARY, INC	66.75	0	Regular
96171	02/07/13	WASTE MANAGEMENT	542.89	0	Regular
96172	02/07/13	XEROX CORPORATION	288.57	0	Regular
96173	02/07/13	XYLEM DEWATERING SOLUTIONS INC	545.00	0	Regular
96174	02/07/13	ZOLL DATA SYSTEMS	2,515.63	0	Regular
96175	02/07/13	A-LINE AUTO PARTS #25	696.74	0	Regular
96176	02/07/13	GATES IN MOTION INC	295.00	0	Regular
96177	02/08/13	STANDARD INSURANCE COMPANY	6,518.34	0	Regular

Check totals:
 ACH totals:
 EFTPS totals:
 Wire transfer totals:
 GRAND TOTALS

311,053.97
 311,053.97
 311,053.97

Alexander, Joe	12/21/2012	12/24/2012	Beasley Tire Service-K	Kingwood, TX	650
Allbright, Garrett	12/30/2013	12/31/2013	Oreilly Auto 00004192	Humble, TX	8.98
Arnold, Mark	12/14/2012	12/17/2012	Car Toyshumble	Humble, TX	969.98
Arnold, Mark	12/14/2012	12/17/2012	Car Toyshumble	Humble, TX	584.99
Arnold, Mark	12/14/2012	12/17/2012	Sign Mart Of Humble	Humble, TX	350
					1904.97
Barrere, Matthew	12/12/2012	12/14/2012	Dshs Regulatory Prog	512-458-7111, TX	96
Bascus, Marcus	12/4/2012	12/5/2012	Sonic Drive In #1140	Katy, TX	7.67
Blanchard, Jackie	12/20/2012	12/20/2012	Burger King #365 Q07	Houston, TX	5.39
Blanchard, Jackie	12/10/2012	12/11/2012	Coh Parking Meter Comm	Houston, TX	5
					10.39
Boeske, W	12/21/2012	12/24/2012	Shell Oil 575433192qps	Humble, TX	13
Boeske, W	12/21/2012	12/24/2012	Mister Car Wash 9 Qps	Humble, TX	27.99
Boeske, W	12/12/2012	12/13/2012	American Screen Graphi	Kingwood, TX	186.5
Boeske, W	12/7/2012	12/10/2012	Texas Municipal League	512-231-7400, TX	245
Boeske, W	12/7/2012	12/10/2012	Humble Isd Education F	Humble, TX	300
Boeske, W	12/4/2012	12/5/2012	Gaylord Texan Front De	Grapevine, TX	1266.69
Boeske, W	12/1/2012	12/3/2012	Www.Logmein.Com	888-326-2642, MA	58.58
					2097.76
Brameld, Tia	12/11/2012	12/12/2012	Paypal Rogellocarna	4029357733, CA	199
Brameld, Tia	12/11/2012	12/13/2012	Paypal Rogellocarna	4029357733, CA	199
Brameld, Tia	12/4/2012	12/6/2012	Lexisnexis Risk Mgt	08883328244, FL	50
Brameld, Tia	12/4/2012	12/5/2012	Minuteman Press	Humble, TX	218.75
Brameld, Tia	12/2/2012	12/3/2012	Ds Waters Standard Cof	Mableton, GA	77.69
					744.44
Brock, Barry	12/7/2012	12/10/2012	Flying Saucer Pie Comp	Houston, TX	532.75
Brock, Barry	12/4/2012	12/5/2012	Best Buy 00002550	Humble, TX	138.96
Brock, Barry	12/4/2012	12/6/2012	A&T K909 7322	Humble, TX	1327.48
Brock, Barry	12/4/2012	12/6/2012	A&T K909 7322	Humble, TX	222.25
					2221.44
Burkeen, Perry	12/27/2012	12/28/2012	Sportif Cat-Wfrnt/Aven	800-776-7843, NV	-9.65
Burkeen, Perry	12/3/2012	12/4/2012	Jen Www.Jensonusa.Com	800-577-8720, CA	118.87
					109.22
Campbell, Jason	12/11/2012	12/11/2012	Dx Service	281-457-4825, TX	1494.16

Campbell, Jason	12/11/2012	12/12/2012	Iws Gas Sply Of Tx Hum	Humble, TX	283.45
Campbell, Jason	12/11/2012	12/12/2012	Iws Gas Sply Of Tx Hum	Humble, TX	-56
Campbell, Jason	12/3/2012	12/4/2012	Iws Gas Sply Of Tx Hum	Humble, TX	<u>370.64</u>
					2092.25
Cantu, Stephen	12/20/2012	12/21/2012	Lehighoutfilters Com	740-7539100, OH	123.24
Cantu, Stephen	12/18/2012	12/19/2012	Ferrara Fire Apparatus	Holden, LA	304.7
Cantu, Stephen	12/4/2012	12/5/2012	Oreilly Auto 00004192	Humble, TX	<u>4.99</u>
					432.93
Chambers, Vera	12/23/2012	12/24/2012	Comcast Of Houston	713-341-1000, TX	8.57
Chambers, Vera	12/18/2012	12/19/2012	Minuteman Press	Humble, TX	96
Chambers, Vera	12/14/2012	12/17/2012	Walgreens #9601	Humble, TX	31.96
Chambers, Vera	12/14/2012	12/17/2012	Gurdy'S Express Wash L	Humble, TX	12
Chambers, Vera	12/12/2012	12/14/2012	Publicdata.Com	800-839-7245, TX	75
Chambers, Vera	12/3/2012	12/5/2012	Texas Environmental He	903-572-7278, TX	<u>30</u>
					253.53
Coats, Carolyn	12/12/2012	12/13/2012	Minuteman Press	Humble, TX	415.73
Coats, Carolyn	12/10/2012	12/11/2012	Kroger #388	Houston, TX	18.98
Coats, Carolyn	12/3/2012	12/4/2012	Kroger #388	Houston, TX	<u>74.06</u>
					508.77
Coombs, Clint	12/28/2012	12/31/2013	Iws Gas Sply Of Tx Hum	Humble, TX	73
Coombs, Clint	12/27/2012	12/31/2013	The Home Depot 576	Humble, TX	6.44
Coombs, Clint	12/26/2012	12/28/2012	Northern Tool Equip Tx	Houston, TX	29.99
Coombs, Clint	12/14/2012	12/17/2012	Port City Fasteners LI	Humble, TX	22.8
Coombs, Clint	12/5/2012	12/7/2012	The Home Depot 576	Humble, TX	65.55
Coombs, Clint	12/5/2012	12/7/2012	M D N Enterprises	New Caney, TX	400
Coombs, Clint	12/4/2012	12/5/2012	Nor Northern Tool	800-222-5381, MN	149.99
Coombs, Clint	12/4/2012	12/5/2012	Triples Steel Holdin	Houston, TX	<u>483.87</u>
					1231.64
Corrales, Sergio	12/26/2012	12/27/2012	Radioshack 00182758	Humble, TX	38.99
Corrales, Sergio	12/18/2012	12/20/2012	The Home Depot 576	Humble, TX	59.65
Corrales, Sergio	12/6/2012	12/10/2012	The Home Depot 576	Humble, TX	9.34
Corrales, Sergio	12/6/2012	12/10/2012	The Home Depot 576	Humble, TX	<u>4.98</u>
					112.96
Cuellar, Angel	12/4/2012	12/6/2012	Dirt Cheap Mulch Compa	Humble, TX	60
Cuellar, Angel	11/29/2012	12/3/2012	The Home Depot 576	Humble, TX	<u>11.68</u>
					71.68
Culp, Joseph	12/11/2012	12/12/2012	Ryans Express Dry Clea	Humble, TX	19.69

Culp, Joseph	12/1/2012	12/3/2012	Amazon Mktplace Pmts	Amzn,Com/Bill, WA	45.32
					65.01
Daniel, Stella	12/19/2012	12/24/2012	Tf Flowers Of Kingwo	281-3601364, TX	84.95
Daniel, Stella	12/11/2012	12/12/2012	Texas Municipal League	512-231-7400, TX	1470
					1554.95
Davis, Ray	12/13/2012	12/17/2012	Astro Lock And Safe	Humble, TX	14.5
Fillmore, Steve	12/27/2012	12/31/2013	Ks Motorsports	Humble, TX	282
Fillmore, Steve	12/19/2012	12/21/2012	Sign Mart Of Humble	Humble, TX	60
Fillmore, Steve	12/12/2012	12/14/2012	The Home Depot 576	Humble, TX	14.91
					356.91
Fleming, William	12/15/2012	12/18/2012	Advance Auto Parts 809	Humble, TX	6.59
Fleming, William	12/15/2012	12/18/2012	Advance Auto Parts 809	Humble, TX	-6.59
					0
Flores, Teodilo	12/17/2012	12/19/2012	The Home Depot 576	Humble, TX	113.8
Flores, Teodilo	12/11/2012	12/13/2012	Sears Roebuck 1417	Humble, TX	170.91
Flores, Teodilo	12/7/2012	12/7/2012	Randall Reeds Planet F	Humble, TX	101.75
					386.46
Forbes, Steve	12/12/2012	12/14/2012	Sportsmans Outlet	Humble, TX	36.98
Franks, Joe	12/17/2012	12/18/2012	Office Depot #262	Humble, TX	144.95
Franks, Joe	12/17/2012	12/18/2012	Office Depot #262	Humble, TX	36.42
Franks, Joe	12/14/2012	12/17/2012	Office Depot #262	Humble, TX	84.44
					265.81
Ganyo, Mark	12/21/2012	12/24/2012	Bound Tree Medical Lic	Tel6147605227, OH	185.03
Ganyo, Mark	12/21/2012	12/24/2012	Bound Tree Medical Lic	Tel6147605227, OH	284.26
Ganyo, Mark	12/12/2012	12/14/2012	Bound Tree Medical Lic	Tel6147605227, OH	935.45
Ganyo, Mark	12/6/2012	12/10/2012	Bound Tree Medical Lic	Tel6147605227, OH	137.31
Ganyo, Mark	12/6/2012	12/10/2012	Bound Tree Medical Lic	Tel6147605227, OH	142.2
Ganyo, Mark	12/6/2012	12/10/2012	Bound Tree Medical Lic	Tel6147605227, OH	338.7
Ganyo, Mark	12/4/2012	12/6/2012	Bound Tree Medical Lic	Tel6147605227, OH	811.6
Ganyo, Mark	11/30/2012	12/3/2012	Bound Tree Medical Lic	Tel6147605227, OH	993.04
					3827.59
Gill, Patricia	12/19/2012	12/21/2012	Great Southwest Paper	713-2235050, TX	194.44
Gill, Patricia	12/13/2012	12/17/2012	Great Southwest Paper	713-2235050, TX	586.75
					781.19

Gonzalez, Victor	12/3/2012	12/4/2012	Kohl'S #1236	Humble, TX	89.21
Green, Christine	12/18/2012	12/19/2012	Kroger #388	Houston, TX	59.88
Green, Christine	12/18/2012	12/20/2012	Wm Supercenter#0744	Humble, TX	30
Green, Christine	12/12/2012	12/14/2012	Golf Cars Of Houston L	Humble, TX	440
Green, Christine	12/1/2012	12/3/2012	Target 00023895	Atascocita, TX	<u>15.5</u>
					545.38
Hawkins, Fred	12/3/2012	12/5/2012	The Home Depot 576	Humble, TX	176.01
Hosler, Thomas	12/27/2012	12/31/2013	Golf Cars Of Conroe	Conroe, TX	144.1
Hosler, Thomas	12/21/2012	12/24/2012	Golf Cars Of Conroe	Conroe, TX	63.79
Hosler, Thomas	12/20/2012	12/21/2012	Waukesha-Pearce Housto	Houston, TX	1472.06
Hosler, Thomas	12/18/2012	12/20/2012	American Patriot Indus	Waller, TX	440.79
Hosler, Thomas	12/13/2012	12/17/2012	The Home Depot 576	Humble, TX	99
Hosler, Thomas	12/12/2012	12/13/2012	W W Grainger 916	877-2022594, IL	686.85
Hosler, Thomas	12/11/2012	12/13/2012	Texas Towers	972-4227306, TX	5258.85
Hosler, Thomas	12/11/2012	12/12/2012	Sun Coast Resources	Houston, TX	-440.81
Hosler, Thomas	12/6/2012	12/7/2012	Sip Stateindustrial Us	800-321-8180, OH	632.68
Hosler, Thomas	12/6/2012	12/7/2012	Competitive Choice Inc	Houston, TX	331
Hosler, Thomas	12/4/2012	12/5/2012	Lowes #00750	Kingwood, TX	817.58
Hosler, Thomas	12/4/2012	12/6/2012	The Home Depot 576	Humble, TX	28.75
Hosler, Thomas	11/30/2012	12/3/2012	W W Grainger 916	877-2022594, IL	202
					9736.64
Hottman, Adam	12/30/2013	12/31/2013	Worldpoint Ecc	Whealing, IL	295.85
Hoyt Jr, Garry	12/19/2012	12/21/2012	Inspect Connect	Humble, TX	14.5
Hoyt Jr, Garry	12/19/2012	12/21/2012	Inspect Connect	Humble, TX	14.5
Hoyt Jr, Garry	12/19/2012	12/21/2012	Inspect Connect	Humble, TX	<u>14.5</u>
					43.5
Johnson, Clinton	12/17/2012	12/18/2012	Oreilly Auto 00004192	Humble, TX	6.78
Johnson, Clinton	12/17/2012	12/19/2012	The Home Depot 576	Humble, TX	5.16
Johnson, Clinton	12/7/2012	12/10/2012	Ww Grainger	877-2022594, TX	34.7
Johnson, Clinton	12/4/2012	12/6/2012	The Home Depot 576	Humble, TX	46.38
Johnson, Clinton	11/29/2012	12/3/2012	Ww Grainger	877-2022594, TX	54.35
Johnson, Clinton	11/29/2012	12/3/2012	Ww Grainger	877-2022594, TX	821.5
Johnson, Clinton	11/29/2012	12/3/2012	Ww Grainger	877-2022594, TX	<u>84.54</u>
					1053.41
Kellar, Channey	12/14/2012	12/17/2012	Total Rental Center	Houston, TX	155
Kellar, Channey	12/4/2012	12/5/2012	Total Rental Center	Houston, TX	<u>370</u>

525

Killion, Ryan	12/20/2012	12/24/2012	Sign Mart Of Humble	Humble, TX	20
Killion, Ryan	12/19/2012	12/20/2012	W/m Supercenter#1837	Humble, TX	26.48
Killion, Ryan	12/17/2012	12/18/2012	A Plus Trophy	Humble, TX	45
Killion, Ryan	12/14/2012	12/17/2012	Vanguard Truck Hou Pts	Houston, TX	100.24
Killion, Ryan	12/12/2012	12/13/2012	Radiohack 00182758	Humble, TX	4.38
Killion, Ryan	12/4/2012	12/6/2012	Zone One Auto Storage	Houston, TX	<u>60</u>
					256.1

Lee, Daniel	12/19/2012	12/21/2012	Combined Systems, I	Jamestown, PA	660
Lee, Daniel	12/13/2012	12/17/2012	Precision Delta Corpor	662-7562810, MS	2837.9
Lee, Daniel	12/12/2012	12/13/2012	Office Depot #262	Humble, TX	<u>67.99</u>
					3565.89

Legoudes, Melissa	12/19/2012	12/20/2012	Target 00014571	Humble, TX	55.86
Legoudes, Melissa	12/17/2012	12/18/2012	Ds Waters Standard Cof	Mableton, GA	166.65
Legoudes, Melissa	12/13/2012	12/14/2012	Office Depot #262	Humble, TX	265.11
Legoudes, Melissa	12/13/2012	12/14/2012	Office Max	Humble, TX	149.7
Legoudes, Melissa	12/13/2012	12/14/2012	Ups 295bq1qeig4	800-811-1648, GA	5.43
Legoudes, Melissa	12/13/2012	12/14/2012	Ups 1z2ftf620399128101	800-811-1648, GA	14.43
Legoudes, Melissa	12/13/2012	12/14/2012	Notary Public Underwri	850-6563028, FL	101.75
Legoudes, Melissa	12/12/2012	12/13/2012	Michaels #5813	Humble, TX	962.86
Legoudes, Melissa	12/11/2012	12/12/2012	Hallmark Office Pr	Houston, TX	143.31
Legoudes, Melissa	12/11/2012	12/12/2012	Hallmark Office Pr	Houston, TX	228.72
Legoudes, Melissa	12/10/2012	12/11/2012	Tif Flowers By Lois	Houston, TX	68
Legoudes, Melissa	12/9/2012	12/10/2012	Ups 293bm43rhl	800-811-1648, GA	5.43
Legoudes, Melissa	12/8/2012	12/10/2012	Ups 1z2ftf620390600526	800-811-1648, GA	14.48
Legoudes, Melissa	12/6/2012	12/7/2012	Whitaker	8002439226, MD	202.56
Legoudes, Melissa	12/4/2012	12/6/2012	Cuevas Distribution	Fort Worth, TX	1008
Legoudes, Melissa	12/4/2012	12/6/2012	Lexisnexis Risk Mgt	08883328244, FL	<u>159.35</u>
					3551.64

Legoudes, Michael	12/14/2012	12/17/2012	Astro Lock And Safe	Humble, TX	503
Legoudes, Michael	12/13/2012	12/17/2012	Post Haste Copy & Mail	Humble, TX	14.66
Legoudes, Michael	12/3/2012	12/4/2012	Lone Star Uniforms	Houston, TX	259.89
Legoudes, Michael	11/29/2012	12/3/2012	Apco International Inc	386-944-2422, FL	<u>60</u>
					837.55

Love, Kenneth	11/30/2012	12/3/2012	Mcdonald'S M4584 Of	College Stati, TX	6.59
Love, Kenneth	11/30/2012	12/3/2012	Shell Oil 542188500qps	College Sta, TX	33
Love, Kenneth	11/26/2012	12/24/2012	Roosters County Dinne	College Stati, TX	<u>15.03</u>
					54.62

Luscomb, Brian	12/11/2012	12/12/2012	Small Engine Supply	Humble, TX	44.69
Martin, Ernest	12/21/2012	12/24/2012	Cg Police Supply	Houston, TX	22.5
Martin, Ernest	12/21/2012	12/24/2012	Cg Police Supply	Houston, TX	89.99
Martin, Ernest	12/19/2012	12/21/2012	Northside Auto Glass	Humble, TX	195
Martin, Ernest	12/19/2012	12/19/2012	Galco International, L	800-874-2526, AZ	41.92
Martin, Ernest	12/13/2012	12/14/2012	Lone Star Uniforms	Houston, TX	37.48
Martin, Ernest	12/11/2012	12/13/2012	Mcc Collision Repair	Humble, TX	159.95
Martin, Ernest	12/10/2012	12/11/2012	Lone Star Uniforms	Houston, TX	179.85
Martin, Ernest	12/10/2012	12/11/2012	Lone Star Uniforms	Houston, TX	135
Martin, Ernest	12/10/2012	12/11/2012	Lone Star Uniforms	Houston, TX	173.85
Martin, Ernest	12/7/2012	12/10/2012	Fleet Safety Equipment	Memphis, TN	1829.8
Martin, Ernest	12/7/2012	12/10/2012	Fleet Safety Equipment	Memphis, TN	1829.8
Martin, Ernest	12/7/2012	12/10/2012	Sign Mart Of Humble	Humble, TX	1200
Martin, Ernest	12/6/2012	12/10/2012	Mcc Collision Repair	Humble, TX	575
Martin, Ernest	12/3/2012	12/5/2012	Lone Star Uniforms	Houston, TX	99.5
Martin, Ernest	11/30/2012	12/3/2012	Lone Star Uniforms	Houston, TX	158.85
Martin, Ernest	11/30/2012	12/3/2012	Lone Star Uniforms	Houston, TX	2916.75
Martin, Ernest	11/30/2012	12/3/2012	Lone Star Uniforms	Houston, TX	29.85
Martin, Ernest	11/30/2012	12/3/2012	Cg Police Supply	Houston, TX	106
Martin, Ernest	11/29/2012	12/3/2012	Shell Oil 57544869704	Caldwell, TX	100
					9881.09
Martinez, Fidel	12/4/2012	12/5/2012	Wm Supercenter#1837	Humble, TX	21.08
Martinez, Fidel	12/4/2012	12/6/2012	The Home Depot 576	Humble, TX	7.74
Martinez, Fidel	11/30/2012	12/3/2012	The Home Depot 576	Humble, TX	<u>9.97</u>
					38.79
Mecca, George	12/21/2012	12/24/2012	The Home Depot 576	Humble, TX	25.41
Mecca, George	12/18/2012	12/20/2012	The Home Depot 576	Humble, TX	19.86
Mecca, George	12/18/2012	12/20/2012	The Home Depot 576	Humble, TX	794.88
Mecca, George	12/18/2012	12/20/2012	The Home Depot 576	Humble, TX	125.91
Mecca, George	12/14/2012	12/17/2012	The Home Depot 576	Humble, TX	59.96
Mecca, George	12/13/2012	12/14/2012	Moore Supply Company	Humble, TX	22.57
Mecca, George	12/12/2012	12/13/2012	Glidden Professional #	Humble, TX	44.92
Mecca, George	12/11/2012	12/13/2012	The Home Depot 576	Humble, TX	3.72
Mecca, George	12/10/2012	12/12/2012	The Home Depot 576	Humble, TX	17.94
Mecca, George	12/6/2012	12/7/2012	Moore Supply Company	Humble, TX	163.92
Mecca, George	12/6/2012	12/7/2012	The Home Depot 576	Humble, TX	22.48
Mecca, George	12/5/2012	12/7/2012	The Home Depot 576	Humble, TX	41.46
Mecca, George	12/4/2012	12/6/2012	The Home Depot 576	Humble, TX	21.48
Mecca, George	11/30/2012	12/3/2012	The Home Depot 576	Humble, TX	14.76
Mecca, George	11/29/2012	12/3/2012	Astro Lock And Safe	Humble, TX	<u>3.65</u>
					1382.92

Meadows, Gordon	12/12/2012	12/14/2012	The Home Depot 576	Humble, TX	11.77
Meadows, Gordon	12/4/2012	12/5/2012	lws Gas Sply Of Tx Hum	Humble, TX	<u>24.25</u>
					36.02
Michaud, Paula	12/26/2012	12/27/2012	004 Centurylink lvr	877-290-5458, LA	179.08
Michaud, Paula	12/18/2012	12/19/2012	003 Centurylink My Acc	877-290-5458, LA	129.16
Michaud, Paula	12/18/2012	12/19/2012	004 Centurylink lvr	877-290-5458, LA	493.88
Michaud, Paula	12/18/2012	12/19/2012	004 Centurylink lvr	877-290-5458, LA	10
Michaud, Paula	12/17/2012	12/18/2012	003 Centurylink My Acc	877-290-5458, LA	461.97
Michaud, Paula	12/11/2012	12/13/2012	Big Lots Stores - #419	Humble, TX	10
Michaud, Paula	12/10/2012	12/11/2012	004 Centurylink lvr	877-290-5458, LA	173.28
Michaud, Paula	12/10/2012	12/11/2012	004 Centurylink lvr	877-290-5458, LA	1409.69
Michaud, Paula	12/6/2012	12/10/2012	Office Depot #262	Humble, TX	67.72
Michaud, Paula	12/5/2012	12/6/2012	003 Centurylink My Acc	877-290-5458, LA	114.96
Michaud, Paula	12/4/2012	12/5/2012	003 Centurylink My Acc	877-290-5458, LA	1567.22
Michaud, Paula	12/4/2012	12/5/2012	003 Centurylink My Acc	877-290-5458, LA	<u>4182.75</u>
					8799.71
Miller, Thomas	12/19/2012	12/20/2012	Academy Sports #21	Humble, TX	79.99
Mittag, Jeremy	12/21/2012	12/24/2012	The Home Depot 576	Humble, TX	246.94
Mittag, Jeremy	12/20/2012	12/24/2012	The Home Depot 576	Humble, TX	43.92
Mittag, Jeremy	12/18/2012	12/20/2012	Angel Guard Products I	508-7911073, MA	501.49
Mittag, Jeremy	12/14/2012	12/17/2012	The Home Depot 576	Humble, TX	197.88
Mittag, Jeremy	12/12/2012	12/14/2012	The Home Depot 576	Humble, TX	327.36
Mittag, Jeremy	12/11/2012	12/13/2012	The Home Depot 576	Humble, TX	62.88
Mittag, Jeremy	12/10/2012	12/12/2012	The Home Depot 576	Humble, TX	32.15
Mittag, Jeremy	12/7/2012	12/10/2012	The Home Depot 576	Humble, TX	8.98
Mittag, Jeremy	12/6/2012	12/7/2012	Oreilly Auto 00004192	Humble, TX	11.68
Mittag, Jeremy	12/6/2012	12/10/2012	The Home Depot 576	Humble, TX	12.55
Mittag, Jeremy	12/6/2012	12/10/2012	The Home Depot 576	Humble, TX	-99.96
Mittag, Jeremy	12/5/2012	12/7/2012	The Home Depot 576	Humble, TX	105.44
Mittag, Jeremy	12/4/2012	12/5/2012	Oreilly Auto 00004192	Humble, TX	13.68
Mittag, Jeremy	12/4/2012	12/6/2012	The Home Depot 576	Humble, TX	15.84
Mittag, Jeremy	12/3/2012	12/5/2012	The Home Depot 576	Humble, TX	89.64
Mittag, Jeremy	12/3/2012	12/5/2012	The Home Depot 576	Humble, TX	36.94
Mittag, Jeremy	12/3/2012	12/5/2012	Astro Lock And Safe	Humble, TX	207.5
Mittag, Jeremy	11/30/2012	12/3/2012	Oreilly Auto 00004192	Humble, TX	26.67
Mittag, Jeremy	11/29/2012	12/3/2012	The Home Depot 576	Humble, TX	30.22
					1871.8
Naquin, Leroy	12/20/2012	12/24/2012	Sears Roebuck 1417	Humble, TX	44.99
Naquin, Leroy	12/18/2012	12/20/2012	Sears Roebuck 1417	Humble, TX	219.96

Naquin, Leroy	12/18/2012	12/20/2012	The Home Depot 576	Humble, TX	119.51
Naquin, Leroy	12/12/2012	12/14/2012	M D N Enterprises	New Caney, TX	1052.42
Naquin, Leroy	12/12/2012	12/14/2012	M D N Enterprises	New Caney, TX	809.1
Naquin, Leroy	12/11/2012	12/13/2012	The Home Depot 576	Humble, TX	12.5
Naquin, Leroy	11/30/2012	12/3/2012	Volvo Rents Of Houston	Houston, TX	<u>784.32</u>
					3042.8
Neeley, William	12/13/2012	12/14/2012	Ram Products Ltd	Grand Prairie, TX	128.47
Neeley, William	12/10/2012	12/11/2012	Fastenal Company01	Humble, TX	2.67
Neeley, William	12/7/2012	12/10/2012	Humble Towing Suc	Humble, TX	65
Neeley, William	12/6/2012	12/10/2012	Shrader S Automotiv	Humble, TX	225
					421.14
Niemeyer, Eugene	12/14/2012	12/17/2012	Gulf Coast Breathing A	Houston, TX	85
Nykaza, James	12/27/2012	12/28/2012	Radioshack 00182756	Humble, TX	5.39
Nykaza, James	12/26/2012	12/28/2012	The Home Depot 576	Humble, TX	25.66
Nykaza, James	12/26/2012	12/27/2012	Lone Star Products & E	Houston, TX	520
Nykaza, James	12/21/2012	12/24/2012	Sign Mart Of Humble	Humble, TX	1050
Nykaza, James	12/19/2012	12/20/2012	Academy Sports #21	Humble, TX	99.99
Nykaza, James	12/18/2012	12/19/2012	Fleet Safety Equipment	Memphis, TN	1840.86
Nykaza, James	12/17/2012	12/18/2012	Lone Star Products & E	Houston, TX	2544.65
Nykaza, James	12/7/2012	12/10/2012	Chevron 0355900	Crowley, TX	<u>45.45</u>
					6132
Ortiz, Raul	12/13/2012	12/14/2012	Wm Supercenter#1837	Humble, TX	9.8
Ortiz, Raul	12/13/2012	12/17/2012	The Home Depot 576	Humble, TX	69.79
Ortiz, Raul	12/12/2012	12/13/2012	Radioshack 00182758	Humble, TX	20.97
Ortiz, Raul	12/5/2012	12/7/2012	Northern Tool Equip Tx	Houston, TX	<u>129.52</u>
					230.08
Outlaw, Gary	12/28/2012	12/31/2013	Cummins So Plains 12	Houston, TX	100
Outlaw, Gary	12/13/2012	12/14/2012	Aa Action Plumbing Of	02812272000, TX	657
Outlaw, Gary	12/10/2012	12/11/2012	Aa Action Plumbing Of	02812272000, TX	312.5
Outlaw, Gary	12/4/2012	12/5/2012	Oreilly Auto 00004192	Humble, TX	31.98
Outlaw, Gary	12/4/2012	12/6/2012	Cvspharmacy #6761 Q03	Humble, TX	39.96
Outlaw, Gary	12/4/2012	12/6/2012	Shell Oil 57543432801	Humble, TX	<u>34.23</u>
					1175.67
Outlaw, Martha	12/4/2012	12/5/2012	Qdi Quest Diagnostics	800-345-2455, PA	37.76
Ower, Teresa	12/11/2012	12/12/2012	Honey Baked Ham 0201	Houston, TX	65.99
Ower, Teresa	12/10/2012	12/11/2012	Usps 48419003331404999	Humble, TX	27.6
Ower, Teresa	12/4/2012	12/5/2012	Office Depot #262	Humble, TX	17.48

Ower, Teresa	12/4/2012	12/5/2012	Houston Garden Ctrs 35	Kingwood, TX	35.76
					146.83
Pearson, Ray	12/8/2012	12/10/2012	Holiday Inn Express	Victoria, TX	1011.1
Pearson, Ray	12/6/2012	12/7/2012	Exxonmobil 45984887	Victoria, TX	40
					1051.1
Pennington, Robert	12/7/2012	12/10/2012	Bubbles Express - Bx3	Humble, TX	5
Peters, Richard	12/14/2012	12/17/2012	Office Depot #262	Humble, TX	357.98
Peters, Richard	12/12/2012	12/13/2012	Public Agency Training	03178215085, IN	590
Peters, Richard	12/9/2012	12/10/2012	Shipleys Donuts Q48	Kingwood, TX	19.44
Peters, Richard	12/5/2012	12/6/2012	Public Agency Training	03178215085, IN	295
Peters, Richard	12/4/2012	12/6/2012	Big Lots Stores - #419	Humble, TX	25
Peters, Richard	12/4/2012	12/5/2012	Michaels #5813	Humble, TX	15.96
					1303.38
Pizzitola, Michael	12/8/2012	12/10/2012	Whataburger 309 Q26	Humble, TX	26.77
Pizzitola, Michael	11/29/2012	12/3/2012	The Home Depot 576	Humble, TX	11.68
					38.45
Poindexter, Gary	12/26/2012	12/27/2012	Lowes #00750	Kingwood, TX	214.4
Poindexter, Gary	12/14/2012	12/17/2012	Cmc Construction Servi	Conroe, TX	184.08
Poindexter, Gary	12/12/2012	12/14/2012	The Home Depot 576	Humble, TX	175
Poindexter, Gary	12/11/2012	12/13/2012	Cmc Construction Servi	Conroe, TX	459.39
Poindexter, Gary	12/10/2012	12/11/2012	Academy Sports #21	Humble, TX	84.99
Poindexter, Gary	12/6/2012	12/7/2012	Holmes Smokehouse	Houston, TX	-217.5
Poindexter, Gary	12/5/2012	12/7/2012	Holmes Smokehouse	Houston, TX	435
Poindexter, Gary	11/30/2012	12/3/2012	Total Rental Center	Houston, TX	370
					1705.36
Price, Charissa	12/19/2012	12/20/2012	Rockhurst University C	913-4327755, KS	299
Price, Julia	12/13/2012	12/14/2012	Mister Car Wash Tucqps	05206154000, AZ	522.74
Rhodes, Victoria	12/18/2012	12/20/2012	Chick-Fil-A #02415	Humble, TX	197.2
Rhodes, Victoria	12/13/2012	12/17/2012	J P Cooke Co	402-3427175, NE	60.5
Rhodes, Victoria	12/10/2012	12/11/2012	Office Depot #1127	800-463-3768, TX	55.6
Rhodes, Victoria	12/4/2012	12/5/2012	Office Depot #262	Humble, TX	53.95
Rhodes, Victoria	12/4/2012	12/5/2012	Minuteman Press	Humble, TX	51
Rhodes, Victoria	11/30/2012	12/3/2012	Office Depot #1127	800-463-3768, TX	65.01
Rhodes, Victoria	11/30/2012	12/3/2012	Paypal Ausinpetsa	4029357733, CA	170
					653.26

Richard, Dale	12/28/2012	12/31/2013	Radioshack 00182758	Humble, TX	14.58
Richard, Dale	12/13/2012	12/17/2012	Aqua-Metric Sales Inc.	9516371400, CA	3636
Richard, Dale	12/11/2012	12/12/2012	Office Depot #262	Humble, TX	67.98
Richard, Dale	12/11/2012	12/13/2012	Central Police Supply	Houston, TX	236.85
Richard, Dale	12/5/2012	12/6/2012	Wm Supercenter#1837	Humble, TX	<u>49.96</u>
					4005.37
Rodriguez, Jose	12/13/2012	12/17/2012	Humble Tire And Automo	Humble, TX	39.75
Scott, Randy	12/28/2012	12/31/2013	The Home Depot 576	Humble, TX	10.23
Scott, Randy	12/20/2012	12/21/2012	Bugtime	Humble, TX	<u>49.94</u>
					60.17
Simon, Melissa	12/13/2012	12/17/2012	The Home Depot 576	Humble, TX	52.9
Smith, Mark	12/28/2012	12/31/2013	The Home Depot 576	Humble, TX	66.91
Smith, Mark	12/18/2012	12/20/2012	Shell Oil 57543432801	Humble, TX	23.59
Smith, Mark	12/18/2012	12/20/2012	Ray Despains Inc	New Caney, TX	67.12
Smith, Mark	12/17/2012	12/18/2012	Office Depot #262	Humble, TX	22.91
Smith, Mark	12/15/2012	12/17/2012	The Home Depot 576	Humble, TX	28.15
Smith, Mark	12/14/2012	12/17/2012	Sip Stateindustrial Us	800-321-8180, OH	509.45
Smith, Mark	12/12/2012	12/13/2012	Jwj Hps Catalog	800-322-7288, SC	424.2
Smith, Mark	12/6/2012	12/7/2012	Preston Auto Repair	Humble, TX	79.5
Smith, Mark	12/4/2012	12/5/2012	Nes Rentals 99	Humble, TX	969.36
Smith, Mark	11/30/2012	12/3/2012	Oreilly Auto 00004192	Humble, TX	43.38
Smith, Mark	11/30/2012	12/3/2012	Wm Supercenter#0744	Humble, TX	25.68
Smith, Mark	11/29/2012	12/3/2012	The Home Depot 576	Humble, TX	<u>79.23</u>
					2339.48
Steggs, Clint	12/28/2012	12/31/2013	Office Max	Humble, TX	209.99
Steggs, Clint	12/20/2012	12/21/2012	Elliott Electric Suppl	Nacogdoches, TX	6.25
Steggs, Clint	12/12/2012	12/13/2012	Office Max	Humble, TX	164.43
Steggs, Clint	12/11/2012	12/13/2012	The Home Depot 576	Humble, TX	7.48
Steggs, Clint	12/10/2012	12/11/2012	Office Max	Humble, TX	39.99
Steggs, Clint	12/4/2012	12/5/2012	Ram Products Ltd	Grand Prairie, TX	<u>293.21</u>
					721.35
Stephens, Philisa	12/18/2012	12/18/2012	Dmi Dell K-12/Govt	800-981-3355, TX	150
Stephens, Philisa	12/11/2012	12/11/2012	Cdlw Government	800-750-4239, IL	217.07
Stephens, Philisa	12/6/2012	12/7/2012	Commercial Wireless So	Pasadena, TX	1223.64
Stephens, Philisa	12/5/2012	12/5/2012	Dmi Dell K-12/Govt	800-981-3355, TX	<u>125</u>
					1715.71
Sutton, Tyson	12/17/2012	12/18/2012	Pelco 463 63604633	The Woodlands, TX	31.99

Sutton, Tyson	12/17/2012	12/18/2012	Oak Ridge Animalclinic	Spring, TX	434.81
Sutton, Tyson	12/12/2012	12/13/2012	Command Post	Houston, TX	80.98
Sutton, Tyson	12/10/2012	12/11/2012	Oak Ridge Animalclinic	Spring, TX	<u>23.37</u>
					571.15
Terry, Jack	12/21/2012	12/24/2012	Oreilly Auto 00004192	Humble, TX	67.08
Tullio, Bradley	12/7/2012	12/10/2012	W/m Supercenter#1837	Humble, TX	70.82
Turner, Kathy	12/18/2012	12/19/2012	Office Depot #1127	800-463-3768, TX	51.42
Villa, Joel	12/17/2012	12/24/2012	Stripes And Slops Comp	Houston, TX	471
Villa, Joel	12/13/2012	12/14/2012	W/m Supercenter#1837	Humble, TX	75.82
Villa, Joel	12/12/2012	12/14/2012	The Home Depot 576	Humble, TX	39.98
Villa, Joel	12/12/2012	12/14/2012	The Home Depot 576	Humble, TX	17.95
Villa, Joel	12/6/2012	12/10/2012	The Home Depot 576	Humble, TX	41.91
Villa, Joel	12/5/2012	12/7/2012	The Home Depot 576	Humble, TX	24.67
Villa, Joel	12/3/2012	12/5/2012	The Home Depot 576	Humble, TX	75.88
Villa, Joel	11/29/2012	12/3/2012	The Home Depot 576	Humble, TX	<u>175</u>
					922.21
Villegas, Oscar	12/12/2012	12/13/2012	Academy Sports #21	Humble, TX	99.99
Waldroup, Cynthia	12/28/2012	12/31/2013	Office Depot #1127	800-463-3768, TX	78.08
Waldroup, Cynthia	12/20/2012	12/21/2012	T c G.Neil	800-888-4040, FL	125.64
Waldroup, Cynthia	11/30/2012	12/3/2012	Office Depot #1127	800-463-3768, TX	<u>52.78</u>
					256.5
Walker, Brandy	12/20/2012	12/21/2012	Office Depot #1127	800-463-3768, TX	139.16
Walker, Brandy	12/10/2012	12/11/2012	Ds Waters Standard Cof	Mableton, GA	<u>29.51</u>
					168.67
Watkins, Wyatt	12/17/2012	12/19/2012	Dshs Regulatory Prog	512-458-7111, TX	64
Watkins, Wyatt	12/15/2012	12/17/2012	Tx Med Ctr-G15 Garage	Houston, TX	11
Watkins, Wyatt	12/7/2012	12/10/2012	Methodist Teleservices	832-6675822, TX	100
Watkins, Wyatt	11/30/2012	12/11/2012	Texas Ems Conference	512-7591720, TX	<u>-125</u>
					50
Williams, Stacy	12/5/2012	12/6/2012	Kroger #388	Houston, TX	519.87
Wrobliske, Edward	12/28/2012	12/31/2013	Moore Supply Company	Humble, TX	106.75
Wrobliske, Edward	12/28/2012	12/31/2013	The Home Depot 576	Humble, TX	63.42
Wrobliske, Edward	12/28/2012	12/31/2013	Lindsey'S Office Furni	Houston, TX	281
Wrobliske, Edward	12/28/2012	12/31/2013	Lindsey'S Office Furni	Houston, TX	1200

Wrobilske, Edward	12/22/2012	12/24/2012	Jcpenney 2763	The Woodlands, TX	60
Wrobilske, Edward	12/19/2012	12/20/2012	Paypal Kangaroo	4029357733, CA	50.77
Wrobilske, Edward	12/14/2012	12/17/2012	The Home Depot 576	Humble, TX	18.97
Wrobilske, Edward	12/11/2012	12/13/2012	Young S One Stop	Humble, TX	<u>350</u>
					2,130.91

AGENDA ITEM # 5

**ORDINANCE NO. 13-713 CALLING CITY OF HUMBLE GENERAL
ELECTION TO BE HELD MAY 11, 2013 FOR THE ELECTION OF
MAYOR, COUNCILMEMBER PLACE NO. 1 AND COUNCILMEMBER
PLACE NO. 2**

CITY OF HUMBLE
ORDINANCE NO. 13-713

STATE OF TEXAS:

COUNTY OF HARRIS:

TO THE REGISTERED VOTERS OF THE CITY OF HUMBLE, TEXAS:

Notice is hereby given that a general election has been ordered to be held on the 11th day of May, 2013 for the purpose of electing the following City Officials:

MAYOR

COUNCILMEMBER PLACE NO. 1

COUNCILMEMBER PLACE NO. 2

The entire corporate limits of the city shall constitute one election precinct and the polling place for said election shall be City Hall located at 114 West Higgins, Humble, Texas. The polls will open at 7:00 a.m. and close at 7:00 p.m.

Early voting by personal appearance will be conducted each weekday at the office of the city secretary located in City Hall at 114 West Higgins, Humble Texas. Early voting will be held April 29 - May 3, 2013 between the hours of 8:00 a.m. and 5:00 p.m. On May 6 and 7, 2013 early voting will be held from 7:00 a.m. to 7:00 p.m.

Applications for a ballot by mail shall be mailed to:

CITY OF HUMBLE
SUE DANIEL, CITY SECRETARY
114 WEST HIGGINS
HUMBLE, TEXAS 77338

Applications for a ballot by mail must be received no later than the close of business on May 3, 2013 at 5:00 p.m.

No person shall vote at said election unless they are qualified to vote under the Constitution and laws of the State of Texas and the City of Humble Charter regulating election when not in conflict with the provisions of the statutes relating thereto.

BY THE ORDER of the City Council of the City of Humble, Texas, duly passed, approved and adopted this 14th day of February, 2013.

D. G. McMANNES
MAYOR

ATTEST:

Sue Daniel, City Secretary

AGENDA ITEM # 6

**RENTAL OF EQUIPMENT AND SALE OF SERVICES AGREEMENT
WITH ES&S FOR GENERAL ELECTION TO BE HELD MAY 11, 2013**



RENTAL OF EQUIPMENT AND SALE OF SERVICES AGREEMENT

Description of Rental Equipment, Software and Services. The following constitutes all Rental Equipment, Software and Services to be provided by ES&S to Customer under this Agreement:

<u>Quantity</u>	<u>Item Description</u>	<u>Price</u>
Tabulation Hardware		
Model 100 Precinct Scanner:		
2	Model 100 (Includes Scanner, Ballot Box with Diverter, and PCMCIA Card)	Included
2	Paper Roll	Included
Ballot Marking Device:		
1	AutoMARK Voter Assist Terminal with Transport Case (Includes Terminal, Ink Cartridge, 512MB Flashcard, Headset, and Two Secrecy Sleeves) - Ovals Ballot	Included
1	AutoMARK Early Voting Kits	Included
1	AutoMARK Election Day Kits	Included
Election Services		
1	Services (Does not include Coding, Voice Files or Ballots)	Included
X	Project Management	
1,000	Ballot Printing	Included
Shipping and Handling		
X	Round-Trip Shipping and Handling	Included
Rental Solution Fee Per Election		\$5,496.64

Term of Agreement: March 25, 2013 through June 25, 2013

Payment Terms:

\$5,496.64 due thirty (30) calendar days before each scheduled Election in which the above Equipment and Services will be used by the Customer.

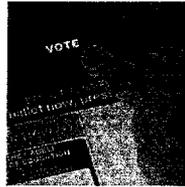
Note: A Rental Cancellation Fee of 10% of the Rental Solution Fee Per Election shall apply in the event the Customer does not provide written notification to ES&S of its intent to cancel an Election at least forty-five (45) days prior to a scheduled Election covered under this Agreement. The cancellation of an Election and the payment of the Rental Cancellation Fee shall not relieve Customer of its liability to pay any amounts due to ES&S under this Agreement for services received up through the date of Termination.

The parties hereby agree that this Rental Solution and the Rental Agreement General Terms, attached hereto and fully incorporated herein by this reference, (collectively, the "Agreement") represents a binding agreement between ES&S and Customer for the rental of ES&S System products and services. Further, the undersigned Customer hereby agrees to rent such ES&S products and services from ES&S as set forth herein. The undersigned Customer hereby agrees to the ES&S System Rental Agreement General Terms and acknowledges that he or she has read the entire Agreement, understands it and fully intends to be bound by it. The undersigned Customer hereby certifies that: 1) sufficient funds are available for any of this purchase that exceeds my allocation of state, federal, or other funding; and 2) any amount not funded by state, federal, or other funds has been authorized and appropriated for this rental. As of the date of the signature below, the undersigned Customer has full power and authority to enter into and perform this Agreement, and has been properly authorized to execute and deliver this Agreement on behalf of the jurisdiction as set forth above.

Customer Name	City of Humble, TX
Contact Person	Sue Daniel
Address	114 W. Higgins
City	Humble
State	TX
Zip	77338
Phone number	281.446.3061

Customer Signature Title

Print Name



EXPERIENCE
RELIABILITY
SECURITY
INNOVATION



**Election Systems
& Software**
MAINTAINING VOTER CONFIDENCE.
ENHANCING THE VOTING EXPERIENCE.

RENTAL OF EQUIPMENT AND SALE OF SERVICES AGREEMENT

ES&S Signature

Title

Print Name

**RENTAL OF EQUIPMENT AND SALE OF SERVICES
GENERAL TERMS**

TERMS AND CONDITIONS RELATING TO RENTAL EQUIPMENT

1. Description of Rental Equipment, Software and Services. Subject to the terms and conditions of this Agreement, ES&S agrees to rent and/or license as well as provide certain services to Customer, and Customer agrees to pay for such rental and/or license of, the ES&S Equipment, ES&S Firmware and ES&S Software as well as pay for those services requested by the Customer as described on the attached Purchase Order ("Purchase Order"). The payment terms for the rental and/or license of the ES&S Equipment, ES&S Firmware and ES&S Software as well as the payment terms for those services purchased by the Customer are set forth on the attached Purchase Order.
2. Items Included in Rental Equipment. In addition to the Rental Equipment set forth on the Purchase Order, ES&S will also provide Customer with copies of operating instructions, user manuals and training materials for the Rental Equipment ("Rental Equipment Documentation"). Certain items included in the Rental Equipment may have been manufactured by parties other than ES&S; any such items are separately identified in the Purchase Order and are collectively known as "Non-ES&S Rental Equipment". Customer acknowledges and agrees that, except for the payment to ES&S of the amount dues under the Purchase Order which is attributable to the Non-ES&S Rental Equipment, all of its rights and obligations with respect to the Non-ES&S Rental Equipment flow from and to the manufacturers, lessors or other vendors of the Non-ES&S Rental Equipment (collectively the "Third Party Rental Equipment Vendors"). Customer further acknowledges that it has received copies of all applicable Third Party Rental Equipment Vendor Documentation, warranties and other applicable information regarding its rights and obligations with respect to the Non-ES&S Rental Equipment.
3. Warranty. ES&S warrants that any ES&S-manufactured equipment included in the Rental Equipment ("ES&S Equipment") will perform in accordance with the specifications set forth in the Rental Equipment Documentation and will be free from defects in material and workmanship under normal use and service for the Rental Term (the "Warranty Period"). ES&S' sole obligation under this Section 3 shall be to repair or replace the ES&S Equipment or the applicable parts thereof, at its sole expense, at Customer's location or at ES&S' facilities, as determined by ES&S in its sole discretion. Any repaired or replaced ES&S Equipment or parts thereof shall be warranted only for the unexpired term of the original Warranty Period. All replaced ES&S Equipment or parts thereof will become the property of ES&S on an exchange basis. The warranty provided by ES&S under this Section 3 does not apply to and shall not require ES&S to repair or replace any item (i) which requires repair or replacement due to normal wear and tear, (ii) which has been repaired, altered or transported by persons other than ES&S authorized representatives, (iii) from which any serial number has been removed, defaced or changed, (iv) which is damaged due to accident, disaster, theft, vandalism, neglect, abuse, use for a purpose other than the purpose for which such item is designed or use which is not in accordance with instructions furnished by ES&S, (v) which has been subjected to physical, mechanical or electrical design alterations or any conversion by persons other than ES&S personnel, (vi) which has been used by any person other than Customer's employees or persons under Customer's direct supervision; (vii) which has been used in a site not meeting the specifications as provided by ES&S; (viii) with respect to ES&S scanning equipment, has been used with ballots other than ES&S copyrighted ballots; or (ix) with respect to ES&S scanning equipment, have been used with ballot code stock other than ballot code stock supplied or approved by ES&S.
4. Rental Payments. The rental payment for each item included in the Rental Equipment for the Rental Term (defined below) is set forth in the Purchase Order and the total amount thereof shall be paid in accordance with the terms set forth on the Purchase Order. Customer shall notify ES&S if it desires to rent additional items of Rental Equipment. If ES&S agrees to rent such items to Customer, the parties shall amend the Purchase Order of this Agreement to include such items within the definition of "Rental Equipment" and Customer shall pay to ES&S rental payments for each such item at ES&S' then-current rental rates.
5. Rental Term. The period during which Customer shall rent the Rental Equipment from ES&S shall be in effect from **Thirty (30) days prior to the scheduled election event (a scheduled election event does not include any run-offs associated with such scheduled election event) through thirty (30) days following the covered election event as identified on the Purchase Order**, unless earlier terminated pursuant to this Agreement (the "Rental Term"). The Rental Term shall terminate upon the first to occur of (i) a breach of any provision herein applicable to the Rental Equipment which has not been cured by the breaching party within thirty (30) days after it receives written notice of the breach from the nonbreaching party (except a breach as provided in (iii) below which will require no notice); (ii) either party's providing thirty (30) days' prior written notice to the other party hereto of its desire to terminate the Rental Term; or (iii) Customer's failure to make any rental payment due hereunder within sixty (60) days after it is due. In the event of early termination by ES&S due to (a) a breach of this Agreement by Customer, (b) Customer's failure to pay any amounts owed under this Agreement or (c) the failure of Customer's applicable governmental authority to appropriate funds to make the payments due under this Agreement, Customer shall pay ES&S liquidated damages equal to the present value of the remaining monthly amounts owing hereunder, discounted at the rate of 8% per annum. Further, in the event of a termination by the Customer in accordance with Section 5(ii) above, Customer hereby agrees to promptly pay ES&S for all costs incurred and deliverables provided by

ES&S through the effective date of such termination, including, but not limited to, any equipment and software delivered, shipping costs incurred, and services performed. No later than ten (10) calendar days following the termination of the Rental Term, Customer shall release the Rental Equipment to ES&S at its own expense and in the same operation, order, repair, condition and appearance as when received, subject to normal wear and tear. In the event Customer fails to release the Rental Equipment to ES&S no later than ten (10) calendar days following the termination of the Rental Term, Customer shall pay to ES&S a late return charge in the amount of \$500.00 per calendar day until the Rental Equipment is returned to ES&S in accordance herewith.

TERMS AND CONDITIONS RELATING TO SOFTWARE

6. Grant of License.

- a. In General. ES&S hereby grants to Customer a nonexclusive and nontransferable license during the Rental Term to Use (defined below) the Software which the Customer has designated on the Purchased Order.
- b. Third Party Software. Customer acknowledges that ES&S does not own the Software designated on the Purchase Order as "Third Party Software" or the accompanying operating instructions, user manuals and training materials relating thereto (the "Third Party Software Documentation") (the ES&S Software Documentation and the Third Party Software Documentation sometimes collectively the "Software Documentation"). Customer further acknowledges that, except for the payment of license fees attributable to the Third Party Software and the Third Party Software Documentation (collectively the "Non-ES&S Software Items"), which shall be paid directly to ES&S pursuant to the Purchase Order, all of its rights and obligations with respect to the Non-ES&S Software Items flow from and to the vendors of the Non-ES&S Software Items (the "Third Party Vendors"). Customer further acknowledges that it has received copies of all applicable license agreements for the Non-ES&S Software Items from the Third Party Vendors. None of the Non-ES&S Software Items has been independently authenticated in whole or in part by ES&S, and none of ES&S' representations, warranties, covenants or agreements set forth herein apply with respect to the Non-ES&S Software Items unless otherwise specifically stated herein.
- c. Definition of Use. For purposes of this Agreement, the term "Use" shall mean the right to copy or utilize all or any portion of the instructions or data of the ES&S Software from tangible media supplied by ES&S ("Tangible Media"). The ES&S Software may be used only for internal purposes and shall not be used by, for, or on behalf of, third parties. "Use" shall also mean the right to retain and consult the ES&S Software Documentation. Customer's right to Use the ES&S Software and the ES&S Software Documentation shall not include the right to do any of the following:
 - i. Copy, in whole or in part, any ES&S Software (except for backup and archive purposes and provided that no more than one copy may be in existence at any one time for such purposes), any Tangible Media or any ES&S Software Documentation;
 - ii. Reverse engineer, decompile, disassemble, re-engineer or otherwise create or attempt to create or permit, allow or assist others to create the source code of the ES&S Software or the structural framework of the ES&S Software;
 - iii. Cause or permit any use, display, loan, publication, transfer of possession, sublicensing or other dissemination of the ES&S Software or the ES&S Software Documentation, in whole or in part, to or by any third party without Licensor's prior written consent;
 - iv. Modify, enhance or otherwise change the ES&S Software;
 - v. Use the ES&S Software except as specified in the ES&S Software Documentation or as otherwise authorized by ES&S in writing; or
 - vi. Use the ES&S Software on more items of Designated Equipment unless authorized in writing by ES&S.

7. Fees. The license fees for the ES&S Software, the ES&S Software Documentation, the Third Party Software and the Third Party Software Documentation (collectively the "Licensed Items") for the Rental Term are set forth on the Purchase Order and shall be paid in accordance with the payment terms set forth on the Purchase Order.

8. Term; Termination. The license granted herein shall become effective on the date the ES&S Software is delivered to the Customer (the "Start Date") and shall remain in force during the Rental Term. Upon termination of the license, Customer shall immediately return the ES&S Software and any other Confidential Information in its possession or under its control (including any and all copies) to ES&S. Termination of the license pursuant to this provision is in addition to any other remedies available to ES&S at law or in equity.

9. Title; Copyright Notice. Customer acknowledges and agrees that: (a) all right, title and interest in and to the ES&S Software, the ES&S Software Documentation and the Tangible Media is owned by ES&S, and Customer has only a limited license to Use such items during the Software License Term. Customer agrees not to challenge ES&S' right, title and interest in and to the ES&S Software, the ES&S Software Documentation or the Tangible Media and to notify ES&S immediately if it becomes aware of any such challenge. Customer shall include the copyright and proprietary rights notices which are set forth on each item of Tangible Media on any copies of the Software which are made from such item of Tangible Media. Likewise, Customer shall include the copyright and proprietary rights notices which are set forth on each item of Documentation on any copies thereof.
10. Export. Customer acknowledges that the laws and regulations of the United States may restrict the export of certain commodities and technical data of United States origin, including the Software, in any medium. Customer agrees that it shall not export the Software or the Documentation in any form without the appropriate United States and foreign government licenses. Licensee further agrees that its obligations pursuant to this Section 11 shall survive and continue after the termination of this Agreement.

TERMS AND CONDITIONS RELATING TO RENTAL EQUIPMENT AND SOFTWARE

11. Limitation on Liability. ES&S' total liability to Customer for any losses, damages, costs or expenses of any nature, whether direct or indirect, arising from or relating to ES&S' performance of this Agreement or the products or services provided by ES&S hereunder, shall be limited to the aggregate amount paid by Customer to ES&S for the product(s) or services(s) that caused the losses or damages or are the subject matter of the claim or cause of action. By entering into this Agreement, Customer agrees to accept responsibility for (i) the selection of the Rental Equipment and Software to achieve Customer's intended results; (ii) the use (Use) of the Rental Equipment and Software; (c) the results obtained from the use of the Rental Equipment and Software; and (d) the selection of, use of and results obtained from any equipment, software or services not provided by ES&S and used with the Rental Equipment or Software.
12. Shipment; Title and Risk of Loss. ES&S will ship the Rental Equipment and Software by common carrier to Customer on a date mutually agreed upon by ES&S and Customer, and risk of loss with respect to the Rental Equipment and Software shall pass to Customer when such items are delivered to Customer's place of business. Title to the Rental Equipment shall remain in ES&S. ES&S shall also bear the risk of loss with respect to the Rental Equipment (except that Customer shall bear the risk of loss with respect to, or damage to, the Rental Equipment which is caused by fire, the elements, theft, vandalism, negligent or intentional acts of Customer's employees or other events which are within the control of Customer). During the period in which this Agreement is in effect, Customer shall, at its sole expense, maintain the Rental Equipment in good operating condition and repair and protect the Rental Equipment from deterioration other than normal wear and tear and shall procure and maintain insurance on the Rental Equipment to adequately insure the risks of loss for which Customer is responsible hereunder. Upon request, Customer shall provide ES&S with copies of any and all policies procured and maintained by Customer insuring Customer's risks of loss hereunder. Customer shall not use the Rental Equipment for any purpose other than those for which it was designed and shall not, without the prior written consent of ES&S, alter the Rental Equipment or affix to or install on the Rental Equipment any accessory, equipment or device which was not supplied to it by ES&S. Customer shall not move the Rental Equipment from the place where it was originally installed without ES&S' prior written consent and shall make the Rental Equipment and any records pertaining thereto available to ES&S during regular business hours for inspection. Customer will not, without the prior written consent of ES&S and subject to such conditions as ES&S may impose for its protection, affix any item of Rental Equipment to any real property if, as a result thereof, such item of Rental Equipment will become a fixture under applicable state law.
13. Background Checks. ES&S certifies that a criminal background check has been or will be performed on all employees, including temporary employees, that may program, test, perform maintenance, transport equipment, or perform technical support with regard to the voting system equipment associated with this Agreement in order to determine if there are any findings that would prevent the employee(s) from performing their assigned duties.

AGENDA ITEM # 7

**ORDINANCE NO. 13-714 CITY OF HUMBLE CODE OF
ORDINANCES SECTION 12 BUILDING AND BUILDING
REGULATIONS, ARTICLE VII, TOWERS, SECTION 12-328 DEED
RESTRICTION TITLE REPORT; AND MAKING OTHER FINDINGS
AND PROVISIONS RELATED THERETO**

CITY OF HUMBLE

ORDINANCE NO. 13-714

AN ORDINANCE AMENDING THE CITY OF HUMBLE CODE OF ORDINANCES, CHAPTER 12, BUILDINGS AND BUILDING REGULATIONS, ARTICLE VII, TOWERS, SECTION 12-328 DEED RESTRICTION TITLE REPORT; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS, THAT:

Section 1. That Chapter 12, Article VII, Section 12-328 is hereby amended to read as follows:

“Section 12-328 Deed restriction title report

(a) Every applicant for a tower permit or a waiver shall furnish to the city manager a title report, from a title company doing business in the county, that the lot or tract upon which the proposed tower is to be located is not included within a recorded platted subdivision subject to enforceable, valid and unexpired deed restrictions which limit the use of such lot or tract to residential purposes. The title report shall be accompanied by certified copies of any instruments containing restrictions purporting to be applicable to the lot or tract in question, any instrument of revocation or termination thereof, any declaratory judgement order pertaining to the use of the property, or any other recorded document containing restrictions that pertain to the use of the property.

(b) A tower permit shall not be issued until the requested title report and supporting documentation has been produced. Any permit issued on the basis or erroneous documentation known to the applicant or a title report which contains false information know to the applicant is void with the same force and effect as if it had never been issued and without the necessity of any action by the city or any other person or agency. A tower permit shall not be issued for the construction or alteration of a tower if the use of the intended use will be in violation of the recorded deed restrictions.”

Section 2. In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Humble, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such

part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 3. Upon the passage of this Ordinance, the City Secretary is directed to publish this Ordinance in accordance with the provisions of Article II, Section 13 of the Charter of the City of Humble and to note on this Ordinance and on the record thereof the fact that this Ordinance has been published as required by the Charter, including the date of such publication.

PASSED, APPROVED, AND ADOPTED this the 14th day of February, 2013.

D. G. McMannes
Mayor

ATTEST:

Sue Daniel
City Secretary

AGENDA ITEM # 8

**ENGINEERING PROPOSAL WITH ARKK ENGINEERS, L.L.C. FOR
2013 CONCRETE PAVEMENT IMPROVEMENTS PROJECT - AREA
NORTH OF FIRST STREET BOUNDED BY CHARLES STREET,
SEVENTH STREET, AND HOUSTON AVENUE; WEST MAIN, US 59
TO RAILROAD; CHARLES STREET, HIGGINS TO FIRST STREET;
SOUTH MEMORIAL, MEMORIAL TO DEAD END; BENDER AT
TOWNSHIP DRAINAGE IMPROVEMENTS; INTERCONTINENTAL
VILLAGE WATER LINE REPLACEMENT; VARIOUS SIDEWALKS
WITHIN THE COMMERCIAL AND SCHOOL AREAS - AND
AUTHORIZATION TO ADVERTISE FOR BIDS**

THE STATE OF TEXAS
COUNTY OF HARRIS

AGREEMENT FOR SERVICES

This Agreement entered into as of the _____ day of _____, A.D., 2013, by and between ARKK Engineers, LLC., hereinafter referred to as the "Consultant", and the City of Humble, Texas, hereinafter referred to as the "Client".

WITNESSETH:

WHEREAS, the Client has requested various services of the Consultant with respect to Engineering Services associated with the 2013 Concrete Pavement Improvements Project. (hereinafter referred to as the Project).

NOW, THEREFORE, Client and Consultant hereby agree as follows:

1. Engagement of Consultant - Consultant hereby agrees to perform the services required under the scope of work related to the Project, and to provide Client with copies of the information, opinions, and other such documents made the basis of the scope of services, which is set out in Attachment "A" and made a part of this contract. Consultant agrees to initiate services that are set out in Attachment "A" upon receipt of an executed copy of this Agreement.

2. Availability of Information - Client agrees to provide Consultant with all available information pertinent to the Project. Client will also provide copies of reports, drawings and other data, and will, at Consultant's request, provide written authorization to review Client's files relative to the Project which may be in possession of third parties. Consultant agrees to return all original documents to Client upon completion of the Project, but reserves the right to make and keep reproducible copies of all such material.

3. Access to Facilities - Client will provide access for the Consultant to enter the property and facilities of Client, as necessary for Consultant to perform services as required under the Project.

4. Instruments of Service - All documents prepared in accordance with this contract including exhibits, field notes, laboratory data, original drawings, and specifications are the property of the Client. The Consultant is given the right to use any of this data in connection with future engineering projects. The Consultant may retain copies of reproduces of any information prepared for this Project.

5. Fee - The Consultant's fee for the scope of services as stated in Attachment "A" provided by Consultant under this Agreement as set out in Attachment "A".

6. Payment and Fee Schedule - The Consultant will submit a monthly invoice for services rendered.

7. Terms of Payment - Payment of fees as determined under Paragraph 5 herein above shall be due and payable by Client within thirty (30) days following receipt of Consultant's monthly invoice.

8. Additional Services - Additional services beyond those described in the Scope of Services will be invoiced on the basis of direct labor cost times a factor of 2.99 and direct cost plus 10%.

9. Termination - The Client may terminate this contract at any time by giving notice in writing to the Consultant. In that case, all finished or unfinished documents and other materials produced under this contract, shall become the Client's property. If the contract is terminated by the Client in accordance with this provision, Consultant shall be paid for all work performed to the date of termination.

10. Governing Law - This Agreement shall be deemed to have been made under, and shall be construed and interpreted in accordance with the laws of the State of Texas. The venue of any suit for enforcement or construction of this contract shall be in Harris County, Texas.

ENTERED INTO AND AGREED by the parties hereto as the day and year first written.

ARKK ENGINEERS, LLC.
Consultant

A handwritten signature in black ink, appearing to read "John D. Rudloff", is written over a horizontal line.

BY: John D. Rudloff, P.E.
Principal

CITY OF HUMBLE, TEXAS
Client

BY: Darrell Boeske
City Manager of Humble, Texas

ARKK ENGINEERS

ATTACHMENT "A"

February 8, 2013

Mr. Barry K. Brock
Director of Public Works
City of Humble
102 Granberry
Humble, Texas 77338

Re: Proposal for Engineering Services for the 2013 Concrete Pavement Improvements Project.

Dear Mr. Brock:

ARKK Engineers, LLC (ARKK) is pleased to submit this proposal for performing engineering services for the above referenced project. This proposal is based on our understanding of the project as per our previous meetings and conversations.

This project includes the following paving and utility improvements for the following areas:

- Area north of First Street bounded by Charles St, 7th Street, and Houston Ave
- West Main, US 59 to Rail Road
- Charles Street, Higgins to 1st Street
- South Memorial, Memorial to dead end
- Bender at Township drainage improvements
- Intercontinental Village water line replacement
- Various sidewalks within the commercial and school areas.

This proposal presents a general overview of the project, scope of services, and proposed fee.

GENERAL OVERVIEW

This project will address paving and utility issues in the area north of First Street. The sewer lines in this area were identified to be replaced as part of the Sanitary Sewer Overflow Plan submitted to the TCEQ in 2008. These lines are located in the middle of the streets and the replacement of the sewer line would leave the streets in a less than desirable condition. The water lines will also be replaced due to the age, size and condition of these lines. West Main Street improvements consist of replacing the two outside lanes with concrete to match the center lanes. New storm sewer will be installed due to the condition on the old storm sewer and issue with the roots from the oak trees over the storm sewer causing blockage in this system. Charles St. from First St. to Higgins St. will be replaced with concrete pavement. South Memorial will be replaced due to condition of the existing roadway and the replacement of the sanitary sewer within the roadway. Bender at township drainage improvement consist of installing inlets at this intersection and connecting to the existing storm

sewer south of the intersection. Intercontinental Village water line replacement improvements consists of replacing the water lines in the Intercontinental Village Subdivision due to their age, pipe material, condition of these lines. The project also includes installing sidewalks in selected commercial and school areas. The estimated construction cost for all the proposed improvements is \$5,700,000.00. This cost does not include any cost for right of way acquisition, which is not anticipated at this time.

SCOPE OF SERVICES

A. Design Phase

Preliminary Engineering Services

- Research and gather existing data on the project such as existing utility information, pipeline crossings, and drawings on the existing utilities.
- Plot survey data of the proposed alignment and evaluate potential alignment alternatives.
- Examine geotechnical information to determine potential soil conditions and potential impact on construction methodology and costs.
- Compile and review other information such as environmental assessments, right-of-way, easements, traffic requirements, construction scheduling, and construction packaging to help determine impact on construction costs.
- Provide estimated construction costs.
- Coordinate with the City of Humble and apprise the City of ARKK's findings and analysis, and obtain input from the City.
- Prepare Preliminary Engineering Plans and have a meeting with the City at the 30% Design Phase. At the 30% Design Meeting the following Items will be discussed:
 - Synopsis of the Preliminary Engineering Efforts.
 - Construction Cost Estimates.
 - Items which will affect the project cost and time during construction.
 - Information and coordination with other governmental and utility agencies, and data on any required permitting.
- Provide meeting minutes of the 30% Design meeting documenting items discussed and direction given for proceeding with final design.

Final Design Services

- Proceed with final engineering design based on the direction given by the City during the 30% Design Meeting.
- Prepare final engineering design drawings and specifications as a single bid document with a single contract.
- Prepare final cost estimate for the project.
- Complete coordination with other governmental entities or utility agencies in regard to the project. Assist the City in obtaining and/or securing approvals required by all governmental authorities with jurisdiction over the design and/or the operation of the project and all public and private utilities including pipeline transmission companies affected by this project. This assistance will involve the usual expected coordination and approval process. When the process involves work beyond the expected, such as; special submittals, designs, appearances at special meetings, coordination of utility/pipeline excavation efforts, permitting applications, etc., such work would be considered under the Additional Services portion of this proposal.
- Coordinate with the City of Humble during the final design process and provide draft documents for the City to review and comment upon. Incorporate appropriate comments with the final bid documents.
- Furnish three (3) sets of construction documents to the City.

Special Services for Project

Surveying Services

- Obtain topographical survey for the right of way of the streets in the project area. The approximate length of survey for this project is 18,330 feet. Topographical survey will not be performed on the streets where only base repair and mill and overlay is proposed.
- The survey shall locate right-of-way iron rods and property corners at periodic locations to aid in locating the right-of-way. A CAD file showing the apparent right-of way line on the topographical survey will be provided based on the located right-of-way iron rods.
- Perform “measure downs” and provide vertical elevation information on the existing sanitary sewer, and other utilities in the project area.
- Coordinate with pipeline companies in obtaining horizontal and approximate vertical location of existing pipelines crossing the right-of-way.

- Perform cross sections at approximate intervals of 50'. Such cross sections shall be the full width of the right-of-way and shall provide elevations on the right-of-way, the high bank and flowlines of any roadside ditches, the shoulder of the roadway, the edge of roadway and the centerline of roadway and any other significant grade breaks which may occur within the cross section.
- Also, perform cross sections at appropriate locations within the 50' interval, where significant grade breaks occur or where significant topography data occurs, such as roadways, driveways, drainage ditches or other items that may affect the design of the proposed improvements.
- This scope does not include survey services associated with acquiring right of way.

Geotechnical Investigation Services

- Field Exploration-24 borings are anticipated to drilled to a combined depth of 321 feet along the alignment of the improvements to evaluate subsurface conditions. The borings will be drilled at an approximate 500 feet spacing.
- Laboratory Testing - Soil mechanics laboratory testing will be performed to measure physical and engineering properties of selected representative soil samples.
- Geotechnical Report - The geotechnical report will provide recommendations and construction criteria for the project area.

Traffic Control & Sequencing

- Prepare traffic control plans and construction sequencing and roadway marking plans for the roadway improvements.

B. Construction Phase Services

This phase will be entered into after the acceptance of the Final Design Phase document by the City of Humble.

- Assist the City in obtaining bids for the project. The City of Humble will advertise the projects and will absorb all related advertising costs. ARKK will coordinate with the City and will assist in developing the wording of the advertisement.
- Dispense construction documents from ARKK's office to potential bidders.

- During the bidding process, provide information to and answer questions from potential bidders concerning the Project's construction documents and prepare addendums as necessary.
- Conduct a pre-bid conference for potential bidders.
- Evaluate the bids and the qualifications of the apparent low bidders and advise the City as to the acceptability of the apparent low bidder.
- Act as the City's Project Representative during the construction phase.
- Review and respond accordingly to all submittals as required by the contract specifications.
- Prepare change orders necessitated by field conditions.
- Review the contractor's pay estimates, evaluate the completion of work, and make payment recommendations to the City.
- Visit the site at intervals appropriate to the various stages of construction to observe the progress and quality of executed work and to determine in general if such work is proceeding in accordance with the Contract Documents. Full time site representation is not included as part of this proposal.
- ARKK will not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the Contractor(s) or the safety precautions and programs incident to the work of the Contractor(s). ARKK's effort will be directed toward providing a greater degree of confidence for the City of Humble that the completed work of Contractor(s) will conform to the Contract Documents, but ARKK will not be responsible for the failure of Contractor(s) to perform the work in accordance with the Contract Documents. During site visits ARKK shall keep the City informed of the progress of the work, shall endeavor to guard the City against defects and deficiencies in such work and may disapprove or reject work failing to conform to the Contract Documents.
- Conduct a final review of the Project and make a recommendation for Final Payment on the Project.
- Engineer shall provide one set of reproducible record plans based on the drawings provided to the Engineer by the Contractor(s).

C. Additional Services

Additional services are those services that are beyond the services provided for in the scope portion of this proposal.

Additional services may be required and may be identified as the project progresses. Such services are to be performed only when authorized by the City. Potential Additional services include:

1. Right-of-way research, deed research, and abstracting.
2. Site Easement and Right of Way Acquisition work such as: preparation of metes and bounds; verification of ownership of property; preparation and submittal of title report or title commitment.
3. Environmental Site Assessments.
4. Extra Construction Phase Services in the event the project extends beyond its designated contract period.
5. Other miscellaneous tasks that the City of Humble desires ARKK to perform.
6. Assist the City as an expert witness or factual witness in any legal proceedings or litigation arising from the development, permitting or construction of the Project.
7. Assist the City in making arrangements for the work to proceed in the event that the construction contractor is declared in default for any reason
8. Prepare supporting data and other services in connection with change orders in the event the scope of services is changed or modified.
9. Assist the City in securing any special licenses, permits or approvals (railroad crossings, County or State permits or approvals, pipelines, etc.) which may be required for the completion of the project, it being understood by the parties of this agreement, that the fees for said special licenses and permits will be paid by the City.
10. Provide any other services related to the project not otherwise indicated in the Basic Services or other Special Services and not customarily furnished in accordance with generally accepted engineering practices.
11. Re-packaging of bid documents to provide multi-bid packages and/or rebidding the project.

12. The provision of a construction site representative and associated supervision and administration services.
13. Coordination with utility pipeline field location efforts and special meetings with pipeline companies.
14. Hydraulic Analysis to determine what impact the proposed improvements may have on the Flood Plain.
15. Prepare Conditional Letter of Map Revision (CLOMR).

FEE

The fee is separated into: Design Phase, and Construction Phase. Due to the nature and magnitude of this project, it is recommended that a miscellaneous services fee amount be authorized to cover additional tasks and costs that may occur during the progress of the work. Such tasks and costs will only be performed upon authorization from the City.

Design Phase Services

Basic Services Fees are:

Engineering Design the lump sum of: \$374,300.00

Special Services Fees are:

*Surveying (Cost plus 10%) \$73,400.00

*Geotechnical (Cost plus 10%) \$ 28,250.00

Traffic Control Plan: The lump sum amount of \$15,000.00

Storm Water Pollution Prevention Plan: The lump sum amount of \$7,500.00

*Reproduction: (Cost plus 10%) \$ 3,500.00

*Miscellaneous: (Hourly and cost plus 10%) \$25,000.00

Total Design Phase Amount \$526,950.00

Construction Phase Services

Construction Phase Fees are:

Construction Administration: (Hourly and cost plus 10%) \$ 66,150.00

*Construction Site Visits: (Hourly and cost plus 10%) \$ 60,000.00

Total Construction Phase Amount \$126,150.00

**At this time the magnitude of these tasks are not known. Therefore budgetary amounts are provided. These figures may increase or decrease depending upon actual work required. If an increase becomes necessary it can be accomplished by utilizing available funds from other line items that have under run, or funds from the miscellaneous special services line item or by contract amendment.*

ARKK will submit monthly progress invoices for all work completed to invoice date. The total contract authorization amount is not-to-exceed **\$653,100.00**.

Time and materials charges and additional services beyond those described in the Scope of Services will be invoiced on the basis of direct labor costs times a factor of 2.99 and direct cost plus 10%. Mileage will be charged at \$0.55 per mile. No additional services will be performed or invoiced without prior authorization from the City of Humble.

ARKK appreciates the opportunity to submit this proposal and we look forward to continuing our work with the City of Humble.

Sincerely,

ARKK ENGINEERS, LLC.

A handwritten signature in black ink, appearing to read "John D. Rudloff". The signature is written in a cursive style with a large initial "J".

John D. Rudloff, P.E.
Principal/Senior Project Manager

AGENDA ITEM # 9

**ENGINEERING PROPOSAL WITH ARKK ENGINEERS, L.L.C. FOR
2013 ASPHALT PAVEMENT IMPROVEMENTS PROJECT - WILSON
ROAD FROM WILL CLAYTON PARKWAY TO ATASCOCITA ROAD;
WEST HIGGINS FROM US 59 TO RAILROAD AVENUE; NORTH
RAILROAD AVENUE FROM HIGGINS TO FIRST STREET; AVENUE
D SOUTH OF STAITTI; AVENUE H FROM MAIN TO GRANBERRY;
GRANBERRY FROM AVENUE H TO HOUSTON AVENUE; GRACE
LANE; WINDSWEPT FROM MONTGOMERY TO HCFCD DITCH;
ANNE AVENUE FROM WINDSWEPT TO SHARON; J&L
RANCHLAND SIDE STREETS - AND AUTHORIZATION TO
ADVERTISE FOR BIDS**

THE STATE OF TEXAS
COUNTY OF HARRIS

AGREEMENT FOR SERVICES

This Agreement entered into as of the _____ day of _____, A.D., 2013, by and between ARKK Engineers, LLC., hereinafter referred to as the "Consultant", and the City of Humble, Texas, hereinafter referred to as the "Client".

WITNESSETH:

WHEREAS, the Client has requested various services of the Consultant with respect to Engineering Services associated with the 2013 Asphalt Pavement Improvements Project. (hereinafter referred to as the Project).

NOW, THEREFORE, Client and Consultant hereby agree as follows:

1. Engagement of Consultant - Consultant hereby agrees to perform the services required under the scope of work related to the Project, and to provide Client with copies of the information, opinions, and other such documents made the basis of the scope of services, which is set out in Attachment "A" and made a part of this contract. Consultant agrees to initiate services that are set out in Attachment "A" upon receipt of an executed copy of this Agreement.

2. Availability of Information - Client agrees to provide Consultant with all available information pertinent to the Project. Client will also provide copies of reports, drawings and other data, and will, at Consultant's request, provide written authorization to review Client's files relative to the Project which may be in possession of third parties. Consultant agrees to return all original documents to Client upon completion of the Project, but reserves the right to make and keep reproducible copies of all such material.

3. Access to Facilities - Client will provide access for the Consultant to enter the property and facilities of Client, as necessary for Consultant to perform services as required under the Project.

4. Instruments of Service - All documents prepared in accordance with this contract including exhibits, field notes, laboratory data, original drawings, and specifications are the property of the Client. The Consultant is given the right to use any of this data in connection with future engineering projects. The Consultant may retain copies of reproduces of any information prepared for this Project.

5. Fee - The Consultant's fee for the scope of services as stated in Attachment "A" provided by Consultant under this Agreement as set out in Attachment "A".

6. Payment and Fee Schedule - The Consultant will submit a monthly invoice for services rendered.

7. Terms of Payment - Payment of fees as determined under Paragraph 5 herein above shall be due and payable by Client within thirty (30) days following receipt of Consultant's monthly invoice.

8. Additional Services - Additional services beyond those described in the Scope of Services will be invoiced on the basis of direct labor cost times a factor of 2.99 and direct cost plus 10%.

9. Termination - The Client may terminate this contract at any time by giving notice in writing to the Consultant. In that case, all finished or unfinished documents and other materials produced under this contract, shall become the Client's property. If the contract is terminated by the Client in accordance with this provision, Consultant shall be paid for all work performed to the date of termination.

10. Governing Law - This Agreement shall be deemed to have been made under, and shall be construed and interpreted in accordance with the laws of the State of Texas. The venue of any suit for enforcement or construction of this contract shall be in Harris County, Texas.

ENTERED INTO AND AGREED by the parties hereto as the day and year first written.

ARKK ENGINEERS, LLC.
Consultant


BY: John D. Rudloff, P.E.
Principal

CITY OF HUMBLE, TEXAS
Client

BY: Darrell Boeske
City Manager of Humble, Texas

ARKK ENGINEERS

ATTACHMENT "A"

February 8, 2013

Mr. Barry K. Brock
Director of Public Works
City of Humble
102 Granberry
Humble, Texas 77338

Re: Proposal for Engineering Services
2013 Asphalt Pavement Improvements Project

Dear Mr. Brock:

ARKK Engineers, LLC (ARKK) is pleased to submit this proposal for performing engineering services for the above referenced project. This proposal is based on our understanding of the project as per our previous meetings and conversations.

This project includes the following project streets:

- Wilson Road from Will Clayton Parkway to Atascocita Road.
- West Higgins from US 59 to Railroad Ave.
- North Railroad Ave. from Higgins to 1st Street.
- Avenue D south of Staitti.
- Avenue H from Main to Granberry.
- Granberry from Avenue H to Houston Ave.
- Grace Lane
- Windswept from Montgomery to HCFCD Ditch.
- Anne Ave. from Windswept to Sharon.
- JL Ranchland side streets.

This proposal presents a general overview of the project, scope of services, and proposed fee.

GENERAL OVERVIEW

This project will add an additional lane to the east side of Wilson Road and enclose the east roadside ditch. When completed, Wilson Road will have one lane in each direction with a continuous center turn lane, similar to Wilson Road from Will Clayton Parkway to First Street. The existing water line will be replaced and upsized. The sewer line along Wilson Road has recently been rehabilitated in the City's on-going Sewer Rehabilitation Program. The other streets in this project were identified as streets that needed repair and that would have minimal utility (water, sewer, drainage) repair or replacement needed. These streets will not be removed and replaced. This project will remove and repair segments of the road with noticeable base failure and the surface will be milled and overlaid

so that the streets will have a new asphalt surface. The estimated construction cost for all the proposed paving improvements is \$5,100,000.00.

SCOPE OF SERVICES

A. Design Phase

1. Preliminary Engineering Services

- Research and gather existing data on the project such as existing utility information, pipeline crossings, and drawings on the existing utilities.
- Plot survey data of the proposed alignment and evaluate potential alignment alternatives.
- Examine geotechnical information to determine potential soil conditions and potential impact on construction methodology and costs.
- Compile and review other information such as environmental assessments, right-of-way, easements, traffic requirements, construction scheduling, and construction packaging to help determine impact on construction costs.
- Perform on-site evaluation of the existing pavement and identify segments that need to be repaired.
- Provide estimated construction costs.
- Coordinate with the City of Humble and apprise the City of ARKK's findings and analysis, and obtain input from the City.
- Prepare preliminary engineering plans and meet with the City at the 30% Design Phase. At the 30% Design Meeting the following Items will be discussed:
 - Synopsis of the Preliminary Engineering Efforts.
 - Construction Cost Estimates.
 - Items which will affect the project cost and time during construction.
 - Information and coordination with other governmental and utility agencies, and data on any required permitting.
- Provide meeting minutes of the 30% Design meeting, documenting items discussed and direction given for proceeding with final design.

2. Final Design Services

- Proceed with final engineering design based on the direction given by the City during the 30% Design Meeting.
- Prepare final engineering design drawings and specifications as a single bid document with a single contract.
- Prepare final cost estimate for the project.
- Complete coordination with other governmental entities or utility agencies in regard to the project. Assist the City in obtaining and/or securing approvals required by all governmental authorities with jurisdiction over the design and/or the operation of the project and all public and private utilities including pipeline transmission companies affected by this project. This assistance will involve the usual expected coordination and approval process. When the process involves work beyond the expected, such as; special submittals, designs, appearances at special meetings, coordination of utility/pipeline excavation efforts, permitting applications, etc., such work would be considered under the Additional Services portion of this proposal.
- Coordinate with the City of Humble during the final design process and provide draft documents for the City to review and comment upon. Incorporate appropriate comments with the final bid documents.
- Furnish three (3) sets of construction documents to the City.

3. Special Services for Project

a. Surveying Services

- Obtain topographical survey for the right-of-way of selected streets in the project area designated for replacement. The approximate length of survey for this project is 9,300 feet. Topographical survey will not be performed on the streets where only base repair and mill and overlay is proposed.
- The survey shall locate right-of-way iron rods and property corners at periodic locations to aid in locating the right-of-way. A CAD file showing the apparent right-of way line on the topographical survey will be provided based on the located right-of-way iron rods.
- Perform “measure downs” and provide vertical elevation information on the existing sanitary sewer, and other utilities in the project area.

- Coordinate with pipeline companies in obtaining horizontal and approximate vertical location of existing pipelines crossing the right-of-way.
- Perform cross sections at approximate intervals of 50'. Such cross sections shall be the full width of the right-of-way and shall provide elevations on the right-of-way, the high bank and flowlines of any roadside ditches, the shoulder of the roadway, the edge of roadway and the centerline of roadway and any other significant grade breaks which may occur within the cross section.
- Also, perform cross sections at appropriate locations within the 50' interval, where significant grade breaks occur or where significant topography data occurs, such as roadways, driveways, drainage ditches or other items that may affect the design of the proposed improvements.
- This scope does not include survey services associated with acquiring right of way.

b. Geotechnical Investigation Services

- Field Exploration - 32 borings are anticipated to be drilled to a combined depth of 391 feet along the alignment of the improvements to evaluate subsurface conditions. The borings will be drilled at an approximate 500 feet spacing.
- Laboratory Testing - Soil mechanics laboratory testing will be performed to measure physical and engineering properties of selected representative soil samples.
- Geotechnical Report - The geotechnical report will provide recommendations and construction criteria for the project area.

c. Traffic Control & Sequencing

- Prepare traffic control plans and construction sequencing and roadway marking plans for the roadway improvements.

B. Construction Phase

This phase will be entered into after the acceptance of the Final Design Phase document by the City of Humble.

- Assist the City in obtaining bids for the project. The City of Humble will advertise

the projects and will absorb all related advertising costs. ARKK will coordinate with the City and will assist in developing the wording of the advertisement.

- Dispense construction documents from ARKK's office to potential bidders.
- During the bidding process, provide information to and answer questions from potential bidders concerning the Project's construction documents and prepare addendums as necessary.

- Conduct a pre-bid conference for potential bidders.

- Evaluate the bids and the qualifications of the apparent low bidders and advise the City as to the acceptability of the apparent low bidder.

- Act as the City's Project Representative during the construction phase.

- Review and respond accordingly to all submittals as required by the contract specifications.

- Prepare change orders necessitated by field conditions.

- Review the contractor's pay estimates, evaluate the completion of work, and make payment recommendations to the City.

- Visit the site at intervals appropriate to the various stages of construction to observe the progress and quality of executed work and to determine in general if such work is proceeding in accordance with the Contract Documents. Full time site representation is not included as part of this proposal.

- ARKK will not be responsible for the means, methods, techniques, sequences or procedures of construction selected by the Contractor(s) or the safety precautions and programs incident to the work of the Contractor(s). ARKK's effort will be directed toward providing a greater degree of confidence for the City of Humble that the completed work of Contractor(s) will conform to the Contract Documents, but ARKK will not be responsible for the failure of Contractor(s) to perform the work in accordance with the Contract Documents. During site visits ARKK shall keep the City informed of the progress of the work, shall endeavor to guard the City against defects and deficiencies in such work and may disapprove or reject work failing to conform to the Contract Documents.

- Conduct a final review of the Project and make a recommendation for Final Payment on the Project.

- Engineer shall provide one set of reproducible record plans based on the drawings provided to the Engineer by the Contractor(s).

C. **Additional Services**

Additional services are those services that are beyond the services provided for in the scope portion of this proposal.

Additional services may be required and may be identified as the project progresses. Such services are to be performed only when authorized by the City. Potential Additional services include:

1. Right-of-way research, deed research, and abstracting.
2. Site Easement and Right of Way Acquisition work such as: preparation of metes and bounds; verification of ownership of property; preparation and submittal of title report or title commitment.
3. Environmental Site Assessments
4. Extra Construction Phase Services in the event the project extends beyond its designated contract period.
5. Other miscellaneous tasks that the City of Humble desires ARKK to perform.
6. Assist the City as an expert witness or factual witness in any legal proceedings or litigation arising from the development, permitting or construction of the Project.
7. Assist the City in making arrangements for the work to proceed in the event that the construction contractor is declared in default for any reason
8. Prepare supporting data and other services in connection with change orders in the event the scope of services is changed or modified.
9. Assist the City in securing any special licenses, permits or approvals (railroad crossings, County or State permits or approvals, pipelines, etc.) which may be required for the completion of the project, it being understood by the parties of this agreement, that the fees for said special licenses and permits will be paid by the City.
10. Provide any other services related to the project not otherwise indicated in the Basic Services or other Special Services and not customarily furnished in accordance with

generally accepted engineering practices.

11. Re-packaging of bid documents to provide multi-bid packages and/or rebidding the project.
12. The provision of a construction site representative and associated supervision and administration services.
13. Coordination with utility pipeline field location efforts and special meetings with pipeline companies.
14. Hydraulic Analysis to determine what impact the proposed improvements may have on the Flood Plain.
15. Prepare Conditional Letter of Map Revision (CLOMR).

FEE

The fee is separated into: Design Phase, and Construction Phase. Due to the nature and magnitude of this project, it is recommended that a miscellaneous services fee amount be authorized to cover additional tasks and costs that may occur during the progress of the work. Such tasks and costs will only be performed upon authorization from the City.

Design Phase

Basic Services Fees are:

Engineering Design the lump sum of: \$334,500.00

Special Services Fees are:

*Surveying (Cost plus 10%) \$37,300.00

*Geotechnical (Cost plus 10%) \$ 34,400.00

Traffic Control Plan: The lump sum amount of \$15,000.00

Storm Water Pollution Prevention Plan: The lump sum amount of \$7,500.00

*Reproduction: (Cost plus 10%) \$ 3,500.00

*Miscellaneous: (Hourly and cost plus 10%) \$25,000.00

Total Design Phase Amount \$457,200.00

*At this time the magnitude of these tasks are not known. Therefore budgetary amounts are provided. These figures may increase or decrease depending upon actual work required. If an increase becomes necessary it can

be accomplished by utilizing available funds from other line items that have under run, or funds from the miscellaneous special services line item or by contract amendment.

Construction Phase

Construction Phase Fees are:

Construction Administration: (Hourly and cost plus 10%) \$ 59,000.00

*Construction Site Visits: (Hourly and cost plus 10%) \$ 50,000.00

Total Construction Phase Amount \$109,000.00

*At this time the magnitude of these tasks are not known. Therefore budgetary amounts are provided. These figures may increase or decrease depending upon actual work required. If an increase becomes necessary it can be accomplished by utilizing available funds from other line items that have under run, or funds from the miscellaneous special services line item or by contract amendment.

ARKK will submit monthly progress invoices for all work completed to invoice date. The total contract authorization amount is not-to-exceed **\$566,200.00**.

Time and materials charges and additional services beyond those described in the Scope of Services will be invoiced on the basis of direct labor costs times a factor of 2.99 and direct cost plus 10%. Mileage will be charged at \$0.55 per mile. No additional services will be performed or invoiced without prior authorization from the City of Humble.

ARKK appreciates the opportunity to submit this proposal and we look forward to continuing our work with the City of Humble.

Sincerely,

ARKK ENGINEERS, LLC.



John D. Rudloff, P.E.
Principal/Senior Project Manager

AGENDA ITEM # 10

**HOUSTON PLATING - HUMBLE DEVELOPMENT PLAT, HOUSTON
PLATING & COATINGS, L.L.P., 2622 WILSON ROAD, BUILDING "H"**



City of Humble

114 W. Higgins, Humble, Texas 77338

(281) 446-3061
(281) 446-7902

Darrell Boeske
City Manager

Application for Subdivision Plat Approval

Plat Name: Houston Platting - Humble Plat Location: 2622 Wilson Rd

Survey: Abstract No.:

Geographic Location: (list only major streets, bayous or creeks)

Atascocita (North of) Wilson Rd Ct (South of) 59 (East of) Wilson Rd (West of)

Council Action Requested: () Preliminary () Street Dedication () Amending Plat
() Final () Replat () Street Pattern Only () Vacation Subdivision

Plat Type: () Residential (X) Commercial/Industrial () Private Street Plats

Plat Data:

Table with 2 columns: Regular Subdivisions and Private Street Plats. Rows include Acreage, Lots, Acres in reserve, Typical lot size, Public Street footage, Major Thoroughfare footage, Open space acreage, and Parking provided.

Un footage on Final Plats only.

Planned Improvements:

Streets: () Public () Private () Concrete C & G
Drainage Systems: (X) Storm Sewer Sanitary Systems: () City Water Systems: () City

Existing Easements - Fee Strips:

Certification: (name; if company or corporation, name of officer)

Developer: Houston Platting & Coatings

Address: 1301 Georgia, S. Houston Tx Zip: 77581 Phone: 713 946 8920

Architect or Engineer: Entwined Buildings / R.W. PATRICK & ASSOCIATES

Address: Zip: Phone:

Applicant:

Address: Zip: Phone:

This is to certify that the information on this form is COMPLETE, TRUE and CORRECT and the undersigned is authorized to make this application.

Signature of Applicant

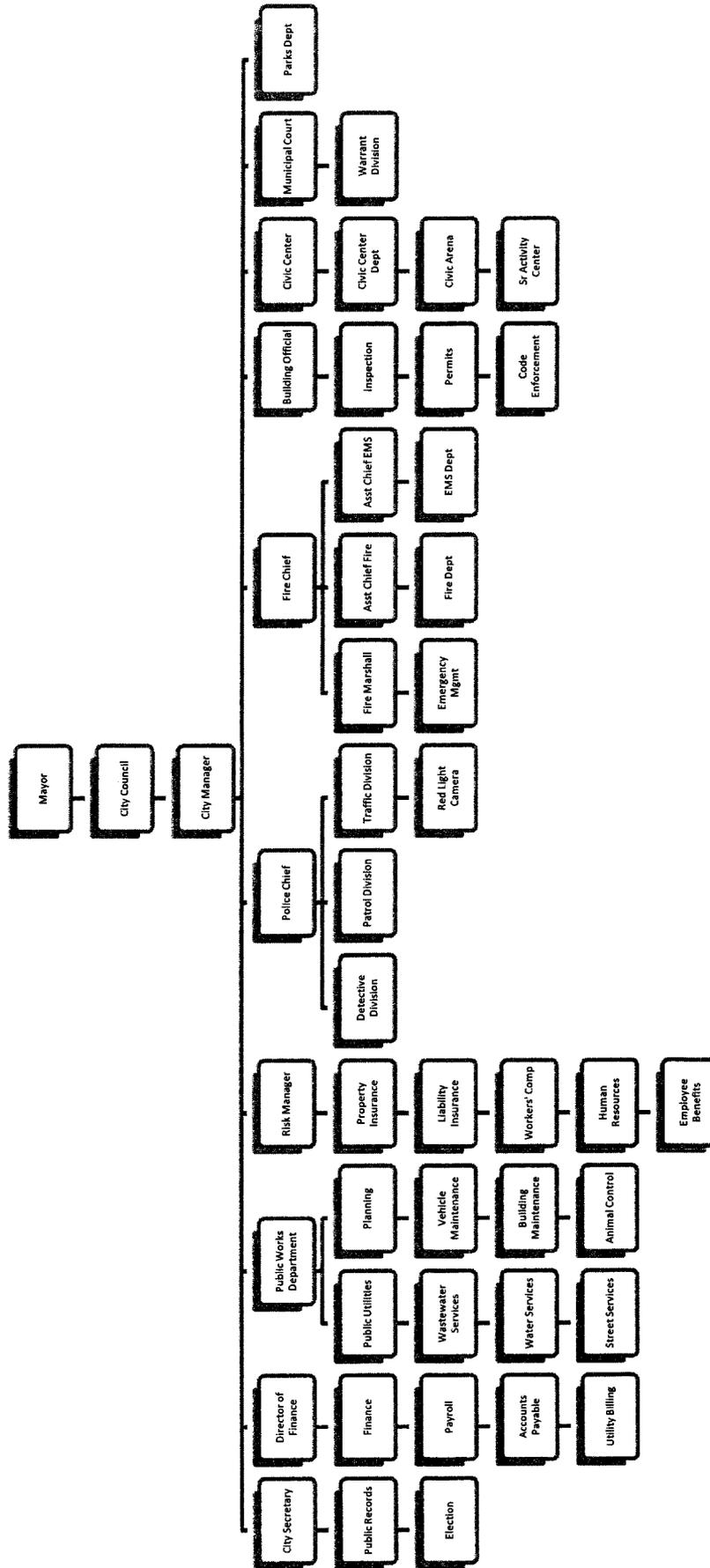
For Department Use Only - Submittal Checklist:

() Form Completed () Base Fee: \$30.00 () Title Opinion () Encumbrance Statement

Signature, City Manager

AGENDA ITEM # 13

APPROVAL OF AMENDED CITY OF HUMBLE ORGANIZATIONAL
CHART



AGENDA ITEM # 14

CORRESPONDENCE: TML LEGISLATIVE UPDATE



Legislative
UPDATE

January 11, 2013
Number 1

NOTICE!
SAME INFORMATION/NEW DELIVERY FORMAT!

In an effort to better inform our members of the League's efforts, the old format of the *TML Legislative Update* e-mail notification will soon disappear. Beginning on January 18, 2013, members will receive a weekly e-mail titled *TML Exchange*. The e-mail will contain all the content that would normally come to you in the *Legislative Update*. In addition, it will contain details related to other information and services offered by the League. Look for the new *TML Exchange* e-mail in your in box soon!

OPEN MEETINGS ACT CHALLENGE HEADS TO U.S.
SUPREME COURT

On December 21, 2012, the ongoing lawsuit commonly referred to as "TOMA II" headed for the U.S. Supreme Court. TOMA II is the second challenge brought by several city councilmembers who claim that the criminal closed meeting provision of the Texas Open Meetings Act (Act)

unconstitutionally infringes upon their right to freedom of speech. After the trial court rejected the city officials' claim, they appealed to the U.S. Court of Appeals for the Fifth Circuit.

In September 2012, the Fifth Circuit Court of Appeals held that the Act is constitutional because it is aimed at prohibiting the negative "secondary effects" of closed meetings. According to the court, closed meetings: (1) prevent transparency; (2) encourage fraud and corruption; and (3) foster mistrust in government.

TML, along with the National League of Cities and the International Municipal Lawyers Association, will be filing an amicus brief with the Supreme Court. The brief argues three key points:

- The various courts that have ruled on the substantive issues raised in this case can agree on almost nothing, leaving tens of thousands of Texas officials in a state of confusion as to how to comply with the Act. The decisions conflict in regard to the First Amendment rights of local officials, the standard of review applicable to political speech, and the manner in which the Act operates.
- Open meetings laws, like the Act, are content-based restrictions on political speech and are thus subject to strict scrutiny. The Fifth Circuit incorrectly applies the secondary effects doctrine to the Act. The secondary effects doctrine affords less protection than strict scrutiny and should not be used in regard to political speech, which is at the heart of the First Amendment.
- The Fifth Circuit refuses to recognize the reach of the Act and, in doing so, fails to protect the core function of public officers—engaging in political speech. Under the Act, a local official can be held strictly liable for a crime by attending a candidate forum. That fact alone shows that Section 551.144 is unconstitutionally overbroad.

Essentially, the amicus brief argues that local officials in Texas and across this country need the Court to clarify the appropriate balance between governmental transparency and the First Amendment rights of local officials. Updates will be provided as they become available.

COMPTROLLER RELEASES BIENNIAL REVENUE ESTIMATE

Earlier this week, Comptroller Susan Combs released her biennial revenue estimate, which shows the legislature how much revenue is available to spend in the next two years. Comptroller Combs estimates that the state will have \$101.4 billion in funds available for general-purpose spending, representing a 12.4-percent increase over funds available for 2012-2013.

In addition to the general revenue-related funds, the state can also expect to collect \$112 billion in federal funds and other revenues dedicated for specific purposes. Total revenues from all sources and for all purposes are estimated to be \$208.2 billion. With increased oil and natural

gas collections, the Economic Stabilization Fund (otherwise known as the Rainy Day Fund) is estimated to reach \$11.8 billion by the end of the 2014-2015 biennium.

What does this mean for cities? While the state may have billions more to spend, it provides virtually no financial assistance to cities. To the contrary, cities actually generate revenue (in the form of state fees in municipal court, state agency fees, etc.) that is used by the legislature to fund state programs. In good economic times or bad, you can expect the state will look to cities to fund an even larger share of those programs.

COMPTROLLER RELEASES PROPERTY TAX REPORT

In December 2012, the Texas comptroller’s office published its biennial property tax report, which provides tax rate information that was collected by the comptroller’s office for tax years 2010 and 2011. The recent report contains a table that has been used in property tax reports in years past, but this time there’s an interesting twist:

Property Taxes Reported by Unit Type, 2009

Unit Type	Number of Units 2009	Tax Levy in 2009	Percentage of Levy in 2009
School Districts	1,025	\$ 21,780,056,204	54.4 %
Cities	1,054	\$ 6,593,755,037	16.5 %
Counties	254	\$ 6,526,724,060	16.3 %
Special Districts	1,609	\$ 5,133,820,497	12.8 %
Total	3,942	\$40,034,355,798	100 %

Source: Comptroller of Public Accounts, *Annual Property Tax Report, Tax Year 2009*

Property Taxes Reported by Unit Type, 2011

Unit Type	Number of Units in 2011	Tax Levy in 2011	Percentage of Levy in 2011
School Districts	1,024	\$22,001,561,060	61.88 %
Cities	1,064	\$ 6,810,049,306	19.15 %
Counties	254	\$ 6,742,912,786	18.96 %
Total	2,342	\$35,554,523,152	100 %

Source: Comptroller of Public Accounts, *Biennial Property Tax Report, Tax Years 2010 and 2011*

Legislation passed last legislative session allows the comptroller to discontinue collecting information from special districts in order to cut costs associated with data collection and entry. As a result, the city share of the total tax “pie” appears to have grown significantly, when in fact it has not. An unfortunate side-effect of this cost-cutting at the state level will be that no state agency can accurately report on the total property tax levy anymore. Consequently, the cities’ share is now unknowable.

The entire Biennial Property Tax Report is available at

<http://www.window.state.tx.us/taxinfo/proptax/references/survey-publications/biennial-report/2010-2011/96-1728.pdf>.

WATER CONSERVATION REPORTING STANDARDS: TWDB AND TCEQ RELEASE GUIDANCE MANUAL

Senate Bill 181, passed by the 82nd Texas Legislature in 2011, required that the Texas Water Development Board (TWDB) and Texas Commission on Environmental Quality (TCEQ) develop a guidance manual containing a uniform, consistent methodology for calculating water use and reporting on water conservation. The TWDB and TCEQ released the final version of this guidance manual in December 2012, available at <http://www.savetexaswater.org/doc/SB181Guidance.pdf>.

Cities and other water utilities are required to use the methods in this guidance manual in developing water conservation plans and preparing annual reports and five-year implementation reports. The guidance manual and methodology are designed to help water utilities complete these required reports in a consistent manner. The guidance manual is subject to revision as the TWDB and TCEQ determine that changes are necessary to improve the collection and use of information on water conservation and water use in Texas.

SENATE NATURAL RESOURCES COMMITTEE: INVESTOR-OWNED WATER UTILITIES

On November 28, 2012, a subcommittee of the Senate Natural Resources Committee met to discuss various issues related to the rates and services of investor-owned water utilities (IOUs).

Much of the hearing focused on the very high rates that are charged by some IOUs. In some cases, city residents who are served by IOUs pay more than three times as much for water service than their neighbors who are served by the city's water utility.

At the November 28 hearing, Senator Robert Deuell (R – Greenville) asked a representative of an IOU why IOU rates are frequently higher than municipal rates. The answer provided by the IOU representative, while somewhat unclear, appeared to be that cities use taxes to subsidize their water utilities.

In fact, the answer is – in most cases – the opposite. Many cities transfer profits from their utility systems to the general fund. Even taking into account that municipal utility customers receive the added benefits of fund transfers (i.e., some cities use transferred utility profits to provide more services that citizens demand while keeping property tax rates low, rather than transferring profits to investors), municipal utility ratepayers generally pay less for service than their investor-served counterparts.

HOUSE COMMITTEES RELEASE INTERIM REPORTS

The following is a brief summary of city-related interim report provisions that have been released. The reports are available online at <http://www.house.state.tx.us/committees/reports/>.

House Agriculture and Livestock Committee

- Charge 1: Evaluate the role of community gardens and urban farming efforts that increase access to healthy foods and examine the possible impact that state and local policies have on the success of programs of this type. Determine the feasibility of policies to support these efforts, especially in high-population areas. (*Joint charge with the House Committee on Urban Affairs.*)

According to the report, it is not uncommon for Texas cities to prohibit individuals from operating a business out of a single family home. These ordinances can have the effect of quelling potential urban farmers. In Frisco, for instance, the city council voted last year to specifically ban all cottage food production operations from a home.

Generally, Texas does not offer economic incentives for urban farmers. During the 82nd Regular Session, House Bills 2995, relating to an exemption for urban farms from payment for wastewater service, and 2998, relating to ad valorem tax relief for urban farms and green roofs, did not receive hearings. (Note: Similar legislation has been filed in 2013 in the form of H.B. 254.)

Recommendations:

1. "Local entities should be encouraged to use resources available at Texas A&M AgriLife Extension Service for guidance in developing future polices and guidelines for urban agriculture and community gardening, including policies and guidelines for adjustments of wastewater system facility charges."
 2. "The legislature should examine economic incentives as a way to promote urban agriculture and community gardening. This should include re-examining taxing strategies such as appraisal methods and procedures for land designated for agricultural use."
 3. "Cooperatives should be encouraged between local landowners, farmers, and utilities to allow the use of vacant or underused lands in urban and suburban areas. Particular attention should be paid to issues surrounding the limitation of liability for landowners for injury or damage resulting from the use of the land."
- Charge 2: Study the wildfire response performed by the Texas A&M Forest Service and cooperating state agencies. Examine specifically how state laws and regulations could be enhanced to improve response effectiveness across the state. Study both the available causes of wildfires and mitigation and make recommendations as needed.

The report states that Texas has more than 60,000 active firefighters; more than half of them are volunteers. Volunteer fire departments respond to 90 percent of the wildfires in Texas—and they do it with little to no money and a staff made up almost completely of volunteers. There are only 139 out of more than 1,200 departments that are full-paid departments.

Recommendations:

1. “Encourage the legislature to restore funding for grants to the Volunteer Fire Department Assistance Program and Rural Volunteer Fire Department Insurance Program. Last session, the Assistance program was cut 54.2 percent, and the Insurance program was cut \$100,000 for the biennium. This action will not require any new tax or fee revenues.”
2. “Review the current statute on liability protections extended to private individuals and companies aiding the state in emergency response. Private companies are interested in using their personnel and equipment to assist Texas Forest Service with wildfire suppression on property adjacent to theirs; however, they are concerned about potential liability issues.”
3. “Consider providing workers’ compensation coverage for Regional Incident Management Team (RIMT) and Texas Intrastate Fire Mutual Aid System (TIFMAS) resources. Most members of these teams are not employed by a state agency and are not covered under the state’s workers’ compensation insurance. A legislative change to allow RIMT and TIFMAS personnel similar coverage to that provided to Texas Task Force 1 members (Education Code 88.303) would address this issue.”
4. “The legislature has consistently funded response costs during the legislative session following emergency events. Changes in the billing processes and prompt pay requirements for out-of-state resources make the current funding process problematic, especially with resources obtained through federal contracts or from other states. Consider setting aside an amount of funding proper to the occurrence of disasters so that funds would be available, should they be needed, to provide for emergency response cost reimbursement in a more timely fashion. This will not result in additional costs to the state, but rather a change in when funding occurs.”
5. “Work with the USDA on the bidding process concerning the use of local resources to help quicken response times and to reduce the need for out-of-state resources.”

House Land and Resource Management Committee

- Charge 3: Examine the effectiveness of the Texas Private Real Property Rights Preservation Act (Chapter 2007, Government Code).

The Act is what is known as a “pay or waive” law. That means that – if cities were made subject to it, and if a property owner claims that a city regulation reduces the value of his property – a city would have three choices: (1) pay the alleged damages; (2) waive the regulations; or (3) litigate the claim.

Recommendation: “While the legislature and the committee greatly value the rights of private property owners in Texas, when the act was originally passed in 1995, the legislature exempted municipalities from inclusion. Since that time, little has changed to believe the legislature would reverse its position that the Private Real Property Rights Preservation Act include municipalities. We remain cautious of the unintended consequences on municipalities using legitimate public policy oriented regulations.”

- Charge 4: Examine current regulatory authority available to municipalities in their extraterritorial jurisdiction. Make necessary legislative recommendations to ensure a proper balance between development activities and municipal regulations.

The Texas Association of Builders testified that abuses of regulatory authority in the extraterritorial jurisdiction through over-reaching ordinances can increase the cost of housing, because developers are unable to develop small lots or have to comply with costly regulations.

Recommendation: “The committee does have concerns regarding excessive and abusive regulations that impede or deny property owners their right to develop land as they see fit. However, the committee feels these regulations should be addressed with targeted, local bills brought by members who represent the area affected by the regulations. Any statewide solution could have unintended consequences on communities other than those imposing unreasonable regulations.”

House Committee on Culture, Recreation, and Tourism Committee

- Charge 3: Recommend approaches to improve long-term funding for state park acquisition, development, and maintenance.

The report contains a detailed history of the funding for state and local parks in recent times. According to the report, local communities depend on the grant programs administered by the Texas Parks and Wildlife Department for acquisition and development of parkland to meet the growing population in Texas. Local parks have many benefits attributed to them, including financial benefits, as well as social benefits. Some estimates show that local parks also lead to the creation of 45,623 jobs through their maintenance and operation activities, capital investments, and direct tourism, as well as \$6.44 billion in visitor spending. However, the different grant programs that play a vital role in funding activities associated with local parks are underfunded.

Recommendation: “Support legislation that would dedicate 94 percent and 6 percent of the tax revenue received from the sale of sporting goods to the Texas Parks and Wildlife Department and the Texas Historical Commission, respectively...[and]...provide additional funding for the grant programs administered by the Texas Parks and Wildlife Department for local park projects and acquisition.”

House Committee on Economic and Small Business Development Committee

- Charges: Examine the state's efforts to encourage new business growth and retain existing businesses in order to strengthen our state's economy. Determine whether a consolidated approach to statewide economic development would be more effective. Examine current economic development programs available in urban areas in Texas and other states. Report on successful programs and make legislative recommendations for innovative economic development programs. (*Joint with the House Committee on Urban Affairs.*)

This report is slightly unusual in tone. Here is an excerpt from it:

“You’re not being paranoid. They really are out to get us. And we’re helping them do it... Other states are in an arms race with Texas. They want our businesses, and they will do whatever it takes to get them. That includes incentives. Incredible incentives, crazy incentives. We’ve built a beautiful gingerbread house with our incentives, and we’ve lured them in. But other states are working to make their gingerbread houses more alluring.”

The report concludes with this: “The best time to plant a tree is twenty years ago. The second best time is now. – Chinese proverb.”

Recommendations:

1. “Although expansion of small businesses is crucial to growing our economy, monetary government involvement should be targeted toward those small businesses that actually want to grow. When considering policies for these types of businesses, lawmakers should not consider the entire universe of small businesses. Rather, lawmakers should narrow their focus to specific businesses, such as those actively seeking venture capital. And of those businesses, the sample should be confined to those businesses with new and innovative technologies that have the potential to become a major player.”
2. “The Tax Code allows cities and counties to establish reinvestment zones and enterprise zones, and allows cities, counties, and school districts to offer tax abatements and tax increment financing to qualified businesses. These local entities must continue to be given that flexibility by the state, in order to be proactive toward achieving their own economic development goals.”
3. “Chapter 313 agreements [school value limitations] must be continued to attract large, manufacturing facilities. If it needs to be tweaked, tweak it. But don’t let it expire in 2014.”
4. “Texas should maintain the portion of the hotel-motel tax for the benefit of tourism marketing. The \$30-million investment generates about \$3.7 billion in tourism spending, returning \$190 million back to state coffers – nearly a seven-to-one return on investment.”
5. “Current incentives should be maintained, and funding enhanced where appropriate.”

EPA RELEASES CLIMATE CHANGE STRATEGY REPORT

The U.S. Environmental Protection Agency (EPA) recently released the final copy of its *National Water Program 2012 Strategy: Response to Climate Change* report, which addresses climate change in the context of water programs. The report emphasizes assessing and managing risk and incorporating adaptation into current EPA programs.

Of interest to cities, Goal 12 of the report is to “Protect waters of the United States and promote management of sustainable surface water resources” with strategic action plans to “Encourage states and communities to incorporate climate change considerations into their water quality planning” and “Encourage water quality authorities to consider climate change impacts when developing wasteload and load allocations in Total Maximum Daily Loads where appropriate.”

The above example is but one of several strategic action plans that could affect cities in the future. The report is available in its entirety at <http://water.epa.gov/scitech/climatechange/2012-National-Water-Program-Strategy.cfm>.

EPA PROPOSES STORMWATER RULES

The U.S. Environmental Protection Agency (EPA) has initiated a proposed national rulemaking to establish a program to reduce stormwater discharges from newly-developed and redeveloped sites and to make other regulatory changes to its stormwater program. EPA intends to propose new rules by June 10, 2013, and to complete a final action by December 10, 2014.

In addition to establishing various performance standards, EPA is considering expanding the MS4 program area, requiring large regulated cities to establish retrofit requirements, and designating government-owned maintenance yards as industrial sources, which would subject them to the stormwater regulations.

More information on these proposed rules is available at <http://cfpub.epa.gov/npdes/stormwater/rulemaking.cfm>.

LEAGUE REQUESTS GOVERNOR TO WAIVE CONSUMER CONFIDENCE REPORT DELIVERY REQUIREMENTS

Federal law requires all municipally owned water utilities to deliver an annual Consumer Confidence Report (CCR) to all their customers. Pursuant to a TML Board-approved initiative that is part of the 2013-2014 TML Legislative Program, League staff has written to the governor to urge him to waive the CCR delivery requirements for small municipally owned water systems.

Presently, all municipally owned utilities are required to either mail or deliver door-to-door a copy of the CCR to each customer. However, the report delivery and recordkeeping provision of

the federal Safe Drinking Water Act allows the governor of a state to waive the mailing requirement for community water systems serving fewer than 10,000 persons.

If a governor does so, small systems are still required to: (1) publish the CCR in a local newspaper serving the area in which the system is located; (2) inform customers that the CCR will not be mailed; and (3) make the CCR available to the public upon request.

This is an important issue for small municipally owned systems in Texas, because requiring them to mail or deliver the CCR to all customers imposes a significant unneeded cost. Those funds could be better spent improving or maintaining the system itself.

The League, along with the National League of Cities and the North Carolina League of Cities, has also submitted letters to the U.S. Environmental Protection Agency (EPA) in support of electronic delivery of CCRs for all water systems.

WHAT'S YOUR AREA OF EXPERTISE OR INTEREST? **JOIN YOUR FAVORITE E-LIST**

The TML staff has been gathering e-mail addresses from city officials (elected or appointed) who are willing to provide testimony during the 2013 legislative session, want to be kept “in the loop” on certain subject matters, and/or are willing to simply provide their perspective on a particular legislative matter.

These “E-lists” are the primary way TML staff contacts city officials regarding harmful legislation and are an invaluable grassroots tool. In many cases, bills will be set for committee hearings with essentially no notice. When that happens, an e-mail will go out to the appropriate E-list asking for information or action on your part. If you can, please respond as indicated. Legislators need to hear from their constituents more than from TML staff.

It's not too late to participate in the E-List project; simply go to <http://www.tml.org/genform/E-List.asp> and fill out the online form. If you have any questions, please contact JJ Rocha at jj@tml.org or 512-231-7400.

CITY-RELATED BILLS FILED

PROPERTY TAX

H.B. 315 (Otto) – Property Tax: would give a motor vehicle dealer the ability to elect to have motor vehicle inventory appraised based upon the price for which it would sell as a unit to a purchaser who would continue the business, and would allow a motor vehicle dealer to elect to have the inventory appraised at its market value as of September 1 of the year preceding the tax year to which the appraisal applies, but only if: (1) the total annual sales from the dealer's motor vehicle inventory, less sales to dealers, fleet transactions, and subsequent sales, are 25 percent or

less of the total revenue from all sources during the 12-month period corresponding to the preceding tax year; or (2) the dealer did not sell a motor vehicle to a person other than another dealer during the 12-month period corresponding to the preceding tax year and the dealer estimates that the total annual sales will be 25 percent or less of the dealer's total revenue from all sources during that period.

H.B. 316 (Otto) – Property Tax: would allow taxpayer appeals from appraisal review board determinations to be heard by the State Office of Administrative Hearings if the property is located in the following cities: Amarillo, Austin, Beaumont, Corpus Christi, El Paso, Fort Worth, Houston, Lubbock, Lufkin, McAllen, Midland, San Antonio, Tyler, and Wichita Falls.

S.B. 154 (Patrick) – Property Tax: would reduce the property tax appraisal cap on homesteads from ten to five percent. (Note: please see **S.J.R. 15**, below.)

S.B. 155 (Patrick) – Property Tax: would extend the current ten-percent appraisal cap to business property. (The cap currently applies only to residential homesteads.) (Note: please see **S.J.R. 14**, below.)

S.B. 163 (Van de Putte) – Property Tax: would provide that: (1) the surviving spouse of a member of the armed services of the United States who is killed in action is entitled to a property tax exemption for the total appraised value of the surviving spouse's residence homestead if: (a) the surviving spouse has not remarried; and (b) the property was the residence homestead of the member of the armed services when the member died; and (2) a surviving spouse who qualifies for an exemption that subsequently qualifies a different property as the surviving spouse's residence homestead is entitled to a property tax exemption of the subsequently-qualified homestead in an amount equal to the dollar amount of the exemption for the former homestead if the surviving spouse has not remarried. (Note: please see **S.J.R. 16**, below.)

S.J.R. 14 (Patrick) – Property Tax: would amend the Texas Constitution to permit the legislature to apply a ten-percent appraisal cap to business property. (Note: please see **S.B. 155**, above.)

S.J.R. 15 (Patrick) – Property Tax: would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on homesteads from ten to five percent. (Note: please see **S.B. 154**, above.)

S.J.R. 16 (Van de Putte) – Property Tax: would amend the Texas Constitution to: (1) provide that the surviving spouse of a member of the armed services of the United States who is killed in action is entitled to a property tax exemption of the total appraised value of the surviving spouse's residence homestead if: (a) the surviving spouse has not remarried; and (b) the property was the residence homestead of the member of the armed services when the member died; and (2) provide that a surviving spouse who qualifies for an exemption that subsequently qualifies a different property as the surviving spouse's residence homestead is entitled to a property tax exemption of the subsequently-qualified homestead in an amount equal to the dollar amount of the exemption for the former homestead if the surviving spouse has not remarried. (Note: please see **S.B. 163**, above.)

SALES TAX

H.B. 357 (Giddings) – Sales Tax: would exempt certain school art supplies from sales tax during limited periods of time.

S.B. 158 (Carona) – Sales Tax: would amend the definition of “newspaper” for purposes of a sales tax exemption to include a newsprint publication for which each copy over a 30-day period does not exceed \$3.00 (Note: the threshold cost for an exemption under current law is \$1.50.)

ELECTIONS

H.B. 313 (Strama) – Voter Registration: would require the secretary of state to implement a program allowing a person who has a valid driver’s license or personal identification card to complete a voter registration application over the Internet from the official website of this state and the websites of the secretary of state, the Department of Public Safety, and counties participating in the program.

H.B. 396 (Thompson) – Absentee Voting: would provide that: (1) a person may apply with a single federal postcard application for a ballot for any one or more elections in which the person is eligible to vote; (2) an application that does not identify the election for which a ballot is requested shall be treated as if it requests a ballot for: (a) each general or special election held within one year after the date the application is received in which the person is eligible to vote; and (b) the general primary election if the application indicates party preference and is received within one year before the date of the general primary election; and (3) if an application described in (2) above, indicates the person is eligible to vote in an election in which the early voting clerk who received the application does not conduct early voting, the clerk shall forward a copy of the application in a form prescribed by the secretary of state to each early voting clerk who conduct early voting for an election in which the person is eligible to vote.

S.B. 160 (Huffman) – Elections: would provide that a poll watcher shall wear a badge that prominently displays the words “Poll Watcher” while the watcher is observing election activity.

OPEN GOVERNMENT

H.B. 335 (Stickland) – Legal Notices: would provide that any political subdivision may satisfy a newspaper notice publication requirement by posting the notice on its Internet website.

OTHER FINANCE/ADMINISTRATION BILLS

H.B. 365 (Martinez) – Disease Presumption: would provide that: (1) a firefighter or emergency medical technician (EMT) who has a heart attack or stroke while on duty is presumed to have suffered the illness or death during the course and scope of employment, which means he or she would be covered by workers’ compensation for that condition; (2) a firefighter or EMT who contracts acquired immune deficiency syndrome (AIDS), human immunodeficiency virus

(HIV), hepatitis B, or hepatitis C is presumed to have contracted the disease during the course and scope of employment, which means he or she would be covered by workers' compensation for that condition if, while on duty: (a) the firefighter or EMT was exposed to a person with these diseases who received treatment from the firefighter or EMT; or (b) the firefighter or EMT regularly responded to scenes or calls involving exposure to blood or other bodily fluids; and (3) a firefighter or EMT who contracts *methicillin-resistant staphylococcus aureus* (MRSA) resulting in illness or death is presumed to have suffered the illness or death during the course and scope of employment, which means he or she would be covered by workers' compensation for that condition if, while on duty, the firefighter or EMT was exposed to a person with MRSA who received treatment from the firefighter or EMT.

H.B. 372 (Deshotel) – Contracts: would: (1) require a contractor, including a city, to: (a) classify a construction worker as an employee if the individual works for wages or under an express or implied contract of hire; (b) pay an administrative penalty if it does not properly classify its construction workers; and (c) present an affidavit when doing work for a city or county, or the state, that its construction workers are properly classified; and (2) bar a contractor, including a city, for three years from contracting with a political subdivision or the state if the contractor knowingly misclassifies its construction workers.

H.B. 374 (Guillen) – Economic Development Corporations: would expand the term “project,” in relation to Type A and B economic development corporations, to include the land, buildings, equipment, facilities, improvements, and expenditures required for the development, operation, or expansion of community libraries.

H.B. 382 (Burnam) – Settlement Agreements: would prohibit the state and local governments from keeping certain information related to settlement agreements in some civil cases confidential.

S.B. 156 (West) – Taxes: would require the Legislative Budget Board to: (1) include in any fiscal note that authorizes or provides for a diversion of state funds or a tax preference a statement of the purposes of the bill along with reasonable benchmarks to measure if the bill's purposes have been achieved; and (2) issue a report on whether the benchmarks have been met before the first day of the third regular legislative session after a bill with a diversion of state funds or a tax preference becomes law.

MUNICIPAL COURTS

H.B. 310 (Guillen) – Alcohol Offenses: would allow a minor, for an offense other than driving or operating a watercraft under the influence, to enter a guilty plea without appearing in open court in front of a judge if the minor: (1) at the time the plea is entered, resides outside the county where the offense is alleged to have occurred, and (2) has not previously been convicted of an offense under the Alcoholic Beverage Code.

H.B. 321 (Dutton) – Community Supervision: would prohibit a dismissal and discharge under deferred adjudication community supervision from being used as grounds for denying housing, employment, or a professional license, and would also prohibit the Department of Family and

Protective Services from using the fact that a defendant had previously received community supervision with a deferred adjudication of guilty in issuing, renewing, denying, or revoking a childcare facility license.

H.B. 336 (Menendez) – Proof of Financial Responsibility: would allow a motor vehicle operator to provide evidence of financial responsibility in electronic format displayed on a wireless communication device, but would not prevent a court or the commissioner of insurance from requiring a person to provide a paper copy at later proceedings.

H.B. 350 (Canales) – Discovery: would require a municipal prosecutor, upon request by a defendant, before or during a trial, and subject to certain exceptions and existing rules of evidence, to make available to the defendant multiple types of discovery records related to the case and creates sanctions for a prosecutor's failure to comply.

COMMUNITY AND ECONOMIC DEVELOPMENT

H.B. 292 (Rodriguez) – Gambling: would: (1) legalize poker in Texas; (2) allow tribes, pari-mutuel license holders, and bingo license holders to have poker gaming; (3) tax poker proceeds received by businesses; and (4) provide that part of the proceeds of the state tax on poker would be used for city projects to help the homeless.

H.B. 351 (Canales) – Hotel Occupancy Tax: would limit the hotel occupancy tax exemption for "permanent residents" to stays of longer than 60 days (current law requires longer than 30 days).

H.B. 371 (Alonzo) – Nonprofit Corporations: would: (1) authorize the Texas Department of Transportation (TxDOT), as part of the acquisition of real property for right-of-way purposes, to take title to unusable remainder real property not used for right-of-way purposes; (2) require that the property be offered by TxDOT to a nonprofit corporation designated by the city in which the property is located or, if not in a city, a nonprofit designated by the county; and (3) require that the property be used for the public purpose of development and diversification of the state economy.

PERSONNEL

H.B. 318 (Giddings) – Employment: would: (1) make it an illegal employment practice for an employer, including a city, to require or request an employee or applicant to give their user name, password, or other access to their personal electronic accounts such as an e-mail or a social networking site account; (2) not prohibit an employer from accessing information about an employee or applicant on the Internet that is open to the public or managing an employee's use of city electronic equipment or use of electronic equipment during work hours. (This bill is identical to **S.B. 118** by **Hinojosa**).

PUBLIC SAFETY

H.B. 297 (Rodriguez) – Dangerous Dogs: would: (1) provide for a jury trial for dangerous dog trials in any court; (2) preempt state law or municipal ordinance that would not allow for a jury trial; (3) allow an appeal to county court for an animal control authority determination or a municipal court or justice court order regarding a dangerous dog; and (3) require a dog owner who utilizes the appeal process to post a bond in the amount of the cost to house the animal during the appeal.

H.B. 327 (Dutton) – Criminal History Records: would, in certain instances, require the Department of Public Safety (DPS) to provide written notice by mail to a person when DPS discloses or disseminates the person's criminal history record information to another person or entity.

H.B. 328 (Dutton) – Official Oppression: would: (1) make the offense of official oppression a third degree felony if the conduct is intentional or knowing suppression of evidence favorable to a defendant and material to the defendant's guilt or punishment in a criminal trial, and (2) eliminate the statute of limitation on the felony of official oppression.

H.B. 337 (Zedler) – Sexually Oriented Businesses: would: (1) create a state licensing scheme to be administered by the Department of State Health Services (DSHS) for owners, operators, employees, or independent contractors of sexually oriented businesses (SOB); and (2) provide that the bill's licensing requirements are in addition to any municipal or county regulation and that, to the extent of a conflict between the bill and a municipal or county regulation, the bill controls.

H.B. 339 (Laubenberg) – Fire Control, Prevention, and Emergency Districts: would authorize a city with a population of not less than 5,000 nor more than 550,000 to propose the creation of a fire control, prevention, and emergency district.

H.B. 347 (Pitts) – Cell Phone Ban: would prohibit a motor vehicle operator from using a wireless communication device on the property of a public or private elementary or middle school.

H.B. 355 (Guillen) – Commercial Driver's Licenses: would allow deferred disposition or driver safety course dismissal for a holder of a commercial driver's license who violates a state law or local ordinance relating to motor vehicle control, so long as the individual was not operating a commercial motor vehicle when the offense occurred.

H.B. 359 (Krause) – Law Enforcement: would require a law enforcement agency, including a police department, to: (1) verify the immigration status of an arrested person within 48 hours and before the person can be released on bond unless the person's status has already been determined by another agency from which the individual was transferred; and (2) notify United States Immigration and Customs Enforcement and the judge authorized to rule on the person's release if information reveals the person is unlawfully present in the United States.

S.B. 20 (Patrick) – Intrusive Touching: would provide that a public servant commits an offense if, without probable cause and consent, the public servant searches a person who is entering a public building or transportation facility and touches the person in specified personal areas or in a way that is offensive or provocative.

UTILITIES AND ENVIRONMENT

H.B. 303 (Rodriguez) – Renewable Energy: would provide that, by January 1, 2020, at least 35 percent of electric generating capacity in the state come from renewable energy technologies, with at least two percent from solar energy technologies

H.B. 380 (Burnam) – Gas Pipeline Safety: would apply to a gas pipeline that is located in certain locations over the Barnett Shale, and would provide that a gathering or transmission pipeline may not be constructed within 50 feet of an established permanent structure that is used by human beings on a regular basis unless certain conditions are met.

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The Categories

The competition is divided into two population categories to allow cities to compete with other cities of comparable size. The population categories are cities less than 25,000 population and cities over 25,000.

Within each of the two population categories, there are five subject categories: management innovations, communication programs, city spirit, public safety, and public works. Those categories are explained below:

- Management Innovations - Award applications in this category encompass employee development and training, financial applications, intergovernmental cooperation, technology advances, or other innovative approaches to city government management.
- Communication Programs - Award applications in this category feature effective methods used by cities for citizen communication, employee communications, council communications, customer communications, or municipal communication projects. The applications would not be limited to written communications, but may also include oral and visual communication methods.
- City Spirit - Award applications in this category highlight any citywide effort to address a city need. This may include clean-up efforts, beautification efforts, economic development efforts involving a city-based project, historic preservation efforts, or other projects supported by broad-based city efforts.
- Public Safety - Award applications in this category include efforts to improve the safety and security of the city. Included would be law

enforcement programs, fire and emergency response programs, youth programs related to public safety, and disaster response programs.

- Public Works - Award applications in this category address a wide variety of projects and efforts, such as environmental management programs, planning and land use, transportation programs, utilities, parks and recreation programs, and energy resource management.

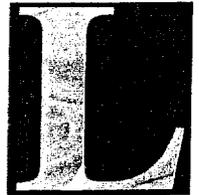
Cities may submit one entry in each of the five subject categories, but judges may move entries between categories. More than one application in a single category may result in disqualification. Each entry should demonstrate a proven record of effectiveness and evidence that the program has achieved its goals.

Application Process

The awards program is open to all Texas Municipal League member cities. Each city can submit one award application in each subject category, for a total of five applications. Entries must describe programs or projects brought to conclusion or showing significant results between November 1, 2011, and May 1, 2013.

An official Municipal Excellence Award entry application must be submitted for each project. The official application may be reproduced in an alternative format, as long as all questions on the form are answered. Please type or legibly print information requested on the award application. The original application must be signed by the city's chief elected or administrative officer. If applications are submitted in more than one category, please submit a separately bound document for *each* category.





When completing the award application, the **summary** of the project must be concise and limited to **less than 200 words**. The **description** of the project, which can be longer, should include the following information: why the project was needed, how it accomplished the goal, who benefited, level of cooperation in the city, time or money savings, time or money costs, improvement to quality of service or livability of the city, and future impact on the city. This information may appear on separate pages.

Judging Process

Entries will be screened by TML staff for completeness. Any entries deemed not complete will be excluded.

Final judging will be conducted by an independent panel of judges with considerable experience in the area of municipal government. The judging will take place in Austin and will be closed to the public. The judges reserve the right to change the category of entries.

Additional information—artwork, brochures, photos, media clippings, DVDs, CDs, and other similar material—may be submitted, but is not necessary. **Please check DVDs and CDs submitted for quality of picture and, if applicable, sound.** Label each electronic submission to indicate the format for preferred viewing. All material submitted with each entry becomes the property of the Texas Municipal League and will not be returned.

Judges will be asked to look for the following attributes of each entry:

- Is the application complete and are all the necessary items enclosed?
- Is the project innovative?
- Did the project achieve its goal?
- What is the long-term value to the city?
- Can the project be adapted for other cities?

FIVE copies of all materials (excluding videotapes, DVDs, and CDs) must be submitted.

Announcement of the Winners

All winning applicants will be notified in late September 2013. The winners will be featured in a future issue of *Texas Town & City* magazine. In addition, the winners will be recognized at the TML Annual Conference to be held on October 8-11, 2013, in Austin.

Award Application Deadline

All entries, including additional material if submitted, must be received in the TML office by *5:00 p.m. on Friday, June 7, 2013*. Entries can be mailed or shipped to TML Municipal Excellence Awards Program, 1821 Rutherford Lane, Suite 400, Austin, Texas 78754-5101.

Additional Information

Additional information on the TML Municipal Excellence Awards Program can be obtained by visiting www.tml.org/municipal_award.asp or calling the TML office at 512-231-7400.

E-mailed and faxed applications will **not** be accepted. Entries, including additional material, will not be returned.

The Texas Municipal League, its staff, officers, and Board, will not be responsible for any lost, delayed, or misdirected award applications.





Award Checklist

- Have you completed an award application for each entry?
- Has the award application been signed by the city's chief elected or administrative officer?
- Have you enclosed **FIVE** copies of the award application and supporting materials?
- Will your completed award application and optional additional materials reach the TML office by 5:00 p.m. on Friday, June 7, 2013?

Remember, all materials submitted will become the property of the Texas Municipal League and will not be returned.



Legislative
UPDATE

January 18, 2013
Number 2

NOTICE!
SAME INFORMATION/NEW DELIVERY FORMAT!

In an effort to better inform our members of the League's efforts, the old format of the *TML Legislative Update* e-mail notification will soon disappear. Beginning with this issue, members will receive a weekly e-mail titled *TML Exchange*. The e-mail will contain all the content that would normally come to you in the *Legislative Update*. In addition, it will contain details related to other information and services offered by the League. Look for the new *TML Exchange* e-mail in your in box soon!

WATER FUNDING BILLS TAKE BALANCED APPROACH

Legislation filed last week by Rep. Allan Ritter (R – Nederland) would tap the state's "rainy day fund" to be used as "seed money" to build necessary water infrastructure over the next several decades. The first of two related bills, H.B. 4, would create a "State Water Implementation Fund" outside the normal state treasury to be used only to fund projects within the State Water Plan, with no less than 20 percent of expenditures from the fund to be used for conservation projects.

The second bill, H.B. 11, would transfer \$2 billion from the rainy day fund into the new implementation fund created by H.B. 4. The \$2 billion would then be available to finance needed water infrastructure. As the money gets repaid with interest, the fund is projected to grow to a size sufficient to underwrite all of the \$53 billion in needed infrastructure identified in the State Water Plan over the coming decades.

The approach taken by these two bills, which appear to have the support of key state leadership, is good news for cities. While past water funding schemes would have placed a “tap fee” on city water bills to finance water projects, Representative Ritter’s idea leverages only state money at the outset. This gives cities within their regions the option of pursuing necessary projects as they see fit. While the costs of either approach are ultimately borne by water consumers, the advantage offered by the current plan is that of local control instead of a one-size-fits all water tax.

The League, along with numerous other organizations, has offered its support to Chairman Ritter. A letter in support of these bills can be read [here](#).

HOUSE COMMITTEE ON STATE AFFAIRS DISCUSSES MUNICIPAL RATE CASE AUTHORITY

On October 24, 2012, the House Committee on State Affairs held a public hearing to address the following interim charge: “*Identify inefficiencies in the regulation of public utilities in order to minimize the cost of regulation to consumers.*” The committee heard from two witnesses whose testimony was about original city ratemaking jurisdiction in utility rate cases.

In late December, the House Committee on State Affairs issued its interim report, which raised concerns within the League. Accordingly, this week, League staff met with Representative Byron Cook, who chairs the House Committee on State Affairs to express those concerns and seek clarification about the committee’s intent. He assured the League that the interim report was merely a report reflecting the testimony of the witnesses and was NOT a recommendation to end original jurisdiction. Chairman Cook pointed out that the report does NOT recommend legislative action on this issue and he stated that he has no plans to file legislation to eliminate original jurisdiction over ratemaking.

The testimony of concern to the League, (from Bill Peacock of the Texas Public Policy Foundation and Chuck Harder of CenterPoint Gas Utility), recommended that original municipal jurisdiction over utility rate cases be eliminated. Their testimony was summarized in the interim report’s conclusion that:

Lawmakers could consider making the statutory changes necessary to move the original jurisdiction for investor owned utility rate cases from municipalities to the Railroad Commission of Texas, for gas, and the Public Utility Commission of Texas, for electricity. Additionally, other policy changes that may simplify the process and reduce regulatory costs could be explored.

The following are excerpts from the report related to the electric rate case process:

- Costs paid by consumers could be reduced if statutes were amended to streamline and update regulatory requirements. (Page 30.)
- While this [municipal jurisdiction] may have been the most efficient regulatory system when it was established, it currently creates some inefficiencies and increases regulatory costs, which are ultimately passed on to consumers. Virtually all the rate proceedings that originate at the municipal level are ultimately appealed and transferred to the PUC because of the desire of utilities to maintain system-wide rates. When cases are transferred, the rate process often starts at the beginning again, which results in more time and money being spent on rate regulation than is necessary. These costs get folded into the rate base, increasing electricity costs. (Page 30.)
- Witnesses testified at the October 24th House Committee on State Affairs hearing that original jurisdiction for [investor-owned utility] rate cases could be transferred legislatively from the municipalities to the state. The PUC already has the expertise and a regulatory system in place to appropriately handle rate regulation. Municipalities interested in maintaining their role as an advocate could still participate as a party to the rate setting process. However, municipal involvement would not be essential because other entities, such as the Office of Public Utility Counsel and the PUC have a responsibility to ensure that customers have access to adequate and efficient services at fair, just, and reasonable rates. (Page 31.)
- Additional regulatory cost savings may be achieved if portions of the Texas Utilities Code were amended. The statute allows municipalities participating in the ratemaking process to hire attorneys, accountants, engineers, rate consultants and auditors. The provision requires the utility, and ultimately the customer, to reimburse the municipality for the cost of these professional services. If original jurisdiction was transferred to the PUC, it would not be necessary for cities to participate, and the additional costs for professional services would not be passed to the consumer, unnecessarily increasing their electricity bills. Cities could still participate in the rate proceeding in the same manner as any other affected customer, but would bear their own legal expenses, just like other customers. (Page 31.)

The following is an excerpt from the report related to the gas rate case process:

- When the system for gas utility regulation was established, it was reasonable to give each individual municipality the responsibility for regulating their own rates and services. Over the years, the market has changed, and the current framework is no longer the most efficient option. Because each city regulates its own utility, there are effectively over a thousand gas utility regulators in Texas. Working with many city regulators is a complicated process that is resource intensive and time consuming. More efficient regulation could be achieved if a single entity was responsible for gas utility regulation. (Page 32.)

Despite the testimony of witnesses at the hearing, municipal participation and original ratemaking jurisdiction historically save consumers money in the form of lower rates.

Below are three examples of stranded cost cases – involving CenterPoint, AEP-Texas Central Company, and Texas-New Mexico Power Company – that are often referred to as the largest cases in the history of the Public Utility Commission (PUC). They also contained some of the largest disallowances of rate increases requested by the utilities. Cities were major participants in each of these cases. Here are the facts associated with the three proceedings:

CenterPoint

Docket No.	Filed	Final Order	Amount Requested	Amount Granted	Hearing Days	Cities' Costs	Utility's Costs
29526	3/31/04	12/17/04	\$4,249,000,000	\$2,300,000,000	15	\$4,771,380*	\$19,260,734

*Includes expenses for the City of Houston and GCCC for Docket Nos. 24835, 26195, 29526, 30485, 30706.

AEP-Texas Central Company

Docket No.	Filed	Final Order	Amount Requested	Amount Granted	Hearing Days	Cities' Costs	Utility's Costs
31056	5/23/05	4/4/06	\$2,406,339,203	\$1,475,933,779	7	\$2,544,452*	\$4,973,553*

*Includes expenses for Docket Nos. 27035, 27207, 30749, 30706, 30762, 31056, 31126, 32475.

Texas-New Mexico Power Company

Docket No.	Filed	Final Order	Amount Requested	Amount Granted	Hearing Days	Cities' Costs	Utility's Costs
29206	1/22/04	7/22/05	\$337,000,000	\$110,600,000	4	\$462,514*	Not indicated

*Plus \$49,920 for estimates.

Here are the facts associated with two more recent cases:

Oncor

Docket No.	Filed	Final Order	Amount Requested	Amount Granted	Hearing Days	Cities' Costs	Utility's Costs
35717	6/27/08	8/31/09	\$275,000,000	\$115,000,000	28	\$1,295,918.00	\$6,737,009.00

Oncor

Docket No.	Filed	Final Order	Amount Requested	Amount Granted	Hearing Days	Cities' Costs	Utility's Costs
39829	1/7/11	8/26/11	\$353,000,000	\$136,700,000	0	\$661,285.01	\$8,088,149.74*

*Includes additional expenses associated with Docket No. 35717 and the 2012 EECRF docket.

As is apparent, city participation in rate cases has saved consumers hundreds of millions of dollars, with relatively miniscule costs incurred by the cities. It is unlikely that the staff of any state agency has the resources or the wherewithal to accomplish those same results. In fact, municipal original jurisdiction over gas cases often results in settlement at the city level. Without it, a state agency would likely be overwhelmed.

Specifically on the issue of original ratemaking jurisdiction, the City of El Paso requested that the electric provider serving the city justify its existing rates and explain why they should not be reduced. In response to this local exercise of original jurisdiction, the electric provider filed Docket No. 39869 at the PUC, to request a rate *increase* of \$26.25 million. After intervening in the PUC case, the city ultimately negotiated a \$15-million rate *reduction*, and all rate case expenses were absorbed by the electric company as opposed to consumers. Without the exercise of original jurisdiction to force a review of the utility's rates the city might never have had the chance to achieve such a beneficial result.

Original jurisdiction provides many benefits to consumers: (1) a city can take action to reduce rates or force concessions that benefit city residents when a company is overearning and the state agency refuses to take action; (2) a city can, particularly in gas rate cases, resolve a rate increase

request at the local level, which helps to avoid costly litigation at the state level; (3) discovery that is begun at the local level reduces the amount of discovery necessary once a case gets to the state agency; and (4) local media is more likely to follow rate regulatory matters when the city is involved, which leads to greater transparency and greater citizen confidence that someone is looking out for their interests.

Municipal jurisdiction is an important reminder of a vital public trust held by private utility companies. Cities were once the exclusive providers of many utility services. Years ago, decades in some cases, some Texas cities chose to delegate the provision of utility services to private companies. Those firms were given something by those cities that few other businesses in America enjoy: a monopoly to provide services within a city, lasting in perpetuity.

What cities are unwilling to depart with, however, is the jurisdiction of the city council over utilities, which allows them to help determine what rates are reasonable in exchange for that monopoly.

League staff pledged to work closely with Chairman Cook, his staff, and the House State Affairs Committee members on any legislation that might affect cities in this area during 2013, and thanked the Chairman for his interest and expertise on issues that affect cities.

The full report is available at http://www.house.state.tx.us/_media/pdf/committees/reports/82interim/House-Committee-on-State-Affairs-Interim-Report-2012.pdf.

HOUSE COMMITTEES RELEASE MORE INTERIM REPORTS

The following is a brief summary of additional city-related interim report provisions that have been released. The reports are available online at <http://www.house.state.tx.us/committees/reports/>.

House Committee on Elections Interim Report

- Charge 1: Examine the benefits and risks of using mobile voting stations in Texas.

Recommendation: While the Texas Election Code does not define “mobile voting,” political entities conducting Texas elections should help the Texas Legislature identify areas of improvement for program uniformity, appropriate regulatory oversight, and voter access.

- Charge 3: Monitor the implementation and impact of the Military and Overseas Voter Empowerment (MOVE) Act on the state and on municipalities. Make legislative recommendations, as needed, to ensure a smooth implementation of the law. (Joint charge with the House Committee on Defense & Veterans' Affairs.)

The report states that, “regarding the additional function of S.B. 100 (2011), a number of local elected bodies moved their elections from May to November. With the exception of a few isolated instances, this was accomplished with little trouble or fanfare.”

Recommendation: The 83rd Legislature should continue to monitor the implementation of the MOVE Act to ensure Texas military and overseas ballots are sent, received, and counted accurately.

House Committee on Technology Interim Report

- Charge 6: Examine human resource policies of state agencies that would integrate the implementation of social media to strengthen the state's workforce.

Among other things, the report details what the Department of Information Resources (DIR) has done to help develop consistent social media guidelines for state agencies.

Recommendation: Update the Texas Government Code, Texas Administrative Code, and Public Information Act with definitions related to social media, and also add a requirement that Texas agencies establish a social media policy using guidance from the DIR.

House Committee on Transportation Interim Report

- Charge: Review the state of our current transportation infrastructure, including studying roadway, bridge, and waterway quality and long-range plans by the Texas Department of Transportation (TxDOT) for maintaining these assets. Explore future needs of our infrastructure for the next decade and make recommendations to ensure long-range sufficiency.

According to the report, “TxDOT manages and maintains a comprehensive transportation system of over 80,000 miles of roadway; over 51,000 bridges; approximately 300 general aviation airports; and over 390 miles of railroad. Over the next 25 years, Texas’ population is projected to more than double; freight traffic is expected to grow at twice the rate of passenger vehicle traffic; and many miles of roads and bridges are expected to require re-building. As traffic levels increase, so will wear and tear on the existing infrastructure and the demand for additional capacity. At current funding levels, the condition of Texas’ transportation infrastructure will deteriorate over the next 10 years. State funding for transportation covers just the maintenance costs of the current system, with no money for new projects, while the number of new road users grows each day, leading to even more wear and tear on the existing transportation structure. Insufficient maintenance of roads and bridges will mean the need for major reconstruction projects, and – as the population grows – congestion will increase. Poor road quality, structurally deficient bridges, and increased congestion all contribute to dangerous driving conditions, and affect the safety of the public. Ensuring the state’s transportation infrastructure is safe, reliable, comprehensive, and efficient is paramount to maintaining the well-being of the growing number of Texans.”

Select Recommendations:

1. Maintain a transportation infrastructure that provides a solid foundation for economic activity in Texas.
 2. Encourage TxDOT to continue to find best practice solutions for maintaining existing roads and funding new development.
 3. TxDOT should continue to evaluate and improve railroad grade crossings to ensure the safety of Texans.
- Charge: Study transportation funding reforms and develop long-term state funding recommendations, with an eye on any federal reforms that become law. Explore options to eliminate “diversions” from Fund 6 [the state’s highway fund] to non-transportation-related programs. (Joint charge with the House Committee on Appropriations.)

A chart on page 38 of the report shows that “local participation” (i.e., contributions from cities and counties towards state highway projects) totals almost \$200 million.

Recommendations:

1. Evaluate ending all diversions from the state highway fund.
2. The legislature should work to establish long-term solutions to address the declining revenue from the state gas tax.
3. Increase accountability for and transparency of how transportation dollars are spent by TxDOT.

U.S. SUPREME COURT HEARS ARGUMENTS IN FCC CELL TOWER CASE

Early in 2012, the federal Fifth Circuit Court of Appeals, in *City of Arlington and City of San Antonio v. Federal Communications Commission*, upheld a Federal Communications Commission (FCC) order imposing certain requirements on cities relating to cell tower applications. The cities appealed to the U.S. Supreme Court, which heard oral arguments this week.

The case began in 2008 when the international association of cell phone providers (CTIA) filed a “petition for declaratory ruling” with the FCC. The petition asked the FCC to preempt local zoning of wireless phone tower locations.

In 2009, the FCC unanimously adopted an order on CTIA’s petition. While not as burdensome as some feared, the order did the following:

- Set presumptive deadlines of 90 days (for co-location applications) and 150 days (for all other wireless siting applications) within which a city must act on wireless applications.
- Concluded that a city that denies a tower-siting application solely because “one or more carriers serve a given geographic market” has engaged in unlawful regulation that

“prohibits or ha[s] the effect of prohibiting the provision of personal wireless services” within the meaning of the Act. In other words, the fact that another carrier or carriers provide service to an area is an inadequate defense for denying a new carrier’s application.

- Rejected CTIA’s request that the FCC preempt any variance procedure under a city’s ordinance. The FCC concluded that whether a variance procedure is too burdensome depends on the city’s actual process.

The order was troubling because it preempts certain aspects of local zoning authority and to some extent makes the FCC a “national zoning board.” Shortly following the order, the National League of Cities, joined by the National Association of Telecommunications Officers and Advisors, the National Association of Counties, the United States Conference of Mayors, and the American Planning Association, filed a petition for reconsideration with the FCC. The FCC denied that petition.

While the FCC was deciding the petition, the City of Arlington (later joined by the City of San Antonio) challenged the FCC’s authority to issue the order by appealing to the Fifth Circuit Court of Appeals. In 2012, the court of appeals issued an opinion that upheld, but limited the effect of, the FCC order. The lengthy opinion addressed many issues related to FCC authority, but the most relevant substantive portion concluded that the “shot clock” time frames are not hard and fast rules, but instead exist to guide courts in their consideration of cases challenging state or local government inaction.

The larger question on appeal to the U.S. Supreme Court relates to FCC (and other federal agencies) authority in general. An analytical tool used by courts and referred to as the “*Chevron* Doctrine” is at issue. The *Chevron* Doctrine essentially provides that a court will defer to a federal agency’s own interpretation of whether it has the authority to enact a regulation under its enabling legislation. The cities in the case claim that the FCC simply lacked the authority to issue its order, and that – if courts follow the *Chevron* Doctrine – any challenge to federal agency authority is precluded.

In an interesting procedural twist, various state and national associations (e.g., the Texas Coalition of Cities for Utilities Issues, the International Municipal Lawyers Association, and the other national associations mentioned above) that often file briefs of amicus curiae in cases of this nature are actually parties at the U.S. Supreme Court.

More information will be provided when the Supreme Court issues its opinion.

ATTORNEY GENERAL’S PUBLIC INFORMATION ACT **ELECTRONIC FILING SYSTEM NOW AVAILABLE**

A city that seeks a decision from the attorney general about whether public information is excepted from public disclosure is now able to submit the request and related information electronically. The cost for an electronically-submitted request for an attorney general decision is \$25, plus a \$5 administrative fee.

Alternatives to the e-filing system, including submission by mail or in person, are still available. Detailed information about the new e-filing system, including a frequently asked questions page and a link to related rules, is available at <https://www.oag.state.tx.us/open/efiling.shtml>.

TCEQ RELEASES STAFF GUIDANCE FOR DESALINATION PROJECTS

In response to stakeholder input on the Texas Commission on Environmental Quality's (TCEQ) process of approving desalination projects, TCEQ has developed a streamlined groundwater desalination project review process.

This improved process will continue to ensure that the required quality and quantity of drinking water are provided by these projects. TCEQ will now allow the use of computer modeling in lieu of on-site pilot studies for reverse osmosis filtration treatment for secondary contaminants from a groundwater source. Additional information is available at www.tceq.texas.gov/goto/desal.

WHAT'S YOUR AREA OF EXPERTISE OR INTEREST? JOIN YOUR FAVORITE E-LIST

The TML staff has been gathering e-mail addresses from city officials (elected or appointed) who are willing to provide testimony during the 2013 legislative session, want to be kept "in the loop" on certain subject matters, and/or are willing to simply provide their perspective on a particular legislative matter.

These "E-lists" are the primary way TML staff contacts city officials regarding harmful legislation and are an invaluable grassroots tool. In many cases, bills will be set for committee hearings with essentially no notice. When that happens, an e-mail will go out to the appropriate E-list asking for information or action on your part. If you can, please respond as indicated. Legislators need to hear from their constituents more than from TML staff.

It's not too late to participate in the E-List project; simply go to <http://www.tml.org/genform/E-List.asp> and fill out the online form. If you have any questions, please contact JJ Rocha at jj@tml.org or 512-231-7400.

WHAT'S GOING ON AT THE CAPITOL?

There are now only 131 days left until the 83rd Texas Legislature adjourns *Sine Die*. The session convened with little fanfare other than the adoption of the procedural rules that govern each body.

The Senate voted to preserve the “two-thirds rule,” which requires that two-thirds of the body vote in favor of bringing a piece of legislation to the floor. The rule is designed to preserve the rights of the minority party. The Senate also made permanent the Senate Committee on Open Government. The committee was originally created last session as a “select” (i.e., temporary) committee.

The House, by acclamation, re-elected Joe Straus (R – San Antonio) to his third-term as Speaker of the House. The House also created the stand-alone House Committee on Pensions, which will have jurisdiction over public retirement systems.

Both the House and Senate have laid the groundwork for each chamber’s respective budget. The House is proposing to spend \$89.1 billion in general revenue and a total of \$187.7 billion from all fund sources. This represents a \$2.2 billion decrease from 2012-2013 levels. The House proposal spends \$5.5 billion less than is available under the comptroller’s biennial revenue estimate and \$3.7 billion less than allowed by the state constitution’s spending limit. The Senate has proposed spending \$88.9 billion in general revenue and \$186.8 billion from all fund sources. This represents a decrease of \$3.1 billion from 2012-2013 levels.

How this affects cities is yet to be determined. Neither chamber has appointed committee members. The session won’t heat up until that happens, but the number of bills being filed is steadily increasing.

CITY-RELATED BILLS FILED

PROPERTY TAX

H.B. 428 (Creighton) – Property Tax: would reduce the property tax appraisal cap on homesteads from ten to five percent. (Note: please see **H.J.R. 58**, below.)

H.B. 538 (Y. Davis) – Property Tax: would repeal several property tax exemptions, including the Freeport property tax exemption, super Freeport property tax exemption, property exempt through a city tax abatement agreement, and the property tax exemption for pollution control equipment, among many others.

H.B. 440 (Alonzo) – Property Tax: would require a religious organization that owns property for which the organization receives a property tax exemption to file a report with the chief appraiser each year that: (1) lists the real property owned by the organization that is exempted from property taxes; (2) lists the Tax Code provision that grants the property tax exemption; (3) describes how the property is used by the organization; and (4) states the amount of any income derived by the organization from each listed property.

H.B. 548 (C. Turner) – Property Tax: would provide that: (1) the surviving spouse of a member of the armed services of the United States who is killed in action is entitled to a property tax exemption of the total appraised value of the surviving spouse’s residence homestead if: (a) the surviving spouse has not remarried; and (b) the property was the residence homestead of the

member of the armed services when the member died; and (2) a surviving spouse who qualifies for an exemption that subsequently qualifies a different property as the surviving spouse's residence homestead is entitled to a property tax exemption of the subsequently-qualified homestead in an amount equal to the dollar amount of the exemption for the former homestead if the surviving spouse has not remarried. (Note: please see H.J.R. 62, below.)

H.J.R. 58 (Creighton) – Property Tax: would amend the Texas Constitution to authorize the legislature to reduce the property tax appraisal cap on homesteads from ten to five percent. (Note: please see H.B. 428, above.)

H.J.R. 62 (C. Turner) – Property Tax: would amend the Texas Constitution to: (1) provide that the surviving spouse of a member of the armed services of the United States who is killed in action is entitled to a property tax exemption of the total appraised value of the surviving spouse's residence homestead if: (a) the surviving spouse has not remarried; and (b) the property was the residence homestead of the member of the armed services when the member died; and (2) provide that a surviving spouse who qualifies for an exemption that subsequently qualifies a different property as the surviving spouse's residence homestead is entitled to a property tax exemption of the subsequently-qualified homestead in an amount equal to the dollar amount of the exemption for the former homestead if the surviving spouse has not remarried. (Note: please see H.B. 548, above.)

SALES TAX

S.B. 175 (Estes) – Sales Tax: would repeal the state law prohibiting the state comptroller from crediting to the Parks and Wildlife Department or the Texas Historical Commission any amount of taxes imposed on the sale of sporting goods in excess of the amounts appropriated to the department or commission, respectively. (Note: Please see S.J.R. 17, below.) (Companion bill is H.B. 162 by Larson.)

S.J.R. 17 (Estes) – Sales Tax: would amend the Texas Constitution to provide that, for each state fiscal year, the net revenue received from the collection of any state taxes imposed on the sale, storage, or use of sporting goods is automatically appropriated when received to the Parks and Wildlife Department and the Texas Historical Commission, or their successors in function, and is allocated between those agencies as provided by general law. (Note: Please see S.B. 175, above.) (Companion resolution is H.J.R. 40 by Larson.)

PURCHASING

H.B. 493 (Hernandez Luna) – Construction Safety: would provide that: (1) to the extent consistent with federal law, a governmental entity – including a city – that enters into a construction contract must require that the contractor ensure that all employees working on the general construction site have completed construction safety training, as shown by a certificate of training completion for the employee; and (2) a governmental entity shall include in the contract various notice and penalty provisions. (Companion bill is S.B. 167 by Deuell.)

S.B. 167 (Deuell) – Construction Safety: this bill is the same as **H.B. 493**, above.

ELECTIONS

H.B. 464 (Johnson) – Voter Registration: would provide that a person who would be eligible to vote in an election, but who is not registered, shall be accepted for voting in the precinct of the person’s residence if, on the day the person offers to vote, the person submits a voter registration application and presents proof of identification.

H.B. 465 (Johnson) – Voter Identification: would repeal the law that requires a voter to show a photo identification to vote (S.B. 14, 2011 Session). In addition, the bill would provide that: (1) a voter who, when offering to vote, presents a voter registration certificate indicating that the voter is currently registered in a different precinct from the one in which the voter is offering to vote, and whose name is not on the precinct list of registered voters, shall be accepted for voting if the voter executes an affidavit stating the voter is or was a resident of the precinct at the time the information on the voter’s residence address was last provided to the voter registrar; and (2) a voter who does not present a voter registration certificate when offering to vote, but whose name is on the list of registered voters for the precinct, shall be accepted for voting if the voter executes an affidavit stating that the voter does not have the voter’s voter registration certificate in the voter’s possession at the polling place at the time of voting and the voter presents proof of identification, and if requirements are not met, the voter may be accepted for provisional voting.

H.B. 467 (Johnson) – Elections: would amend early voting hours at each permanent or temporary branch polling place to be conducted on the same days and during the same hours as voting is conducted at the main early voting polling place.

H.B. 491 (Hernandez Luna) – Early Voting: would provide that, if a political subdivision holds an election on a uniform election date and is required to use the regular county election precincts, the political subdivision shall designate as the polling places for the election the regular county polling places in the county election precincts that contain territory from the political subdivision. (Note: Under current law, this provision applies only to elections held on the November uniform election date.)

H.B. 547 (Dukes) – Elections: would, among many other things, authorize early voting by mail for any qualified voter and provide for implementing procedures. (Companion bill is **S.B. 83** by **Ellis**.)

S.B. 169 (Hegar) – Venue Project Election: would amend the required ballot language for an election to approve and finance a municipal or county venue project to read: “impose a new” or “authorize the use of the existing” tax.

OPEN GOVERNMENT

H.B. 526 (Capriglione) – Public Information Act: would: (1) make every record held by a public retirement system open to the public; and (2) preempt any other law making any information in a public retirement record confidential.

OTHER FINANCE/ADMINISTRATION BILLS

H.B. 470 (White) – Official Misconduct: would, among other things: (1) require that an elected officer of a city who receives remuneration (e.g., salary, per diem, expense reimbursement, longevity pay, or fees) associated with the office to: (a) perform all the duties of the office for as long as the officer holds the office; and (b) be physically present on a regular basis at a location at which official business of the city is ordinarily conducted; and (2) provide that an intentional violation of (1), above, constitutes official misconduct for which an officer of a general law city may be removed from office.

H.B. 489 (Menendez) – Assistance Animals: would, among other things: (1) provide that a person is not entitled to make demands or inquiries relating to the qualification or certifications of an assistance animal for purposes of admittance to a public facility except to determine the basic type of assistance provided by the animal to a person with a disability; (2) require that a person with a disability, upon reasonable request by a person in a public facility, provide a brief explanation of the basic type of assistance provided by an assistance animal; (3) provide that a person, including a public organization or the agent of a public organization, who violates (1), above, is guilty of a class B misdemeanor and is deemed to have deprived a person with a disability of his or her civil liberties; and (4) make it a class B misdemeanor for a person to misrepresent that an animal is a specially trained assistance animal by using a harness or leash of the type commonly used by persons with disabilities.

H.B. 520 (Kuempel) – Autopsy: would require a city to pay for the autopsy of a body found within the city limits.

H.B. 521 (Kuempel) – Insurance Payments: would: (1) require automobile insurers to allow individuals to assign benefits to an emergency medical services provider; and (2) allow an automobile insurer to provide for payment of benefits to an emergency medical services provider even if an assignment is not made.

H.B. 522 (Kuempel) – Insurance Payments: would: (1) require a health insurer to allow an insured to assign benefits to a health provider, including an ambulance service, that provides services to the insured; (2) allow an insurer to provide for payment of benefits to a health provider, including an ambulance service, even if an assignment is not made; and (3) require an insurer to pay a preferred provider directly without an assignment of benefits.

H.B. 537 (Y. Davis) – Taxes: would require the sunset commission to: (1) evaluate each property tax and other state tax exemption in accordance with a schedule adopted by the commission; and (2) present its evaluation and recommendations of tax exemptions to the legislature each legislative session.

H.J.R. 59 (Creighton) – Mandatory Health Insurance: would amend the Texas Constitution to: (1) prohibit a city or other governmental entity from imposing or enforcing a penalty or sanction for an individual's choice to have or not have health insurance; and (2) protect the right of a city to have a contract for the provision of health insurance coverage.

MUNICIPAL COURTS

H.B. 438 (Dutton) – Occupational Driver’s License: would allow a person whose license has been suspended for a cause other than a disability or driving while intoxicated conviction to apply for an occupational license with the clerk of a justice or municipal court.

H.B. 497 (Hernandez Luna) – Juveniles: would make all records and files relating to a child who is charged with or convicted of a fine-only misdemeanor offense, other than a traffic offense, confidential. (This bill is identical to **H.B. 528** by **Turner**.)

H.B. 528 (Turner) – Juveniles: this bill is identical to **H.B. 497**, above.

COMMUNITY AND ECONOMIC DEVELOPMENT

H.B. 403 (S. Davis) – Building Inspectors: would: (1) define a “certified municipal inspector” as an individual who is employed full-time by a political subdivision and is currently: (a) certified by a national model code group; or (b) licensed as a plumbing inspector; and (2) provide that a certified municipal inspector who provides services as a volunteer during a declared disaster in response to a request or approval from an authorized official is not liable for civil damages, including personal injury, wrongful death, property damage, or other loss related to the inspector's act, error, or omission in the performance of the services, unless the act, error, or omission constitutes gross negligence or wanton, willful, or intentional misconduct.

H.B. 421 (Thompson) – Liquor Sales: would extend the hours and days that liquor may be sold, offered for sale, or delivered.

H.B. 429 (Guillen) – Housing Tax Credits: would expand the cities considered to be in “rural areas” under the low income housing tax credit program from cities under 20,000 to cities under 25,000.

H.B. 449 (Dukes) – Xeriscaping: would, among other things: (1) prohibit a city from enacting or enforcing an ordinance or order that prohibits or unreasonably restricts a property owner from xeriscaping the owner’s property; and (2) define the term “xeriscaping” to mean a landscaping method that maximizes the conservation of water by using plants that are appropriate to the site and efficient water-use techniques, including: planning and design; choice of plants; soil analysis; soil improvement using compost; efficient and appropriate irrigation; use of turf; use of mulch; and proper maintenance.

H.B. 476 (Kolkhorst) – Eminent Domain: would provide, in relation to the later repurchase of property acquired through eminent domain, that: (1) an entity with eminent domain authority that makes a bona fide offer to acquire property must state with specificity in the initial and final offers the public use for which the entity intends to acquire the property; (2) an entity with eminent domain authority shall disclose in writing to the property owner, at the time of acquisition of the property through eminent domain, including an acquisition through a purchase made by the entity in connection with an initial offer that, in addition to other things, that the

initial use of the property is not the public use for which the property was acquired; (3) actual progress towards completion of a project no longer includes: (a) the acquisition of a tract or parcel of real property adjacent to the property for the same public use project for which the owner's property was acquired; or (b) for a governmental entity, the adoption by a majority of the entity's governing body at a public hearing of a development plan for a public use project that indicates that the entity will not complete more than one action towards completion before the 10th anniversary of the date of acquisition of the property; (4) not later than the 180th day after the date an entity that acquired a real property interest through eminent domain determines that the former property owner is entitled to repurchase the property, the entity shall send by certified mail to the property owner or the owner's heirs, successors, or assigns a notice containing, among other things, a note that the initial use of the property was not the public use for which the property was acquired; and (5) after the first anniversary of the date on which real property was acquired by an entity through eminent domain, a property owner or the owner's heirs, successors, or assigns may annually request that the entity make a determination and provide a statement and other relevant information regarding, among other things, whether the initial use of the property was the public use for which the property was acquired.

H.B. 540 (Alonzo) – Residential Tenancies: would: (1) prohibit a city from requiring a landlord to: (a) refuse to lease to a prospective tenant or renew a lease solely on the basis of the immigration status of the tenant or a member of the tenant's family; or (b) inquire as to the immigration status of a tenant, prospective tenant, or a tenant's family member; and (2) provide that the bill prevails if the prohibition in (1), above, conflicts with common law, another state statute, or a local ordinance or regulation.

H.B. 545 (J. Davis) – Spaceport Development Corporations: would authorize a city to create a spaceport development corporation and the city council to appoint the board of directors of the corporation.

PERSONNEL

H.B. 298 (Rodriguez) – Payday Law: would create a cause of action for retaliation against an employer (not including a city) if an employer does not pay wages in a legal manner, including complying with any federal, state, or local ordinance, order, or law.

H.B. 451 (Dukes) – Employment: would: (1) make it an illegal employment practice for an employer, including a city, to require or request an employee or applicant to give their user name, password, or other access to their personal electronic accounts such as an e-mail or a social networking site account; (2) not prohibit an employer from accessing information about an employee or applicant on the Internet that is open to the public or managing an employee's use of city electronic equipment or use of electronic equipment during work hours.

H.B. 475 (Walle) – Workers' Compensation: would: (1) require construction contractors and subcontractors to provide workers' compensation insurance coverage for each of their employees; (2) require contractors to provide certification of coverage of its and any subcontractor's employees to the governmental entity; and (3) provide that, if the contractor

enters into a contract with a governmental entity for a public project, the coverage must be satisfactory to the governing body of the governmental entity.

H.B. 483 (Aycock) – Employee Contracts: would: (1) prohibit a city from paying more than the contracted amount to an employee or former employee unless the city has an open public meeting regarding the matter; and (2) require a city to make certain statements regarding the possible payment at the open public meeting.

H.B. 508 (Guillen) – Concealed Handguns: would: (1) define a “public employee” as an employee or appointed officer other than an independent contractor who is paid to perform services for a state or local governmental entity, and (2) make it a class C misdemeanor for a public employee to provide notice to a concealed handgun licensee that entering or remaining on a premises or other place owned or leased by a governmental entity is prohibited if: (a) the license holder is not prohibited from carrying a handgun on the premises or other place; and (b) the public employee is reckless as to whether a license holder is prohibited from carrying a handgun on the premises or other place.

PUBLIC SAFETY

H.B. 435 (Turner) – Blood Specimens: would prevent a police officer from taking a blood specimen from a person arrested for driving under the influence of driving while intoxicated, even if the officer was otherwise authorized to take a blood specimen.

H.B. 434 (Riddle) – Blood Specimens: would allow a licensed or certified emergency medical technician-intermediate or emergency medical technician-paramedic to take a blood specimen if authorized by the physician for the entity.

H.B. 447 (Dukes) – Mental Health Emergency Detention: would provide that: (1) a peace officer who takes a person into custody under suspicion of mental illness shall immediately inform the person orally in simple, nontechnical terms: (a) of the reason for the detention; and (b) that the person will be informed of the person’s rights within three hours after the time the person is initially transported to a mental health facility; (2) the person must be informed of the person’s rights in simple, nontechnical terms, within three hours after the time the person is initially transported to the mental health facility; and (3) the Health and Human Services Commission by rule shall prescribe the manner in which the person is informed of the rights.

H.B. 461 (Menendez) – Private Security: would limit the exemptions for individuals required to comply with the Private Security Act to current peace officers who are currently employed by a law enforcement agency. (The bill is unclear as to whether all officers, or only the heads of law enforcement agencies, retain the exemption.)

H.B. 487 (Bell) – Emergency Management: would: (1) allow a city or county to request or accept the use of a private individual’s construction or heavy equipment if needed for a hazardous or emergency situation; and (2) give immunity to individuals who provide or operate equipment to a city or county in this manner.

H.B. 488 (Turner) – Crafted Precious Metal Dealers: would: (1) authorize a county or city to require a person to obtain a license or permit, and pay a related fee, before engaging in the business of purchasing and selling crafted precious metal in that county or city; and (2) provide that failure to obtain a metal dealer permit or license required by a county or city is a class B misdemeanor.

H.B. 501 (Hernandez Luna) – Felony Forfeiture: would permit a law enforcement agency to set aside up to ten percent of felony forfeiture funds for scholarships for the children of local officers killed in the line of duty.

H.B. 516 (Pitts) – Blood Specimen: would allow a warrant issued to collect a blood specimen from a person suspected of committing certain intoxication offenses to be executed in a county contiguous to the county in which the warrant is issued, regardless of whether the issuing court's jurisdiction extends outside the county in which that court is located.

H.B. 530 (Fletcher) – Wire Tapping: would, among other things: (1) authorize a police department in a city with a population of 500,000 or more to intercept a wire, oral, or electronic communication in a situation that is not an immediate life-threatening situation if the department adopts a written protocol policy that is approved by the director of the Department of Public Safety (DPS); (2) require the police chief to submit to the DPS director a list of peace officers authorized to possess, install, monitor, or operate wire, oral, or electronic communications intercept equipment; (3) authorize the DPS to conduct an audit of police departments to ensure compliance with their approved written protocol; (4) provide that a police department's authority to intercept communications be relinquished if, after certain notice, the department fails to comply with its approved written protocol; (5) require peace officers authorized to operate or monitor the interception of a wire, oral, or electronic communication to complete at least 16 hours of training; (6) provide that, in a court order, the initial period of communications interception begins on the earlier of the date interception begins or the tenth day after the interception order is entered; and (7) require the DPS director to report certain information about a police department's interception activity to the governor and certain other state officials.

H.B. 534 (Kleinschmidt) – Resisting Arrest: would increase the penalty for resisting arrest or search to a state jail felony if the defendant has been previously convicted of resisting arrest or search.

S.B. 171 (West) – Emergency Management: would establish a workgroup of emergency management members, including local government officials, to determine whether a uniform application form for disaster assistance can be developed.

UTILITIES AND ENVIRONMENT

H.B. 4 (Ritter) – State Water Plan Funding: would provide that: (1) the state water implementation fund for Texas is created as a special fund outside the state treasury; (2) the fund consists of: (a) money transferred or deposited to the credit of the fund by law; (b) the proceeds of any fee or tax imposed by this state that the legislature by statute dedicates for deposit to the credit of the fund; (c) any other revenue that the legislature by statute dedicates for deposit to the

credit of the fund; and (d) interest earned on the balance of the fund; (3) the Texas Water Development Board (board) may use money in the fund only to provide financing for: (a) certain projects included in the state water plan, including water conservation or reuse projects designed to reduce the need for this state or political subdivisions of this state to develop additional water resources; or (b) education projects developed or approved by the board that are related to the development of water resources, the conservation of existing water resources, or water reuse; (4) not less than 20 percent of the money from the fund used by the board in any state fiscal biennium must be used to finance projects described by (3), above, for water conservation or reuse or education; (5) the board shall undertake to use money from the fund in an amount sufficient to provide adequate financing for projects described by (3), above, in each regional water planning area in the state, and the board shall prioritize projects in each regional water planning area for that purpose; (6) the board may direct the comptroller to transfer amounts from the fund to the credit of: (a) the water infrastructure fund to be used for projects included in the state water plan; (b) the rural water assistance fund to be used for projects included in the state water plan; (c) the Texas Water Development Fund II state participation account to be used for projects included in the state water plan; (d) the agricultural water conservation fund to be used for projects included in the state water plan; or (e) the Texas Water Development Fund II economically distressed areas program account to be used for projects included in the state water plan; (7) the State Water Implementation Fund for Texas Advisory Committee is created and is composed of members appointed by the speaker of the house of representatives, the lieutenant governor, and the governor; and (8) the advisory committee shall submit recommendations to the board regarding the use of money in the fund for use by the board.

H.B. 11 (Ritter) – State Water Plan Funding: would provide that: (1) if the state water implementation fund for Texas is created by legislation during the 2013 regular session (see, e.g., H.B. 4, above), the amount of \$2 billion is appropriated from the state’s “Rainy Day Fund” to the comptroller for the purpose of depositing that amount to the credit of the state water implementation fund for Texas as money available for use by the Texas Water Development Board for the purposes of the state water implementation fund for Texas; or (2) if the state water implementation fund for Texas is not created, the amount of \$2 billion is appropriated from the Rainy Day Fund to the comptroller for the purpose of depositing that amount to the credit of the Texas Water Development Fund II as money available for use by the Texas Water Development Board.

H.B. 404 (S. Davis) – Liability: would limit the liability for certain public utilities if an individual was using public utility property for recreational purposes and if the utility displays a notice with specific language stating the limitation of liability at the property.

H.B. 426 (Creighton) – TCEQ Rulemaking: would require Texas Commission on Environmental Quality to conduct a regulatory analysis before adopting an environmental rule.

H.B. 448 (Dukes) – Gas Drilling: would require gas drillers to notify nearby residents of the list of chemicals to be used in hydraulic fracturing in the area.

TRANSPORTATION

H.B. 479 (Harper-Brown) – Transportation Funding: would provide that the comptroller shall deposit a certain portion of the motor vehicle sales tax to the credit of the state's general revenue fund, with certain limitations, and shall deposit the remaining amount to the credit of the state highway fund.

H.B. 514 (Harper-Brown) – Transportation Funding: would provide that, beginning in increments in 2013 and completed in 2018, the net revenue derived from the state sales tax imposed on the sale of a motor vehicle sold in this state shall be deposited to the credit of the state highway fund.

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2013 LEGISLATIVE TRAINING SERIES

The League is pleased to offer live and online seminars regarding the 2013 legislative session. Please go to www.tml.org and click on “Training” for more detailed information.

- **FEBRUARY 4 ONSITE EVENT—Legislative Briefing**

Hyatt Regency • 208 Barton Springs • Austin

This briefing is the first step in making sure you are informed and active during the 2013 session of the Texas Legislature.

- **MARCH 22 ONLINE WEBINAR—Legislative Status Report: The Countdown Begins**

This Webinar will tell you which bills need the most attention, the workload of the key committees with the largest number and most important city-related bills, and how an issue can still appear, even though no bill was filed.

- **APRIL 19 ONLINE WEBINAR—Legislative Status Report: The End Is Near...but Not Near Enough**

With the work of House and Senate committees increasing, city-related bills are being heard every day. While the TML staff is working feverishly to monitor all the hearings, city officials can take an active role in the process. Learn what you can do to help.

- **MAY 17 ONLINE WEBINAR—Legislative Status Report: The Final Days from the Bunker**

In the final weeks of the legislative session, last-minute tactics to keep bills alive are used. While deadlines have passed, that means little to those who still want to advance their issues. Find out what to expect in the final days—and why city officials can never assume a bill is dead.

- **JUNE 17 ONSITE WORKSHOP—Legislative Wrap-Up**

DoubleTree Hotel • 6505 North IH-35 • Austin

This one-day workshop will focus on the outcome of key, city-related bills from the recently concluded legislative session. You can learn about the impact this legislation will have on the day-to-day activities of cities and the dynamics behind some of the pertinent political decisions.

STATE BUDGET TAKES MORE FROM LOCAL LIBRARIES AND FIREFIGHTERS

The House and Senate both released their proposed state budgets last week. The proposals will serve as a starting point for negotiations throughout the session. Both budgets recommend cutting aid to local libraries by \$5.6 million, or a 58-percent reduction from 2012-2013 amounts. Also problematic are provisions in both budget bills that continue to require one state agency – the Texas Commission on Fire Protection – to raise revenue from cities and firefighters beyond what is necessary to run the agency. The bills require the agency to transfer a required excess profit to the state’s general fund. For a more detailed description of how this measure was born in the previous state budget, please refer to a previous *Legislative Update* article.

Although detrimental, far worse than any state budget cut would be legislation that would require cities to maintain current service levels in the state programs that are being cut (i.e., unfunded mandates), or that would limit the ability of cities to fund such vital services as police, fire, streets, and trash collection (i.e., artificial revenue restrictions). The bulk of the League’s efforts will be spent to prevent these mandates and/or revenue restrictions. Of course, that doesn’t mean that city officials shouldn’t speak up and work to restore potential losses in state revenue.

HOUSE COMMITTEE ON NATURAL RESOURCES RELEASES INTERIM REPORT

The following is a brief summary of the House Committee on Natural Resources interim report, which is available online at <http://www.house.state.tx.us/committees/reports/>.

The report reviewed the five interim charges of the committee and made recommendations for four of the five charges. Some excerpts from the report follow:

***Charge 1.** Monitor the ongoing statewide drought and the performance of state, regional, and local entities in addressing it. Examine the impact of the drought on the State Water Plan, including an evaluation of how well the state's existing water resources can meet demand, the need for additional funding sources to implement the plan, and the effectiveness of current drought planning and drought management policies. Identify short-term and long-term strategies to help the state better cope with drought and assess any obstacles, including state and federal regulations, to implementation of these strategies.*

Selected recommendations:

- **State Water Plan Funding.** Provide for the establishment of a dedicated fund and funding source for the implementation of the State Water Plan in order to offer meaningful funding alternatives and incentives to local entities.
- **Drought Planning.** Continue to monitor the performance of state, regional, and local entities in addressing current and future drought conditions, as well as planning to meet the growing demand on existing water supplies and to find ways to exceed current water resource availability.
- **Drought Management.** Further evaluate drought contingency plans to consider including consistent statewide drought stages and other baseline standards.
- **Strategies for Managing Future Droughts.** Define appropriate conservation measures for state water planning and funding. Clarify that conservation measures should be longstanding goals implemented not only during times of drought, but also as daily best management practices.

***Charge 3.** Evaluate the status of desalination projects in Texas. Include an evaluation of the regulation of brackish groundwater and whether opportunities exist to facilitate better utilization of this groundwater to meet future needs.*

Selected recommendations:

- **Pilot Studies and Permitting.** Consider the effectiveness of pilot studies and testing requirements in the development of desalination projects.
- **Local and Regional Planning.** Encourage local and regional entities to further consider desalination as an available alternative water supply to meet immediate demands, especially in times of drought.

SUNSET PROCESS DRAWS TO A CLOSE

The Sunset Advisory Commission is an independent state agency that periodically reviews other state agencies to determine whether those agencies should remain in existence. The reviews include reports, hearings, and commission recommendations on legislation to improve the agencies' functions. After lengthy staff reports and a hearing process, last interim's process is essentially finished. Several agencies were up for review, and League staff monitored the process throughout the interim.

Of particular interest to city officials are the Railroad Commission (RRC) and the Public Utility Commission (PUC). Both of those agencies were actually reviewed prior to the 2011 session, but procedural and political issues prevented their respective "sunset legislation" from passing. Instead, lawmakers filed a stopgap bill to continue them until this session.

The PUC report contains many recommendations related to the administration of the agency. One item considers whether "the state could benefit from transferring regulatory functions related to water and wastewater utilities to the [PUC]." The commission adopted a recommendation to transfer responsibility for regulating water and wastewater rates and services from the Texas Commission on Environmental Quality to the PUC.

The RRC report contains provisions related to municipal participation in gas rate cases and gas pipeline safety. Here are selected excerpts from the report:

Issue 1. Changing the Railroad Commission's Name and Addressing the Appearance of Conflicts of Interest Remain Critical to Ensuring Transparent and Effective Regulation.

The need for neutral, independent staff to preside over contested enforcement and gas utility cases remains critical to ensure the fair and unbiased treatment of all parties. The 2010 Sunset review found the Railroad Commission, unlike other state regulatory agencies, relies on its own staff attorneys to preside over contested enforcement hearings and gas utility rate cases instead of using the State Office of Administrative Hearings (SOAH). Despite not supporting the transfer of gas utilities to the Public Utility Commission, if kept at the Railroad Commission, the Sunset Commission recommended that gas utility cases be handled by SOAH to ensure outside objectivity. For enforcement cases, the Sunset Commission also adopted the staff recommendation to transfer these hearings to SOAH. Neither of these provisions made it into law, as the Sunset bill failed to pass [in 2011].

In reevaluating this issue, Sunset staff found the commission has taken steps to separate technical staff with party status and staff involved with decision making in administrative hearings into different divisions. While reducing the potential for inadvertent ex-parte communication, in-house hearings examiners remain subject to the overall pressures of working within the agency. Thus, the reasons for transferring these hearings to SOAH have not changed. Despite industry claims of additional costs and time delays, Sunset staff could find no convincing evidence to support these allegations, and even to the extent these concerns have any merit, they would not outweigh the need for an impartial hearings officer.

Recommendations:

- Change the name of the Railroad Commission of Texas to the Texas Energy Resources Commission and continue the agency for 10 years.
- 1.6 Require the Commission to use the State Office of Administrative Hearings to conduct independent hearings for its contested gas utility and enforcement cases. In lieu of Recommendation 1.6, the commission adopted a modification to statutorily require the commission to develop a policy in rule to prohibit and ensure against any inadvertent ex-parte communications between hearing examiners and the commissioners, and hearing examiners and technical staff that are parties to a hearing. This recommendation would require the commissioners to not have contact with the hearing examiners other than in a formal public hearing.

Issue 6. Texas' Interstate Pipelines Lack Damage Prevention Oversight Needed to Ensure Public Protection.

Recommendation

- **6.1 Authorize the commission to enforce damage prevention requirements for interstate pipelines.** This recommendation would authorize the commission to amend its pipeline damage prevention rules to apply to interstate as well as intrastate pipelines, and to enforce these rules for violations that affect both types of pipelines. Under this recommendation, the commission could assess administrative penalties against excavators and operators that violate damage prevention rules on interstate lines. The commission would deposit these penalties in the General Revenue Fund, as it does with penalties from its intrastate pipeline damage prevention program.

In addition to the above, the report also provided a list of new issues raised during the RRC's sunset process. The Texas Public Policy Foundation was quoted as making the following recommendations, which were not acted on by the Commission:

- Eliminate original jurisdiction for cities over natural gas rates. Instead, shift original jurisdiction to the RRC.
- Eliminate the mandated reimbursement of legal fees for cities in gas utility rate cases before the RRC.

Once all of the reports are complete, sunset legislation will ultimately be filed to continue the RRC, PUC, and many other state agencies. League staff will, of course, review and take appropriate action on any legislation when it is filed. All of the sunset reports are available at <http://www.sunset.state.tx.us/>.

WATER CONSERVATION PLAN ANNUAL REPORT

The Texas Water Development Board (TWDB) has developed new forms and tutorials for utilities to use in submitting Water Conservation Plan Annual Reports. Utilities required to submit these reports are those: (1) applying for or receiving financial assistance of \$500,000 or more from the TWDB; (2) with 3,300 connections or more; or (3) that have a water right through the Texas Commission on Environmental Quality.

The reports are due May 1, 2013, and the forms are now available on the TWDB website at <http://www.twdb.state.tx.us/conservation/municipal/plans/ARs.asp>.

WHAT'S GOING ON AT THE CAPITOL?

And they're off! Literally. Both chambers convened for a week before taking a week off for Presidential inaugural festivities and Martin Luther King, Jr. celebrations. The beginning of each legislative session usually begins at a snail's pace and ends with an impenetrable log-jam of legislation, leaving legislators collectively scratching their heads wondering where the time went. With 125 days left in the 140-day legislative session, the process is barely beginning.

Lieutenant Governor David Dewhurst issued Senate committee assignments late last week with very few surprises because the identity of many committee chairs had been known for some time (see below for a list). The Senate Intergovernmental Relations Committee, which hears a large amount of city-related bills, will be chaired by Senator Juan "Chuy" Hinojosa (D – McAllen). Senators Robert Nichols (R – Jacksonville), Ken Paxton (R – McKinney), and Larry Taylor (R – Friendswood) will also serve on the committee.

A particularly interesting move is the creation of a Senate Finance subcommittee on "state and local revenue matters" to be chaired by Senator Glenn Hegar (R – Katy). The committee will likely consider all finance-related legislation that does not impact the budget. However, the subcommittee's jurisdiction is still unclear at this time.

The House always lags behind in issuing committee assignments, and this session is no different. With 43 freshmen members and another 24 members with only one session under their belts, the task of assigning committees is more difficult. House committee assignments should be made around the first of February.

ADMINISTRATION

Eltife (R – Tyler), Chair
Uresti (D – San Antonio), Vice-Chair
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**WHAT’S YOUR AREA OF EXPERTISE OR INTEREST?
JOIN YOUR FAVORITE E-LIST**

The TML staff has been gathering e-mail addresses from city officials (elected or appointed) who are willing to provide testimony during the 2013 legislative session, want to be kept “in the loop” on certain subject matters, and/or are willing to simply provide their perspective on a particular legislative matter.

These “E-lists” are the primary way TML staff contacts city officials regarding harmful legislation and are an invaluable grassroots tool. In many cases, bills will be set for committee hearings with essentially no notice. When that happens, an e-mail will go out to the appropriate E-list asking for information or action on your part. If you can, please respond as indicated. Legislators need to hear from their constituents more than from TML staff.

It’s not too late to participate in the E-List project; simply go to <http://www.tml.org/genform/E-List.asp> and fill out the online form. If you have any questions, please contact JJ Rocha at jj@tml.org or 512-231-7400.

CITY-RELATED BILLS FILED

PROPERTY TAX

H.B. 561 (Workman) – Property Tax: would provide that no additional property tax is imposed on land owned by an organization that qualifies as a school if the organization converts the land to a use for which the land is eligible for a property tax exemption.

H.B. 585 (Villarreal) – Property Tax: would, among other things, modify the procedural requirements relating to the appraisal of property taxes by: (1) requiring the comptroller to adopt uniform practice and procedure rules for an appraisal review board; (2) requiring a property owner who wishes to receive an allocation of value to reflect the use of certain types of personal property in Texas to submit an application with the chief appraiser in the appropriate appraisal district; (3) providing that a property owner who submits a late application for allocation under

(2), above, is liable to each taxing unit for a penalty in an amount equal to ten percent of the difference between the amount of tax imposed by the taxing unit on the property without the allocation and the amount of tax imposed on the property with the allocation.

SALES TAX

H.B. 603 (Lozano) – Sales Tax: would exempt from sales and use taxes any book that: (1) is written, designed, and produced for educational, instructional, or pedagogical purposes; (2) is bought in-person by a full-time or part-time student enrolled in an institution of higher education or a private or independent college or university; and (3) is required for a course at the institution of higher education or the private or independent college or university.

PURCHASING

H.B. 558 (Y. Davis) – Procurement: would provide that the iron, steel, and manufactured goods used in many state-aided city construction projects be produced in the United States.

ELECTIONS

H.B. 579 (Howard) – Online Voting: would provide that the secretary of state shall conduct a study to consider the feasibility of online voting.

OTHER FINANCE/ADMINISTRATION BILLS

H.B. 581 (Howard) – Governmental Immunity: would waive governmental immunity for a city or other governmental entity in a suit in which a nurse who works for a hospital operated by or on behalf of a governmental entity alleges the city took adverse employment action against the nurse in retaliation for a report required by state laws governing nurse conduct.

MUNICIPAL COURTS

H.B. 570 (Alonzo) – Emergency Protection Orders: would: (1) provide that the victim of an offense need not be present when an order for emergency protection is issued; and (2) allow a defendant to be served a copy of the order for emergency protection electronically.

S.B. 181 (Hegar) – Proof of Financial Responsibility: would allow a motor vehicle operator to provide evidence of financial responsibility in electronic format displayed on a wireless communication device, but would not prohibit a court or the commissioner of insurance from requiring a person to provide a paper copy at later proceedings. (Companion bill is **H.B. 336** by **Menendez**.)

COMMUNITY AND ECONOMIC DEVELOPMENT

H.B. 555 (Callegari) – Metal Recycling: would make it a class C misdemeanor to violate a state regulation or local ordinance related to metal recycling.

H.B. 613 (Orr) – Foundation Repair Contractors: would: (1) provide for state regulation of foundation repair contractors; (2) subject foundation repair by an individual or entity, including those exempt under state regulation, to a permit, inspection, or approval requirement established by city ordinance; (3) excuse an individual or entity that holds a state license from a requirement to hold a license issued by a city to engage in foundation repair; and (4) require an individual or entity licensed by the state to engage in foundation repair to provide notice to a city that the individual or entity has obtained the state license.

S.B. 180 (Van de Putte) – Eminent Domain: would provide, in relation to the later repurchase of property acquired through eminent domain, that: (1) an entity with eminent domain authority that makes a bona fide offer to acquire property must state with specificity in the initial and final offers the public use for which the entity intends to acquire the property; (2) an entity with eminent domain authority shall disclose in writing to the property owner, at the time of acquisition of the property through eminent domain, including an acquisition through a purchase made by the entity in connection with an initial offer that, in addition to other things, that the initial use of the property is not the public use for which the property was acquired; (3) actual progress towards completion of a project no longer includes: (a) the acquisition of a tract or parcel of real property adjacent to the property for the same public use project for which the owner's property was acquired; or (b) for a governmental entity, the adoption by a majority of the entity's governing body at a public hearing of a development plan for a public use project that indicates that the entity will not complete more than one action towards completion before the 10th anniversary of the date of acquisition of the property; (4) not later than the 180th day after the date an entity that acquired a real property interest through eminent domain determines that the former property owner is entitled to repurchase the property, the entity shall send by certified mail to the property owner or the owner's heirs, successors, or assigns a notice containing, among other things, a note that the initial use of the property was not the public use for which the property was acquired; and (5) after the first anniversary of the date on which real property was acquired by an entity through eminent domain, a property owner or the owner's heirs, successors, or assigns may annually request that the entity make a determination and provide a statement and other relevant information regarding, among other things, whether the initial use of the property was the public use for which the property was acquired. (Companion bill is **H.B. 476** by **Kolkhorst**).

S.B. 194 (West) – Subdivision Regulations: would require cities and counties to adopt infrastructure standards that require, in a residential subdivision of 1,000 or more lots, at least two means of ingress and egress for use by emergency vehicles during evacuations resulting from fire or other natural disasters.

PERSONNEL

H.B. 559 (Burkett) – Immigration: would: (1) prohibit an employer, including a city, from knowingly employing an undocumented immigrant; (2) penalize a city by revoking any government license it holds if it knowingly employs an undocumented immigrant; (3) allow individuals to file complaints if they have reason to believe the city is employing an individual who is an undocumented immigrant; (4) require a licensing authority, including a city, to

suspend any license issued to a person found to have knowingly employed an undocumented immigrant; and (5) allow a licensing authority, including a city, to charge a fee to a person whose license is suspended under this law.

H.B. 615 (Harless) – Immigration: would: (1) prohibit an employer, including a city, from employing an undocumented immigrant; (2) create a complaint process for employers that employ undocumented immigrants; (3) require the Texas Workforce Commission to adopt rules regarding the bill; and (4) require a report by the commission to be given to the legislature and the governor based on nonidentifiable, summary data of two years of complaint data.

PUBLIC SAFETY

H.B. 553 (Otto) – Gun Rights: Would enact the “Second Amendment Preservation Act” and make certain findings related to the Second Amendment to the U.S. Constitution as they relate to federal gun control measures. The bill would also enact a new penalty provision in the Texas Penal Code titled “Second Amendment Shall Remain Inviolable,” which would provide that: (1) a person who is a peace officer or any other public servant commits an offense if the person, while acting under color of the person’s office or employment, intentionally enforces or attempts to enforce any acts, laws, executive orders, agency orders, rules or regulations of any kind whatsoever of the United States government relating to confiscating any firearm, banning any firearm, limiting the size of a magazine for any firearm, imposing any limit on the ammunition that may be purchased for any firearm, taxing any firearm or ammunition therefore, or requiring the registration of any firearm or ammunition therefore; (2) a person who violates (1), above, is guilty of a class A or B misdemeanor offense; (3) if the government of the United States, the defendant, or any other party challenges the validity of the bill on any grounds, including unconstitutionality, preemption, or sovereign immunity, the attorney general of Texas with the consent of the appropriate local county or district attorney, as necessary, shall take any and all actions required on behalf of the state to defend the validity of the statute; and (4) the Texas Department of Public Safety shall immediately report to the governor, attorney general, and the legislature any attempt by the federal government to implement or enforce any law in violation of the bill through the Texas Department of Public Safety, or any another state or local law enforcement agency.

H.B. 557 (Gonzales) – License Plates: would require Texas Department of Motor Vehicles to issue for attachment at the rear of a passenger car or light truck only one license plate and would create an offense for operating a passenger car or light truck without the license plate attached at the rear.

H.B. 583 (Kleinschmidt) – Vehicle Impoundment: would: (1) authorize a peace officer to impound or authorize a vehicle storage facility to remove and impound a vehicle of a person who: (a) is involved in a motor vehicle accident or is stopped for an alleged violation of a local traffic ordinance, state traffic law, or any other law applicable to the operation of a vehicle on a roadway; and (b) operates a motor vehicle without establishing financial responsibility for the vehicle; (2) require a peace officer who impounds or authorizes the impoundment of a vehicle under (1), above, to instruct the operator of the vehicle as to how the owner of the vehicle may recover the motor vehicle; (3) allow a law enforcement agency or vehicle storage facility to

release a vehicle impounded under (1), above, only if the owner provides: (a) sufficient evidence showing the motor vehicle was exempt from the financial responsibility requirement; or (b) sufficient evidence showing that on the applicable date the vehicle was in compliance; or (c) sufficient evidence showing financial responsibility for the vehicle has been obtained and is valid; and (d) provides a driver's license issued to the owner of the vehicle and pays all associated fees; and (4) authorize the law enforcement agency or vehicle storage facility that impounds a vehicle under (1), above, to release the vehicle to a person who is shown as a lienholder on the vehicle's certificate of title only if the person provides a statement from an officer of the lienholder establishing that the obligation secured by the vehicle is in default and the person pays all associated fees.

H.B. 594 (Naishtat) – Medical Marihuana: would (1) provide an affirmative defense to prosecution for possession of marihuana if the person is a patient of a physician licensed to practice medicine in the state pursuant to the recommendation of the physician for amelioration of the symptoms or effects of bona fide medical condition; (2) a law enforcement agency may not initiate an investigation into a licensed physician solely on the ground that the physician made a written or oral statement or discussed the potential benefits of the use of marihuana may have for a patient that would outweigh health risks.

H.B. 606 (Guillen) – Driver's License Suspension: would automatically suspend a person's driver's license on final conviction of a traffic offense committed in a construction or maintenance zone when workers are present if the person has been convicted two or more times of a similar traffic offense within the preceding five years.

H.B. 601 (Lozano) – Sex Offenders: would permit a general law city to prohibit a registered sex offender from going in, on, or within a specified distance of a child safety zone within the city.

S.B. 182 (Birdwell) – Concealed Handguns: would, among other things, expand the places where a concealed handgun licensee can carry a handgun to include the campus of an institution of higher education, with certain exceptions.

S.B. 188 (Huffman) – Wiretaps: would, among other things: (1) authorize a police department in a city with a population of 500,000 or more to intercept a wire, oral, or electronic communication in a situation that is not an immediate life-threatening situation if the department adopts a written protocol policy that is approved by the director of the Department of Public Safety (DPS); (2) require the police chief to submit to the DPS director a list of peace officers authorized to possess, install, monitor, or operate wire, oral, or electronic communications intercept equipment; (3) authorize the DPS to conduct an audit of police departments to ensure compliance with their approved written protocol; (4) provide that a police department's authority to intercept communications be relinquished if, after certain notice, the department fails to comply with its approved written protocol; (5) require peace officers authorized to operate or monitor the interception of a wire, oral, or electronic communication to complete at least 16 hours of training; (6) provide that, in a court order, the initial period of communications interception begins on the earlier of the date interception begins or the tenth day after the interception order is entered; and (7) require the DPS director to report certain information about

a police department's interception activity to the governor and certain other state officials. (This bill is identical to **H.B. 530** by **Fletcher**)

UTILITIES AND ENVIRONMENT

H.B. 550 (Turner) – Municipal Electric Rates: would, in addition to imposing many low-income rate requirements on investor owned utilities, provide that, until a municipally owned utility or electric cooperative implements customer choice, the utility or cooperative may not reduce, in any manner, programs already offered to assist low-income electric customers.

H.B. 569 (White) – Environmental Standards: would require the Texas Commission on Environmental Quality to conduct a study to determine which statutes and rules provide standards that are more stringent than federal requirements. The study would include recommendations for establishing standards that are not more stringent than the minimum acceptable standards provided by federal law.

H.B. 589 (Howard) – Lower Colorado River Authority: would require Lower Colorado River Authority to provide adequate water pressure for service to fire hydrants for any area in which the authority owns or operates the local water supply system.

S.B. 22 (Fraser) – State Water Plan Funding: would provide: (1) that the Texas Water Development Board is composed of three, rather than six, members who serve on a full-time basis; (2) for various changes to certain administrative provisions relating to the board; and (3) that: (a) if the state water implementation fund for Texas is created by legislation during the 2013 regular session (see, e.g., **H.B. 4** by **Ritter**), the amount of \$2 billion is appropriated from the state's "Rainy Day Fund" to the comptroller for the purpose of depositing that amount to the credit of the state water implementation fund for Texas as money available for use by the Texas Water Development Board for the purposes of the state water implementation fund for Texas; or (b) if the state water implementation fund for Texas is not created, the amount of \$2 billion is appropriated from the Rainy Day Fund to the comptroller for the purpose of depositing that amount to the credit of the Texas Water Development Fund II as money available for use by the Texas Water Development Board.

S.B. 186 (Carona) – Mosquito Abatement: would: (1) authorize a city, county, or local health authority to abate, without notice, certain collections of water in which mosquitoes are breeding that: (a) are located on residential property reasonably presumed to be abandoned or uninhabited due to foreclosure; and (b) are an immediate danger to the health, life, or safety of any person; (2) allow enforcement officials, agents, and employees to enter the premises described in (1), above, at a reasonable time to inspect, investigate, or abate the nuisance; (3) limit mosquito abatement described in (1), above, to treatment of stagnant water with a mosquito larvicide; and (4) require a notice on the front door stating the treating authority, the purpose and date of treatment, the area treated, the type of larvicide used, and the known risks of the larvicide to humans or animals.

S.B. 224 (Seliger) – State Water Plan Funding: would provide that the amount of \$1.6 billion from the state's "Rainy Day Fund" is available for use by the Texas Water Development Board

for the purposes of funding projects in the State Water Plan during the state fiscal biennium beginning September 1, 2013.

TRANSPORTATION

H.B. 563 (Guillen) – Transportation Funding: would: (1) authorize two or more counties that contain a shale formation – with the approval of the Texas Transportation Commission – to form a shale transportation district to plan, coordinate, and provide financial assistance for road projects in the district if certain conditions are met; (2) provide that the commissioners court of each county that forms the district shall appoint at least two directors to the board and that additional directors may be appointed to the board at the time of initial formation by agreement of the counties creating the district to ensure fair representation of political subdivisions in the counties of the district; and (3) authorize a district to issue bonds secured by the a diversion of revenue from the state’s oil and gas tax revenue. (Note: Please see **H.J.R. 63**, below.)

H.J.R. 63 (Guillen) – Transportation Funding: would amend the constitution to provide that the comptroller shall, in lieu of a transfer to the state’s Rainy Day Fund, transfer a portion of the state’s oil and gas tax revenue to the State Highway Fund to be used for construction, reconstruction, acquisition, and expansion of roads in a county in which a part of a shale formation is located. (Note: Please see **H.B. 563**, above.)

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Legislative
UPDATE

February 1, 2013
Number 4

REVERSE INTERGOVERNMENTAL AID REVISITED, AGAIN

Regular readers of the *Legislative Update* will recognize this article. It first ran in 2008, and the updated 2012 state fiscal year numbers show that cities are still net donors of money to the state. The State of Texas, unlike almost all other states, provides virtually no financial assistance to its cities. State aid, defined as a grant made by the state to cities from revenue generated by the state, is practically non-existent in Texas. Research conducted by numerous entities over many years has shown this to be true. The most recent study, released in 2008 by the National League of Cities, found that only in West Virginia is state aid to cities lower than it is in Texas.

State aid flows readily in other states, particularly in populous states. For instance, it is not at all uncommon for states to share state gasoline tax revenue with cities or to split other sources of state general revenue with municipal governments.

While city officials in Texas have seldom asked for state financial aid, they are increasingly aware of the numerous ways in which they are compelled to share city-generated revenue with the state in what can be described as a system of *reverse* intergovernmental aid.

Of the numerous ways in which cities transfer revenue to the state, five stand out:

1. The state's charge for administering the municipal sales tax.

2. Fees levied on cities by the Texas Commission on Environmental Quality.
3. "Local participation" in the cost of building and improving the state highway system.
4. State fees imposed on municipal court convictions.
5. State agency fees that exceed the cost of regulation (e.g., Texas Fire Commission fees).

The State's Charge for Administering the Municipal Sales Tax

When a Texan purchases a product that is subject to the state and local sales tax, the merchant collects the entire tax due and remits it to the state comptroller. The comptroller, in turn, remits the local share back to the appropriate local government (city, metropolitan transit authority, county, and/or special district). For providing this service and for performing other administrative, enforcement, and reporting duties, the comptroller deducts two percent of the local share of the sales tax and deposits that amount in the state's general revenue fund.

The two-percent fee is high compared to the same fee in other states. Many states charge one percent or less; five states impose no charge at all. In Texas, the two-percent fee generated over **\$137 million** in 2012, of which cities pay over **\$90 million**.

In mid-2008, TML undertook an effort to determine how much the comptroller's office spends annually to provide sales tax services to local governments. The comptroller's office informed TML that "(t)here can be no separate accounting of what costs are ultimately attributable to local tax administration that would not be arbitrary and potentially misleading." A TML committee was then formed to try to estimate the cost of collection to the state. The committee's estimate was at most \$27.7 million per year, far less than the \$90 million paid by cities, generating a "profit" of more than \$50 million to the state.

The comptroller's baseline budget is somewhere in the neighborhood of \$215 million per year. Thus, the total local government fee of over \$137 million is enough to cover over 60 percent **of the entire agency's total expenses**.

Texas Commission on Environmental Quality Fees

According to its website, the mission of the Texas Commission on Environmental Quality is "to protect our state's human and natural resources consistent with sustainable economic development," and the agency's goal is "clean air, clean water, and the safe management of waste."

One would think that this mission and set of goals would merit substantial funding from the state's general revenue fund. That's not the case. The TCEQ website reveals that the agency's revenue comes from the following sources:

State General Revenue	2%
Federal Funds	12%
Program Fees	84%

Other Sources

2%

Just who pays the “program fees” that constitute the lion’s share of TCEQ revenue? To a great extent, cities do.

The agency imposes more than 40 different fees on cities; roughly 20 are related to water quality. The revenue from these fees is used to pay for the costs of regulating cities under either federal or state law or both. In other words, cities pay TCEQ to regulate them.

Of all the fees, the two that have the most impact on cities are the consolidated water quality fee (CWQF), which is imposed on wastewater treatment facilities, and the public health service fee (PHSF), which is paid by suppliers of public drinking water. The recent funding shortfall for state agencies meant that the TCEQ’s water program fees were insufficient to run the programs starting in the current biennium. The agency could either get more funding from the state’s general fund via the state legislature, or increase program fees. The agency chose to increase program fees, and significantly increased both the CWQF and the PHSF. The annual income from cities for the TCEQ from these two fees alone is now expected to be:

CWQF	\$22.90 million
PHSF	\$20.15 million

Other fees paid by cities (the water quality permit application fee, stormwater permit fees, the solid waste disposal fee, and others) add considerable amounts to state coffers. **In fact, cities (through the payment of fees) generate more revenue for TCEQ than does the state’s general fund.**

Some might say that the fee-dependent financing structure used by TCEQ is fair, since cities receive a service for each fee they pay. However, when cities impose fees-for-service on other levels of government, the legislature often acts to prohibit or limit those fees.

For example, when the legislature prohibited the imposition of stormwater fees on public institutions of higher education, some lawmakers argued that it’s unfair for one level of government to impose a fee on another level.

And when the legislature prohibited the imposition of municipal impact fees on school districts (unless a district agrees to pay the fee), the legislature’s bill analysis stated that...

...impact fees place an undue burden on districts...payment of impact fees by school districts to cities amounts to a needless transfer of money among public entities and constitutes a de facto tax on school districts.

This statement is particularly ironic given that cities pay TCEQ fees and are not exempt from the state’s 20-cent-per-gallon gasoline tax. “Public entities” (cities) are paying a state tax each time a police car or fire truck refuels.

Local Participation in State Highway Projects

The best way to describe “local participation” is to quote from a state document titled “Background and Need for Partnering.” That document makes the case that the Texas Department of Transportation (TxDOT) faces a funding shortfall because growth in population, vehicle-miles per capita, and total vehicle miles have grown at faster rates than growth in the highway system and growth in revenue available for highway projects. Those trends, according to the report, will continue.

To help address this dilemma...

*TxDOT continues to seek additional ways to fund the state transportation program. For years, TxDOT has partnered with local public agencies to make transportation improvements on state highways. This local participation has come in many forms, including provision of right-of-way, financial contributions, maintenance agreements and other forms... Cooperative partnering between state and local agencies will be needed to meet future transportation needs. TxDOT will depend on local and regional leaders to provide both leadership and commitment to help carry projects forward... **TxDOT is currently suggesting to local agencies that they consider increasing their participation in TxDOT projects in order to expedite scheduling of locally desired projects.** (Emphasis added.)*

In short, “local participation” may become a “pay-to-play” system imposed by TxDOT on local governments that wish to see highway projects in their area move forward.

How much do cities annually contribute in local participation? In fiscal year 2012, cities pitched in more than **\$112 million** in cash and much more in right-of-way donations and in-kind services. In addition, the state gasoline tax paid by cities accounts for many more millions of dollars paid by cities for the state transportation system.

Here’s the bottom line. In most states, the state government makes grants to cities to help those cities build and maintain city streets. In Texas, city governments transfer municipal revenue to the state to help pay for the state highway system.

State Fees on Municipal Court Fines

Municipal courts in Texas collect funds on behalf of the state for a wide variety of state programs. These state programs range from the Criminal Justice Planning Fund to the Crime Victims’ Compensation Fund. In most cases, the fees are imposed on persons convicted of any criminal offense. For these collection efforts, cities are generally allowed to keep some small amount of revenue as reimbursement for the costs incurred to collect the fees and remit them to the state.

Many city officials contend that state court costs adversely impact municipal courts in two ways. First, the state's court costs are complicated to administer. While cities can keep a small percentage of the costs as an administrative fee, that amount is not sufficient to reimburse the cities for the bookkeeping and administrative problems connected with this function. Second, when setting an appropriate fine for an offense, a judge must consider the fact that the defendant will also be paying state court costs. As a result, municipal fine revenue is often lower than it would otherwise be because the judge has considered the state court costs when setting a defendant's total fine.

Municipal court clerks also point out that the state requires that in the event of a partial payment, the state court costs must be paid first before the city can keep any of the fine. This means that cities must do all the work collecting fines but are not allowed to keep any money until the state court costs have been fully satisfied.

In recent years, the number and amount of the state fees collected by municipal courts have grown rapidly. For example, on a typical traffic offense conviction, a municipal court defendant must currently pay \$82 in state-imposed fees before any city fine is collected. The following chart is a comparison of the present situation with fees imposed just 11 years ago.

	<u>January 2002</u>	<u>January 2013</u>
Crime Victim Compensation	\$15.00	\$15.00
Judicial/Court Personnel Training	\$ 2.00	\$ 2.00
Fugitive Apprehension Fund	\$ 5.00	\$ 5.00
Consolidated Court Costs	\$17.00	\$17.00
Juvenile Crime/Delinquency (Prairie View A&M)	\$ 0.50	\$ 0.50
Correction Management Institute (Sam Houston State)	\$ 0.50	\$ 0.50
State Traffic Fine	--	\$30.00
Jury Pay	--	\$ 4.00
State Judges' Salaries	--	\$ 6.00
Indigent Defense	--	\$ 2.00
Total	\$40.00	\$82.00

In many ways, municipal court collection of state fees is similar to the state's collection of municipal sales tax. In each case, one level of government is processing a tax/fee levied by another level of government, is remitting it, and is keeping a fee for providing those services.

While there are similarities, however, there are also substantial differences.

For example, the state doesn't really "collect" the municipal sales tax; it's collected by the merchant. With regard to state fees on municipal court fines, however, a municipal court employee actually collects the fees and bears the brunt of any resulting fee-payer anger.

Second, the state controls the level of the municipal sales tax, but cities certainly don't control the level of state fees on municipal fines. So while cities can't unilaterally raise the city sales tax without permission from the state, the state can (and frequently does) increase the amount of state fees that cities must collect and remit.

How much state fee/fine revenue do municipal courts collect annually? For 2012, the amount was just over **\$227 million**.

State Agency Fees that Exceed the Cost of Regulation

Most regulatory agencies are essentially "self-funded." This means that they are required to collect fees from those they regulate to cover all direct, indirect, and operational costs. The Commission on Fire Protection is no different. It is required to generate revenue through fees on cities and firefighters to cover all of the costs of the commission for the biennium. For the current biennium, this amounts to \$3.9 million. However, a rider was placed in the commission's budget during the last few hours of the 2011 session. The rider requires it to generate an *additional* \$3.38 million to be swept into the state's general revenue fund for general purpose state spending.

To raise the needed revenue for the operation of the commission and to return the required \$3.38 million to the state, the commission previously raised fees by 142 percent. (Commission staff indicates that no future increases are currently planned.) Many firefighters, and in some cases the cities they work for, saw this fee increase for what it was: a new, legislatively-imposed state tax on their profession.

The proposed state budget for 2014-2015 again requires the commission to generate all of their operating revenue and return another **\$3 million** for state general revenue spending.

Conclusion

What's the grand total amount of reverse intergovernmental aid in Texas? After making various adjustments, the annual total is over **\$245,000,000**, just from these five sources of reverse intergovernmental aid. (Please note that simply adding the totals from the previous sections

yields a much higher amount. Certain adjustments were made to that number in relation to sales tax administration and court fees to arrive at \$245,000,000.)

And why does this transfer of revenue from cities to the state matter? It matters because these transfers of resources result in either reductions in municipal services or increased local fees or taxes—most often the local property tax, which is the only general purpose municipal tax that a city council can raise or lower.

Texas taxpayers remain concerned about property taxes. It is clear that some of the pressure on the property tax results from reverse intergovernmental aid, a system under which governments that must depend on the property tax (cities) transfer revenue to a level of government (the State of Texas) that has many revenue sources.

It's not hard to understand why some state legislators are tempted to turn to cities and ask them to generate revenue for the state. It's much harder to understand why some of those same legislators have been trying for several years to limit the revenue-generating capacity of cities by placing caps on the municipal property tax.

COMPTROLLER'S DEBT ARTICLE DOESN'T TELL THE WHOLE STORY

On January 19, the Wall Street Journal published an article authored by Texas Comptroller Susan Combs titled *Susan Combs: Debt Excess Even Lives in Texas*. In the article, Comptroller Combs focuses almost entirely on the “unchecked and invisible debt” issued by local governments in Texas.

To demonstrate that there is an excessive amount of debt in Texas, the comptroller asserts that “[o]ur local governments, meanwhile, more than doubled their debt load in the last decade, to more than \$7,500 in debt for every man, woman, and child in the state.” Significantly, the comptroller fails to acknowledge that state-issued debt has increased at a quicker pace than local debt during the same time period. According to the Texas Bond Review Board (BRB), the amount of state-issued debt has nearly tripled in the past ten years.

The comptroller's article also doesn't paint the full picture with regard to cities' portion of local government debt. The bulk of the increase in local government debt hasn't come from cities at all. In fact, BRB data from the last five years (2007 through 2011) shows that the amount of outstanding city debt increased from \$51.3 billion to \$62.9 billion. This represents only a 23-percent increase over a five-year period. That number is well below the level of increase for all other local governments during the same time frame. By comparison, special districts saw their outstanding debt levels increase by 244 percent during the same period. Increases in the total amount of city-issued debt was easily outpaced by state-issued debt, which increased by 53 percent from 2007 to 2011.

The comptroller also asserts that local government authority to issue certificates of obligation should be curtailed, presumably because upfront voter approval is not required for this type of

debt instrument. (Voters can, under current law, petition the issuer to call an election on the issuance.) But the issuance of certificates of obligation has not been growing in recent years. To the contrary, the most recent statistics from the BRB show that, for both cities and local governments in general, the amount of debt associated with certificates of obligation was lower in 2011 than it was in 2007.

It is without question that \$62.9 billion in city-issued debt is a significant amount of money. But this number reflects the reality that exists in the state today: the responsibility for the infrastructure needs of the state's rapidly growing population has been passed from the state to cities and other local governments. It is local governments, rather than the state, that are expected to step up to the plate and build the roads, water systems, sewer systems, drainage systems, schools, police and fire stations, and all the other basic facilities that make Texas function.

Judging by the statistics *not* cited in the comptroller's recent article, it is evident that elected city officials are up to the task of providing vital infrastructure improvements while remaining good stewards of taxpayer dollars.

UPDATE: OPEN MEETINGS ACT CHALLENGE

As reported previously in the *Legislative Update*, the ongoing lawsuit commonly referred to as "TOMA II" is now at the U.S. Supreme Court. (TOMA II is the second challenge brought by several city councilmembers who claim that the criminal closed meeting provision of the Texas Open Meetings Act unconstitutionally infringes upon their right to freedom of speech.)

The city official plaintiffs filed their petition in December, and the Texas solicitor general (who represents the State of Texas) waived his right to respond. TML, along with the National League of Cities, filed an amicus brief in support of the plaintiffs' petition. (The brief is available [here](#).) Subsequent to that filing, the Court directed the solicitor general to file a response by February 22.

Whether the Court's request for a response indicates that it has an interest in the case remains to be seen, but it is generally considered favorable for plaintiffs. Updates will be provided as they become available.

EPA CONFIRMS ELECTRONIC DELIVERY OPTION FOR WATER UTILITY CONSUMER CONFIDENCE REPORT REQUIREMENTS

The U.S. Environmental Protection Agency (EPA) released a memorandum earlier this month interpreting its current rule related to the delivery of a water utility's Consumer Confidence Report (CCR). The EPA clarified that electronic delivery of CCRs is an acceptable way of

complying with its requirement to “mail or otherwise *directly deliver*” CCRs, provided that certain conditions are met.

The EPA has identified two allowable approaches that a water system could use to provide electronic delivery: (1) a paper CCR delivery with a customer option to request an electronic CCR; or (2) electronic CCR delivery (e.g., e-mail) with a customer option to request a paper CCR.

The EPA found that use of social media (e.g., Twitter or Facebook) directed at customers does not meet the requirement to “directly deliver.” Additionally, if a water system sends the CCR via e-mail and it receives a message that the e-mail failed to reach the customer, the water system would need to send a paper CCR to the customer.

Any city considering electronic delivery should carefully review the EPA requirements. The EPA memorandum is available at <http://water.epa.gov/lawsregs/rulesregs/sdwa/ccr/upload/ccrdeliveryoptionsmemo.pdf>.

ADA POOL RULES NOW IN EFFECT

In previous issues of the *Legislative Update*, the League reported on the approaching deadline for city compliance with the 2010 *Americans with Disabilities Act (ADA) Standards for Accessible Design*. As of January 31, 2013, all city swimming pools must comply with these standards.

Under the ADA standards, all public swimming pools with 300 or more linear feet of pool wall must have at least two accessible means of entry, with at least one of the means of entry being either a pool lift or a sloped entry to the pool (other accessible means of entry include transfer walls, transfer systems, and accessible pool stairs). (Note: public swimming pools with less than 300 linear feet of pool wall must have at least one accessible means of entry that is either a pool lift or a sloped entry.)

The standards are available at <http://www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm#alterations>.

SENATOR JUAN “CHUY” HINOJOSA TO CHAIR SENATE INTERGOVERNMENTAL RELATIONS COMMITTEE

The Senate Intergovernmental Relations (IGR) committee will convene under new leadership this session. Lieutenant Governor David Dewhurst appointed Senator Juan “Chuy” Hinojosa (D – McAllen) to lead the IGR committee, which has jurisdiction over important city issues, such as land use, annexation, and special districts.



Senator Hinojosa was first elected to the Texas House of Representatives in 1981, where he served until 1990 and again from 1997 to 2002. He was elected to the Texas Senate in 2002. Senator Hinojosa represents Corpus Christi, Edinburg, McAllen, Mission, Alice, Robstown, Hildalgo, and Alton. In addition to chairing IGR, he serves as vice-chairman of the Senate Finance Committee and sits on the Senate Committees on Agriculture, Rural Affairs, and Homeland Security; Criminal Justice; and Natural Resources.

Senator Hinojosa has twice been named one of Texas's "Top 10 Legislators" by *Texas Monthly* magazine and was named 2012 "Border Texan of the Year" for his dedication to bringing economic and educational benefits to South Texas and the Coastal Bend area.

We hope that city leaders across Texas, and particularly those in Senator Hinojosa's district, will express their appreciation to Senator Hinojosa for his outstanding leadership.

WHAT'S GOING ON AT THE CAPITOL?

On Tuesday Governor Perry delivered his seventh "State of the State" address to a joint session of the Texas House and Senate. While much of the speech centered on some of the governor's key policy positions on jobs, higher education, and taxes, he delivered some good news that relates to cities.

Most notably, the governor urged lawmakers to use \$3.7 billion from the Rainy Day Fund for a one-time investment in water and transportation infrastructure programs. He also called for ending the practice of using dedicated funds and specific fees for anything other than their intended purpose. He specifically called upon the legislature to end diversions from the State Highway Fund, freeing up an additional \$1.3 billion of ongoing biennial funding available for transportation

"What I am proposing will support critical water and transportation systems across our state, addresses our needs both short and long-term, and ensures both water and traffic will continue to flow in Texas for generations to come," the governor said.

He also proposed providing at least \$1.8 billion in tax relief by passing a constitutional amendment that would allow the state to give money directly back to taxpayers.

In other Capitol-related news, the speaker plans to issue House committee assignments by week's end, which will allow that chamber to begin its work. Stay tuned for an interesting 118 more days.

2013 LEGISLATIVE TRAINING SERIES

The League is pleased to offer live and online seminars regarding the 2013 legislative session. Please go to www.tml.org and click on "Training" for more detailed information.

- **FEBRUARY 4 ONSITE WORKSHOP—Legislative Briefing**

Hyatt Regency • 208 Barton Springs • Austin

This briefing is the first step in making sure you are informed and active during the 2013 session of the Texas Legislature.

- **MARCH 22 ONLINE WEBINAR—Legislative Status Report: The Countdown Begins**

This Webinar will tell you which bills need the most attention, the workload of the key committees with the largest number and most important city-related bills, and how an issue can still appear, even though no bill was filed.

- **APRIL 19 ONLINE WEBINAR—Legislative Status Report: The End Is Near...but Not Near Enough**

With the work of House and Senate committees increasing, city-related bills are being heard every day. While the TML staff is working feverishly to monitor all the hearings, city officials can take an active role in the process. Learn what you can do to help.

- **MAY 17 ONLINE WEBINAR—Legislative Status Report: The Final Days from the Bunker**

In the final weeks of the legislative session, last-minute tactics to keep bills alive are used. While deadlines have passed, that means little to those who still want to advance their issues. Find out what to expect in the final days—and why city officials can never assume a bill is dead.

- **JUNE 17 ONSITE WORKSHOP—Legislative Wrap-Up**

DoubleTree Hotel • 6505 North IH-35 • Austin

This one-day workshop will focus on the outcome of key, city-related bills from the recently concluded legislative session. You can learn about the impact this legislation will have on the day-to-day activities of cities and the dynamics behind some of the pertinent political decisions.

WHAT'S YOUR AREA OF EXPERTISE OR INTEREST?
JOIN YOUR FAVORITE E-LIST

The TML staff has been gathering e-mail addresses from city officials (elected or appointed) who are willing to provide testimony during the 2013 legislative session, want to be kept “in the

loop” on certain subject matters, and/or are willing to simply provide their perspective on a particular legislative matter.

These “E-lists” are the primary way TML staff contacts city officials regarding harmful legislation and are an invaluable grassroots tool. In many cases, bills will be set for committee hearings with essentially no notice. When that happens, an e-mail will go out to the appropriate E-list asking for information or action on your part. If you can, please respond as indicated. Legislators need to hear from their constituents more than from TML staff.

It’s not too late to participate in the E-List project; simply go to <http://www.tml.org/genform/E-List.asp> and fill out the online form. If you have any questions, please contact JJ Rocha at jj@tml.org or 512-231-7400.

SIGNIFICANT COMMITTEE ACTIONS

S.B. 234 (Eltife), relating to county park beautification. This is the so-called “blocker bill” in the Senate. It is typically placed at the head of the Senate’s daily calendar, and requires a two-thirds vote to take up other bills after it on the calendar. (This bill signals the Senate’s intent to be bound by the traditional “two-thirds rule” to consider bills.) Passed by the Senate Committee on Administration.

CITY-RELATED BILLS FILED

PROPERTY TAX

H.B. 732 (Raymond) – Property Tax: would provide that, if property is owned by an individual who qualifies for a property tax exemption for a disabled veteran or the disabled veteran’s surviving spouse and minor children, the amount of the tax due on the property is calculated as if the individual qualified for the exemption on January 1 and continued to qualify for the exemption for the remainder of the tax year.

H.B. 780 (Farias) – Property Tax: would require the Legislative Budget Board to conduct a comprehensive study to determine the effect of a homestead property tax exemption of \$5,000 for veterans of the United States armed services.

H.B. 805 (Orr) – Property Tax: would provide that a person who has served as a member of the governing body or officer of a taxing unit for which an appraisal district appraises property may serve on the appraisal review board after the second anniversary of the date the person ceased to be a member or officer if the appraisal district is established for a county with a population of between 100,000 and 250,000. (Current law requires a four-year wait.)

S.B. 247 (Carona) – Property Tax: would: (1) prohibit a property tax lender from selling, transferring, assigning, or releasing rights related to a property tax loan to a person who is not

licensed by the Finance Commission of Texas; and (2) repeal the expedited foreclosure process for a tax lien by a licensed property tax lender.

S.B. 269 (Seliger) – Property Tax: would provide that the agriculture rollback penalty does not apply to land owned by an organization that qualifies as a school if the organization converts the land to a use for which the land is eligible for a property tax exemption. (Companion bill is **H.B. 561** by **Workman**.)

SALES TAX

H.B. 697 (Springer) – Sales Tax: would exempt food products, meals, soft drinks, candy, and any school spirit merchandise from sales and use taxes if they are served or sold by a booster club or other school support organization.

H.B. 744 (Ashby) – Sales Tax: would exempt the sale or storage, use, or other consumption of an e-reader, personal computer, or tablet computer from sales and use taxes if the device is: (1) purchased during a specified weekend preceding the beginning of the school year; (2) purchased for less than \$1,000; and (3) not purchased over the Internet.

PURCHASING

H.B. 768 (Howard) – Public Private Partnerships: would expand the definition of a “qualifying project” under the state’s public private partnership legislation (S.B. 1048, 2011) to include a technology facility.

ELECTIONS

H.B. 684 (Johnson) – Redistricting: would require the comptroller to adjust population counts reported in the federal decennial census for persons incarcerated by treating the person as if the person resided at the address at which the person resided before the person’s incarceration rather than in the city where the incarceration facility is located. (This bill is identical to **H.B. 329** by **Dutton**.)

H.B. 728 (Price) – Candidate Eligibility: would provide that, to be eligible to be a candidate for a public elective office, one must not have been placed on deferred adjudication community supervision for a felony.

H.B. 770 (Howard) – Early Voting: would allow for an electronic transmission of an image of an application to vote by mail be submitted to the early voting clerk.

OTHER FINANCE/ADMINISTRATION BILLS

H.B. 756 (S. Davis) – Dedicated Tax and Fee Revenue: would: (1) require the comptroller to identify statutorily dedicate revenues derived from a state tax or fee that are deposited to the credit of an account in the general revenue fund during the preceding fiscal year that are not spent or obligated to be spent for the purpose for which they were set aside; (2) require the

comptroller to transfer the funds identified in (1), above, to a special fund and appropriate them for the purpose of refunding the unspent portions of the dedicated taxes or fees to the person who paid the tax or fee in a manner provided by the comptroller; and (3) authorize the comptroller to use not more than two percent of the revenues appropriated from the special fund for the purpose of implementing a refunding program.

H.B. 785 (S. Davis) – Bond Elections: would require that a ballot proposition submitted to the voters for approval of the issuance of bonds or other debt shall specifically state: (1) the total principal amount of the bonds or other debt to be authorized, if approved; (2) a general description of the purposes for which the bonds or other debt are to be authorized, if approved; and (3) the total debt accrued by the issuer as of the first day of the fiscal year in which the election is held and any additional debt authorized as of the date of the election.

H.B. 786 (E. Rodriguez) – Payday Lending: would provide that payday and motor vehicle title lenders are subject to the same level of state regulation and oversight as other credit services organizations, and cannot assist a consumer in obtaining an extension of credit that is not in the form of a payday or motor vehicle title loan.

H.J.R. 66 (Raymond) – City Council Compensation: would amend the Texas Constitution to provide that a public school employee or retired public school employee, other than a school district superintendent or a retired school district superintendent, may receive compensation for serving as a member of a local governing body, including a city council.

S.B. 246 (West) – Attorney General Opinions: would allow a request for an attorney general opinion to be sent electronically to an electronic mail address designated by the attorney general.

S.B. 251 (West) – Unsworn Declaration: would require a government employee, including a city employee, who uses an unsworn declaration in lieu of written sworn declaration, verification, certification, oath, or affidavit to include additional language in the statement regarding their employment with the governmental entity.

S.B. 266 (Seliger) – Hotel Occupancy Tax: would allow a city to use hotel occupancy tax revenue to conduct audits of hotels that fail to report or are delinquent in their payment to the city.

S.B. 267 (Seliger) – Liability: would limit a city's liability for space flight activities conducted at a municipal airport. (Companion bill is **H.B. 278** by **Craddick**).

S.J.R. 23 (Estes) – State Funding: would amend the Texas Constitution to prohibit using dedicated revenues or account or fund balances for non-dedicated general governmental purposes or for certification of appropriations for non-dedicated purposes or entities.

MUNICIPAL COURTS

H.B. 625 (Harper-Brown) – License Plates: would provide that it is a misdemeanor punishable by a fine not to exceed \$200 to operate a vehicle without the required license plates.

H.B. 657 (Lavender) – License Plates: would require Texas Department of Motor Vehicles to issue for attachment at the rear of a vehicle only one license plate and would create an offense for operating a passenger car or light truck without a license plate attached at the rear.

H.B. 678 (Sheets) – Financial Responsibility: would allow a motor vehicle operator to provide proof of insurance in an electronic format displayed on a wireless communication device.

COMMUNITY AND ECONOMIC DEVELOPMENT

H.B. 654 (Cortez) – Housing Authority Commissioners: would repeal term limits for local housing authority commissioners in a city with a municipal housing authority with a total number of units of 150 or more.

H.B. 674 (Ratliff) – Zoning Notice: would provide that, before the tenth day before the hearing date, written notice of each public hearing before the zoning commission on a proposed change in a zoning classification affecting residential or multifamily zoning shall be sent to each school district in which the property for which the change in classification is proposed is located.

H.B. 675 (Ratliff) – Sexually Oriented Business Advertising: would provide that a city may regulate the location of off-premise signs advertising a sexually oriented business by requiring those signs to be located in a particular area of the city or prohibiting those signs from being located within a certain distance from a land use that the governing body finds to be inconsistent with sexually oriented business advertising, including: (1) a school; (2) a place of worship; (3) a residential neighborhood; or (4) an interstate highway, a United States highway, or a state highway.

H.B. 691 (Phillips) – Halfway Houses: would provide that: (1) the governing body of a county or city, by order or ordinance, may adopt regulations regarding the location of halfway houses as defined by the bill as the governing body considers necessary to promote the public health, safety, or welfare; and (2) a regulation adopted by a county applies only to the unincorporated area of the county and a regulation adopted by a city applies only to the incorporated area of the city.

H.B. 737 (Farias) – Payday Lenders: would grant certain payday lending protections to certain members of the Texas National Guard and armed forces of the United States and their dependents.

H.B. 754 (Ashby) – Eminent Domain: would prohibit a state agency, political subdivision, or a corporation created by a governmental entity from taking private property through the use of eminent domain if the taking is for a recreational purpose, including a parks and recreation system or a specific park, greenbelt, or trail.

PERSONNEL

H.B. 626 (Harper-Brown) – Texas Municipal Retirement System: would change the definition of “employee” for purposes of participation in the Texas Municipal Retirement System to require that an employee work 1,500 hours per year instead of 1,000 hours a year.

H.B. 651 (Capriglione) – Texas Municipal Retirement System: would: (1) allow a city to adopt an ordinance, which applies to new employees only, that changes the definition of “employee” for purposes of participation in the Texas Municipal Retirement System (TMRS) to require that an employee work not less than 1,500 hours instead of 1,000 hours a year; and (2) require a city with such an ordinance to file it with TMRS 30 days before it becomes effective.

H.B. 667 (Martinez) – Employee Leave Discrimination: would make it an unlawful employment practice to administer a policy relating to leave to care for sick children that does not apply to foster children.

H.B. 710 (Callegari) – Peace Officers: would prohibit an active peace officer from using his or her rank or officer status to advertise or promote his or her private business.

H.B. 718 (Smithee) – Texas Municipal Retirement System: would: (1) allow a participating Texas Municipal Retirement System (TMRS) city to adopt a non-retroactive flat rate cost of living adjustment (COLA); (2) to comply with federal law applicable to qualified plans, provide that any increased payment to an annuitant resulting from such a COLA adopted by a city would be limited to the cumulative increase the annuitant would have been entitled to receive if the 70 percent of CPI limit under TMRS’s existing law had been applied to the annuity; and (3) require that, if a city adopts an ordinance to either discontinue an annually repeating COLA or to reduce an annually repeating COLA, the city must give written notice to members and annuitants at least 60 days prior to the effective date of the change adopted in the ordinance.

H.B. 731 (Raymond) – Personnel: would: (1) require a city’s construction contracts to mandate that a contractor: (a) provide at least a 15-minute rest break for every four hours of work its employees perform; and (b) ensure that employees do not work more than three-and-a-half hours without receiving a break; (2) require a city to develop procedures for administering the bill’s provisions; and (3) allow a city to impose an administrative penalty if a contractor violates the provisions.

H.B. 741 (Walle) – Personnel: would: (1) require a public employer, including a city, to develop breastfeeding policies for its employees that encourage and accommodate breastfeeding; (2) require a public employer to provide breaks and a room for breastfeeding; and (3) make it an unlawful employment practice to discriminate against an individual based on the employee’s exercise of her right to breastfeed in the workplace.

S.B. 237 (Van de Putte) – Employment Discrimination: would prohibit an elected city official or a city that employs fifteen or more employees from discriminating against an employee or an employment applicant on the basis of sexual orientation or gender identity.

S.B. 248 (Davis) – Employment Discrimination: would track the language of the Federal Lilly Ledbetter Fair Pay Act and would: (1) extend the statute of limitations on pay discrimination

claims every time an individual is paid based on a past discriminatory decision made by an employer; and (2) allow back pay and benefits for up to two years preceding the date of filing a complaint of pay discrimination.

PUBLIC SAFETY

H.B. 689 (Marquez) – Red Light Cameras: would permit red light cameras at railroad crossings.

H.B. 700 (Lavender) – Handguns: would, among many other things, authorize a concealed handgun license holder to openly carry a handgun.

H.B. 706 (Capriglione) – Handguns: would, among other things, provide that: (1) a public institution of higher education may not adopt any rule, regulation, or other provision prohibiting concealed handgun license holders from carrying handguns on the campus of the institution; (2) a private institution of higher education may, after consulting with students, staff, and faculty of the institution, adopt rules, regulations, or other provisions prohibiting license holders from carrying handguns on premises that are owned or operated by the institution and located on the campus of the institution; and (3) a public or private institution of higher education may establish rules, regulations, or other provisions concerning the storage of handguns in dormitories that are owned or operated by the institution and located on the campus of the institution.

H.B. 730 (Raymond) – Police Officer Training: would require the Texas Commission on Law Enforcement Standards and Education to create a voluntary training program on the use of electromagnetic pulse (EMP) devices for police officers. (An EMP device is used to disable a fleeing suspect's engine in a police chase.)

H.B. 746 (Ashby) – Volunteers: would: (1) provide a program for in-state and out-of-state volunteer health care and veterinary practitioners to practice in Texas during an emergency declaration; and (2) limit their liability in certain circumstances.

H.B. 762 (Guillen) – Disaster Remediation Contracts: would expand state law protections related to disaster remediation contracts to include locally-declared disasters.

H.B. 767 (King) – Disabled Parking: would: (1) allow a city to assess a civil penalty on a person who parks in a designated disabled parking space without a license plate or placard indicating the individual is disabled; and (2) increase the maximum fine amount for the corresponding criminal penalty.

H.B. 765 (King) – Commercial Driver's Licenses: would allow deferred disposition or driver safety course dismissal for a holder of a commercial driver's license who violates a state law or local ordinance relating to motor vehicle control, so long as the individual was not operating a commercial motor vehicle and held a commercial driver's license when the offense occurred.

H.B. 790 (Turner) – Driver Responsibility Program: would repeal the state driver responsibility program. (This bill is identical to **H.B. 104** by **L. Gonzales**).

H.B. 793 (Lozano) – Transport of Undocumented Persons: would create a criminal offense for a person who transports an undocumented person in a manner that is designed to conceal the undocumented person from local, state, or federal law enforcement authorities.

S.B. 263 (Huffman) – Synthetic Derivative of Marihuana: would designate certain additional synthetic cannabinoids as controlled substances and controlled substance analogues under the Texas Controlled Substances Act.

S.B. 264 (Huffman) – Synthetic Hallucinogens: would add a synthetic hallucinogenic substance (commonly known as 25I) to Penalty Group 2 of the Texas Controlled Substances Act.

S.B. 271 (Seliger) – Child Passenger Safety Seat: would repeal the defense in the Transportation Code that allows a defendant to provide evidence that the defendant possesses an appropriate child passenger safety seat system for each child required to be secured.

S.B. 299 (Estes) – Unlawful Carrying of Handgun: would amend Penal Code language to provide that it is unlawful to display a handgun in plain view of another person in a public place in a manner calculated to cause alarm and not pursuant to a justified use of force or threat of force.

UTILITIES AND ENVIRONMENT

H.B. 648 (Farias) – Disposal of Equipment: would prohibit a person from discarding or disposing of computer equipment or covered television equipment at a municipal solid waste facility, but would not impose any obligation on an owner or operator of a solid waste facility.

H.B. 711 (Murphy) – Electric Rate Cases: would provide that a city or the Texas Railroad Commission, when computing an electric utility's federal income tax expenses in a rate case, must include with an allowable expense or investment the applicable reduction in income tax liability.

H.B. 788 (W. Smith) – Greenhouse Gas Emissions: would require the Texas Commission on Environmental Quality to, in accordance with federal law, adopt a program for issuing permits that include the regulation of greenhouse gas emissions.

S.B. 4 (Fraser) – State Water Plan Funding: would provide: (1) that the Texas Water Development Board is composed of three, rather than six, members who serve on a full-time basis; (2) for various changes to certain administrative provisions relating to the board; (3) the state water implementation fund for Texas is created as a special fund outside the state treasury; (4) that the fund consists of: (a) money transferred or deposited to the credit of the fund by law; (b) the proceeds of any fee or tax imposed by this state that the legislature by statute dedicates for deposit to the credit of the fund; (c) any other revenue that the legislature by statute dedicates for deposit to the credit of the fund; and (d) interest earned on the balance of the fund; (5) that

the Texas Water Development Board (board) may use money in the fund only to provide financing for certain projects included in the state water plan; (6) that not less than 10 percent of the money from the fund used by the board in any state fiscal biennium must be used to finance projects that are designed to serve rural areas and not less than 10 percent of the money must be used to finance water conservation or reuse; (7) that the board may direct the comptroller to transfer amounts from the fund to the credit of: (a) the water infrastructure fund to be used for projects included in the state water plan; (b) the rural water assistance fund to be used for projects included in the state water plan; (c) the Texas Water Development Fund II state participation account to be used for projects included in the state water plan; (d) the agricultural water conservation fund to be used for projects included in the state water plan; or (e) the Texas Water Development Fund II economically distressed areas program account to be used for projects included in the state water plan; (8) that the State Water Implementation Fund for Texas Advisory Committee is created and is composed of members appointed by the speaker of the house of representatives, the lieutenant governor, and the governor; (9) that the advisory committee shall submit recommendations to the board regarding the use of money in the fund for use by the board; and (10) that the board shall use those recommendations to adopt rules providing for the use of money in the fund, including rules: (a) establishing standards for the eligibility for financing of projects designed to serve rural areas and water conservation and reuse projects; and (b) specifying the manner for prioritizing projects based on whether the project will have a major effect across a region or will serve an area that is projected to experience a high rate of population or economic growth.

S.B. 235 (Fraser) – Regional Water Authorities: would, among other things, provide that: (1) two or more governmental entities may submit a petition to the Texas Commission on Environmental Quality (TCEQ) requesting the creation of a regional authority for water infrastructure projects; (2) if TCEQ determines that creation of the authority satisfies the criteria adopted by TCEQ under the bill, TCEQ shall issue an order creating the authority and notify the petitioners; (3) an authority's territory is the combined territory of its member entities; (4) an authority may, among other things, study, evaluate, design, finance, acquire, construct, maintain, repair, and operate water projects, individually or as one or more water systems; (5) an authority may enter into an agreement with one or more persons to provide, on terms and conditions approved by the authority, personnel and services to design, construct, operate, maintain, expand, enlarge, or extend the water project of the authority; (6) if authorized at an election held for that purpose, an authority may impose an operation and maintenance tax on taxable property in the authority; (7) an authority, by bond resolution, may authorize the issuance of bonds to pay all or part of the cost of a water project, to refund any bonds previously issued for the water project, or to pay for all or part of the cost of a water project that will become a part of another water system; and (8) various administrative procedures apply to an authority.

S.B. 272 (Seliger) – Groundwater Conservation Districts: would provide, among other things: (1) that a groundwater conservation district shall require that records be kept and reports be made of the drilling, equipping, and completing of water wells and of the production and use of groundwater; (2) a district may adopt rules, consistent with rules adopted by the Texas Water Development Board (TWDB) under the bill, that require an owner or operator of a water well that is required to be registered with or permitted by the district, including a domestic use well, to report groundwater withdrawals; (3) TWDB, after consulting with representatives of districts

regarding reasonable and appropriate reporting methods and frequency of reporting, shall adopt rules requiring the owner or operator of a well to report groundwater withdrawals; and (4) TWDB may exempt domestic, and certain other, wells from the reporting requirements.

S.B. 291 (Nelson) – Utilities: would provide that: (1) a gas utility or a municipally owned utility that has an easement in or a right-of-way over or through real property must give written notice to the owner or person in possession of the property before a member, agent, or employee of the utility may enter the property for utility business; (2) the utility must give the notice not later than the fifth day before the date of entry; (3) certain exceptional situations do not require the notice; and (4) the Texas Railroad Commission may impose an administrative penalty of up to \$200 per violation on a person who fails to give the notice required by the bill.

TRANSPORTATION

H.B. 782 (Phillips) – Transportation Funding: would provide that, from 2015 through 2024, certain revenue derived from the state sales tax imposed on the sale of a motor vehicle sold in this state shall be deposited at an increasing rate to the credit of the state highway fund. (Note: Please see **H.J.R. 68**, below.)(Companion bill is **S.B. 287** by **Nichols**.)

H.J.R. 68 (Phillips) – Transportation Funding: would provide that the net revenue derived from the state sales tax imposed on the sale of a motor vehicle sold in this state, minus certain school funding allocations, shall be deposited to the credit of the state highway fund. (Note: Please see **H.B. 782**, above.)(Companion bill is **S.J.R. 20** by **Nichols**.)

S.B. 287 (Nichols) – Transportation Funding: this bill is the same as **H.B. 782**, above.

S.J.R. 20 (Nichols) – Transportation Funding: this bill is the same as **H.J.R. 68**, above.

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Legislative
UPDATE

February 8, 2013
Number 5

MUNICIPAL GOVERNMENT DAY AT STATE CAPITOL

On February 4, the Texas Senate and the Texas House of Representatives recognized city officials by adopting **S.R. 34 (Seliger/Watson)** and **H.C.R. 33 (Larson)**. The resolutions declared that day Municipal Government Day at the State Capitol. TML President-Elect Jungus Jordan, TML Past President Jackie Levingston, and TML board members Holly Gray-McPherson and Victor Gonzales were among the city officials acknowledged on the Senate and House floors. Click **here** to watch the brief Senate ceremony and click **here** to watch the brief House ceremony.

UPDATE: CCR REPORTING

In last week's *Legislative Update*, the League reported that the Environmental Protection Agency (EPA) released a memo authorizing municipal water systems to deliver annual Consumer Confidence Reports electronically.

The methods that Texas public water systems can use to deliver CCRs to their customers and certify that the report has been distributed and is accurate are established under 30 Texas Administrative Code §290.274. Since the EPA released its memo, the Texas Commission on Environmental Quality (TCEQ) has informed the League that TCEQ staff is revising their current CCR delivery requirements and certification process to align with the recent EPA authorization.

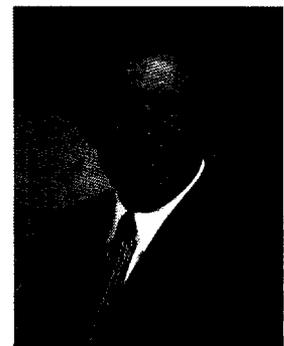
TCEQ will coordinate through the stakeholder process to develop new Texas CCR delivery guidelines to ensure that direct delivery requirements are met, and the League will share the results of that process as they come available. In the meantime, municipal water systems should continue reporting as they have been.

TML LEGISLATORS OF THE MONTH FOR JANUARY

Representative Allan Ritter (R – Nederland) and Senator Troy Fraser (R – Horseshoe Bay) are the TML Legislators of the Month for January 2013. Representative Ritter represents House District 21, which includes Port Arthur, Port Neches, Groves, Nederland, Orange and Vidor.



Senator Fraser represents Senate District 24, which includes Abilene, Brownwood, Belton, Fredericksburg, Killeen, Kerrville, Marble Falls, and Temple.



First elected to the Texas House in 1998, Representative Ritter currently chairs the House Natural Resources Committee and serves on the House Committees on Ways and Means and Calendars.

Representative Ritter has filed H.B. 4 and H.B. 11. Those bills would make a one-time appropriation of \$2 billion from the state's Economic Stabilization Fund (otherwise known as the Rainy Day Fund) to capitalize a new dedicated revolving fund for use in financing water projects in the State Water Plan.

Senator Fraser was first elected to the Texas House of Representatives in 1987, where he served three terms before being elected to the Texas Senate in 1996. Senator Fraser serves as the Chairman of the Senate Committee on Natural Resources and sits on the Senate Committees on Economic Development and State Affairs.

Senator Fraser has filed S.B. 4. That bill would create the State Water Implementation Fund of Texas (SWIFT) to provide a revolving fund to finance projects in the State Water Plan. He has also filed S.B. 22, which would make a one-time allocation of \$2 billion from the state's Rainy Day Fund to finance water projects.

We hope that city leaders across Texas, and particularly those in Representative Ritter's and Senator Fraser's districts, will express their appreciation to these outstanding leaders.

SPEAKER ANNOUNCES HOUSE COMMITTEE MEMBERSHIP

The speaker has appointed House committees for the 2013 session. For a full list, please click [here](#).

2013 LEGISLATIVE TRAINING SERIES

The League is pleased to offer live and online seminars regarding the 2013 legislative session. Please go to www.tml.org and click on “Training” for more detailed information.

- **MARCH 22 ONLINE WEBINAR—Legislative Status Report: The Countdown Begins**

This Webinar will tell you which bills need the most attention, the workload of the key committees with the largest number and most important city-related bills, and how an issue can still appear, even though no bill was filed.

- **APRIL 19 ONLINE WEBINAR—Legislative Status Report: The End Is Near...but Not Near Enough**

With the work of House and Senate committees increasing, city-related bills are being heard every day. While the TML staff is working feverishly to monitor all the hearings, city officials can take an active role in the process. Learn what you can do to help.

- **MAY 17 ONLINE WEBINAR—Legislative Status Report: The Final Days from the Bunker**

In the final weeks of the legislative session, last-minute tactics to keep bills alive are used. While deadlines have passed, that means little to those who still want to advance their issues. Find out what to expect in the final days—and why city officials can never assume a bill is dead.

- **JUNE 17 ONSITE WORKSHOP—Legislative Wrap-Up**

DoubleTree Hotel • 6505 North IH-35 • Austin

This one-day workshop will focus on the outcome of key, city-related bills from the recently concluded legislative session. You can learn about the impact this legislation will have on the day-to-day activities of cities and the dynamics behind some of the pertinent political decisions.

CITY-RELATED BILLS FILED

PROPERTY TAX

H.B. 826 (Harless) – Property Tax: would limit the types of individuals who qualify as heavy equipment inventory dealers for purposes of the property taxes imposed on heavy equipment inventory.

H.B. 835 (Eiland) – Property Tax: would provide that a replacement structure for a structure that was rendered uninhabitable or unusable by casualty or by wind or water damage is not considered to be a new improvement for property tax appraisal cap purposes if a building code, fire code, local ordinance, or government assistance program requires: (1) the square footage of the replacement structure to exceed that of the replaced structure; or (2) the exterior of the replacement structure be of higher quality construction and composition than that of the replaced structure.

H.B. 862 (S. King) – Property Tax: would provide that an individual who qualifies for a senior or disabled property tax freeze and subsequently qualifies a different residence for a residence homestead property tax exemption in the same city may only have a limited amount of the exemption applied to the subsequently qualified homestead unless certain conditions are met.

H.B. 943 (Riddle) – Property Tax: would require the governing body of a taxing unit to waive penalties and interest on a delinquent tax if the taxpayer, guardian of the taxpayer, attorney in fact or agent under a durable power of attorney, or representative of a taxpayer's estate submits evidence to show that: (1) a licensed physician has diagnosed the taxpayer with Alzheimer's disease or vascular dementia before the tax became delinquent; (2) the tax was paid not later than the second anniversary of the date the tax became delinquent; and (3) the disease or dementia caused or resulted in the taxpayer's failure to pay the tax before delinquency.

S.B. 359 (Hinojosa) – Property Tax: would allow junior college districts to participate in the appointment of members of the board of directors of an appraisal district.

SALES TAX

H.B. 854 (Lucio) – Sales Tax: would exempt books purchased by university and college students from sales taxes if purchased during a specified time period each semester.

H.B. 896 (Menendez) – Sales Tax: would require the comptroller to transfer to the appropriate Texas Parks and Wildlife Department (TPWD) accounts amounts from sporting goods sales tax proceeds sufficient to fund the employee benefits of TPWD employees.

H.B. 902 (M. Gonzalez) – Sales Tax: would exempt the sale, use, or consumption of a book or magazine from sales and use taxes if the book or magazine: (1) is written for educational, instructional, or pedagogical purposes; and (2) is purchased by a student enrolled at an institution of higher education or a private or independent college or university.

H.J.R. 74 (Raymond) – Sales Tax: would amend the Texas Constitution to provide that the legislature may not enact a general law that would impose a new, prospective state tax on the sale or use of any food, drink, or medicine.

S.B. 305 (Rodriguez) – Sales Tax: would provide that the sale, use, or installation of a solar energy device that is installed on a retail customer’s side of the meter is exempted from sales and use taxes.

S.B. 342 (Estes) – Sales Tax: would provide that the sale of a “WaterSense product” (a product that has been designated as a WaterSense certified product under the WaterSense program operated by the United States Environmental Protection Agency, or a similar successor program) is exempted from sales taxes for the period beginning on Memorial Day and ending on the last Monday in May. (Companion bill is **H.B. 178** by **Larson**.)

S.B. 372 (Lucio) – Sales Tax: would give the comptroller exclusive jurisdiction to interpret the state statute exempting property used in manufacturing from sales and use taxes.

ELECTIONS

H.B. 816 (S. Davis) – Elections: would provide that the published notice of an election may provide the address of an Internet website that lists the location of each polling place rather than listing each polling place.

H.B. 881 (Turner) – Elections: would allow a person to bring suit in district court against the person’s employer, including a governmental entity, for prohibiting or penalizing the act of voting.

H.B. 927 (Miller) – Voter Registration: would, among other things: (1) make the submittal of a voter registration application of a non-United States citizen a state jail felony; and (2) add eligibility requirements for a volunteer deputy registrar.

H.B. 961 (Sanford) – Bond Elections: would require a city to include in a ballot proposition seeking voter approval of the issuance of bonds language that lists the total debt owed, stated as a total amount and as a per capita amount for the city population, and any surplus funds held by the city on the first day of the fiscal year in which the election is held.

H.B. 966 (Murphy) – Voter Registration: would provide that, with certain exceptions, a voter’s residence is established by the address: (1) the person claims as a homestead; (2) stated on an unexpired driver’s license issued by the Department of Public Safety (DPS); (3) stated on an unexpired personal identification card issued by DPS; (4) stated on an unexpired license to carry a concealed handgun issued by DPS; and (5) corresponding to a residence at which the person receives mail that is not a commercial post office box or similar location.

H.B. 983 (Elkins) – Temporary Election Officers: would provide that a political subdivision's temporary election worker, officer, or official is not subject to the Texas Unemployment Compensation Act.

H.B. 985 (Elkins) – Elections: would, among other things, extend the deadline for conducting the local canvass for an election held on the November uniform election date.

H.B. 986 (Elkins) – Elections: would provide that, for an election in which a mail ballot is required to be printed in a language other than English: (1) the applicant may indicate his preferred language; and (2) if this applicant does not indicate his preferred language, the ballot will be delivered in English.

S.B. 315 (Uresti) – Voter Registration: would create a program to allow a person to complete a voter registration application over the Internet from the official website of the state and the websites of the secretary of state, the Department of Public Safety, and/or counties participating in the program.

OPEN GOVERNMENT

H.B. 889 (Fallon) – Meetings on the Internet: would: (1) require a county, school district, or home-rule city with a population of 50,000 or more to broadcast each regularly-scheduled open meeting over the Internet and make archived video and audio of those meetings available; and (2) allow the broadcast and archive described in (1), above, to be broadcast over an existing Internet site, including a public accessible video-sharing or social network site.

H.B. 919 (Fletcher) – Vehicle Location Information: would except from public disclosure information held by a law enforcement agency or prosecutor that relates to the location of a vehicle used for law enforcement if: (1) the information would directly or indirectly reveal the physical location of or route used by a peace officer or vehicle operated by a peace officer; or (2) the law enforcement agency determines that the release of the information may create a hazard to a peace officer, the public, or another person.

H.B. 973 (Capriglione) – Public Retirement System Records: would: (1) take away a public retirement system's discretion to determine whether a record is confidential information; (2) provide that the bill's provisions regarding confidentiality of information held by a public retirement system prevail over any conflicting law; and (3) repeal the provision of the Public Information Act providing that records of individual members, annuitants, retirees, beneficiaries, alternate payees, program participants, or persons eligible for benefit from a retirement system are confidential.

H.B. 987 (Marquez) – Public Information Act: would add motor vehicle title or registration information to the list of confidential motor vehicle records that a governmental body can redact under the Public Information Act without requesting a decision from the attorney general.

S.B. 394 (West) – Juvenile Records: would provide that records and files relating to a child who has received a dismissal after deferral of disposition for a misdemeanor offense punishable

by fine only (other than a traffic offense) are confidential and may not be disclosed, except in relation to required school notifications.

OTHER FINANCE/ADMINISTRATION BILLS

H.B. 858 (Lucio) – Euthanasia: would: (1) prohibit an animal shelter from euthanizing a dog or cat by administering compressed carbon monoxide; and (2) require the executive commissioner of the Health and Human Services Commission, rather than the State Board of Health, to adopt rules regarding the use of compressed carbon monoxide to euthanize animals other than dogs or cats.

H.B. 865 (J. Davis) – Insurance Premiums: would remove the requirement to create a single nonprofit trust to be eligible for an municipal exemption from the tax on group health, accident, and life insurance premiums for its officers, employees, retirees, and their independents. (Note: Under current law, a city must establish a single, nonprofit trust to take advantage of this exemption.)

H.B. 880 (Turner) – Alcoholic Beverage Permits: would: (1) require that a person holding a permit to sell alcoholic beverages for on-premises consumption maintain liability insurance that will pay for damages arising out of the sale or service of alcoholic beverages; and (2) require the Texas Alcoholic Beverage Commission to adopt rules relating to the insurance policy providing, among other things, at least \$500,000 in coverage per person and \$1 million per occurrence giving rise to damages covered under the policy.

H.B. 886 (Anchia) – Motor Vehicle Title Loans: would provide that: (1) motor vehicle title loans may not exceed 70 percent of the retail value of the vehicle; (2) refinanced payments or installments payments on a motor vehicle title loan must be paid in certain amounts; and (3) the credit access business that provides the loan is limited in the types of fees that can be imposed upon a borrower.

H.B. 888 (Sheets) – Roofing Contractors: would provide: (1) that a person may not perform or offer to perform roofing services unless the person holds a certificate issued by the Texas Department of Licensing and Regulation; (2) detailed procedures and penalties; (3) that an authorized employee or representative of a city is exempt from the bill's requirements; and (4) that the bill is not intended to conflict with or affect the authority of any state or local agency, board, or department that administers or enforces any law or ordinance or that establishes, administers, or enforces a policy, rule, qualification, or standard for a trade or profession. (Companion bill is **S.B. 311** by **Carona**.)

S.B. 311 (Carona) – Roofing Contractors: this bill is the same as **H.B. 888**, above.

S.B. 318 (Uresti) – Hotel Occupancy Tax: would limit the hotel occupancy tax exemption for “permanent residents” to stays of longer than 90 days. (Note: current law requires stays of longer than 30 days.)

S.B. 319 (Uresti) – Hotel Occupancy Tax: would limit the application of the hotel occupancy exemption for permanent residents to “an individual” and not “a person.” (Note: the Texas Code Construction Act provides that the use of the word “person” includes a corporation or other legal entity.)

S.B. 360 (Watson) – Euthanasia: this bill is the same as **H.B. 858**, above.

S.B. 392 (West) – Litigation: would require a party who challenges the constitutionality of a statute to serve notice on the attorney general if the attorney general is not a party to or counsel involved in the litigation.

S.J.R. 24 (Watson) – State Fee Diversions: would amend the Texas Constitution to prohibit the legislature from diverting statutorily-dedicated revenues for other purposes.

MUNICIPAL COURTS

H.B. 823 (Anchia) – Magistrates: would require a magistrate to inform an arrestee that, if the person is not a citizen of the United States, a plea of guilty or no contest for the offense charged may affect the person’s immigration or residency status and may result in deportation. (Companion bill is **S.B. 361** by **Watson**.)

H.B. 933 (Turner) – Juvenile Expunctions: would automatically entitle a person to have the person's juvenile record expunged after the person's 17th birthday if the person: (1) has completed a deferred prosecution program; and (2) was not referred to the juvenile justice system for any other delinquent conduct before the person's 17th birthday that resulted in adjudication or deferred adjudication. The bill would also create an offense for a person who: (1) acquires knowledge of a deferred prosecution of a juvenile and disseminates it; or (2) is ordered by a court to return identifying portions of a record or file ordered expunged and knowingly fails to return or destroy the record or file.

S.B. 361 (Watson) – Magistrates: this bill is the same as **H.B. 823**, above.

S.B. 389 (West) – Court Costs: would require the amount of court costs imposed on the defendant in a criminal proceeding to be the amount established under the law in effect on the date the defendant is convicted of the offense.

S.B. 393 (West) – Juvenile Offenders: would, among other things: (1) authorize a municipal court, with approval of the city council, to enter into an interlocal agreement to jointly employ a case manager to provide services in cases involving juvenile offenders who are referred by a school administrator or designee before a complaint is filed with a court for certain school offenses; (2) authorize a municipal court, with approval of the city council, to employ one or more juvenile case managers to provide prevention and early intervention services to juveniles considered at-risk of dropping out of school and referred to the case manager by school administrators before cases are filed with the court for alleged Class C misdemeanors (other than traffic offenses); (3) require that a municipal court dismiss a truancy complaint or referral made by a school district if the complaint is not filed correctly by the school district; (4) prohibit a

peace officer from issuing a citation to a child who is alleged to have committed, among other things, a class C misdemeanor disorderly conduct offense on the property of a school district; (5) allow a law enforcement officer to dispose of the case of a child accused of a class C misdemeanor offense (other than a traffic offense) without filing a complaint in criminal court if certain requirements are met; and (6) provide that a child accused of a class C misdemeanor (other than a traffic offense) may be referred to a first offender program if certain requirements are met.

S.B. 395 (West) – Fines and Court Costs: would: (1) require that a municipal court allow a child defendant to choose to discharge a fine or cost by either paying the fine or cost as allowed under current law or by performing community service; (2) require that the defendant's choice under (1), above, be made in writing, signed by the defendant or the defendant's parent, guardian, or managing conservator, and entered in the record; and (3) allow a court to waive payment of a fine or cost imposed on a defendant who defaults in payment if the court determines that the defendant is a child and discharging the fine or cost in an alternative method, including performing community service, would impose an undue hardship.

COMMUNITY AND ECONOMIC DEVELOPMENT

H.B. 910 (Kolkhorst) – Regulation of Farmers Markets: would require any permit issued for an individual who sells food at a farmers market to: (1) be valid for at least a year; (2) cost less than \$50 each; and (3) cover sales at all locations within the permitting authority's jurisdiction.

H.B. 954 (Button) – E-Verify: would prohibit a governmental entity, including a city, from awarding an economic development incentive to a business that does not participate in E-verify.

H.B. 970 (E. Rodriguez) – Cottage Food Regulation: would: (1) prohibit a city, local governmental entity, or a local health department, from regulating a cottage food production operation; (2) prohibit a city or county from using its zoning authority to prohibit a home from being used as a cottage food production operation; (3) allow a private nuisance actions against such an operation; and (4) expand the definition of cottage food production operation to include additional products produced at an individual's home, including candy, dried fruit, and snacks.

PERSONNEL

H.B. 950 (Thompson) – Employment Discrimination: would track the language of the federal Lilly Ledbetter Fair Pay Act and would: (1) extend the statute of limitations on pay discrimination claims to include every instance an individual is paid based on a past discriminatory decision made by an employer; and (2) allow back pay and benefit damages for up to two years preceding the date of filing a complaint for pay discrimination.

S.B. 341 (J. Rodriguez) – Personnel: would: (1) require a city's construction contracts to mandate that a contractor: (a) provide at least a 15-minute rest break for every four hours of work its employees perform; and (b) ensure that employees do not work more than three-and-a-half hours without receiving a break; (2) require a city to develop procedures for administering

the bill's provisions; and (3) allow a city to impose an administrative penalty if a contractor violates the provisions. (Companion bill is H.B. 731 by Raymond.)

S.B. 366 (L. Taylor) – Retirement Benefits: would authorize a city to: (1) establish a Roth IRA program for its employees; and (2) develop procedures to allow retirement plan vendors to lend money to a participating employee.

S.B. 399 (Hancock) – Personnel: would allow an employer, including a city, to create an ombudsman program for employees that provides an alternative dispute resolution service to help employees resolve workplace disputes.

PUBLIC SAFETY

H.B. 848 (Lucio) – Uninsured Motor Vehicle: would: (1) require a peace officer to impound the vehicle of a person who operates a vehicle without insurance and is involved in an accident; (2) require a peace officer to provide written notice of impoundment under (1), above, to the owner as to how the owner may recover the vehicle; (3) require a law enforcement agency to send notice of impoundment to both the last known registered owner and lienholder of the vehicle if the person operating the vehicle is not the owner; (4) allow a law enforcement agency to release the vehicle to the owner only if the owner: (a) provides certain kinds of evidence to the law enforcement agency; (b) claims the vehicle within 60 days after it is impounded; and (c) pays for the cost of the impoundment; (5) allow a law enforcement agency to release the vehicle to a recorded lienholder if the owner of the vehicle does not comply with (4), above, and the lienholder pays for the impoundment and presents certain types of information to the law enforcement agency; (6) provide that if a lienholder does not take possession of the motor vehicle pursuant to (5), above, the lienholder forfeits any interest in the vehicle and the law enforcement agency may auction the vehicle; and (6) provide that a law enforcement agency that impounds a vehicle may auction the vehicle if the owner does not comply with (4), above, and there is no lienholder.

H.B. 884 (Murphy) – Seized Property: would: (1) authorize a peace officer who seizes property at the time the owner of the property is arrested for a class C misdemeanor offense to give the owner written notice that – if the property remains unclaimed after 31 days after the owner signs the notice – the property will be disposed of; and (2) require a peace officer who gives the notice described in (1), above, to deliver any unclaimed property to a person designated by the city who shall sell or donate the property and deposit any proceeds to the treasury of the city.

H.B. 912 (Gooden) – Surveillance: would make it a class C misdemeanor for a person to use or authorize the use of an unmanned vehicle or aircraft to capture an image without the express consent of the person who owns or occupies the real property captured in the image, unless the image is captured: (1) pursuant to a valid search or arrest warrant, (2) by a law enforcement officer in immediate pursuit of a person suspected of committing a felony, (3) for the purpose of fire suppression or rescuing a person whose life is in imminent danger, (4) within 25 miles of the United States border for the sole purpose of enforcing border laws, (5) without magnification or

other enhancement from not more than six feet above ground in a public place, or (6) on public real property.

H.B. 917 (Walle) – Police Training: would require a peace officer who is a school resource officer or school district peace officer to complete a 24-hour education and training program before being allowed to work as a school resource officer or school security personnel for longer than 90 days.

H.B. 928 (Krause) – Firearms: would prohibit the state or a political subdivision of the state from contracting with or in any other manner providing assistance to a federal agency or official with respect to the enforcement of a federal statute, rule, or regulation purporting to regulate a firearm, a firearm accessory, or firearm ammunition that remains exclusively within the borders of this state if the statute, order, rule, or regulation imposes a prohibition, restriction, or other regulation that does not exist under the laws of this state.

H.B. 942 (King) – Crafted Precious Metal Dealers: would: (1) delete scrap or broken items selling at five percent or more of the scrap value from the definition of the term “crafted precious metal;” (2) require that a dealer record certain information in relation to crafted precious metal transactions and authorize a chief of police to receive the record by electronic submission; (3) prohibit a dealer from purchasing crafted precious metal from a person younger than 18 years; (4) prohibit a dealer from purchasing, other than from a manufacturer or dealer, a crafted precious metal object that has been defaced, altered, or broken; and (5) provide certain criminal penalties.

H.B. 956 (Isaac) – Noise: would: (1) provide that a noise is presumed to be unreasonable if, after the person making the noise receives notice from a magistrate or peace officer that the noise is a public nuisance, it exceeds 85 decibels or 70 decibels if the noise is made in an unincorporated area during the nighttime and emanates from a device that produces, amplifies, or projects music or other sound; and (2) define “nighttime” for purposes of (1), above, to mean the period beginning at 11 p.m. on Friday or Saturday or at 10 p.m. on any other day and ending immediately before 6 a.m. on the following day.

H.B. 975 (Raymond) – Emergency Medical Services: would require a private emergency medical services provider to receive a certificate of local need and necessity based on specified criteria from a city or county before providing services within that geographic region.

H.B. 978 (Raymond) – Transportation of a Committed Patient: would remove the authority of a court to authorize a relative or other responsible person who has a proper interest in the patient’s welfare to transport a committed patient to the designated mental health facility.

S.B. 249 (Patrick) – Computer Crimes: would expand the offense of “breach of computer security” under the Penal Code to include a person accessing a computer, computer network, or computer system with the intent to obtain a benefit.

S.B. 335 (Rodriguez) – Red Light Cameras: would permit red light cameras at railroad crossings if the crossing meets certain requirements.

S.B. 343 (Estes) – Seized Property: would: (1) authorize a court to order, in certain instances, that a seized weapon be sold at a public sale or auction; (2) allow only a licensed firearms dealer to purchase a weapon at a public sale held under (1), above; and (3) require that the proceeds from the sale of a weapon be transferred, after the deduction of court and auction costs, to the law enforcement agency holding the weapon.

S.B. 367 (Whitmire) – Seized Property: this bill is nearly identical to **H.B. 884**, above.

UTILITIES AND ENVIRONMENT

H.B. 824 (Callegari) – Accidental Discharges: would exempt an individual from notifying the Texas Commission on Environmental Quality of an accidental discharge or spill of 1,500 gallons or less from a wastewater treatment facility or collection facility if the discharge or spill does not reach waters of the state.

H.B. 832 (Giddings) – Mosquito Abatement: would: (1) authorize a city, county, or local health authority to abate, without notice, certain collections of water in which mosquitoes are breeding that: (a) are located on residential property reasonably presumed to be abandoned or uninhabited due to foreclosure; and (b) are an immediate danger to the health, life, or safety of any person; (2) allow enforcement officials, agents, and employees to enter the premises described in (1), above, at a reasonable time to inspect, investigate, or abate the nuisance; (3) limit mosquito abatement described in (1), above, to treatment of stagnant water with a mosquito larvicide; and (4) require a notice on the front door stating the treating authority, the purpose and date of treatment, the area treated, the type of larvicide used, and the known risks of the larvicide to humans or animals. (Companion bill is **S.B. 186** by **Corona**.)

H.B. 857 (Lucio) – Water Loss Audits: would require all municipally owned utilities to perform and file with the Texas Water Development Board an annual water audit computing the utility's system water loss during the preceding year. (Note: Current law requires only utilities that receive state aid to file such audits.)

H.B. 876 (Allen) – Solid Waste: would require a solid waste permit application to include: (1) a certification from the applicant that an explanation of the site's proposed operations and a questionnaire seeking community comments was mailed to each resident and community organization, nonprofit organization, or civic club within a certain distance of the proposed site; and (2) any comments made in response to the questionnaire.

H.B. 898 (Creighton) – Municipally Owned Electric Utility Power Lines: would, with respect to municipal power lines, provide that: (1) a "distribution line" means a power line operated below 60,000 volts when measured phase to phase, and a "transmission line" means a power line operated at 60,000 volts or more when measured phase to phase; and (2) distribution and transmission lines shall be constructed along highways and at other places in accordance with the national electrical safety code.

S.B. 302 (Seliger) – Groundwater Conservation Districts: would, among other things, provide that a groundwater conservation district’s groundwater management plan requires approval by the Texas Water Development Board.

S.B. 325 (Carona) – Municipal Electric Rates: would, in addition to imposing many low income rate requirements on investor owned utilities, provide that until a municipally owned utility or electric cooperative implements customer choice the utility or cooperative may not reduce, in any manner, programs already offered to assist low-income electric customers. (Companion bill is **H.B. 550** by **Turner**.)

S.B. 327 (Carona) – State Cable Franchises: would modify the provisions of the state cable franchise law to comport with the recent federal court order in *Texas Cable and Telecommunications Association v. P.U.C. Commissioners*, which concluded that “grandfathering” of prior local cable franchise agreements is unconstitutional.

TRANSPORTATION

S.B. 300 (Uresti) – Transportation Funding: would: (1) create the Transportation Infrastructure Fund to be supported by a partial diversion of the state’s oil and gas tax revenue; and (2) provide that the Texas Department of Transportation shall provide grants from the funds to counties for transportation infrastructure projects.

S.B. 309 (Paxton) – Transportation Funding: would provide that the comptroller shall deposit a certain portion of the sales tax on motor vehicle sales, new and used motor vehicle tires, and new and used motor vehicle parts to the credit of the state highway fund. (Please see **S.J.R. 25**, below.)

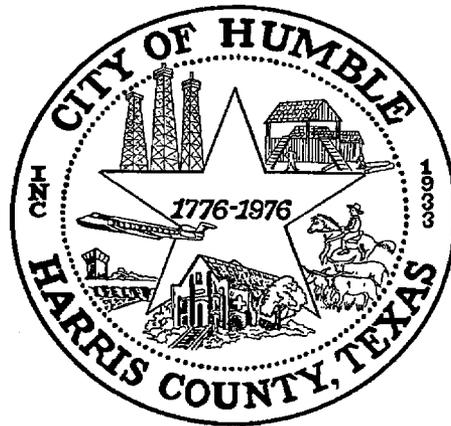
S.J.R. 25 (Paxton) – Transportation Funding: would amend the Texas Constitution to provide that a certain portion of the sales tax on motor vehicle sales, new and used motor vehicle tires, and new and used motor vehicle parts shall be used for the sole purpose of funding public roadways. (Please see **S.B. 309**, above.)

S.J.R. 26 (Estes) – Dedicated State Fee Diversions: would amend the Texas Constitution to, in increments beginning in 2015 and completed in 2018, prohibit the comptroller from using dedicated revenues to certify the state budget.

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AGENDA ITEM # 15
MONTHLY REPORTS

City of Humble



Building Department

Monthly Report
January 2013



**City of
Humble**

Building / Inspection Dept.
114 W. Higgins Humble, Texas 77338
(281) 446-6228 Fax: (281) 446-7902

Ray Pearson
Chief Building Official

**Monthly Building Report
January, 2013**

**Commercial / Multi-Family Dwelling Remodel
Misc. / Repair / Alteration / Remodel / New Const. other than Building**

<u>Date</u>	<u>Establishment</u>	<u>Address</u>	<u>Type</u>	<u>Const. Cost</u>
11/5/2012	Vanilla Box	20131 Hwy 59 #1144	Interior Build-Out	\$51,000.00
11/6/2012	Mullane Warehouse	1809 Humble Place Dr.	Concrete Work	\$27,000.00
11/6/2012	Deerbrook Plaza	9802 FM 1960 BP #210	Interior Alterations	\$23,500.00
11/9/2012	Baskin's Western Wear	9795 FM 1960 BP	Interior Build-Out	\$466,287.00
11/19/2012	GE Oil and Gas	18000 Hwy 59	Addition & Remodel	\$3,000,000.00
11/19/2012	H.A.A.M	1204 First St.	Storage Building Addition	\$250,000.00
Total Permits Issued=	6		Total Amount=	\$3,817,787.00

**Commercial / New Construction
Building Structure**

<u>Date</u>	<u>Contractor</u>	<u>Address</u>	<u>Type</u>	<u>Const. Cost</u>
Total Permits Issued=	0		Total Amount=	\$0.00

Residential Dwelling
Misc. / Repair / Alteration / Remodel / New Const. Other than dwelling

<u>Date</u>	<u>Owner or Contractor</u>	<u>Address</u>	<u>Type</u>	<u>Const. Cost</u>
1/4/2013	Tri-Star Packaging	1731 Treble Dr.	Addition	\$18,500.00
1/7/2013	Humble Donuts	8840 Will Clayton Pkwy #K	Tenant Build-Out	\$45,000.00
1/8/2013	UT Physicians	18955 Memorial Dr. #420	Remodel	\$242,000.00
1/10/2013	Charlotte Russe	20131 Hwy 59 #2072	Addition	\$250,000.00
1/16/2013	Harbor Freight	206 First St. W.	Façade Alterations	\$11,000.00
1/18/2013	City of Humble	7401 Rankin Rd.	Alteration	\$7,000.00
1/24/2013	Texas E.N.T.	18648 McKay Dr. #120	Tenant Build-Out	\$350,775.00
1/28/2013	Select Physical Therapy	18648 McKay Dr. # 210	Tenant Build-Out	\$123,275.00
Total Permits Issued=	8			\$1,047,550.00

Residential Dwelling
New Construction

<u>Date</u>	<u>Owner or Contractor</u>	<u>Address</u>	<u>Type</u>	<u>Const. Cost</u>
Total Permits Issued=	0		Total Amount=	\$0.00

Single Family Duplex
New Construction

<u>Date</u>	<u>Owner or Contractor</u>	<u>Address</u>	<u>Type</u>	<u>Const. Cost</u>
Total Permits Issued=	0			\$

Monthly Building Construction Total

Commercial	Repair	\$1,047,550.00
Commercial	New	\$0.00
Residential	Repair	\$0.00
Residential	New	\$0.00
Residential Duplex	New	\$0.00
Building Permits Issued =	8	Total Amount=
		\$1,047,550.00

Construction Permits Issued

<u>Permit Type</u>	<u>Building Type</u>	<u>Monthly Total</u>
Building Permit:	Residential / Commercial	\$1,047,550.00
Demolition Permit:	Commercial	\$5,000.00
Fire Sprinkler:	Commercial	\$35,000.00
Sign Permit:	Commercial	\$74,070.00
Electrical Permit:	Residential / Commercial	\$3,482,384.00
Plumbing Permit:	Residential / Commercial	\$1,640,225.00
Irrigation Permit:	Residential / Commercial	\$12,000.00
<u>HVAC Permit:</u>	<u>Residential / Commercial</u>	\$95,800.00
January-13	Total Monthly Report	\$6,392,029.00

**Total Permits Issued:
 for January 2013:**

<u>Permits Issued</u>	<u>Permit Type</u>
8	Building
0	Building - Homeowner
0	Building Advisory
0	Construction Trailer
25	Electrical
1	Electrical - Homeowner
8	H.V.A.C.
0	H.V.A.C. - Homeowner
9	Plumbing
0	Plumbing - Homeowner
1	Irrigation
0	Irrigation - Homeowner
6	Sign
6	Fire Sprinkler
6	Burglar Alarm
6	Alcohol Beverage
0	Temporary Alcohol Beverage
0	Massage Establishment
11	Coin Machine
2	Pavillion Rental
4	Pavillion Deposit
0	Parade
1	Precious Metals
1	Demolition Permit
0	House Moving
0	Road Closure
0	Solicitors
0	Tent Permit
0	Red Tag Electrical
0	Red Tag HVAC
1	Unlimited Wrecker
2	Wrecker Operator
1	Wrecker Chip Replacement
0	Taxi Cab
0	Taxi Operator
0	Oil & Gas
99	Total



City of Humble

Monthly Cash Report

January, 2013

General Fund:	Account:	Description:	Amount:	Total:
Permits & Reinspection Fees:	Building	5200	\$ 2,092.00	
	Reinspection	5200 x \$ 30.00	\$	
	Total	5200		\$ 2,092.00
	Electrical	5220	\$ 3,892.00	
	Reinspection	5220 x \$ 30.00	\$	
	Total	5220		\$ 3,892.00
	Plumbing	5230	\$ 1,757.00	
	Reinspection	5230 x \$ 30.00	\$	
	Total	5230		\$ 1,757.00
	Irrigation	5235	\$ 30.00	\$ 30.00
	HVAC	5240	\$ 435.00	
	Reinspection	5240 x \$ 30.00	\$	
	Total	5240		\$ 435.00
	Fire Sprinkler	5280	\$ 150.00	\$ 150.00
	Refrigeration	5250	\$	\$ -
	Sign	5215	\$ 500.00	\$ 500.00
	License Reg.	5275	\$ 1,450.00	\$ 1,450.00
	Plan Review	5210	\$ 1,046.00	\$ 1,046.00
License:	Beer & Liquor	5260	\$ 2,470.00	\$ 2,470.00
Misc.:	CM	5270	\$ 630.00	
	BA	5270 6 x \$ 25.00	\$ 150.00	
	WU	5270 1 x \$Prorate	\$ 137.50	
	PM	5270 1 x \$100.00	\$ 100.00	
	WO	5270 2 x \$ 25.00	\$ 50.00	
	DM	5270 1 x \$ 10.00	\$ 10.00	
	Total	5270		\$ 1,077.50
Others:	Chip Replacement	5440 1 x \$ 25.00	\$ 25.00	
	Plat Fee	5440	\$ 500.00	
	Plan Copy	5440	\$ 16.00	
	Reimbursement	3800	\$ 2,535.80	
	Total	5440/3800		\$ 3,076.80
	False Alarms Fees	5420	\$ 25.00	\$ 25.00
	Cust. Ret. Check	1520	\$	\$ -
Rentals:	Pavillion	5330	\$ 100.00	\$ 100.00
Over/Short		5500	\$	\$ -
Total Bank Deposit:		1070	\$ 12,084.74	\$ 12,084.74
Total Credit Card Deposit:		1070	\$ 6,016.56	\$ 6,016.56
Total Deposit:		1070	\$ 18,101.30	\$ 18,101.30
Name:	Brandy Walker		Date:	February 7, 2013

OFFICE OF COURT ADMINISTRATION

TEXAS JUDICIAL COUNCIL



OFFICIAL MUNICIPAL COURT MONTHLY REPORT

Month December

Year 2012

Municipal Court for the City Humble Municipal Court

Presiding Judge Vic Pecorino

If new, date assumed office

Court Mailing Address 315 N Bender Ave

City Humble

, TX Zip 77338-0000

Phone Number (281) 446-6574

Fax Number (281) 446-3748

Courts Public Email COURT@CityofHumble.net

Court's Website www.cityofhumble.com

THE ATTACHED IS A TRUE AND ACCURATE REFLECTION OF THE RECORDS OF THIS COURT

Prepared by Sandra Elliott

Date Jan 28, 2013

Phone Number (281) 446-6574

PLEASE RETURN THIS FORM NO LATER THAN 20 DAYS FOLLOWING THE END OF THE MONTH REPORTED TO:

OFFICE OF COURT ADMINISTRATION

P O BOX 12066

AUSTIN, TX

78711-2066

PHONE: (512) 463-1625

FAX: (512) 936-2423

CRIMINAL SECTION

City of Humble Municipal Court Month December Year 2012	Traffic Misdemeanors			Non-Traffic Misdemeanors		
	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
1. Total Cases Pending First of Month:	4,654	72	0	1,660	11,263	1
a. Active Cases	976	28	0	619	1,440	1
b. Inactive Cases	3,678	44	0	1,041	9,823	0
2. New Cases Filed <i>-total 1451 =</i>	890	14	0	155	392	0
3. Cases Reactivated	116	2	0	86	72	0
4. All Other Cases Added	0	0	0	0	0	0
5. Total Cases on Docket	1,982	44	0	860	1,904	1
6. Dispositions Prior to Court Appearance or Trial						
a. Uncontested Dispositions	137	2	0	20	53	0
b. Dismissed by Prosecution	54	4	0	13	19	0
7. Dispositions at Trial:						
a: Convictions						
1) Guilty Plea or Nolo Contendere	142	2	0	26	54	1
2) By the Court	2	0	0	1	1	0
3) By the Jury	0	0	0	0	0	0
b: Acquittals:						
1) By the Court	0	0	0	0	0	0
2) By the Jury	0	0	0	0	0	0
c. Dismissed by Prosecution	0	0	0	0	0	0
8. Compliance Dismissals:						
a: After Driver Safety Course	94					
b: After Deferred Disposition	69	0	0	20	0	0
c: After Teen Court	0	0	0	0	0	0
d: After Tobacco Awareness Course					0	
e: After Treatment for Chemical Dependency				0	0	
f: After Proof of Financial Responsibility	74					
g: All Other Transportation Code Dismissals	126	1	0	0	98	0
9. All Other Dispositions	19	2	0	2	4	0
10. Total Cases Disposed	717	11	0	82	229	1
11. Cases Placed On Inactive Status	302	4	0	154	157	0
12. Total Cases Pending End of Month:	4,827	75	0	1,733	11,426	0
a: Active Cases	963	29	0	624	1,518	0
b: Inactive Cases	3,864	46	0	1,109	9,908	0
13. Show Cause Hearings Held	41	0	0	7	1	0
14. Cases Appealed:						
a: After Trial	0	0	0	0	0	0
b: Without Trial	0	0	0	0	0	0

JUVENILE / MINOR ACTIVITY

Court	Humble Municipal Court	TOTAL
Month	December	Year 2012
1. Transportation Code Cases Filed		8
2. Non-Driving Alcoholic Beverage Code Cases Filed		0
3. Driving Under the Influence of Alcohol Cases Filed		0
4. Drug Paraphernalia Cases Filed		1
5. Tobacco Cases Filed		0
6. Failure to Attend School Cases Filed		0
7. Education Code (Except Failure to Attend) Cases Filed		20
8. Violation of Local Daytime Curfew Ordinance Cases Filed		8
9. All Other Non-Traffic Fine-Only Filed		25
10. Transfer to Juvenile Court:		0
a. Mandatory Transfer		0
b. Discretionary Transfer		0
11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct)		0
12. Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges)		0
13. Juvenile Statement Magistrate Warning:		0
a. Warnings Administered		0
b. Statements Certified		0
14. Detention Hearings Held		0
15. Orders for Non-Secure Custody Issued		0
16. Parent Contributing to Nonattendance Cases Filed		0

ADDITIONAL ACTIVITY

Court Humble Municipal Court	Number Given	Number Requests For Counsel
Month December Year 2012		
1. Magistrate Warnings:	0	
a. Class C Misdemeanors		
b. Class A and B Misdemeanors	0	
c. Felonies	0	
		TOTAL
2. Arrest Warrants Issued:		620
a. Class C Misdemeanors		
b. Class A and B Misdemeanors		0
c. Felonies		0
3. Capiases Pro Fine Issued		305
4. Search Warrants Issued		0
5. Warrants for Fire, Health and Code Inspections Filed		0
6. Examining Trials Conducted		0
7. Emergency Mental Health Hearings Held		0
8. Magistrate's Orders for Emergency Protection Issued		0
9. Magistrate's Orders for Ignition Interlock Device Issued		0
10. All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond		0
11. Driver's License Denial, Revocation or Suspension Hearings Held		26
12. Disposition of Stolen Property Hearings Held		0
13. Peace Bond Hearings Held		0
14. Cases in Which Fine and Court Costs Satisfied by Community Service:		0
a. Partial Satisfaction		
b. Full Satisfaction		0
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit		77
16. Cases in Which Fine and Court Costs Waived for Indigency		0
17. Amount of Fines and Court Costs Waived for Indigency		\$0.00
18. Fines, Court Costs and Other Amounts Collected:		\$79,090.20
a. Kept by City		
b. Remitted to State		\$32,057.00
c. Total		\$111,147.20

Humble Fire Department Emergency Medical Services



JANUARY, 2013 Monthly Report

Mike Legoudes, Asst. Fire Chief/EMS Operations

Trip Count by Diagnosis/Call Type

Date IS BETWEEN 01/01/2013 AND 01/31/2013

	ALS	Total
<None>	19	19
Abdominal Distention	2	2
Abdominal Pain General	1	1
Abdominal Pain L Lower	1	1
Acute ETOH No Hx	1	1
Altered Awareness, Transi	19	19
Ankle Pain	1	1
Anxiety Attack	6	6
Arm Pain	2	2
Aspiration	1	1
Assault	1	1
Assault Cut/Stab	1	1
Back Injury	1	1
Back Pain Low	1	1
Back Pain(Unspecified)	2	2
Bipolar Disorder	1	1
Breathing Problems-Other	1	1
Burning sensation	1	1
Cardiac Arrest	2	2
Cardiac Arrhythmia/Dysr	1	1
Cardiac Atrial Fibrillatio	1	1
Cerebral Vascular Acciden	2	2
Chest Discomfort	2	2
Chest Pain	11	11
Chest Pain w/Painful Resp	2	2
Chest Wall Pain	1	1
Coughing Blood	1	1
Death Unattended	2	2
Diabetes IDDM	2	2
Diabetic Uncontrolled	2	2
Difficulty Breathing	3	3
Dislocation/Knee	1	1
Dizziness	5	5
Dyspnea	1	1
Ear Injury	1	1
Fall	3	3
Fall from Chair	1	1
Fall same Level	2	2
Fever	2	2
Flu-Like Symptoms	3	3
Foot Injury	1	1
Foot Pain	1	1
FX Nose	1	1
Head Injury w/o LOC	3	3

Trip Count by Diagnosis/Call Type

Date IS BETWEEN 01/01/2013 AND 01/31/2013

	ALS	Total
Head Injury, Unspecified	1	1
Headache/Migraine	5	5
Heat Exhaustion	1	1
Hemorrhage, Unspecified	1	1
Hypoglycemia	3	3
Intoxication-Admitted	1	1
Labor Normal	2	2
Labor Premature	1	1
Laceration-Eye Lid	1	1
Laceration-Face	1	1
Laceration-Head	1	1
MVA-Car vs Car	6	6
MVA-Car vs Object	1	1
MVA-Car vs Pedestrian	1	1
MVA-Multi-Car	2	2
MVA-Single Car Rollover	1	1
Nausea w/vomiting	2	2
Neck Pain	3	3
Nosebleed	1	1
Other	3	3
Overdose/Illegal Drugs	1	1
Overdose/RX	3	3
Pain - Flank	3	3
Pain - Generalized	1	1
Pain Extremity(lower)(upl	1	1
Palpitations	1	1
Psychiatric Disorder	2	2
Respiratory Dist (Acute)	6	6
Rib Pain	1	1
Seizure Grand Mal	6	6
Seizure Non Epileptic	1	1
Seizure Post-Ictal	3	3
Shortness of Breath	10	10
Shoulder Pain	1	1
Sore Throat	1	1
Syncope	6	6
Toothache	1	1
Unconscious	5	5
Unresponsive	5	5
Vomiting	1	1
Weakness	2	2
Wrist Pain	2	2
Total	220	220

Trip Count by Destination Facility

Date IS BETWEEN 01/01/2013 AND 01/31/2013; AND Status IS NOT Canceled Assigned OR Canceled Assigned/Confirmed OR Canceled Billed OR Canceled Closed OR Canceled Complete OR Canceled NetTransit New Call OR Canceled NetTransit New Will Call OR C...

	ALS	Total
1 - Ben Taub	1	1
1 - Hermann Hospital	1	1
1 - Houston Northwest Medical Cen	3	3
1 - Kingwood Medical Center	30	30
1 - LBJ Hospital	3	3
1 - Memorial Hermann NE	105	105
1 - Memorial Hermann Woodlands	1	1
1 - ST Luke's Episcopal Hospital	1	1
1 - Texas Children Hospital	3	3
Total	148	148

Trip Count by Outcome

Trip Date IS BETWEEN 01/01/2013 AND 01/31/2013

CITY OF HUMBLE EMS

	ALS	Total
ALS Transport	112	112
ALS Transport - Level 2	6	6
BLS Transport	29	29
Cancelled - By Dispatch	3	3
Cancelled - Enroute	1	1
Dead at Scene	3	3
No Patients Found	11	11
Refusal - Transport	29	29
Refusal - Treatment	1	1
Refusal - Treatment & Tra	21	21
Stand By	1	1
Transport by Mutual Aid /	2	2
Treat - No Transport	1	1
Total	220	220

Trip Count by Vehicle and Call Type

Trip Date IS BETWEEN 01/01/2013 AND 01/31/2013

CITY OF HUMBLE EMS

	ALS	Total
M 1	103	103
M 2	109	109
M 3	8	8
Total	220	220

CITY OF HUMBLE FIRE DEPARTMENT
EMERGENCY MEDICAL SERVICES
OVERTIME FOR THE MONTH OF JANUARY, 2013

OVERTIME FOR PAY PERIOD ENDING: JANUARY 09, 2013

01/08/13	Forbes, S	24
01/05/13	McDowell, S	12
01/05/13	Pedersen, D	12
12/28/12	Ganyo, M	2
	<i>Subtotal EMS</i>	<i>50</i>

OVERTIME FOR PAY PERIOD ENDING: JANUARY 28, 2013

01/09/13	Forbes, S	3
01/23/13	Forbes, S	4
01/17/13	Tworek, J	1
01/17/13	Watkins, W	1
01/18/13	Watkins, W	1
01/24/13	Watkins, W	2
	<i>Subtotal EMS</i>	<i>12</i>

TOTAL EMS OT 62

Humble Fire Department

**Fire Suppression
Division**



**January, 2013
Monthly Report**

**Gary Outlaw
Fire Chief**



City of Humble Fire Department

108 W. Main Street • Humble, Texas 77338 • (281) 446-2212 • Fax: (281) 446-3126

Gary W. Outlaw
Fire Chief
goutlaw@cityofhumble.net

February 4, 2013

To: Darrell Boeske
City Manager

From: Gary Outlaw

RE: Overtime for January, 2013

<u>January</u>	<u>9th</u>	<u>28th</u>
(A-Shift)		
Eugene Niemeyer	0	0
John Gosselin	0	0
Tim Wagers	0	0
Billy Fleming	1	0
(B-Shift)		
Steve Cantu	0	0
Todd Bailey	0	0
Scott Blake	1	2
Dolan Johnson	0	0
(C-Shift)		
Joe Franks	0	0
Brian Luscomb	1	1
Paul Standford	0	0
Mark Mullins	0	0

Humble

HFD Monthly Report

Alarm Date Between {01/01/2013} And {01/31/2013}

Inc# -Exp#	Alm Date	Time	Incident Type	Address	Est Loss
0001-0	01/01/2013	00:47	322 Motor vehicle accident with	2710 WILSON RD	
0002-0	01/01/2013	09:13	321 EMS call, excluding vehicle	19002 MCKAY DR	
0003-0	01/01/2013	13:04	322 Motor vehicle accident with	19747 N US 59 HWY	
0004-0	01/01/2013	18:32	154 Dumpster or other outside	412 S BENDER AVE	\$50
Total Incident Count for 01/01/2013					4
Total Est Loss for 01/01/2013					\$50
0005-0	01/03/2013	06:19	324 Motor Vehicle Accident with	20900 N US 59	
0006-0	01/03/2013	10:31	311 Medical assist, assist EMS	3206 KINGFISHER DR	
0008-0	01/03/2013	23:47	730 System malfunction, Other	20131 N US 59	
Total Incident Count for 01/03/2013					3
Total Est Loss for 01/03/2013					
0009-0	01/04/2013	00:17	121 Fire in mobile home used as	148 ISAACKS RD	\$20,000
0010-0	01/04/2013	08:27	411 Gasoline or other flammable	108 W MAIN ST	
0011-0	01/04/2013	16:09	321 EMS call, excluding vehicle	19002 MCKAY DR	
0012-0	01/04/2013	17:59	322 Motor vehicle accident with	100 E FM 1960 BYP	
Total Incident Count for 01/04/2013					4
Total Est Loss for 01/04/2013					\$20,000
0013-0	01/05/2013	10:04	735 Alarm system sounded due to	527 S HOUSTON AVE	
Total Incident Count for 01/05/2013					1
Total Est Loss for 01/05/2013					
0014-0	01/06/2013	06:09	311 Medical assist, assist EMS	2710 WILSON RD	
0015-0	01/06/2013	14:11	322 Motor vehicle accident with	9665 W FM 1960 BYP	
0016-0	01/06/2013	17:21	320 Emergency medical service,	17130 MEMPHIS ST	
Total Incident Count for 01/06/2013					3
Total Est Loss for 01/06/2013					
0017-0	01/07/2013	00:27	320 Emergency medical service,	2602 KILLDEER LN	
0018-0	01/07/2013	01:51	735 Alarm system sounded due to	20131 N US 59	
0019-0	01/07/2013	08:04	321 EMS call, excluding vehicle	625 WILSON RD	
0020-0	01/07/2013	12:10	311 Medical assist, assist EMS	1200 CAROLYN AVE	
0021-0	01/07/2013	16:18	600 Good intent call, Other	1023 MEEK RD	
Total Incident Count for 01/07/2013					5
Total Est Loss for 01/07/2013					
0023-0	01/08/2013	13:25	311 Medical assist, assist EMS	1219 CARPENTER RD	
0024-0	01/08/2013	14:28	322 Motor vehicle accident with	WILSON RD & ATASCOCITA RD	
0025-0	01/08/2013	21:32	611 Dispatched & cancelled en	19002 MCKAY DR	
0026-0	01/08/2013	22:12	311 Medical assist, assist EMS	19711 N US 59	
Total Incident Count for 01/08/2013					4
Total Est Loss for 01/08/2013					
0029-0	01/09/2013	03:15	311 Medical assist, assist EMS	19424 MCKAY DR	
0030-0	01/09/2013	10:57	321 EMS call, excluding vehicle	9810 W FM 1960 BYP	
0031-0	01/09/2013	11:06	321 EMS call, excluding vehicle	1941 COUNTRY VILLAGE BLVD	
0032-0	01/09/2013	20:09	745 Alarm system activation, no	10010 HUMBLE WESTFIELD RD	
Total Incident Count for 01/09/2013					4
Total Est Loss for 01/09/2013					
0033-0	01/10/2013	02:30	745 Alarm system activation, no	2227 WILSON RD	
0034-0	01/10/2013	12:12	321 EMS call, excluding vehicle	18955 N MEMORIAL BLVD	
0035-0	01/10/2013	12:45	151 Outside rubbish, trash or	302 POND ST	
0036-0	01/10/2013	18:36	321 EMS call, excluding vehicle	8450 WILL CLAYTON PKWY	
Total Incident Count for 01/10/2013					4
Total Est Loss for 01/10/2013					
0037-0	01/11/2013	19:42	322 Motor vehicle accident with	20408 N US 59	
Total Incident Count for 01/11/2013					1
Total Est Loss for 01/11/2013					

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HFD Monthly Report

Alarm Date Between {01/01/2013} And {01/31/2013}

Inc# -Exp#	Alm Date	Time	Incident Type	Address	Est Loss
0038-0	01/12/2013	13:47	735 Alarm system sounded due to	1700 WILSON RD	
0039-0	01/12/2013	14:09	735 Alarm system sounded due to	1700 WILSON RD	
0040-0	01/12/2013	16:34	745 Alarm system activation, no	93 ISAACKS RD	
0041-0	01/12/2013	21:01	445 Arcing, shorted electrical	411 S BENDER AVE	
Total Incident Count for 01/12/2013			4	Total Est Loss for 01/12/2013	
0042-0	01/13/2013	08:15	321 EMS call, excluding vehicle	8450 WILL CLAYTON PKWY	
0043-0	01/13/2013	15:44	321 EMS call, excluding vehicle	9441 W FM 1960 BYP	
Total Incident Count for 01/13/2013			2	Total Est Loss for 01/13/2013	
0045-0	01/14/2013	06:08	321 EMS call, excluding vehicle	818 HIGGINS ST	
0046-0	01/14/2013	12:51	611 Dispatched & cancelled en	2710 WILSON RD	
0047-0	01/14/2013	17:01	323 Motor vehicle/pedestrian	17127 MEMPHIS ST	
0048-0	01/14/2013	18:33	131 Passenger vehicle fire	214 W 1ST ST	\$1,000
Total Incident Count for 01/14/2013			4	Total Est Loss for 01/14/2013	
					\$1,000
0049-0	01/15/2013	06:44	322 Motor vehicle accident with	8450 WILL CLAYTON PKWY	
0050-0	01/15/2013	17:12	745 Alarm system activation, no	7710 WILL CLAYTON PKWY	
Total Incident Count for 01/15/2013			2	Total Est Loss for 01/15/2013	
0051-0	01/16/2013	19:39	730 System malfunction, Other	20131 N US 59	
0052-0	01/16/2013	20:19	600 Good intent call, Other	20519 FIELDTREE DR	
Total Incident Count for 01/16/2013			2	Total Est Loss for 01/16/2013	
0053-0	01/17/2013	19:15	714 Central station, malicious	20414 N US 59 HWY	
Total Incident Count for 01/17/2013			1	Total Est Loss for 01/17/2013	
0054-0	01/18/2013	06:07	745 Alarm system activation, no	20131 N US 59	
0055-0	01/18/2013	07:21	745 Alarm system activation, no	20131 N US 59	
0056-0	01/18/2013	13:59	151 Outside rubbish, trash or	933 MEEK RD	
Total Incident Count for 01/18/2013			3	Total Est Loss for 01/18/2013	
0058-0	01/19/2013	09:29	611 Dispatched & cancelled en	20131 N US 59 HWY	
0059-0	01/19/2013	18:27	740 Unintentional transmission	93 ISAACKS RD	
Total Incident Count for 01/19/2013			2	Total Est Loss for 01/19/2013	
0060-0	01/20/2013	14:30	311 Medical assist, assist EMS	19002 MCKAY DR	
0061-0	01/20/2013	16:20	322 Motor vehicle accident with	9815 W FM 1960 BYP	
0062-0	01/20/2013	18:35	311 Medical assist, assist EMS	7415 GOLDFINCH DR	
0063-0	01/20/2013	22:03	600 Good intent call, Other	1100 E FM 1960 BYP	
Total Incident Count for 01/20/2013			4	Total Est Loss for 01/20/2013	
0064-0	01/21/2013	05:51	322 Motor vehicle accident with	TOWNSEN BLVD & N HOUSTON	
0065-0	01/21/2013	13:09	322 Motor vehicle accident with	S HOUSTON AVE & ATASCOCITA	
Total Incident Count for 01/21/2013			2	Total Est Loss for 01/21/2013	
0066-0	01/22/2013	01:47	321 EMS call, excluding vehicle	19450 N US 59	
0067-0	01/22/2013	20:43	321 EMS call, excluding vehicle	MEMORIAL GLEN DR	
Total Incident Count for 01/22/2013			2	Total Est Loss for 01/22/2013	
0068-0	01/24/2013	19:12	321 EMS call, excluding vehicle	2623 KINGFISHER DR	
0069-0	01/24/2013	20:02	321 EMS call, excluding vehicle	1715 N HOUSTON AVE	
Total Incident Count for 01/24/2013			2	Total Est Loss for 01/24/2013	

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HFD Monthly Report

Alarm Date Between {01/01/2013} And {01/31/2013}

Inc# -Exp#	Alm Date	Time	Incident Type	Address	Est Loss
0070-0	01/25/2013	08:22	611 Dispatched & cancelled en	1508 ANNE AVE	
0072-0	01/25/2013	15:43	611 Dispatched & cancelled en	19300 N US 59 HWY	
0073-0	01/25/2013	18:02	321 EMS call, excluding vehicle	93 ISAACKS RD	
0074-0	01/25/2013	20:02	321 EMS call, excluding vehicle	310 S BENDER AVE	
0075-0	01/25/2013	20:15	321 EMS call, excluding vehicle	411 S BENDER AVE	
Total Incident Count for 01/25/2013		5	Total Est Loss for 01/25/2013		
0076-0	01/26/2013	09:52	311 Medical assist, assist EMS	8450 WILL CLAYTON PKWY	
0077-0	01/26/2013	22:37	311 Medical assist, assist EMS	8233 WILL CLAYTON PKWY	
0078-0	01/26/2013	22:52	322 Motor vehicle accident with	N US 59 HWY & WILL CLAYTON	
Total Incident Count for 01/26/2013		3	Total Est Loss for 01/26/2013		
0079-0	01/27/2013	07:21	311 Medical assist, assist EMS	9451 FM 1960 BYP	
0080-0	01/27/2013	13:30	700 False alarm or false call,	20122 E TOWNSEN BLVD	
Total Incident Count for 01/27/2013		2	Total Est Loss for 01/27/2013		
0081-0	01/28/2013	05:47	611 Dispatched & cancelled en	9450 W FM 1960 BYP	
0082-0	01/28/2013	10:28	600 Good intent call, Other	114 HIGGINS ST	
0083-0	01/28/2013	10:38	311 Medical assist, assist EMS	19304 N US 59 HWY	
0084-0	01/28/2013	12:07	412 Gas leak (natural gas or	1700 WILSON RD	
0085-0	01/28/2013	13:17	321 EMS call, excluding vehicle	2810 PHEASANT RUN	
Total Incident Count for 01/28/2013		5	Total Est Loss for 01/28/2013		
0086-0	01/29/2013	11:19	322 Motor vehicle accident with	10000 W FM 1960 BYP	
0087-0	01/29/2013	11:55	323 Motor vehicle/pedestrian	156 W 1ST ST	
Total Incident Count for 01/29/2013		2	Total Est Loss for 01/29/2013		
0088-0	01/30/2013	05:26	311 Medical assist, assist EMS	19424 MCKAY DR	
0089-0	01/30/2013	11:09	611 Dispatched & cancelled en	20360 N US 59	
Total Incident Count for 01/30/2013		2	Total Est Loss for 01/30/2013		
0090-0	01/31/2013	00:57	745 Alarm system activation, no	20131 N US 59	
0091-0	01/31/2013	07:05	131 Passenger vehicle fire	18500 N US 59 HWY	
0092-0	01/31/2013	08:07	321 EMS call, excluding vehicle	600 CHARLES ST	
0093-0	01/31/2013	09:17	740 Unintentional transmission	20131 N US 59	
0094-0	01/31/2013	09:19	740 Unintentional transmission	18951 N MEMORIAL BLVD	
0095-0	01/31/2013	10:22	321 EMS call, excluding vehicle	1700 WILSON RD	
0096-0	01/31/2013	11:31	321 EMS call, excluding vehicle	600 CHARLES ST	
0097-0	01/31/2013	21:06	151 Outside rubbish, trash or	1006 E FM 1960 BYP	
Total Incident Count for 01/31/2013		8	Total Est Loss for 01/31/2013		
Total Incident Count		90	Total Est Loss		\$21,050

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HFD Monthly Report

Alarm Date Between {01/01/2013} And {01/31/2013}

Incident Type	Description	Count	Aid Given	Aid Receive
121	Fire in mobile home used as fixed residence	1	0	1
131	Passenger vehicle fire	2	0	0
151	Outside rubbish, trash or waste fire	3	0	0
154	Dumpster or other outside trash receptacle fire	1	0	0
311	Medical assist, assist EMS crew	13	0	0
320	Emergency medical service, other	2	0	0
321	EMS call, excluding vehicle accident with injury	21	0	1
322	Motor vehicle accident with injuries	12	0	0
323	Motor vehicle/pedestrian accident (MV Ped)	2	0	0
324	Motor Vehicle Accident with no injuries	1	0	0
411	Gasoline or other flammable liquid spill	1	0	0
412	Gas leak (natural gas or LPG)	1	0	0
445	Arcing, shorted electrical equipment	1	0	0
600	Good intent call, Other	4	0	0
611	Dispatched & cancelled en route	7	0	0
700	False alarm or false call, Other	1	0	0
714	Central station, malicious false alarm	1	0	0
730	System malfunction, Other	2	0	0
735	Alarm system sounded due to malfunction	4	0	0
740	Unintentional transmission of alarm, Other	3	0	0
745	Alarm system activation, no fire - unintentional	7	0	0

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Unit Response Time Analysis

Alarm Date Between {01/01/2013} And {01/31/2013}

Response		Count	Percentage
Hrs	Mins		
<	01	12	7.7%
	01	12	7.7%
	02	21	13.6%
	03	25	16.2%
	04	25	16.2%
	05	25	16.2%
	06	15	9.7%
	07	9	5.8%
	08	3	1.9%
	09	3	1.9%
	10	1	0.6%
	12	2	1.2%
	13	1	0.6%

Overall Average Response Time: 00:04:26

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HFD Monthly Report

Alarm Date Between {01/01/2013} And {01/31/2013}

Census Tract	Count	Pct of Incidents	Est Losses	Pct of Losses
001 . North of First Street	40	44.44 %	\$1,000	4.75 %
002 . South of First Street	50	55.55 %	\$20,050	95.25 %
Total Incident Count: 90		Total Est Losses:	\$21,050	

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HFD Monthly Report

Date Between {01/01/2013} And {01/31/2013}

Count	Description
1	Blue Bag
1	C-Collar Bag
135	EMS Gloves
19	Flash Light
15	Foam
1	Gas Detector
2	Generator
1	Water Extinguisher
128	Handheld 800 Radio
800'	1.75 inch Hose
2	Light Tower
3	Lucas Device
2	Pike Pole
1	Red Bag
7	SCBA
1	Thermal Imager
22	Traffic Vest
21,650	Water Used

HUMBLE FIRE MARSHAL'S OFFICE



2012 ANNUAL REPORT

2012 FIRE MARSHAL'S OFFICE ANNUAL REPORT

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2012 FIRE MARSHAL'S OFFICE ANNUAL REPORT

I. INTRODUCTION

To the Honorable Mayor and City Council,

The following is an account of the activity of the Fire Marshal Division for the year 2012. In addition, this report contains information on fire occurrences and emergency management activities in 2012. It also documents division goals for 2013.

The effort of local authorities in supporting progressive Fire Prevention Programs has a direct effect on life and property loss due to fire. The efforts of the Mayor and Council enable the City of Humble to maintain an adequate Fire Prevention Program. This attention has, and continues to result in lower financial loss from property damage, lower income loss, lower insurance premiums, and lower costs of fire suppression. More importantly, Fire Prevention lowers the risk of injury or death resulting from fire. There has been one death and one serious injury resulting from fire in the City over the past 10 years. Comprehensive Fire Prevention efforts provide a safer and more economically secure environment for the citizens, visitors, and businesses in Humble. The Emergency Management Program administered through the Fire Marshal's Office is also a great benefit to the community. Efforts in all-hazard planning, mitigation, and management of disaster events significantly impacts residents and businesses by reducing associated risks. The support of the Mayor and Council has enabled Humble's EM program to earn the State of Texas' highest preparedness rating as well as demonstrating performance during five declared disasters over the past 18 years.

I would like to take this opportunity to commend our Mayor and Council for the consistent support necessary to maintain those efforts.

Respectfully yours in Fire Prevention,



Clinton Johnson
Fire Marshal
City of Humble

I. GOALS

The following goals have been set for 2013. Most of the programs listed below currently exist and can be maintained with current resources.

Goals for 2013:

1. The maintenance of a Fire Prevention inspection program capable of performing fire safety inspections of existing commercial, institutional, and multi-family residential occupancies at least once every four years.
2. The maintenance of the capability to investigate the cause and origin of all fires occurring in our city. The continuation of the investigation of criminal activities as related to fire and explosions.
3. To continue a Fire Safety Education Program.
4. To work in cooperation with the Building Department to insure that all new construction meets the requirements of adopted Fire Prevention Codes.
5. To recommend review of local ordinances where unnecessary regulation, or lack of regulation, create unjust or unsafe conditions.
6. To create as Fire Safe an environment for the citizens of Humble as possible with available resources.
7. To assist the Mayor in maintaining an effective Emergency Management Program.

III. ACTIVITY REPORT

Fire Prevention includes all fire service activities that decrease the incidence of uncontrolled fire. Fire Prevention methods used by the fire service focus on inspection, public fire-safety education, and fire cause investigation. National Fire Protection Association statistics provide information on fire occurrence. The most recent published four year average statistics for the United States indicate that the three greatest causes of fire nationwide were cooking (25%), arson (12%), and electrical (9%). The other 54% of the average 1,700,000 fires nationwide during the period was divided relatively equally among nine additional categories. Virtually all fire damage results from acts or omissions by humans. It is said that there are three root causes of fire: men, women, and children. Human behavior is by far the primary causation of fire loss and must be the focus of any effective fire prevention program. Education, fire resistant engineering, and enforcement of fire prevention regulations are the best methods to direct human behavior toward reasonable fire risk management. In 1977 the United States had the highest incidence of, and loss from, fire of any industrialized country in the world. An unacceptable amount of treasure and human resource was going up in smoke. To remain competitive in world markets and maintain a strong economy this hemorrhaging loss had to be reduced. Federal, State, and Local Jurisdictions, as well as the private sector, began working to reduce US fire loss. Communities began to realize the need to reduce fire occurrence and increase the fire resistance of our infrastructure. Prior to the 1977 Fire Administration report "America Burning" the fire problem in the US was addressed primarily through suppression of fires when they occurred. At that time even the most effective fire suppression agencies are unable to extinguish fires before they significantly damaged or destroyed the building/vehicle of origin. Fire Fighting Agencies prior to 1977 were only approximately 80% effective in stopping fire spread to exposures. Government and Community Volunteer Groups continue to expended vast resources on manpower and fire equipment. Fire fighting technology has improved dramatically, yet suppression effectiveness has increased only slightly. Since that time, the United States has increased its fire prevention efforts dramatically. This has resulted in a dramatic drop in the incidence and severity of fire. In 1977 there were 3,264,000 reported fires resulting in 7,395 deaths and 31,190 injuries. Fire reporting by smaller fire agencies was limited at the time, and actual figures were undoubtedly higher. By 2004 these figures were effectively reported and yet significantly reduced to 1,550,500 incidents with 3,900 deaths and 17,785 injuries. This was more than a 50% reduction in a period of 35% population increase. This reduction has occurred as fire prevention resources, public and private, have increased. All indications are that dedication of resources to preventing fires is a necessity in the management of the fire loss problem.

The following is a summary of Humble's Fire Prevention efforts. Fire Prevention Inspections are an integral part of any Fire Prevention Program. Fire Prevention Inspection, including enforcement, is the legal means of discovering and correcting deficiencies that pose a threat to life and property from fire. Enforcement is

implemented when other methods fail. There are approximately 1,600 commercial and multi-family occupancies regulated by fire prevention ordinances in the City. Between January 1 and December 30, 2012 Fire Prevention Inspections were completed on 576 occupancies. Insurance rating schedules provide reductions in premiums if fire prevention inspections are carried out on all commercial, educational, assembly and multi-family occupancies once a year. Statistics show that Fire Prevention inspections are a major contributing factor in reducing the incidence and severity of fire. The City of Humble Fire Department has a good suppression record with a statistically low manpower and equipment base. Fire Prevention impacts a City's percentage of resources assigned to Fire Suppression. Numerous and severe fires result in costly suppression efforts. It requires 14 fire fighters to adequately man one engine or ladder truck 24 hours a day. If an employee can inspect 700 buildings annually, and prevent or reduce the severity of fire, there is less need for suppression resources. To equip and man a single Engine costs approximately \$820,000 annually. If one inspector, costing taxpayers approximately \$75,000 annually, can reduce the need for a single engine company, the savings is \$730,000 per annum. The annual savings in lives, property, and insurance premiums in the City are easily in the millions of dollars. We believe the Fire Prevention Inspection program is extremely important and hope it will continue to grow with our community. Good engineering practices, including plan reviews as a fire prevention method, provide built in safeguards that help prevent fires and limit the spread of fire should it occur. This year the Fire Marshal Division reviewed plans for each proposed commercial structure to be built or revised in the City of Humble. These reviews were made to determine compliance with all applicable municipal codes and ordinances relating to fire and life safety.

Fire Safety Education is also a part of our fire prevention effort. Education informs and instructs the public on fire safe behavior. This year the Fire Marshal's Office provided ten (13) fire prevention education and sixteen (8) home safety and preparedness classes to over 800 participants. Public education has a significant impact on home and work safety issues and we are working hard to maintain this program.

Fire Cause Investigation aids fire prevention efforts by indicating problem areas that may require corrective educational efforts, inspection emphasis, or legislative practices. A cause investigation was completed on nineteen (19) structure fires and four (4) vehicle fires. Fire investigations also indicate if a fire was incendiary (man made), which would initiate an arson investigation. Arson occurs if a person, in a reckless manner or with intent, causes a fire or explosion that results in property damage. In 2011 there was only one vehicle fire where evidence indicated arson. That case was investigated resulting in the arrest of 2 individuals on the charge of arson.

Fire Prevention activities have a direct bearing on fire insurance policy rates paid by the citizens of Humble. On January 1, 1997 the Texas Commission on Insurance adopted the Insurance Service Organization's (ISO) model standards modified to include Fire Prevention and Code Enforcement. These standards are used to determine a community's ability to respond to fire-related incidents. Fire insurance premiums are determined according to ISO ratings. ISO has given the City a rating of 2, only one point higher than the best possible score. At the time of the City's last ISO rating inspection the Fire Marshal's

Office inspection rate requirements received nearly full credit. Primarily due to growth, the Fire Marshal's Office can no longer inspect each commercial occupancy annually. At this time we would only receive about a 35% credit. We estimate eight to nine hundred additional inspections would have to be done to receive full credit.

The Fire Marshal's Office is charged with the administration of the City's Emergency Management Program. The Office of Emergency Management was established by ordinance as part of the Federal Emergency Management Agencies requirements for participation in its Disaster Relief Program. The Disaster Relief Program provides re-imbursement funds for expenditures related to response to federally declared disasters. FEMA sets forth requirements that municipalities maintain written all hazard disaster response, recovery, and mitigation plans. There are also requirements to show reasonable efforts to involve members of the community in disaster preparation and planning. These activities must also be tested periodically through exercises. The Mayor is the Director of Emergency Management and is responsible for its maintenance and operation. The Fire Marshal is designated the Emergency Management Coordinator and day to day administration falls under the Fire Marshal's Office. During a disaster the Fire Marshal's Office assists the Mayor in his direction of City response and coordination with County, State, and Federal relief agencies. To carry out the coordination responsibilities, the Fire Marshal's Office works with Harris County to maintain an Emergency Management Plan and a separate Mitigation Plan. Humble OEM also must maintain eleven EM Plan Annexes for Fire, EMS, Police, Public Works, Finance, Communications, Operations Coordination, and others. These must be regularly updated. The Office of Emergency Management is also required to develop and/or interact with local groups to prepare the community to respond to and recover from disasters. To meet this requirement the Humble Office of Emergency Management works with Harris County's Community Emergency Response Team program sponsoring a group of approximately 480 volunteers in the area. Humble OEM also puts on two eight week training programs annually for approximately 80 additional volunteers. Humble OEM is one of the sponsors of the Community Response Task Force. The CRTF is a very effective networking group of individuals, clubs, businesses, churches, emergency responder groups including CERT, and emergency management agencies that provides information and coordination of effort during a disaster. When the Mayor requested State assistance in providing emergency ice, water, and food after Hurricane Ike, the CRTF provided 90% of the staffing for the three day operation. The third day of the operation the CRTF managed the entire operation so that City personnel could return to their duties. The Office of Emergency Management also maintains some specialized response equipment and emergency supplies for disaster response. EM has 15 portable generators with support supplies, four palletized shelter supply kits, pioneer hand tool kits, chain saws with support supplies, and 500 blankets. EM also maintains two aluminum boats and two high water vehicles with basic firefighting capability. These vehicles are for use by any of the City divisions as needed. EM equipment is kept in two containers at the Civic Arena and in a utility building behind Fire Station 2. The City of Humble is currently in compliance with FEMA requirements. The State of Texas Office of Emergency Management gives Humble its highest preparedness rating.

IV. FIRE INCIDENT STATISTICS

The occurrence of incidents involving preventable fire is a primary means of judging the effectiveness of a Fire Prevention Program. The following is a breakdown of the numbers and types of preventable fires seen in 2012. The attached graphs show the numbers of preventable fires for comparison over the past decade.

Structure fires have the greatest economic affect on communities. In 2012 a total of eighteen (18) structure fires requiring extinguishment. Of these seven (7) were commercial occupancies and eleven (11) were residential. Dollar loss from structure fires in 2012 was estimated at \$188,700. 2011 losses were higher at around \$550,000.00. 2009 fire loss was approximately 266,450.00. In 2012 the most prevalent cause of residential fires was unattended cooking with five (5) fires. Appliances and smoking caused another five residential fires and the other was undetermined. Commercial fire cause varied greatly. One of the positive aspects of 2012 fires was that nine (9) of the fires were out when the Fire Department arrived. One was extinguished by a fire suppression system and eight (8) were extinguished by occupants. Another in an auto repair shop was contained by the fire sprinkler system until the Fire Department arrived. Only one structure sustained major structural damage. In 2013 we are continuing to emphasize inspections to attempt to reduce the number of fires. Statistically we have seen fewer fire incidents following years when we are able to perform higher numbers of fire inspections. Automatic Fire Suppression Systems significantly decrease catastrophic fires. In Humble only two structure fires protected by a fire sprinkler system were not totally extinguished when the fire department arrived. In those instances, the fire was contained to a small area easily extinguished by fire fighters. Fires in sprinkled buildings can typically be handled by a single engine company with about the same effort as a vehicle fire. Discharge of a single fire sprinkler head typically extinguishes a fire with a discharge of approximately 250 gallons of water. Most working structure fires require between 500 and 10,000 gallons of water and multiple engine and ladder company response. There is no comparison in dollar loss between sprinkled and un-sprinkled structures. Fire loss in sprinkled buildings is typically in the hundreds to a couple of thousand dollars. Losses to un-sprinkled buildings and contents are typically in the tens to hundreds of thousands of dollars. Fire prevention education and regulation regarding fire extinguishers and fire resistance also had a measurable affect on fire loss. In 2012 50% of reported structure fires were out on arrival.

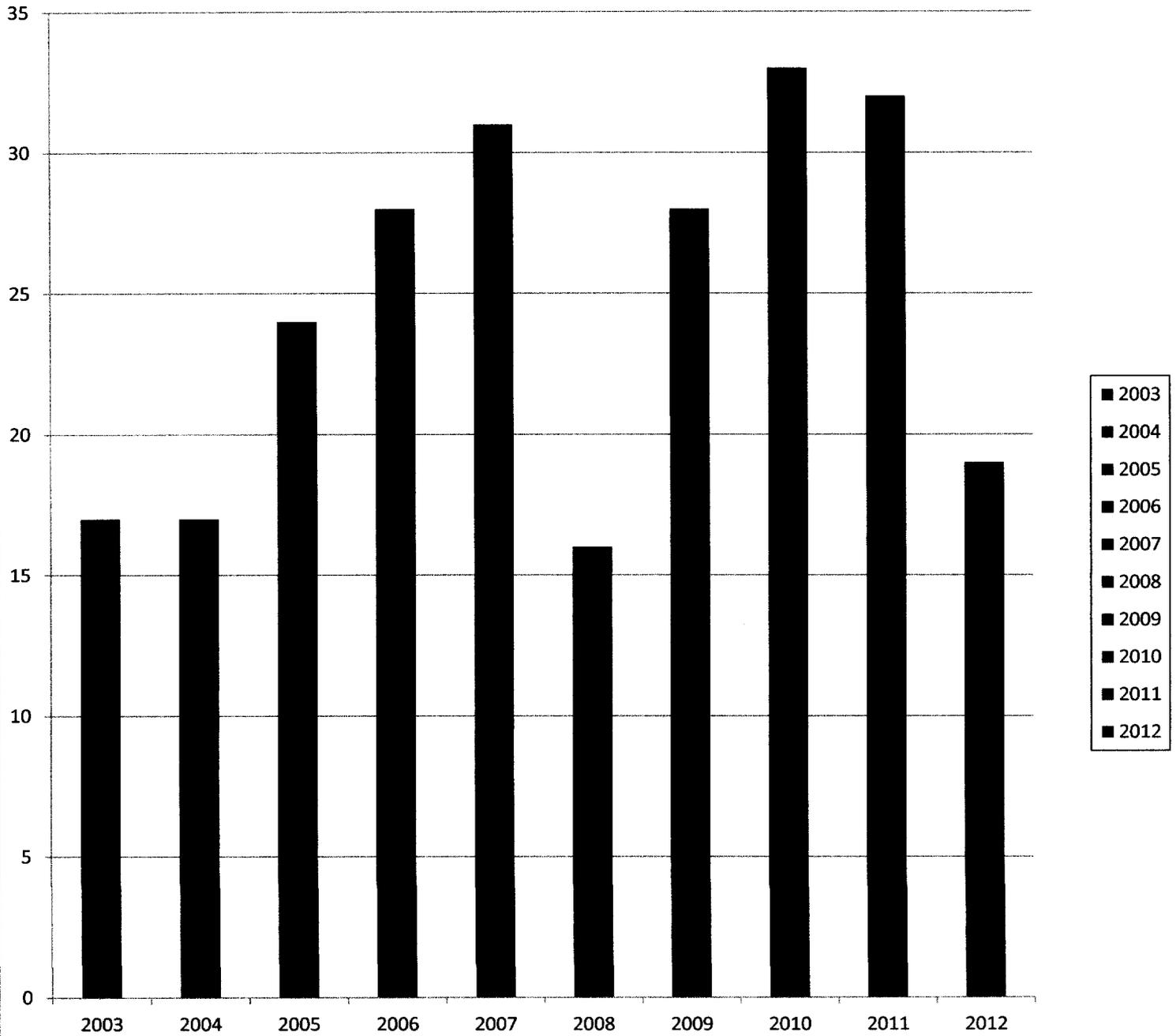
While not representing as significant a dollar loss as structure fires, wildland and trash fires can spread rapidly to exposed structures in a City's urban environment. Fire Prevention through enforcement of burning ordinances significantly reduces this type of loss. The arson investigation program also reduces the number of wildland fires which are often of incendiary origin. In 2011 there were a total of (52) fifty two wildland fires. This is the highest number of wildland fires recorded in the City of

Humble. In 2012 there were only eight (8). Higher rainfall amounts and more fire safety diligence on the part of citizens and government all worked together to significantly lower the number of grass and brush fires. 32 Trash and rubbish fires remained at about the same numbers as 2011 with thirty two (32) versus thirty (30) in 2011.

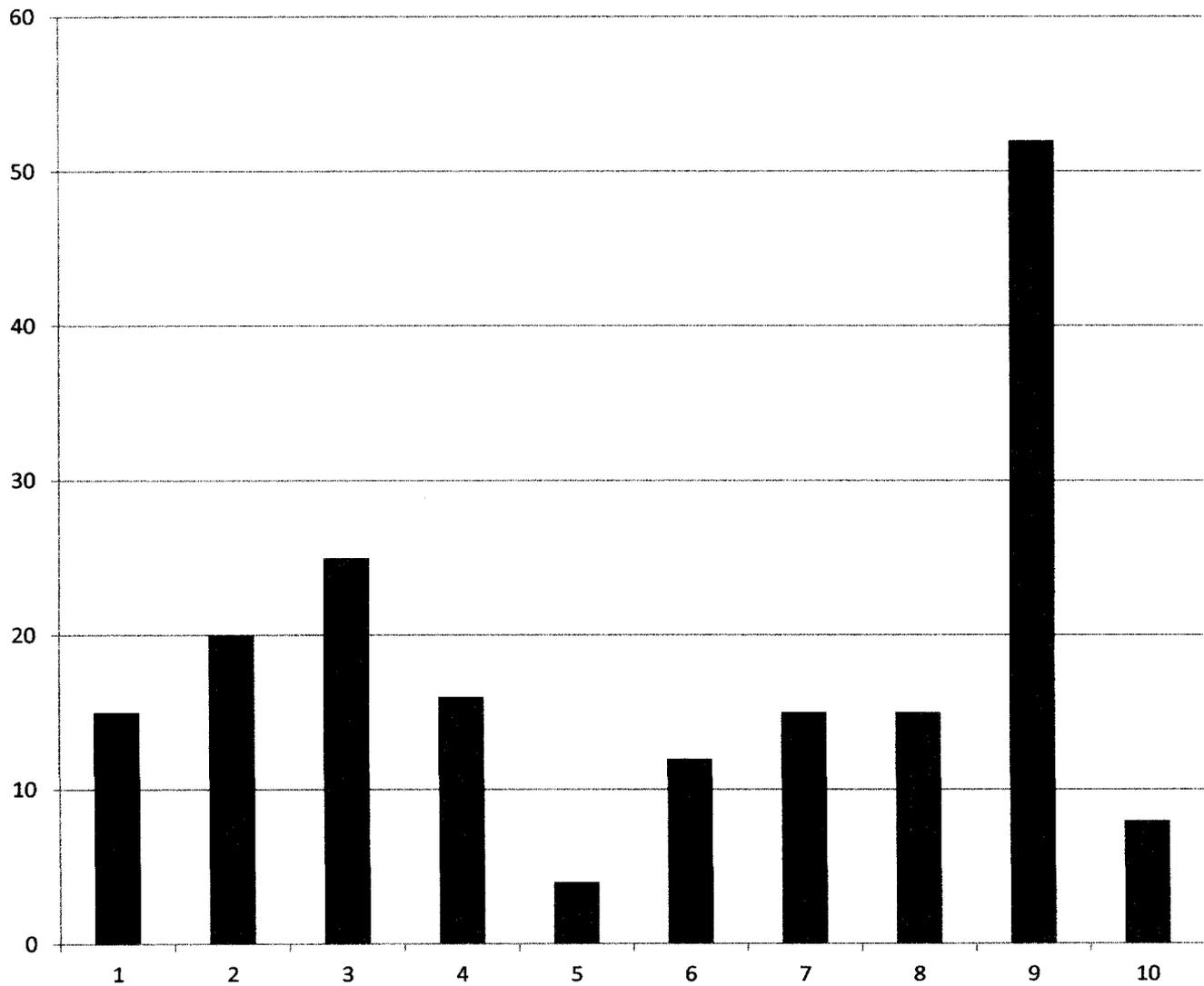
Sadly, there was one fire fatality in the City in 2012. A fuel transport truck driver was killed when his vehicle went off the road, turned over, and burned. This was primarily a traffic safety issue which the City's fire prevention efforts had little effect upon. There were no major injuries resulting from fire in 2012.

Historic comparisons of fire response activity are important for planning the level and course of fire prevention programs. Attached are graphs of the past ten (10) years incidence of fire in Humble. These graphs are used to visually show trends that indicate the effectiveness of the City's fire prevention program. This helps determine the resources that should be allocated toward the various areas of fire prevention.

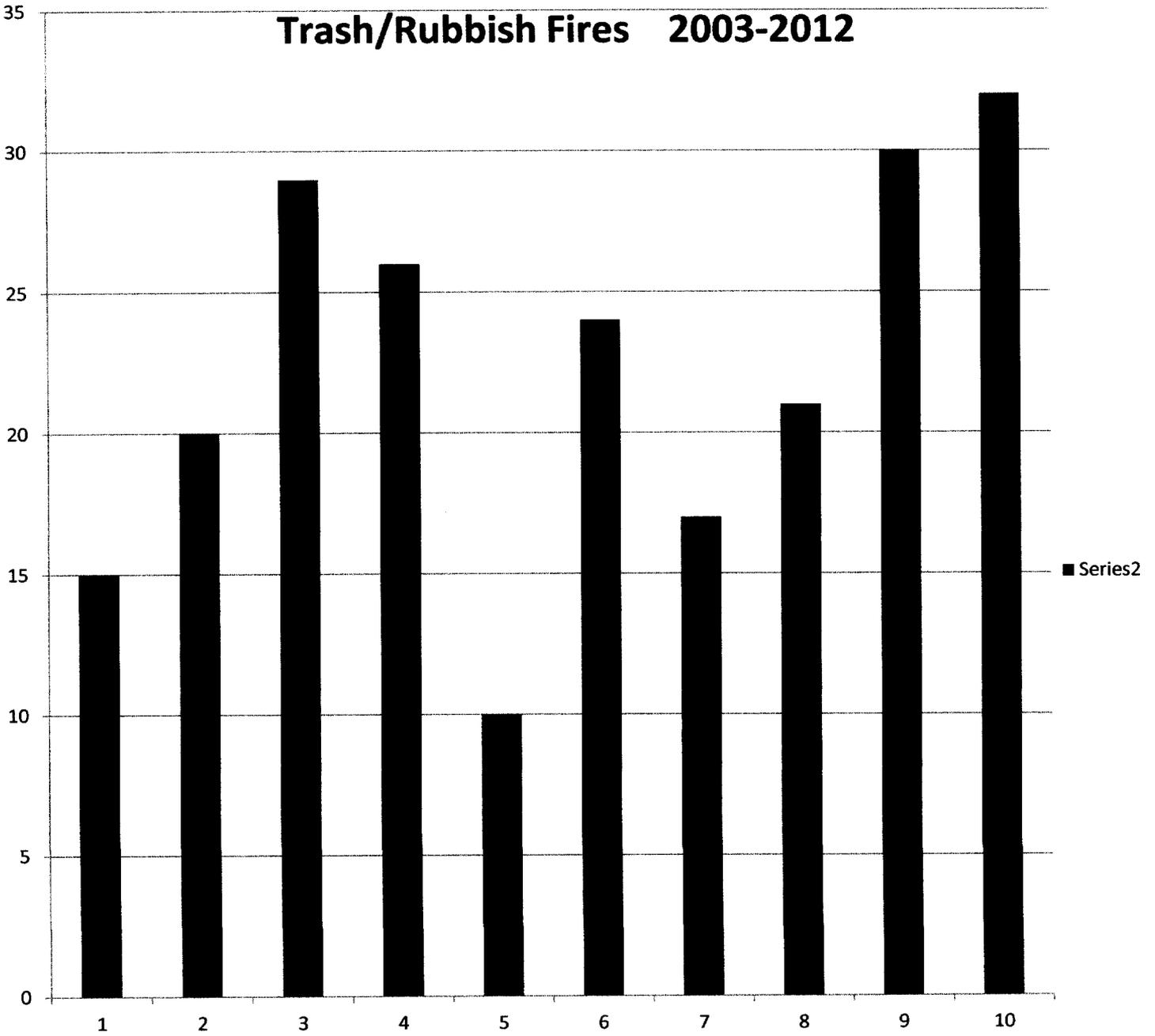
Structure Fires 2003-2012



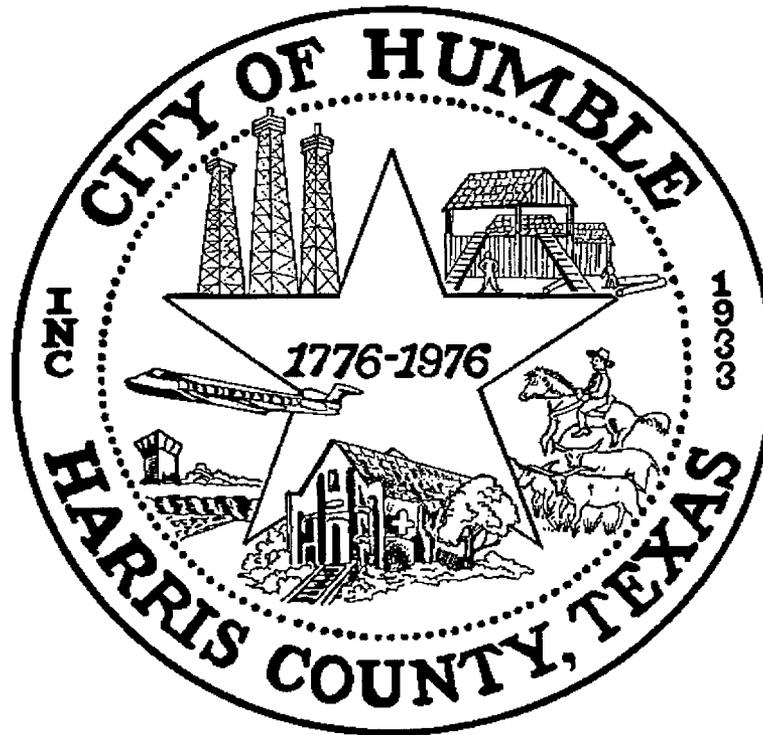
Wildland/Grass Fires 2003-2012



Trash/Rubbish Fires 2003-2012



CITY OF HUMBLE
PUBLIC WORKS DEPARTMENT
JANUARY 2013
MONTHLY REPORT



BARRY K. BROCK
DIRECTOR OF PUBLIC WORKS
FEBRUARY 8, 2013

PUBLIC WORKS DEPARTMENT

JANUARY 2013

MONTHLY PROJECT REPORTS

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PROJECT SUMMARY

<i>Project</i>	<i>Engineer</i>	<i>Contractor</i>	<i>Cost</i>	<i>Date Completion</i>
Townsen West Improvements	AARK Engineers		\$ 1,100,000.00 EST. \$ <u>173,700.00 Eng.</u> \$ 1,273,700.00 Est. Tot	Advertise – 4/2013 Award – 5/2013
Willow Street & Jordan's Gully Improvements	HDR - Claunch & Miller, Inc		\$ 1,588,100.00 EST \$ <u>273,035.00 Eng.</u> \$ 1,861,135.00 Est Tot	Advertise – 6/2013 Award- 7/2013
Water Plant #6 Elevated and Ground Storage Tank rehab	AARK Engineers	MK Painting	\$ 629,000.00 Bid \$ <u>108,500.00 Eng.</u> \$ 737,500.00 Tot	Awarded – 1/2013 Completed – 11/2013
Sanitary Sewer Rehabilitation Phase IV	AARK Engineers	Lopez Utilities	\$ 831,226.00 BID \$ <u>137,300.00 Eng.</u> \$ 968,526.00 Total	Awarded – 12/2012 Competed – 7/2013
TDRA – Auxiliary Pumps & Fuel Tanks	HDR - Claunch & Miller, Inc.	T&C Construction, Ltd.	\$ 394,500.00 Bid \$ <u>(12,000.00) CO</u> \$ 382,500.00 TOT.	Awarded – 12/2011 Finished – 11/2012

STREET PROJECT

Townsen West Improvements

Project Description -

This project will add an additional two lanes to complete the Boulevard section west of Target shopping center to the north-south section of West Townsen Blvd.

Engineers – AARK Engineer, L.L.C.

Project Cost - \$ 1,100,000 Est.
 \$ 173,000 Eng
 \$ 1,273,700 est. Tot

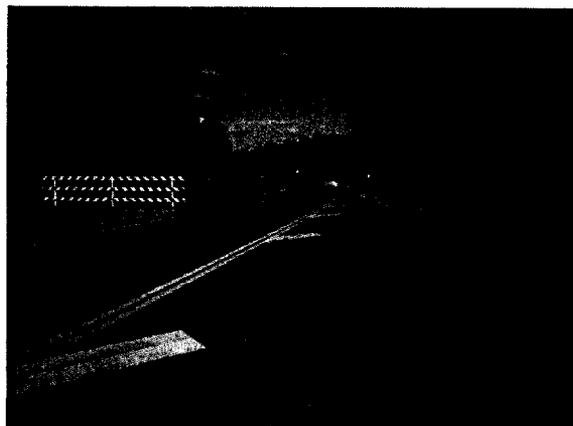
Status –

Council approved the engineering firm of AARK Engineers for the design of this project at the October 11, 2012 Council Meeting. The survey has been completed and the design phase is 50% complete. Should have designs ready for bid in March or April of 2013.

Townsen East Bound



Townsen West Bound



STREET PROJECT

Willow Street & Jordan's Gully Improvements

Project Description -

This project will include the paving, utilities and drainage improvements on Willow Street and the re-grading and improvements to Jordan's Gully from South Houston Avenue eastward for approx. 1,500 feet including the removal of the two existing driveways and replacing one of the existing driveways with larger culverts and also westward of South Houston Avenue for approx. 1,200 feet with the removal of the existing enclosed storm sewer and constructing an open channel system and excavating a small detention.

Willow Street



Engineers – AARK Engineer, L.L.C.

Project Cost - \$ 1,588,100 Est.
 \$ 273,035 Eng
 \$ 1,861,135 est. Tot

Jordan's Gully West



Status –

Council approved the engineering firm of HDR Engineers Inc. for the design of this project at the November 20, 2012 Council Meeting. The survey has been completed and we have a Preliminary Design meeting with the Engineers scheduled the first week of February. Engineers should have the design ready for bid in June of 2013.

WATER PROJECTS

Water Plant #6 Elevated and Ground Storage Tank Rehabilitation

Project Description -

This project involves the removal and repainting the exterior coating of the 500,000 gallons elevated storage tank and the 750,000 gallon ground storage tanks located at Water Well Site #6 on Rankin Road.

Engineers - AARK Engineer, L.L.C.

Project Cost - \$ 629,000.00 Bid
 108,500.00 Eng
 \$ 737,500.00 Est. Tot.

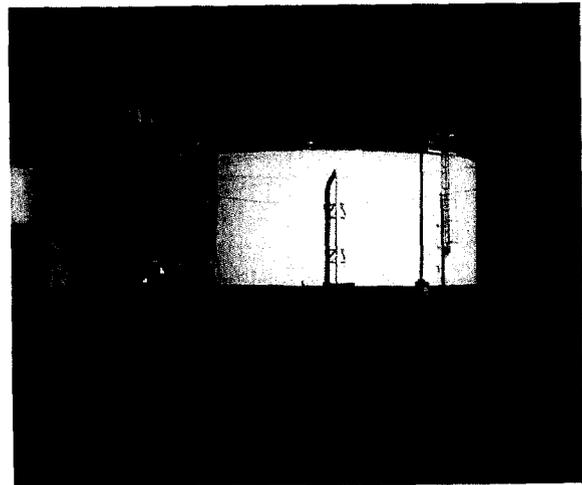
Status -

The Council awarded the Contract to MK Painting the January 3, 2013 in the amount of \$629,000. We are in the process of signing Contract and will have a pre-construction meeting the second or third week of February. This project has an order of completion of 270 calendar days.

500,000 Gallons



750,000 Gallons



WASTEWATER PROJECTS

Sanitary Sewer Rehabilitation – Phase IV

Project Description -

This project consists of the replacement and rehabilitation of several deteriorated sanitary sewer lines throughout the City. This Phase is our continuing efforts to meet our Administrative Order from the TCEQ for SSO sanitary sewer overflows. The Council approved the engineering firm of AARK Engineers for the design of this project at the April 4, 2012 Council Meeting.

Engineers – AARK Engineer, L.L.C.

Project Cost - \$ 831,226.00 BID
 \$ 137,300.00 Eng.
 \$ 968,526.00 Total

Status –

The Council awarded the bid to Lopez Utilities in the amount of \$831,226 at the December 13, 2012 Council Meeting. The Contractor was given his Notice To Proceed on January 28. The contractor will schedule to begin work in February. This project has an order of completion of 180 calendar days.

WASTEWATER PROJECTS

TDRA – Auxiliary Pumps & Fuel Tank

Project Description -

This project involves the installation of three natural gas operated pumps and an additional 4,000 gallon diesel tank for the Wastewater Treatment Plant. The three lift stations are as follows:

Timberwood Liftstation
South Houston Liftstation
S. Wilson Rd. Liftstation

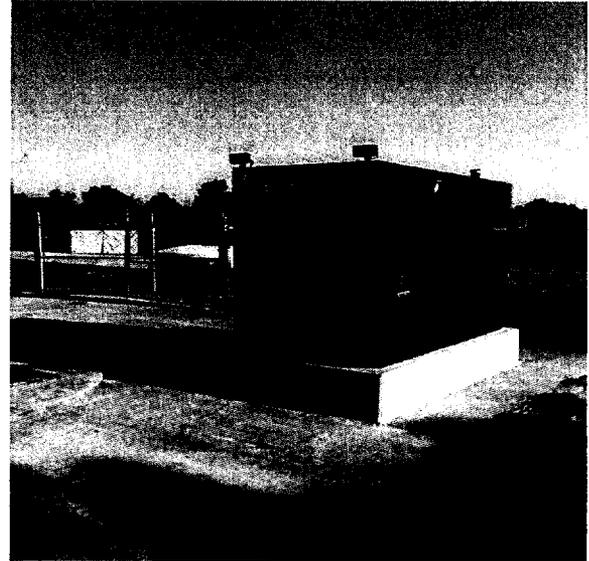
This project is being funded by Hurricane Ike Mitigation Funds through the Texas Department of Rural Affairs (TDRA).

Engineers - HDR- Claunch & Miller, Inc.

Project Cost - \$ 394,500.00 Bid
 \$ (12,000.00) CO 1

Status – \$ 382,500.00 TOT.

City Council awarded the bid to T&C Construction, Ltd. in the amount of \$394,500 at the December 21, 2011 Council Meeting and approved CO #1 at the July 26 Council Meeting with a Deduct of \$12,000 bringing the new Contracted amount to \$382,500. The Contractor has completed construction of this project. We are working on close-out documents for the TDRA so we can complete this project.



VEHICLE MAINTENANCE DEPARTMENT

Repairs on Vehicles: (197)

Scheduled Service: (25)

Number of Vehicles Serviced: (93)

WATER & WASTEWATER OPERATION & TREATMENT DEPARTMENT

Miscellaneous Water Operations: (3)

- ◆ Monthly Maintenance
- ◆ Repaired and installed lights on control building at Well #6
- ◆ Poured concrete and installed 100 ft. tower at Well #6 for Water/Wastewater Scada antennas. Removing from EST due to painting the EST

Miscellaneous Wastewater Operations: (9)

- ◆ Monthly Maintenance
- ◆ Installed digester blower #1 at Treatment Plant. Blower sent to shop for repairs
- ◆ Replaced air compressor in shop at Treatment Plant
- ◆ Replaced floats on controls on small step screen at Treatment Plant
- ◆ Removed old cake pump on beltpress at Treatment Plant. Waiting on new one to arrive
- ◆ Replaced floats on bypass pump at Northshire liftstation
- ◆ Installed new pressure switch on Non-Potable water system at Treatment Plant
- ◆ Replaced check valve on both pumps at Dennis St. Liftstation
- ◆ Pulled all three lift pumps at Treatment Plant and removed rags and debris from behind impellers

Generators: (1)

- ◆ Monthly Maintenance

Confined Space Entries: (0)

- ◆ No confined entries performed in the month of December

CITY OF HUMBLE

JANUARY 2013

MONTHLY GASOLINE REPORT

CITY OF HUMBLE
MONTHLY GASOLINE REPORT

January-13

DEPARTMENT	UNLEADED	DIESEL	TOTAL	UNLEADED	DIESEL
ADMINISTRATION	151.7	0	151.7	1.70%	0.00%
STREET	473.6	405.7	879.3	5.31%	33.42%
FIRE	108	221.8	329.8	1.21%	18.27%
EMS	397.1	188.5	585.6	4.46%	15.53%
POLICE	6020.8	0	6020.8	67.56%	0.00%
PARK	226.4	71	297.4	2.54%	5.85%
ANIMAL CONTROL	84.8	0	84.8	0.95%	0.00%
INSPECTIONS	304.6	0	304.6	3.42%	0.00%
VEH MAINT	0	0	0	0.00%	0.00%
FIRE MARSHAL	143.3	0	143.3	1.61%	0.00%
BLD MAINT	57.1	0	57.1	0.64%	0.00%
WATER	291.3	173.7	465	3.27%	14.31%
SEWER	293.3	153.3	446.6	3.29%	12.63%
SENIOR ACTIVITY	205.3	0	205.3	2.30%	0.00%
CIVIC CENTER	155.1	0	155.1	1.74%	0.00%
TOTAL	8912.4	1214	10126.4	100.00%	100.00%



Summary - Account

Report Range: 01/01/2013 to 01/31/2013

Summary for Account: 0 DEFAULT

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
7	0.00	DIESEL	7.00	\$0.00
		TOTAL	7.00	\$0.00

Summary for Account: 1 ADMINISTRATION

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
8	10.94	UNLEADED	151.70	\$0.00
		TOTAL	151.70	\$0.00

Summary for Account: 2 STREET DEPARTMENT

Summary - Account

Report Range: 01/01/2013 to 01/31/2013

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
46	23.00	DIESEL	405.70	\$0.00
		UNLEADED	473.60	\$0.00
		TOTAL	879.30	\$0.00

Summary for Account: 3 FIRE DEPT.

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
22	0.71	DIESEL	221.80	\$0.00
		UNLEADED	108.00	\$0.00
		TOTAL	329.80	\$0.00

Summary for Account: 4 POLICE DEPT.

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
559	9.27	UNLEADED	6,020.80	\$0.00
		TOTAL	6,020.80	\$0.00

Summary for Account: 6 PARK DEPT.

Summary - Account

Report Range: 01/01/2013 to 01/31/2013

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
13	78.04	DIESEL	71.00	\$0.00
		UNLEADED	226.40	\$0.00
		TOTAL	297.40	\$0.00

Summary for Account: 7 ANIMAL CONTROL DEPT.

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
3	0.00	UNLEADED	84.80	\$0.00
		TOTAL	84.80	\$0.00

Summary for Account: 9 INSPECTION DEPT.

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
16	0.00	UNLEADED	304.60	\$0.00
		TOTAL	304.60	\$0.00

Summary for Account: 12 FIRE MARSHAL

Summary - Account

Report Range: 01/01/2013 to 01/31/2013

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
7	6.50	UNLEADED	143.30	\$0.00
		TOTAL	143.30	\$0.00

Summary for Account: 13 BUILDING MAINTENANCE

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
3	0.00	UNLEADED	57.10	\$0.00
		TOTAL	57.10	\$0.00

Summary for Account: 15 CIVIC CENTER

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
9	17.12	UNLEADED	155.10	\$0.00
		TOTAL	155.10	\$0.00

Summary for Account: 20 WATER DEPT.

Summary - Account

Report Range: 01/01/2013 to 01/31/2013

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
23	6.86	DIESEL	173.70	\$0.00
		UNLEADED	284.30	\$0.00
		TOTAL	458.00	\$0.00

Summary for Account: 30 SEWER DEPT.

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
20	3.00	DIESEL	153.30	\$0.00
		UNLEADED	293.30	\$0.00
		TOTAL	446.60	\$0.00

Summary for Account: 31 EMS

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
63	0.00	DIESEL	188.50	\$0.00
		UNLEADED	397.10	\$0.00
		TOTAL	585.60	\$0.00

Summary for Account: 1502 SENIOR ACTIVITY CENT

JOHNNY SCROGGINS
1401 S HOUSTON AVE
HUMBLE, TX 77338

Summary - Account

Report Range: 01/01/2013 to 01/31/2013

USE COUNT	AVERAGE MPG	PRODUCT SUBTOTALS	TOTAL QUANTITY	TOTAL AMOUNT
13	0.00	UNLEADED	205.30	\$0.00
		TOTAL	205.30	\$0.00

REPORT TOTALS		TOTAL TRANSACTIONS	812	AVG MPG	9.58
		TOTAL QTY	10,126.40	TOTAL AMT	\$0.00

PUBLIC WORKS DEPARTMENT

JANUARY 2013

OVERTIME / COMPTIME

MONTHLY REPORT

Monthly Overtime / Comptime Report
City of Humble Public Works Department
January 2013

Employee	Emergency Call	Weekend Duty	After Hour Maint	Rec Hall Duty	Total O.T.	Total Comp
Jason Campbell					16	
Steve Filmore					16	6
Tommy Hosler						13.5
Louis Johnson					16	
Mark Knight						
Mike Schultz						15
Clint Staggs					27	
Total:					75	34.5

Employee	Emergency Call	Weekend Duty	After Hour Maint	Rec Hall Duty	Total O.T.	Total Comp
Angel Cuellar					18	3
Ray Davis						4.5
Ray Flores					11.5	6.75
Kevin Gunn					29	
Gordon Meadows					6	
Leroy Naquin					20	4.5
Mike Richard					32	23.25
Total:					116.5	42

Employee	Emergency Call	Weekend Duty	After Hour Maint	Rec Hall Duty	Total O.T.	Total Comp
Clint Coombs					22	
Kevin Emerson						
Chancey Kellar						
Jack Lemoine					18	
Mike Pizzitola					16	
Gary Poindexter					1	
Dusty Tullos					14	
Joel Villa						
Stacy Williams						3
Total:					71	3

Employee	Emergency Call	Weekend Duty	After Hour Maint	Rec Hall Duty	Total O.T.	Total Comp
Frank Alexander					1.5	
Ryan Killion						
Bill Neeley						5.75
Total:					1.5	5.75

**Monthly Overtime / Comptime Report
 City of Humble Public Works Department
 January 2013**

Employee	Emergency Call	Weekend Duty	After Hour Maint	Rec Hall Duty	Total O.T.	Total Comp
George McCaa					0	
Fred Hawkins					0	
Total:					0	0
Employee	Emergency Call	Weekend Duty	After Hour Maint	Rec Hall Duty	Total O.T.	Total Comp
Randy Scott					22	3
Total:					22	3

WATER DEPARTMENT

JANUARY 2013

MONTHLY REPORT

TCEQ MONTHLY REPORT
Water Works Operation for
Ground Water Supplies

SEND REPORT TO: TCEQ
P.O. BOX 13087
Austin, Tx. 78711-3087

(1) Name of System: CITY OF HUMBLE County: HARRIS

(1a) System I.D. No.: 1010014 Month of: January-13

Day	PUMPAGE TO DISTRIBUTION SYSTEM IN THOUSAND GALS.					(6) PURCHASED	(7) SOLD
	(2) DIRECT	(3) FROM GND.	(4) TOTAL	(5) DISINFECTION		FROM C/O	TO C/O
	FROM WELLS	STORAGE	PUMPAGE	Cl2 Lbs.	NH3N Gal.	HOUSTON	HOUSTON
1	166	1177	2358	31	12	1015	102
2	122	1191	2510	33	10	1197	105
3	54	1397	2616	38	9	1165	97
4	391	1094	2704	30	12	1219	96
5	266	1035	2523	30	11	1222	97
6	208	1046	2475	29	8	1221	95
7	341	933	2523	30	10	1249	112
8	1288	1244	2532	56	13	0	98
9	1430	1006	2436	53	13	0	92
10	1362	999	2361	55	11	0	77
11	1334	1182	2516	56	12	0	128
12	1200	1323	2523	56	14	0	86
13	1428	1236	2664	66	14	0	88
14	1477	1162	2639	65	13	0	128
15	391	1053	2461	34	13	1017	80
16	244	1040	2505	29	12	1221	84
17	250	892	2364	26	6	1222	139
18	167	1107	2492	30	11	1218	101
19	62	749	2026	24	14	1215	96
20	221	1496	2935	49	17	1218	65
21	438	1003	2659	36	12	1218	98
22	221	1154	2594	32	11	1219	104
23	234	1098	2554	32	11	1222	105
24	210	1152	2579	32	9	1217	101
25	631	770	2617	37	8	1216	100
26	247	1227	2695	45	12	1221	70
27	345	874	2440	31	9	1221	79
28	351	1075	2642	37	13	1216	153
29	404	913	2543	33	12	1226	51
30	457	895	2567	34	13	1215	104
31	191	1032	2446	29	7	1223	104
TOTAL	16131	33555	78499	1198	352	28813	3035
AVG.	520	1082	2532	39	11	929	98
MAX.	1477	1496	2935	66	17	1249	153
MIN.	54	749	2026	24	6	0	51

(10) No. of active water services: 3805

(11) Chemical analysis: July-12

(12) Dates and results of distribution bacteriological analyses: 15 Samples, 15 Good Samples.

(13) Dates and results of raw unchlorinated well water samples: _____

(14) Reservoirs or tanks cleaned: July-12 (15) Dead ends flush: 01/15/13

(16) Over-flow Site / Amount: None

(17) Submitted by / Cert.#: MARK J. KNIGHT / WG0001625 (18) Total Monthly Combined Over-flows: 0

Water Department Monthly Report
January 2013

Rec Date	Problem Description	Address	Street	Activity Description	Comp Date
01/02/2013	CHECK FOR A WATER LEAK	7515	CYPRESS DR	LEAK REPAIRED	01/02/2013
01/03/2013	CHECK FOR A WATER LEAK	916	HERMAN		
01/03/2013	CHECK FOR A WATER LEAK	2822	HUMMINGBIRD LN	LEAK REPAIRED	01/04/2013
01/04/2013	LOW WATER PRESSURE	3122	KILLDEER LN	CUSTOMERS PROBLEM	01/04/2013
01/04/2013	DIRTY WATER	3131	DOVE COVE CIRCLE	CUSTOMERS PROBLEM	01/04/2013
01/04/2013	LOW WATER PRESSURE	2715	PHEASANT RUN	CUSTOMERS PROBLEM	01/04/2013
01/04/2013	CHECK FOR A WATER LEAK	1301	FIRST ST EAST	LEAK REPAIRED	01/04/2013
01/05/2013	TURN SERVICE OFF	2505	HOUSTON AVE SOUTH	WATER TURN OFF	01/05/2013
01/05/2013	TURN SERVICE OFF	2411	HOUSTON AVE SOUTH	WATER TURN OFF	01/05/2013
01/07/2013	WATER MISC	2631	HUMMINGBIRD LN	WATER TURN OFF	01/07/2013
01/08/2013	NO WATER (WATER IS OFF)	3015	QUAIL RUN	CUSTOMERS PROBLEM	01/08/2013
01/10/2013	CHECK FOR A WATER LEAK		ROADRUNNER LN	LEAK REPAIRED	01/10/2013
01/10/2013	CHECK FOR A WATER LEAK	2829	HUMMINGBIRD LN	LEAK REPAIRED	01/10/2013
01/10/2013	TURN SERVICE OFF	1611	N HOLLOW DR	CURB STOP HARD TO OPERATE	01/10/2013
01/10/2013	CHECK FOR A WATER LEAK	3122	QUAIL RUN	NO LEAK FOUND	01/10/2013
01/14/2013	NO WATER (WATER IS OFF)	10035	FM 1960 BYPASS WEST	LEAK REPAIRED	01/14/2013
01/16/2013	CHECK FOR A WATER LEAK	8455	WILL CLAYTON PKWY	PRIVATE LEAK	01/16/2013
01/17/2013	CHECK FOR A WATER LEAK	9831	CANTERBURY DR	LEAK REPAIRED	01/17/2013
01/21/2013	CHECK FOR A WATER LEAK	7442	BLUEBIRD BEND	NO LEAK FOUND	01/21/2013
01/21/2013	NO WATER (WATER IS OFF)		HIGHWAY 59 EASTEX FRWY	CUSTOMERS PROBLEM	01/21/2013
01/22/2013	CUSTOMER REQUEST	507	CAMBRIDGE VILLAGE DR	WATER REPLACE GRASS	01/25/2013
01/23/2013	NO WATER (WATER IS OFF)	212	BENDER AVE	WATER TURN ON	01/23/2013
01/23/2013	DIRTY WATER	3335	SANDPIPER ST	FLUSHED LINES	01/23/2013
01/24/2013	CHECK FOR A WATER LEAK	9802	FM 1960 WEST	NO LEAK FOUND	01/29/2013
01/26/2013	NO WATER (WATER IS OFF)	736	WILSON RD	WATER TURN ON	01/28/2013
01/28/2013	LOW WATER PRESSURE	10207	DROXSHIRE DR	CUSTOMERS PROBLEM	01/28/2013
01/29/2013	FIRE HYDRANT REPAIR		HOUSTON AVE NORTH	HYDRANT HIT BY VEHICLE	01/30/2013
01/30/2013	TURN SERVICE ON	20631	FIELDTREE DR	WATER TURN ON	01/30/2013
01/31/2013	LOW WATER PRESSURE	15	MAIN WEST	CUSTOMERS PROBLEM	01/31/2013
01/31/2013	NO WATER (WATER IS OFF)	518	FIRST ST EAST	CUSTOMERS PROBLEM	01/31/2013

WASTEWATER DEPARTMENT

JANUARY 2013

MONTHLY REPORT

**City of Humble
Wastewater Pumpage Report 2013**

Month	Total Monthly Treated	Peak Daily Treated	Low Daily Treated	Average Daily Treated
January	57,663	2,993	1,659	1,922
February				
March				
April				
May				
June				
July				
August				
September				
October				
November				
December				
Total	57,663	2,993	1,659	1,922
Maximum	57,663	2,993	1,659	1,922
Minimum	57,663	2,993	1,659	1,922
Average	57,663	2,993	1,659	1,922

**Difference Between
Water Pumped vs.
Wastewater Treated**

Total Water Pumped	Wastewater Treated	Pumped vs. Treated	Percent Treated
78,499	57,663	20,836	73.46%
78,499	57,663	20,836	73.46%

EPA- TX0034401
TCEQ-0010763-0

**City Of Humble
Southwest Wastewater Treatment Facility
Month: January-13**

Date	Temp.	Rain	Flow Meter	Total Flow	CBOD	T.S.S.	NH3N	Effluent			pH	DO	Temp.	Sample Flow	Non Potable Water	Lbs Cl2
								Fecal								
LROPM			4,123,870													
1-Jan	55	0.7	4,126,146	2,276,000												
2-Jan	44		4,127,847	1,701,000	2	2.5	0.8	0	0	7.59	8.08	21	1.33	274,000	0	
3-Jan	41		4,129,664	1,817,000	2	1	0.5	0	0	7.61	6.26	20	1.83	301,000	2	
4-Jan	53		4,131,552	1,888,000				0	0				0.49	282,000	5	
5-Jan	43	0.4	4,133,508	1,956,000				134					2.26	260,000	5	
6-Jan	43	0.2	4,136,047	2,539,000				0	0				1.17	233,000	7	
7-Jan	46		4,137,835	1,788,000				0	0				1.81	199,000	2	
8-Jan	55	0.2	4,139,683	1,848,000				10					1.8	139,000	3	
9-Jan	66	0.7	4,142,066	2,383,000	2	1.7	0.4	0	0	7.52	6.94	22	2.39	269,000	2	
10-Jan	62	1.2	4,145,059	2,993,000	2	2.2	0.7	0	0	7.36	7.23	22	2.02	147,000	1	
11-Jan	50		4,147,038	1,979,000				31					2.16	225,000	3	
12-Jan	72	0.2	4,148,990	1,952,000				0	0				0.8	194,000	2	
13-Jan	44	0.8	4,151,029	2,039,000				20					1.3	129,000	6	
14-Jan	44		4,153,034	2,005,000				10					1.73	126,000	3	
15-Jan	40	0.2	4,154,946	1,912,000				0	0				2.42	191,000	2	
16-Jan	40		4,156,785	1,839,000	2	1	0.2	0	0	7.58	8.48	19	1.93	222,000	2	
17-Jan	37		4,158,561	1,776,000	2	1.1	0.1	0	0	7.52	8.14	19	2.04	188,000	1	
18-Jan	37		4,160,344	1,783,000				0	0				2.06	216,000	5	
19-Jan	41		4,162,138	1,794,000				0	0				1.07	162,000	3	
20-Jan	50		4,164,045	1,907,000				0	0				1.13	148,000	2	
21-Jan	49		4,165,795	1,750,000				0	0				1.76	134,000	0	
22-Jan	49		4,167,668	1,873,000				0	0				2.1	143,000	0	
23-Jan	54		4,169,479	1,811,000	2	1.1	0.6	0	0	7.58	7.13	22	1.92	146,000	0	
24-Jan	57		4,171,276	1,797,000	2	1	0.1	0	0	7.53	7.74	22	2.1	142,000	0	
25-Jan	66		4,173,191	1,915,000				0	0				2.27	147,000	0	
26-Jan	70		4,175,033	1,842,000				0	0				1.32	38,000	0	
27-Jan	73		4,176,838	1,805,000				0	0				0.94	48,000	0	
28-Jan	70		4,178,497	1,659,000				0	0				2.34	45,000	0	
29-Jan	73		4,180,268	1,771,000				0	0				1.06	70,000	0	
30-Jan	55	0.3	4,182,124	1,856,000	2.6	1.7	0.6	0	0	7.75	8.56	23	1.62	25,000	0	
31-Jan	36		4,183,809	1,685,000	2.7	1.1	0.5	0	0	7.62	9.37	22	1.77	33,000	2	
Total	1560	4.2		57,663,000	21.3	14.4	4.5	205	205	75.66	77.93	212	50.94	5,175,000	62	
Avg	52	0		1,922,100	2	1	0	7	7	7.57	7.79	21	2	166,935	2.00	
Min.	36	0.2		1,659,000	2	1	0.1	0	0	7.36	6.26	19	0.49	25,000	0	
Max.	73	1.2		2,993,000	2.7	2.5	0.8	134	134	7.75	9.37	23	2.42	301,000	7	

Sewer Department Monthly Report
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Rec Date	Problem	Problem Description	Address	Street	Activity	Activity Description	Comp Date
01/02/2013	SSO	SEWER ODOR	916	HERMAN	SCR	SEWER CUSTOMER PROBLEM	01/02/2013
01/03/2013	SBU	SEWER BACK UP	9826	WESTMINSTER DR	SSBC	SEWER BLOCKAGE (CITY)	01/04/2013
01/04/2013	SBU	SEWER BACK UP	2811	BLUEJAY CIRCLE	SSBC	SEWER BLOCKAGE (CITY)	01/04/2013
01/04/2013	SBU	SEWER BACK UP	2819	BLUEJAY CIRCLE	SSBC	SEWER BLOCKAGE (CITY)	01/04/2013
01/11/2013	SMSC	SEWER MISC	1903	TREBLE DR			
01/14/2013	SBU	SEWER BACK UP	1409	MCDUGALD	SPB	PRIVATE BLOCKAGE	01/14/2013
01/25/2013	SU	UNSTOP SEWER	307		SPB	PRIVATE BLOCKAGE	01/25/2013
01/28/2013	SMSC	SEWER MISC	2719	KINGFISHER DR			
01/27/2013	SBU	SEWER BACK UP	911	AVE D SOUTH	SSBC	SEWER BLOCKAGE (CITY)	01/27/2013
01/29/2013	SBU	SEWER BACK UP	20023	FIELDTREE DR	SCR	SEWER CUSTOMER PROBLEM	01/29/2013
01/29/2013	SBU	SEWER BACK UP	9815	MARBLEHEAD DR	SSBC	SEWER BLOCKAGE (CITY)	01/29/2013

STREET DEPARTMENT

JANUARY 2013

MONTHLY REPORT

Street Department Monthly Report
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Rec Date	Problem Description	Address	Street	Cross Street	Activity	Activity Description
01/03/2013	REPAIR TRAFFIC SIGNAL		WILSON RD	ISAACKS RD	PRTS	REPAIR TRAFFIC SIGNAL
01/04/2013	MISCELLANEOUS	100 BLK	ISAACKS RD	FERGUSON	PMIS	PAVING MISCELLANEOUS
01/11/2013	REPAIR SIGN	1103	BRENDA LN		PRS	REPAIRED DOWNED SIGN
01/14/2013	TRASH PICK-UP		HOUSTON AVE NORTH	FIRST ST EAST	PTPU	PICK UP TRASH ON ROADWAY
01/14/2013	REPLACE SIGN		EAGLE NEST LN	RANKIN RD	PRS	REPAIRED DOWNED SIGN
01/15/2013	INLET REPAIR	1903	TREBLE DR		PIR	REPAIRED INLET OR CATCH BASIN
01/17/2013	REPAIR TRAFFIC SIGNAL		WILL CLAYTON PKWY	S HOUSTON AVE	PNTSD	NOTIFIED TRAFFIC SIGNAL DIVISION
01/22/2013	SIDEWALK REPAIR		GRANBERRY		PSWR	REPAIRED CRACKED OR BROKEN CONCRETE
01/22/2013	REPAIR TRAFFIC SIGNAL		WILSON RD	FIRST ST EAST	PNTSD	NOTIFIED TRAFFIC SIGNAL DIVISION
01/23/2013	ASPHALT STREET REPAIR		HERMAN	AVE C NORTH	PARU	REPAIRED ASPHALT DUE TO UTILITY CONSTRUCTION
01/24/2013	DEBRIS CLEAN UP / SPILLS	9815	MARBLEHEAD DR		PMIS	PAVING MISCELLANEOUS
01/25/2013	MISCELLANEOUS	908	SHARON		PMIS	PAVING MISCELLANEOUS
01/28/2013	MISCELLANEOUS	626	ACAPULCO VILLAGE			
01/28/2013	TRASH PICK-UP		FM 1960 BYPASS EAST		PTPU	PICK UP TRASH ON ROADWAY
01/29/2013	REPAIR TRAFFIC SIGNAL		FM 1960 WEST		PNTSD	NOTIFIED TRAFFIC SIGNAL DIVISION
01/29/2013	CURB REPAIR	2618	QUAIL RUN			
01/29/2013	MISCELLANEOUS		HIGGINS EAST		PMIS	PAVING MISCELLANEOUS
01/30/2013	REPAIR TRAFFIC SIGNAL		FM 1960 EAST	TOWNSEN RD	PNTSD	NOTIFIED TRAFFIC SIGNAL DIVISION
01/30/2013	REPAIR TRAFFIC SIGNAL		HOUSTON AVE SOUTH	ISAACKS RD	PRTS	REPAIR TRAFFIC SIGNAL
01/30/2013	REPAIR SIGN		BENDER AVE	MAIN EAST	PRS	REPAIRED DOWNED SIGN
01/30/2013	MISCELLANEOUS	20631	FIELDTREE DR		PMIS	PAVING MISCELLANEOUS

ANIMAL CONTROL
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Animal Control Monthly Report
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Rec Date	Problem Description	Address	Street	Activity Description
01/01/2013	PICK-UP CAT	17750	HIGHWAY 59 EASTEX FRWY	PICKED UP STRAY CAT
01/02/2013	P/UP DOG	302	STALITTI ST	ANIMAL CONTROL MISC
01/03/2013	STRAY	3222	QUAIL RUN	ANIMAL GONE ON ARRIVAL
01/03/2013	TRAPPED WILDLIFE PICK-UP	7827	VALLECITO	PICKED UP TRAPPED WILDLIFE AND RELOCATED
01/03/2013	PICK-UP CAT	2327	SPEARS DR	PICKED UP STRAY CAT
01/03/2013	STRAY		PINE HOLLOW DR	PUBLIC SERVICED OWNER TO ADVISE OF PROBLEM
01/04/2013	LOOSE LIVESTOCK	19915	MCKAY BLVD	ANIMAL GONE ON ARRIVAL
01/07/2013	PICK-UP CAT	2327	SPEARS DR	PICKED UP STRAY CAT
01/07/2013	TRAPPED WILDLIFE PICK-UP	9707	SALZBURG CT	PICKED UP TRAPPED WILDLIFE AND RELOCATED
01/08/2013	TRAPPED WILDLIFE PICK-UP	7827	VALLECITO	PICKED UP TRAPPED WILDLIFE AND RELOCATED
01/08/2013	P/UP DOG	411	BENDER AVE	PICKED UP STRAY DOG
01/08/2013	WILDLIFE P/UP	1010	AVE D NORTH	DEAD ANIMAL PUT IN FREEZER
01/08/2013	DEAD ANIMAL PICK-UP	613	AVE F NORTH	DEAD ANIMAL PUT IN FREEZER
01/09/2013	P/UP DOG		HIGHWAY 59 EASTEX FRWY	ANIMAL CONTROL MISC
01/10/2013	PICK-UP CAT	2327	SPEARS DR	PICKED UP CAT IN A TRAP
01/10/2013	P/UP DOG		MAIN EAST	PICKED UP STRAY DOG
01/10/2013	BIRDS / FOWL	1504	MCDUGALD	PUBLIC SERVICED OWNER TO ADVISE OF PROBLEM
01/10/2013	P/UP DOG		FIELDTREE DR	PICKED UP STRAY DOG
01/11/2013	STRAY	315	AVE A SOUTH	PICKED UP STRAY DOG
01/11/2013	P/UP DOG	530	FERGUSON	PICKED UP STRAY DOG
01/11/2013	STRAY	410	AVE H NORTH	ANIMAL GONE ON ARRIVAL
01/14/2013	BARKING DOG COMPLAINTS		THIRD ST	PUBLIC SERVICED OWNER TO ADVISE OF PROBLEM
01/15/2013	ANIMAL CONTROL MISCELLANEOUS	902	HOUSTON AVE NORTH	PUBLIC SERVICED OWNER TO ADVISE OF PROBLEM
01/15/2013	P/UP DOG		MAIN EAST	PICKED UP STRAY DOG
01/17/2013	STRAY		SHARON	ANIMAL GONE ON ARRIVAL
01/17/2013	DEAD ANIMAL PICK-UP	7830	VEGAS	DEAD ANIMAL PUT IN FREEZER
01/18/2013	PICK-UP CAT	509	HERMAN	PICKED UP STRAY CAT
01/18/2013	PICK-UP CAT	509	HERMAN	PICKED UP STRAY CAT
01/21/2013	STRAY		HOUSTON AVE NORTH	ANIMAL CONTROL MISC
01/21/2013	PICK-UP CAT	504	FIRST ST EAST	PICKED UP STRAY CAT
01/23/2013	STRAY	518	KATHY	PICKED UP AND RELOCATED ANIMAL
01/23/2013	PICK-UP CAT	502	HIGGINS EAST	PICKED UP STRAY CAT
01/25/2013	DEAD ANIMAL PICK-UP	2710	WILSON RD	DEAD ANIMAL PUT IN FREEZER

Animal Control Monthly Report
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01/25/2013	PICK-UP CAT	710	HERMAN	PICKED UP STRAY CAT
01/25/2013	P/UP DOG	823	GRACE LN	ANIMAL CONTROL MISC
01/28/2013	P/UP DOG	716	FIRST ST EAST	PICKED UP STRAY DOG
01/28/2013	STRAY	412	BENDER AVE	ANIMAL GONE ON ARRIVAL
01/28/2013	STRAY	2822	CANARY LN	ANIMAL GONE ON ARRIVAL
01/28/2013	STRAY	519	KATHY	PICKED UP STRAY DOG
01/29/2013	INJURED DOG		ISAACKS RD	DEAD ANIMAL PUT IN FREEZER
01/31/2013	STRAY		QUAIL RUN	ANIMAL GONE ON ARRIVAL

BUILDING MAINTANCE

JANUARY 2013

MONTHLY REPORT

Building Maintenance Monthly Report
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Rec Date	Problem Description	Address	Street	Activity Description	Comp Date
01/03/2013	MAINTENANCE		BENDER AVE	BUILDING MAINTENANCE	01/03/2013
01/03/2013	MAINTENANCE		HOUSTON AVE SOUTH	BUILDING MAINTENANCE	01/03/2013
01/04/2013	MAINTENANCE		BENDER AVE	BUILDING MAINTENANCE	01/04/2013
01/07/2013	MAINTENANCE		HIGGINS EAST	BUILDING MAINTENANCE	01/07/2013
01/10/2013	MAINTENANCE		BENDER AVE	BUILDING MAINTENANCE	01/10/2013
01/10/2013	MAINTENANCE		BENDER AVE	BUILDING MAINTENANCE	01/10/2013
01/11/2013	MAINTENANCE	102	GRANBERRY	BUILDING MAINTENANCE	01/11/2013
01/15/2013	MAINTENANCE		MAIN EAST	BUILDING MAINTENANCE	01/15/2013
01/15/2013	MAINTENANCE	102	GRANBERRY	BUILDING MAINTENANCE	01/15/2013
01/18/2013	MAINTENANCE		HIGGINS EAST	BUILDING MAINTENANCE	01/18/2013
01/21/2013	MAINTENANCE		BENDER AVE	BUILDING MAINTENANCE	01/21/2013
01/21/2013	MAINTENANCE		CHARLES ST	BUILDING MAINTENANCE	01/21/2013
01/23/2013	MAINTENANCE		BENDER AVE	BUILDING MAINTENANCE	01/23/2013
01/23/2013	MAINTENANCE	310	BENDER AVE	BUILDING MAINTENANCE	01/23/2013
01/24/2013	MAINTENANCE		MAIN EAST	BUILDING MAINTENANCE	01/24/2013
01/24/2013	MAINTENANCE		HIGGINS EAST	BUILDING MAINTENANCE	01/24/2013
01/24/2013	MAINTENANCE		WILSON RD	BUILDING MAINTENANCE	01/24/2013
01/25/2013	MAINTENANCE		WILL CLAYTON PKWY	BUILDING MAINTENANCE	01/25/2013
01/29/2013	MAINTENANCE		MAIN EAST	BUILDING MAINTENANCE	01/29/2013
01/29/2013	MAINTENANCE		DENNIS AVE	BUILDING MAINTENANCE	01/29/2013
01/30/2013	MAINTENANCE		BENDER AVE	BUILDING MAINTENANCE	01/30/2013
01/31/2013	MAINTENANCE		BENDER AVE	BUILDING MAINTENANCE	01/31/2013

VEHICLE MAINTENANCE

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MONTHLY REPORT

Vehicle Maintenance Monthly Report
January 2013

Date	Unit #	Activity	Activity Description	Comp Date	Problem	Problem Description
01/02/2013	601	VENGC	VEHICLE - ENGINE COOLANT SYSTEM REPAIR	01/02/2013	VENGC	VEHICLE - ENGINE COOLING SYSTEM REPAIR
01/02/2013	230	VFUEL	VEHICLE - FUEL FILTER	01/02/2013	VFUEL	VEHICLE - FUEL FILTER
01/02/2013	237	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	01/02/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
01/03/2013	229	VFUEL	VEHICLE - FUEL FILTER	01/03/2013	VFUEL	VEHICLE - FUEL FILTER
01/03/2013	229	VER	VEHICLE - ELECTRIC REPAIR	01/03/2013	VFUEL	VEHICLE - FUEL FILTER
01/03/2013	462	VRC	VEHICLE - RADIO INSTALL	01/03/2013	VRC	VEHICLE - RADIO INSTALL
01/03/2013	462	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	01/03/2013	VRC	VEHICLE - RADIO INSTALL
01/03/2013	2002	VBRK	VEHICLE - BRAKE SYSTEM	01/03/2013	VBRK	VEHICLE - BRAKE SYSTEM
01/04/2013	480	VLTRNG	VEHICLE - LIGHTING	01/04/2013	VLTRNG	VEHICLE - LIGHTING
01/04/2013	417	VRC	VEHICLE - RADIO INSTALL	01/04/2013	VRC	VEHICLE - RADIO INSTALL
01/04/2013	417	VBAT	VEHICLE - BATTERIES	01/04/2013	VRC	VEHICLE - RADIO INSTALL
01/06/2013	327	VBAT	VEHICLE - BATTERIES	01/06/2013	VBAT	VEHICLE - RADIO INSTALL
01/07/2013	230	VTIREF	VEHICLE - TIRES, FLAT REPAIRS	01/07/2013	VTIREF	VEHICLE - BATTERIES
01/07/2013	229	VBAT	VEHICLE - BATTERIES	01/07/2013	VBAT	VEHICLE - BATTERIES
01/07/2013	229	VEP	VEHICLE - ENGINE PERFORMANCE	01/07/2013	VBAT	VEHICLE - BATTERIES
01/07/2013	429	VOIL	VEHICLE - OIL LUBE & FILTER	01/07/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/07/2013	429	VTIRER	VEHICLE - TIRES, ROTATE	01/07/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/07/2013	429	VWIPE	VEHICLE - WIPERS	01/07/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/07/2013	482	VTRIM	VEHICLE - INTERIOR TRIM REPAIR	01/07/2013	VTRIM	VEHICLE - INTERIOR TRIM REPAIR
01/07/2013	480	VRC	VEHICLE - RADIO INSTALL	01/07/2013	VRC	VEHICLE - RADIO INSTALL
01/07/2013	480	VINS	VEHICLE - INSPECTION STICKER	01/07/2013	VRC	VEHICLE - RADIO INSTALL
01/07/2013	1514	VTIREF	VEHICLE - TIRES, FLAT REPAIRS	01/07/2013	VTIREF	VEHICLE - FLAT TIRE REPAIRS
01/07/2013	1514	VTRIM	VEHICLE - INTERIOR TRIM REPAIR	01/07/2013	VTIREF	VEHICLE - FLAT TIRE REPAIRS
01/07/2013	1514	VINS	VEHICLE - INSPECTION STICKER	01/07/2013	VTIREF	VEHICLE - FLAT TIRE REPAIRS
01/07/2013	462	VLTRNG	VEHICLE - LIGHTING	01/07/2013	VLTRNG	VEHICLE - FLAT TIRE REPAIRS
01/07/2013	1513	VEP	VEHICLE - ENGINE PERFORMANCE	01/07/2013	VLTRNG	VEHICLE - LIGHTING
01/07/2013	1513	VOIL	VEHICLE - OIL LUBE & FILTER	01/07/2013	VEP	VEHICLE - ENGINE PERFORMANCE
01/07/2013	1513	VTIRER	VEHICLE - TIRES, ROTATE	01/07/2013	VEP	VEHICLE - ENGINE PERFORMANCE
01/07/2013	1513	VBRK	VEHICLE - BRAKE SYSTEM	01/07/2013	VEP	VEHICLE - ENGINE PERFORMANCE
01/07/2013	412	VOIL	VEHICLE - OIL LUBE & FILTER	01/07/2013	VEP	VEHICLE - ENGINE PERFORMANCE
01/07/2013	412	VTIREN	VEHICLE - TIRES, NEW	01/07/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/07/2013	463	VER	VEHICLE - ELECTRIC REPAIR	01/07/2013	VER	VEHICLE - ELECTRIC REPAIR
01/07/2013	463	VTRIM	VEHICLE - INTERIOR TRIM REPAIR	01/07/2013	VER	VEHICLE - ELECTRIC REPAIR

Vehicle Maintenance Monthly Report
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01/08/2013	430	VBK	VEHICLE - BRAKE SYSTEM	01/08/2013	VBK	VEHICLE - BRAKE SYSTEM
01/08/2013	407	VOIL	VEHICLE - OIL LUBE & FILTER	01/08/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/08/2013	407	VTIRER	VEHICLE - TIRES, ROTATE	01/08/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/08/2013	498	VLING	VEHICLE - LIGHTING	01/08/2013	VLING	VEHICLE - LIGHTING
01/08/2013	1102	VINS	VEHICLE - INSPECTION STICKER	01/08/2013	VINS	VEHICLE - INSPECTION STICKER
01/08/2013	1204	VTRIM	VEHICLE - TRIM REPAIR	01/08/2013	VTRIM	VEHICLE - TRIM REPAIR
01/08/2013	490	VOIL	VEHICLE - OIL LUBE & FILTER	01/08/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/08/2013	490	VTIRER	VEHICLE - TIRES, ROTATE	01/08/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/08/2013	490	VBK	VEHICLE - BRAKE SYSTEM	01/08/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/08/2013	490	VWIPE	VEHICLE - WIPERS	01/08/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/08/2013	481	VLING	VEHICLE - LIGHTING	01/08/2013	VLING	VEHICLE - LIGHTING
01/09/2013	MISCWATER	VTIREN	VEHICLE - TIRES, NEW	01/09/2013	VTIREN	VEHICLE - NEW TIRES
01/09/2013	846	VRC	VEHICLE - RADIO INSTALL	01/09/2013	VRC	VEHICLE - RADIO INSTALL
01/09/2013	482	VOIL	VEHICLE - OIL LUBE & FILTER	01/09/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/09/2013	482	VTIRER	VEHICLE - TIRES, ROTATE	01/09/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/09/2013	482	VBK	VEHICLE - BRAKE SYSTEM	01/09/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/09/2013	482	VTRANS	VEHICLE - TRANSMISSION SERVICE	01/09/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/10/2013	414	VRC	VEHICLE - RADIO INSTALL	01/10/2013	VRC	VEHICLE - RADIO INSTALL
01/10/2013	414	VOIL	VEHICLE - OIL LUBE & FILTER	01/10/2013	VRC	VEHICLE - RADIO INSTALL
01/10/2013	414	VTIRER	VEHICLE - TIRES, ROTATE	01/10/2013	VRC	VEHICLE - RADIO INSTALL
01/10/2013	495	VRC	VEHICLE - RADIO INSTALL	01/10/2013	VRC	VEHICLE - RADIO INSTALL
01/10/2013	419	VLING	VEHICLE - LIGHTING	01/10/2013	VLING	VEHICLE - LIGHTING
01/10/2013	472	VEMGL	VEHICLE - EMERGENCY LIGHTING	01/10/2013	VEMGL	VEHICLE - EMERGENCY LIGHTING
01/10/2013	201	VENG	VEHICLE - ENGINE COOLANT SYSTEM REPAIR	01/10/2013	VENG	VEHICLE - ENGINE COOLING SYSTEM REPAIR
01/10/2013	204	VER	VEHICLE - ELECTRIC REPAIR	01/10/2013	VER	VEHICLE - ELECTRIC REPAIR
01/10/2013	301	VOIL	VEHICLE - OIL LUBE & FILTER	01/10/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/10/2013	301	VTIRER	VEHICLE - TIRES, ROTATE	01/10/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/10/2013	481	VOIL	VEHICLE - OIL LUBE & FILTER	01/10/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/10/2013	481	VTIRER	VEHICLE - TIRES, ROTATE	01/10/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/10/2013	335	VLING	VEHICLE - LIGHTING	01/10/2013	VLING	VEHICLE - LIGHTING
01/11/2013	201	VOIL	VEHICLE - OIL LUBE & FILTER	01/11/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/11/2013	201	VFUEL	VEHICLE - FUEL FILTER	01/11/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/11/2013	201	VAF	VEHICLE - AIR FILTER	01/11/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/11/2013	201	VOIL	VEHICLE - OIL LUBE & FILTER	01/11/2013	VOIL	VEHICLE - OIL LUBE AND FILTER

Vehicle Maintenance Monthly Report
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01/11/2013	201	VFUEL	VEHICLE - FUEL FILTER	01/11/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/11/2013	201	VAF	VEHICLE - AIR FILTER	01/11/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/11/2013	201	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	01/11/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/11/2013	201	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	01/11/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/11/2013	201	VFAN	VEHICLE - FAN BELTS	01/11/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/14/2013	484	VTIREN	VEHICLE - TIRES, NEW	01/14/2013	VTIREN	VEHICLE - NEW TIRES
01/14/2013	481	VENGC	VEHICLE - ENGINE COOLANT SYSTEM REPAIR	01/14/2013	VENGC	VEHICLE - ENGINE COOLING SYSTEM REPAIR
01/14/2013	481	VENGC	VEHICLE - ENGINE COOLANT SYSTEM REPAIR	01/14/2013	VENGC	VEHICLE - ENGINE COOLING SYSTEM REPAIR
01/14/2013	462	VENGC	VEHICLE - ENGINE COOLANT SYSTEM REPAIR	01/14/2013	VENGC	VEHICLE - ENGINE COOLING SYSTEM REPAIR
01/14/2013	481	VFAN	VEHICLE - FAN BELTS	01/14/2013	VFAN	VEHICLE - FAN BELTS
01/15/2013	3000	VBAT	VEHICLE - BATTERIES	01/15/2013	VBAT	VEHICLE - BATTERIES
01/15/2013	3000	VFAN	VEHICLE - FAN BELTS	01/15/2013	VBAT	VEHICLE - BATTERIES
01/15/2013	232	VEP	VEHICLE - ENGINE PERFORMANCE	01/15/2013	VEP	VEHICLE - ENGINE PERFORMANCE
01/15/2013	232	VAF	VEHICLE - AIR FILTER	01/15/2013	VEP	VEHICLE - ENGINE PERFORMANCE
01/16/2013	422	VOIL	VEHICLE - OIL LUBE & FILTER	01/16/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/16/2013	422	VTIRER	VEHICLE - TIRES, ROTATE	01/16/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/16/2013	422	VSUSP	VEHICLE - SUSPENSION REPAIR	01/16/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/16/2013	327	VOIL	VEHICLE - OIL LUBE & FILTER	01/16/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/16/2013	403	VTIREF	VEHICLE - TIRES, FLAT REPAIRS	01/16/2013	VTIREF	VEHICLE - FLAT TIRE REPAIRS
01/16/2013	2000	VBAT	VEHICLE - BATTERIES	01/16/2013	VBAT	VEHICLE - BATTERIES
01/17/2013	422	VWIPE	VEHICLE - WIPERS	01/17/2013	VWIPE	VEHICLE - WIPERS
01/17/2013	422	VEMGL	VEHICLE - EMERGENCY LIGHTING	01/17/2013	VWIPE	VEHICLE - WIPERS
01/17/2013	422	VTRIM	VEHICLE - INTERIOR TRIM REPAIR	01/17/2013	VWIPE	VEHICLE - WIPERS
01/17/2013	480	VAC	VEHICLE - AC REPAIR	01/17/2013	VAC	VEHICLE - A/C REPAIR
01/17/2013	482	VINS	VEHICLE - INSPECTION STICKER	01/17/2013	VINS	VEHICLE - INSPECTION STICKER
01/17/2013	482	VTRANS	VEHICLE - TRANSMISSION SERVICE	01/17/2013	VINS	VEHICLE - INSPECTION STICKER
01/17/2013	482	VTRANS	VEHICLE - TRANSMISSION SERVICE	01/17/2013	VINS	VEHICLE - INSPECTION STICKER
01/17/2013	482	VTRANS	VEHICLE - TRANSMISSION SERVICE	01/17/2013	VINS	VEHICLE - INSPECTION STICKER
01/17/2013	144	VTRIM	VEHICLE - INTERIOR TRIM REPAIR	01/17/2013	VTRIM	VEHICLE - INTERIOR TRIM REPAIR
01/17/2013	144	VTRIM	VEHICLE - INTERIOR TRIM REPAIR	01/17/2013	VTRIM	VEHICLE - INTERIOR TRIM REPAIR
01/18/2013	464	VOIL	VEHICLE - OIL LUBE & FILTER	01/18/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/18/2013	464	VTIRER	VEHICLE - TIRES, ROTATE	01/18/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/18/2013	464	VEMGL	VEHICLE - EMERGENCY LIGHTING	01/18/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/18/2013	464	VRC	VEHICLE - RADIO INSTALL	01/18/2013	VOIL	VEHICLE - OIL LUBE AND FILTER

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01/18/2013	464	VAAR	VEHICLE - AFTERMARKET ACESORY REPAIR	01/18/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/18/2013	464	VRC	VEHICLE - RADIO INSTALL	01/18/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/18/2013	1511	VTIREN	VEHICLE - TIRES, NEW	01/18/2013	VTIREN	VEHICLE - NEW TIRES
01/21/2013	1505	VOIL	VEHICLE - OIL LUBE & FILTER	01/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/21/2013	1505	VTIRER	VEHICLE - TIRES, ROTATE	01/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/21/2013	484	VBAT	VEHICLE - BATTERIES	01/21/2013	VBAT	VEHICLE - BATTERIES
01/21/2013	484	VEMGL	VEHICLE - EMERGENCY LIGHTING	01/21/2013	VBAT	VEHICLE - BATTERIES
01/21/2013	1500	VOIL	VEHICLE - OIL LUBE & FILTER	01/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/21/2013	1500	VTIRER	VEHICLE - TIRES, ROTATE	01/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/21/2013	1500	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	01/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/21/2013	1500	VAF	VEHICLE - AIR FILTER	01/21/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/21/2013	417	VAC	VEHICLE - AC REPAIR	01/21/2013	VAC	VEHICLE - A/C REPAIR
01/21/2013	462	VLING	VEHICLE - LIGHTING	01/21/2013	VLING	VEHICLE - LIGHTING
01/21/2013	419	VEMGL	VEHICLE - EMERGENCY LIGHTING	01/21/2013	VEMGL	VEHICLE - EMERGENCY LIGHTING
01/22/2013	435	VRC	VEHICLE - RADIO INSTALL	01/22/2013	VRC	VEHICLE - RADIO INSTALL
01/22/2013	435	VAAR	VEHICLE - AFTERMARKET ACESORY REPAIR	01/22/2013	VRC	VEHICLE - RADIO INSTALL
01/22/2013	435	VRC	VEHICLE - RADIO INSTALL	01/22/2013	VRC	VEHICLE - RADIO INSTALL
01/22/2013	435	VRC	VEHICLE - RADIO INSTALL	01/22/2013	VRC	VEHICLE - RADIO INSTALL
01/22/2013	435	VRC	VEHICLE - RADIO INSTALL	01/22/2013	VRC	VEHICLE - RADIO INSTALL
01/22/2013	435	VRC	VEHICLE - RADIO INSTALL	01/22/2013	VRC	VEHICLE - RADIO INSTALL
01/22/2013	330	VER	VEHICLE - ELECTRIC REPAIR	01/22/2013	VER	VEHICLE - ELECTRIC REPAIR
01/22/2013	462	VFAN	VEHICLE - FAN BELTS	01/22/2013	VFAN	VEHICLE - FAN BELTS
01/22/2013	225	VER	VEHICLE - ELECTRIC REPAIR	01/22/2013	VER	VEHICLE - ELECTRIC REPAIR
01/23/2013	225	VER	VEHICLE - ELECTRIC REPAIR	01/23/2013	VER	VEHICLE - ELECTRIC REPAIR
01/23/2013	225	VBAT	VEHICLE - BATTERIES	01/23/2013	VER	VEHICLE - ELECTRIC REPAIR
01/23/2013	481	VINS	VEHICLE - INSPECTION STICKER	01/23/2013	VINS	VEHICLE - INSPECTION STICKER
01/23/2013	481	VLING	VEHICLE - LIGHTING	01/23/2013	VINS	VEHICLE - INSPECTION STICKER
01/23/2013	415	VOIL	VEHICLE - OIL LUBE & FILTER	01/23/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/23/2013	415	VAF	VEHICLE - AIR FILTER	01/23/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/23/2013	415	VBK	VEHICLE - BRAKE SYSTEM	01/23/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/23/2013	415	VENG	VEHICLE - ENGINE COOLANT SYSTEM REPAIR	01/23/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/24/2013	439	VRC	VEHICLE - RADIO INSTALL	01/24/2013	VRC	VEHICLE - RADIO INSTALL
01/24/2013	439	VAAR	VEHICLE - AFTERMARKET ACESORY REPAIR	01/24/2013	VRC	VEHICLE - RADIO INSTALL
01/25/2013	330	VER	VEHICLE - ELECTRIC REPAIR	01/25/2013	VRC	VEHICLE - RADIO INSTALL
01/25/2013	330	VEMGL	VEHICLE - EMERGENCY LIGHTING	01/25/2013	VEMGL	VEHICLE - EMERGENCY LIGHTING
01/25/2013	435	VRC	VEHICLE - RADIO INSTALL	01/25/2013	VRC	VEHICLE - RADIO INSTALL

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01/25/2013	435	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	01/25/2013	VRC	VEHICLE - RADIO INSTALL
01/25/2013	435	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	01/25/2013	VRC	VEHICLE - RADIO INSTALL
01/25/2013	435	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	01/25/2013	VRC	VEHICLE - RADIO INSTALL
01/28/2013	472	VOIL	VEHICLE - OIL LUBE & FILTER	01/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/28/2013	472	VTIRER	VEHICLE - TIRES, ROTATE	01/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/28/2013	472	VAF	VEHICLE - AIR FILTER	01/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/28/2013	472	VSUSP	VEHICLE - SUSPENSION REPAIR	01/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/28/2013	472	VSUSP	VEHICLE - SUSPENSION REPAIR	01/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/28/2013	472	VBK	VEHICLE - BRAKE SYSTEM	01/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/28/2013	419	VOIL	VEHICLE - OIL LUBE & FILTER	01/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/28/2013	419	VTIRER	VEHICLE - TIRES, ROTATE	01/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/28/2013	419	VBK	VEHICLE - BRAKE SYSTEM	01/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/28/2013	419	VAF	VEHICLE - AIR FILTER	01/28/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/28/2013	205	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	01/28/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
01/28/2013	205	VRC	VEHICLE - RADIO INSTALL	01/28/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
01/28/2013	205	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	01/28/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
01/28/2013	205	VEMGL	VEHICLE - EMERGENCY LIGHTING	01/28/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
01/28/2013	451	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	01/28/2013	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR
01/28/2013	451	VER	VEHICLE - ELECTRIC REPAIR	01/28/2013	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR
01/28/2013	451	VTRIM	VEHICLE - EXTERIOR TRIM REPAIR	01/28/2013	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR
01/28/2013	451	VWM	VEHICLE - WINDOW MOTOR	01/28/2013	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR
01/29/2013	439	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	01/29/2013	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR
01/29/2013	439	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	01/29/2013	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR
01/29/2013	439	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	01/29/2013	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR
01/29/2013	439	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	01/29/2013	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR
01/29/2013	435	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR	01/29/2013	VAAR	VEHICLE - AFTERMARKET ACCESSORY REPAIR
01/29/2013	417	VTIREN	VEHICLE - TIRES, NEW	01/29/2013	VTIREN	VEHICLE - NEW TIRES
01/29/2013	416	VFAN	VEHICLE - FAN BELTS	01/29/2013	VFAN	VEHICLE - FAN BELTS
01/29/2013	490	VMISC	VEHICLE - MISCELLANEOUS REPAIRS	01/29/2013	VMISC	VEHICLE - MISCELLANEOUS REPAIRS
01/29/2013	483	VOIL	VEHICLE - OIL LUBE & FILTER	01/29/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/29/2013	483	VTIREN	VEHICLE - TIRES, NEW	01/29/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/29/2013	901	VOIL	VEHICLE - OIL LUBE & FILTER	01/29/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/29/2013	901	VAF	VEHICLE - AIR FILTER	01/29/2013	VOIL	VEHICLE - OIL LUBE AND FILTER
01/29/2013	901	VENGC	VEHICLE - ENGINE COOLANT SYSTEM REPAIR	01/29/2013	VOIL	VEHICLE - OIL LUBE AND FILTER

