
CITY OF PORT LAVACA

MEETING: APRIL 29, 2024 **AGENDA ITEM** _____

DATE: 04.23.2024

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: To review the proposed process and procedures for the implementation of The Lawn Library.

Staff is in the process of the implantation of The Lawn Library for the City of Port Lavaca. The purpose of the service will be to help serve the city of Port Lavaca residents by providing access to tools and equipment needed to mow grass, trim vegetation and clean-up litter to improve their properties and the overall attractiveness of our neighborhoods. The equipment is available at no cost and available by reservation. Types of equipment that can be found in the Lawn Library will include:

- Lawn mowers
- Weed eaters
- Hedge trimmer
- Loppers
- Pole saws
- Metal rake
- Leaf rake
- Shovels (scoop, spade, drain spade)
- Garden hoe
- Post hole digger
- Pick Axe
- Wheelbarrows
- Pitchfork
- Push broom
- Sawhorses
- Ladder
- Gas can
- Gas/oil mix

The tools and equipment will be picked up and returned by appointment. Only residents of the city of Port Lavaca who have a current utility account are able to borrow equipment/ gain membership. Membership is for a one-year term and free of charge. The residents will also sign a loan agreement and release of liability. Community groups/organizations will also be able to reserve the tool, equipment, or the trailer. One person will be responsible for the reservation of the trailer with all the tools and equipment.

CITY OF PORT LAVACA

Attachments:

- **Lawn Library Process**
- **CoPL Release of Liability-Draft**
- **Membership Application and Borrower Guidelines-Draft**



SCOPE:

The Lawn Library will serve the city of Port Lavaca residents by providing access to tools and equipment needed to mow grass, trim vegetation and clean-up litter to improve their properties and the overall attractiveness of our neighborhoods. The equipment is available at no cost and available by reservation.

Types of equipment that can be found in the Lawn Library will include:

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Contact Information:

Development Services
202 N Virginia St.
Port Lavaca, TX 77979
(361)552-9793

buildingdepartment@portlavaca.org

Process:

Individual Membership:

- The individual will need to register as a Lawn Library member. (Free, see attached Application for Membership).
- Only residents of the city of Port Lavaca who have a current utility account are able to borrow equipment/ gain membership.
- Membership is for a 1 year term.
- At the point of membership creation, a borrower's agreement and release of liability is to be signed. (Please see attached Borrowers Guidelines and Release of Liability forms)
- Once Development Services has this information and has verified good utility standing, the membership is active and the member will receive a membership ID card.

How Can Reservations Be Made?

A Culture and Recreations tab will be added to the City of Port Lavaca website where there will be a page for the Lawn Library. Here, the resident will be able to book the items, I will call to confirm the availability and the order will be processed.

From Joe Sliva: If you're just wanting to do the rentals, there is a service called Rentle (well they just changed their name to Twice Commerce) that would work really well, and they have a WordPress plugin so we would be able to integrate it into the website easily.

<https://www.twicecommerce.com/rent>

[Twice Commerce – Easy Rental Booking System – WordPress plugin | WordPress.org](#)

With a customer facing iPad, any citizen can create an account with the help of Development Services and complete the reservation process. Customers who do not have access to or do not like using the online reservation process can call Development Services and place their reservation over the phone.

Procedure:

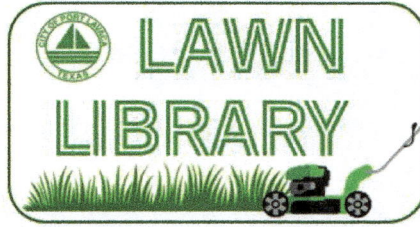
- Pick up and return will be by appointment. (M-F 9AM – 3PM) Tools must be reserved at least one day in advance.
 - By appointment will enable staff members to manage time accordingly and block out times unavailable.
- Code Enforcement will be at the trailer to unlock it and release the borrowed equipment to the customer.
 - Code Enforcement is not responsible for explaining the use of equipment or loading/unloading the equipment.
 - There will be a log for the Code Enforcement officer to check in and out items and mark the condition (Good/ Maintenance/ Replace)
- If the item requires gas or gas/oil, it will be supplied.

Group Membership:

- The group/ organization will need to have an individual listed as the main contact person. This person will be responsible for the condition of the borrowed equipment and will be the person who completes all documents.
- Reservations for the trailer will need to be made at least two weeks in advance of the event taking place.
- Equipment rentals will show as unavailable during neighborhood block clean-ups.
- Development Services will deliver and pick-up the trailer.
- A sign-out and sign-in sheet will be necessary at these types of events as multiple individuals at multiple location will have access to the tools.
- Development Services will coordinate with Republic Services on disposal of the rubbish.
- Items, such as tires, that do not get picked-up will be the responsibility of the group/ organization to properly dispose.

Maintenance:

- The items are to be returned in good working order and clean.
- Items are being procured from our local ACE Hardware store and were purchased as part of a fleet and therefore, maintenance is included on the larger equipment.



City of Port Lavaca Lawn Library Release of Liability

RELEASE OF LIABILITY

Borrower agrees to and EXPRESSLY RELEASES, WAIVES AND ABANDONS any and all CLAIMS OF NEGLIGENCE, GROSS NEGLIGENCE, AND STRICT LIABILITY against the City, its employees, agents or assigns for liability and responsibility which the City may have or may incur, whether by the use of the equipment by the borrower or by a third party, by its condition or care, or by or for any other means. Borrower agrees that City, its agents and employees, shall not be liable or responsible for, and shall be SAVED, HELD HARMLESS, RELEASED and INDEMNIFIED by Borrower and RELEASES AND FOREGOES any and all claims that Borrower may have, now or later, against the City, its employees, agents or assigns from the use of the use of the equipment by the Borrower or by a third party, by its condition or care, or by or for any other means . Borrower expressly accepts and adopts all responsibility and liability for the equipment in all ways: its condition, how it is used, how it is stored, etc. Additionally, Borrower expressly accepts and adopts all responsibility and liability for the use or misuse of this equipment as it may affect third parties, in person or in rem, and will INDEMNIFY AND DEFEND the City, its employees, agents and assigns from all claims which may be made against the same by third parties.

LOAN AGREEMENT

The requested tools must be used for the completion of a residential or community project only. Tools must be picked up and returned to the Lawn Library. All tools must be stored in a secure location from the weather. Tools must be returned on time to ensure their availability for use by other residents and community organizations. Failure to abide by these conditions may make you ineligible to borrow tools in the future.

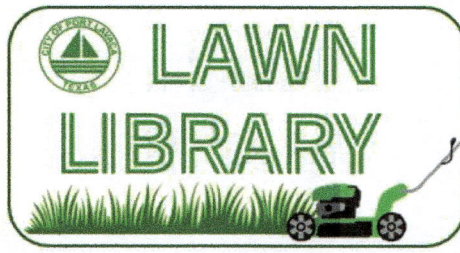
I have read this form in its entirety and accept all provisions and Terms and Conditions.

NAME (PLEASE PRINT)

SIGNATURE

DATE

OFFICE USE ONLY	
<input type="checkbox"/> Approved	Membership ID#
Staff Signature	Date



Membership ID#

CITY OF PORT LAVACA LAWN LIBRARY
Application for Membership

City of Port Lavaca Water Account # _____

Name: _____

Home Phone: _____

Address: _____

Cell Phone: _____

City/State/Zip Code: _____

Work Phone: _____

Driver License #/State: _____

License Plate#: _____

Took Pickup Date/Time: _____

Staff Initials: _____

Tools Available: * Note: Supplies will be loaned based on availability.		
Equipment		
Lawn mower	Shovel, scoop	Pitchfork
Weed eater	Shovel, spade	Push broom
Hedge trimmer	Shovel, drain spade	Sawhorses
Loppers	Garden hoe	Ladder
Pole saw	Post hole digger	Gas can
Metal rake	Pick Axe	Gas/oil mix
Leaf rake	Wheelbarrow	

Initials

Conditions of Agreement (Initial All)

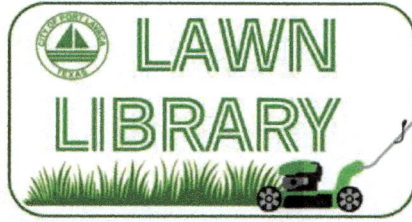
- I am a resident in the City of Port Lavaca.
- I am 18 years or older
- Tools are not intended for commercial/agricultural use and are strictly for personal/residential use.
- I will return the tools in the same condition as borrowed
- If tools/equipment are not returned, a \$50 late fee will be charged to the water account on file beginning on the 3rd day and will be penalized for 6-months with no access to program.
- I will sign the Waiver of Liability form before tools will be loaned from the Lawn Library.
- With repeated failure to abide by the borrowers conditions and guidelines, I acknowledge my membership can be revoked.

 Applicant Signature

 Date

 Administrative Staff Name

 Date



City of Port Lavaca Lawn Library Borrowers Guidelines

Development Services 202 N Virginia St. Port Lavaca, TX 77979
(361)552-9793 buildingdepartment@portlavaca.org

Initials

- I am a resident or part of a community group in the City of Port Lavaca requesting to borrow item(s) from the Lawn Library for residential beautification. Community Group applicants require a letter with letterhead from community group and or 501(c3) certificate.
- _____ • I am responsible to pick up item(s) on the day and time reserved. Borrowed item(s) will be returned on the day and time indicated.
- _____ • I am responsible for any injury to self or damage to my property or the property of others occurring from the use of the Lawn Library equipment/tools.
- _____ • I am responsible for the use of tools by others/third party.
- _____ • I am 18 years of age or older.
- _____ • Power tools that require fuel (gas or oil mixture) will be loaned with an accompanying gas/oil mixture. I am required to purchase my own gas/oil mixture, if depleted, in accordance with the instructions and user manual for the tool/equipment (please refer to photo of gas/oil mixture).
- _____ • I agree to store tools in a secure location protected from potential theft and inclement weather.
- _____ • I will not use tools for Commercial, Agricultural use or for any financial gain.
- _____ • I agree that a \$50 late fee will be charged to the water account on file beginning on the 3rd day and will be penalized for 6-months with no access to the program.
- _____ • Tools that are not returned or returned damage and/or in non-working order, then 50% of the cost of replacements will be charged to the water account number listed above. Damage of the Tools above and beyond the "normal use" is your responsibility.
- _____ • By taking possession of the item(s), I am certifying I am capable of using and transporting the item(s) in a safe and proper manner.
- _____ • Borrower is responsible for any injury to self or damage to his/her property or the property of others occurring from the use of the Lawn Library equipment/tools.

Applicant Signature

Date