1111 Bayou Road
La Marque, Texas
409-938-9202

Mayor Bobby Hocking
Mayor Pro-Tem Keith Bell- District A *Councilmember Robert Michetich- District C*
Councilmember Chris Lane- District B *Councilwoman Casey McAuliffe- District D*
****

ORDINANCE NO. O-2019-0025
RESOLUTION NO. R-2019-0035

CITY OF LA MARQUE
REGULAR CITY COUNCIL
AGENDA
of
OCTOBER 14, 2019

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Regular Meeting on Monday, October 14, 2019, immediately following the Workshop which begins at 6:00 p.m.; no later than 7:00 p.m. at 1109-B, Bayou Road for the purpose of considering the following agenda**:**

(1) CALL MEETING TO ORDER

(2) ROLL CALL

(3) PRESENTATIONS/ PROCLAMATIONS/INTRODUCTIONS

a. Employee Recognition – Excellent Customer Service Award (Amanda Hobby)

(4) MINUTES

a. Special City Council Minutes of September 17, 2019
b. Special City Council Minutes of September 16, 2019
c. Public Hearing CDBG- Minutes of September 9, 2019
d. Regular City Council Minutes of September 9, 2019
e. Workshop City Council Minutes of September 9, 2019
f. Regular City Council Minutes of August 12, 2019
g. Workshop City Council Minutes of August 12, 2019

(5) PUBLIC HEARING (S)

a. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-0021,** changing the zoning classification from R-1 Single Family Residential to L-1 Light Industrial a tract of land containing 1.2449 acres (54,226 square-feet), situated in the John D. Moore League, Abstract 150, Galveston County, Texas, being out of Lot 30, Division "H", in Cook and Stewart Subdivision, recorded in Volume 81, Page 526, in the Office of the County Clerk

of Galveston, Texas being all of a tract of land conveyed to Kurt W. Dohman and Judy B. Dohman by deed recorded under County Clerk's File No. 2015001297 of the Official Public Records of Galveston County, Texas (Lake Road at Charity)

b. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-0022,** amending City Code Chapter 41, "Land Development," Article IV, "Subdivisions

(6) OLD BUSINESS

a. Consider recommendation to adopt Ordinance No. **O-2019-0021**, changing the zoning classification from R-1 Single Family Residential to L-1 Light Industrial a tract of land containing 1.2449 acres (54,226 square-feet), situated in the John D. Moore League, Abstract 150, Galveston County, Texas, being out of Lot 30, Division "H", in Cook and Stewart Subdivision, recorded in Volume 81, Page 526, in the Office of the County Clerk of Galveston, Texas being all of a tract of land conveyed to Kurt W. Dohman and Judy B. Dohman by deed recorded under County Clerk's File No. 2015001297 of the Official Public Records of Galveston County, Texas (Lake Road at Charity), as recommended by the Planning and Zoning Commission - Development Services Coordinator S. Sutton *THIS IS THE SECOND AND FINAL READING*

b. Consider recommendation to adopt Ordinance No. **O-2019-0022,** amending City Code Chapter 41, "Land Development," Article IV, "Subdivisions" *THIS IS THE SECOND AND FINAL READING*

(7) CONSENT AGENDA (All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)

a. Consider recommendation to adopt Resolution No. **R-2019-0032,** supporting Galveston Bay Estuary's, The Galveston Bay Plan, 2nd Edition, The Comprehensive Conservation and Management Plan for the Galveston Bay Ecosystem – City Manager C. Jackson

b. Consider recommendation to adopt Resolution No. **R-2019-0033,** amending Resolution No. R-2015-0022 by deleting the requirement for level debt service applicable to Galveston County Municipal Utility District No. 68 bonds – City Manager C. Jackson

c. Consider recommendation to adopt Resolution No. **R-2019-0034,** awarding RFQ #19-03 to Adico, LLC for Engineering Services relating to Hazard Mitigation Assistance (HMA) grant applications, and appointing the City Manager as an authorized signatory to execute a contract with Adico, LLC – City Manager C. Jackson

d. Consider recommendation to authorize the Mayor to execute an Interlocal Agreement (ILA) between the City of La Marque and the County of Galveston for the City's continued participation in the Galveston County Auto Crimes Task Force (GCACTF) – Police Chief K. Jackson

e. Consider recommendation to adopt Ordinance No. **O-2019-0023,** changing the zoning classification from (R-1) Single Family Residential to (L-1) Light Industrial a tract of land being the East 360.00 Feet of the North 510.00 Feet of the South ½-of a 10 Acre Tract of Subdivision "B", Cook and Stewart Subdivision, A Subdivision in Galveston County, Texas according to the map or Plat thereof Recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County, Texas and 10 Acre Tract is described in instrument Recorded in Volume 557, Page 520, of the Deed of Records of Galveston County, Texas, PID #195613, as recommended by the Planning and Zoning Commission - Development Services Coordinator S. Sutton *THIS IS THE FIRST READING*

f. Consider recommendation to adopt Ordinance No. **O-2019-0024**, changing the zoning classification from (R-1) Single Family Residential to (L-1) Light Industrial a tract of land containing 3.3333 Acres (145,200 Square Feet) out of Subdivision B of Cook & Stewart Subdivision in the John D. Moore League, Galveston County, Texas according to the map thereof recorded in Volume 86, Page 521 in the Office of the County Clerk of Galveston, Texas PID #195615, as recommended by the Planning and Zoning Commission - Development Services Coordinator S. Sutton *THIS IS THE FIRST READING*

g. Consider recommendation to adopt Ordinance No. **O-2019-0025,** changing the zoning classification from (C-1) General Commercial to (L-1) Light Industrial a tract of land containing Lots 1, 2, 3, 4, 5, and 6, in Block 9, of the First Addition to the T. S. George Subdivision, A subdivision in Galveston County, Texas, according to the Map or Plat thereof recorded in Volume 254-A, Page 38 and Transferred to Plat Record 4. Map No. 17 in the Office of the County Clerk of Galveston County, Texas PID# 197107, as recommended by the Planning and Zoning Commission - Development Services Coordinator S. Sutton *THIS IS THE FIRST READING*

h. Consider recommendation to ratify City Manager's approval of expenditures in the amount of $33,300.00 to Android Construction Services, LLC for costs associated with emergency insertion valve(s) installation for 2nd Street at the railroad tracks - Public Works Director C. Cary

i. Consider recommendation to award Bid **LM #07-20** to Coburn Supply Company for Water & Sewer Supplies in the amount of $151,845.90 – Public Works Director C. Cary

(8) NEW BUSINESS

a. Discussion/possible action regarding adopting Resolution No. **R-2019-0035,** designating members of the City Council as Representative and Official Alternate to the General Assembly of the Houston-Galveston Area Council for the year 2020 – Mayor Hocking

b. Discussion/possible action regarding approving allocations from the Youth Program Fund to various organizations who meet eligibility requirements as recommended by Councilmember Lane, Coordinator for Youth Projects – City Manager C. Jackson

c. Discussion/possible action regarding authorizing the City Manager to execute a contract with the County of Galveston Commissioners' Court to provide fire protection services to unincorporated areas of Galveston County commencing July 15, 2019 and running through July 14, 2020, in return for payment in the amount of twenty-two thousand five hundred dollars and no/100 ($22,500.00) – City Manager C. Jackson

(9) EXECUTIVE SESSION

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized the Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074

(10) ACTION TAKEN FROM EXECUTIVE SESSION

(11) REQUEST AND ANNOUNCEMENTS

Requests by Mayor and Council Members for items to be placed on future City Council agendas and announcements on city events/community interests TEX. GOV'T CODE §551.415. (b), "items of community interest" includes:

(1) expressions of thanks, congratulations, or condolence;

(2) information regarding holiday schedules;

(3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;

(4) a reminder about an upcoming event organized or sponsored by the governing body;

(5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and

(6) announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda.

(12) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on or before October 11, 2019, before 5:30 p.m.

_____

Robin Eldridge, TRMC
City Clerk

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's office at (409) 938-9259, or Fax (409) 935-0401, or e-mail cityclerk@cityoflamarque.org for further information.

CITY OF LA MARQUE
SPECIAL CALLED CITY COUNCIL
Minutes
of
SEPTEMBER 17, 2019

Special City Council Meeting Minutes of the City of La Marque City Council held on Tuesday, September 17, 2019, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL MEETING TO ORDER

Mayor Hocking called the meeting to order at 6:00 p.m.

(2) ROLL CALL

Bobby Hocking	Mayor
Keith Bell	Mayor Pro-Tem, Councilmember District A (absent)
Chris Lane	Councilmember, District B
Robert Michetich	Councilmember, District C
Casey Mc Auliffe	Councilwoman, District D (absent)

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson	City Manager
Kierra K. Nance	Deputy City Clerk

(3) PUBLIC HEARING (S)

a. Conduct **SECOND** Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-0018,** levying ad valorem taxes for use and operation of the municipal government of the City of La Marque, Texas for the 2019 tax year; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid

Mayor Hocking closed the Special Meeting and opened the Public Hearings at 6:00 p.m.
No one spoke.

b. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-0019**, amending Appendix A, Schedule of Fees and Charges of the Code of Ordinances, City of La Marque, Texas by amending prescribed solid waste collection charges
No one spoke.

c. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-0020,** amending Appendix A, Schedule of Fees and Charges of the Code of Ordinances, City of La Marque, Texas by amending prescribed water and sewer rates effective with October 2019 billing
No one spoke.

Mayor Hocking closed the Public Hearings and reconvened the Special Meeting at 6:01 p.m.

(4) OLD BUSINESS

a. Discussion/possible action regarding adopting Ordinance No. **O-2019-0018,** levying ad valorem taxes for use and operation of the municipal government of the City of La Marque, Texas for the 2019 tax year; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid *THIS IS THE SECOND AND FINAL READING*

City Manager read a letter received by Councilwoman Mc Auliffe in support of all items on the agenda for this meeting that she wished it to be entered into the record in her absence.

** Mayor Hocking made a motion that the property tax rate be increased by the adoption of a tax rate of 0.550764 which is effectively a 4 percent increase in the tax rate.

** Councilmember Michetich seconded the motion.

Councilmember Lane, Councilmember Michetich, and Mayor Hocking all voted yes in the voice vote. Councilwoman Mc Auliffe and Mayor Pro-Tem Bell were both absent.

b. Discussion/possible regarding adopting Ordinance No. **O-2019-0019**, amending Appendix A, Schedule of Fees and Charges of the Code of Ordinances, City of La Marque, Texas by amending prescribed solid waste collection charges *THIS IS SECOND AND FINAL READING*

** Councilmember Lane made a motion to adopt Ordinance No. O-2019-0019 on the second and final reading.

** Councilmember Michetich seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

c. Discussion/possible regarding adopting Ordinance No. **O-2019-0020,** amending Appendix A, Schedule of fees and Charges of the Code of Ordinances, City of La Marque, Texas by amending prescribed water and sewer rates effective with October 2019 billing *THIS IS THE SECOND AND FINAL READING*

** Councilmember Lane made a motion to adopt Ordinance No. O-2019-0020 on the second and final reading.

** Councilmember Michetich seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

d. Discussion/possible regarding adopting Resolution No. **R-2019-0027**, accepting the 2019 City of La Marque Investment Policy for investment of municipal funds per Public Funds Investment Act

** Councilmember Lane made a motion to adopt Resolution No. O-2019-0027 on the second and final reading.

** Councilmember Michetich seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

(5) ADJOURNMENT

** Councilmember Lane made a motion to adjourn the Special Meeting at 6:06 p.m.

** Councilmember Michetich seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

_____
Bobby Hocking, Mayor

ATTEST:

_____
Kierra Nance, Deputy City Clerk

CITY OF LA MARQUE
SPECIAL CALLED CITY COUNCIL
MINUTES
of
SEPTEMBER 16, 2019

Special City Council Meeting Minutes of the City of La Marque City Council held on Monday, September 16, 2019, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present**:**

(1) CALL MEETING TO ORDER
Mayor Hocking called the meeting to order at 6:00 p.m.

(2) ROLL CALL

Bobby Hocking	Mayor
Keith Bell	Mayor Pro-Tem, Councilmember District A (absent)
Chris Lane	Councilmember, District B
Robert Michetich	Councilmember, District C
Casey Mc Auliffe	Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson	City Manager
Kierra K. Nance	Deputy City Clerk

(3) PUBLIC HEARING

a. Conduct **SECOND** Public Hearing to hear public input regarding Ordinance No. **O-2019-0017**, making appropriations for the support of the City of La Marque for the fiscal year beginning October 1, 2019 and ending September 30, 2020 appropriating money to a sinking fund to pay interest and principal due on the City's indebtedness; and adopting the annual budget for the City of La Marque 2019-20 fiscal year

Mayor Hocking closed the Special Meeting and opened the Public Hearing at 6:00 p.m. No one spoke.
Mayor Hocking closed the Public Hearing and reconvened the Special Meeting at 6:01 p.m.

(4) OLD BUSINESS

a. Discussion/possible action regarding adopting Ordinance No. **O-2019-0017,** making appropriations for the support of the City of La Marque for the fiscal year beginning October 1, 2019 and ending September 30, 2020 appropriating money to a sinking fund to pay interest and principal due on the City's indebtedness; and adopting the annual budget for the City of La Marque 2019-20 fiscal year *THIS IS THE SECOND AND FINAL READING*

** Councilmember Lane made a motion to adopt Ordinance No. O-2019-0017 on the Second and Final reading.
** Councilwoman Mc Auliffe seconded the motion. **MOTION CARRIED UNANIMOUSLY**

b. Discussion/possible action regarding adopting Resolution No. **R-2019-0025,** approving the issuance of 2019 Series Unlimited Tax Bonds by Galveston County Municipal Utility District #68 *THIS ITEM WAS TABLED FROM THE SEPTEMBER 9, 2019 COUNCIL MEETING*

** Councilmember Lane made a motion to discuss Resolution No R-2019-0025.
** Councilmember Michetich seconded the motion.

Councilmember Michetich suggested removing "meets level debt service" from the verbiage in Section 1 of the Resolution and invites Mr. Austin, of MUD 68 to the podium for additional discussion.

After a brief discussion, and speaking with acting City Attorney Derra Purnell, City Manager verbalized the changes to Section 1 of the Resolution to read as "The City Council hereby finds that the issuance of $3,845,000 Series 2019 Bonds by GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 68 is not required to meet the level debt service requirements of the City as required by R-2015-0022, Exhibit A".

** Councilmember Michetich made a motion to amend the Resolution as stated by City Manager Jackson.
** Councilmember Lane seconded the motion. **MOTION CARRIED UNANIMOUSLY**

** Councilmember Michetich made a motion to adopt Resolution R-2019-0025 as amended.
** Councilwoman Mc Auliffe seconded the motion. **MOTION CARRIED UNANIMOUSLY**

c. Discussion/possible action regarding adopting Resolutions No. **R-2019-0028,** and **R-2019-0029**, designation of signatory authority and permission to submit Texas Parks and Wildlife, Boating Access Grant Application

** Councilmember Michetich made a motion to adopt Resolutions No. R-2019-0028 and R-2019-0029.
** Councilwoman Mc Auliffe seconded the motion. **MOTION CARRIED UNANIMOUSLY**

d. Discussion/possible action regarding adopting Resolution No. **R-2019-0030**, regarding blight designation for the Texas Department of Agriculture, Community Development Block Grant; Office of Rural Development – Downtown Revitalization Grant

** Councilmember Lane made a motion to adopt Resolution No. R-2019-0030.
** Councilwoman Mc Auliffe seconded the motion and requested discussion.

Councilwoman Mc Auliffe led a discussion to gain clarity of what areas were to be included in the blight designation, to which staff was able to clarify. **MOTION CARRIED UNANIMOUSLY**

e. Discussion/possible action regarding adopting Resolution No. **R-2019-0031**, approving the submission of the TDA-Downtown Revitalization grant application, and designating the Mayor and the City Manager as the authorized signatories as well as City's Authorized Representatives

** Councilwoman Mc Auliffe made a motion to adopt Resolution No. R-2019-0031.
** Councilmember Lane seconded the motion. **MOTION CARRIED UNANIMOUSLY**

f. Discussion/possible action regarding adopting Ordinance No. **O-2019-0021**, amending Article IV, "Subdivisions" of Chapter 41, "Land Development," of the City of La Marque Code of Ordinances; amending rules and governing plats and subdivisions of land, including providing for development plats, as recommended by the Planning and Zoning Commission *THIS IS THE FIRST READING*

** Councilmember Lane made a motion to adopt Ordinance No. O-2019-0021.
** Councilmember Michetich seconded the motion. **MOTION CARRIED UNANIMOUSLY**

(5) ADJOURNMENT

** Councilwoman Mc Auliffe made a motion to adjourn the Special Meeting at 6:15 p.m.
** Councilperson Lane seconded the motion. **MOTION CARRIED UNANIMOUSLY**

_____
Bobby Hocking, Mayor

ATTEST:

_____
Kierra Nance, Deputy City Clerk

CITY OF LA MARQUE
CITY COUNCIL
PUBLIC HEARING
MINUTES
of
SEPTEMBER 9, 2019

Public Hearing Minutes of the City of La Marque City Council held on Monday, September 9, 2019, beginning at 5:30 p.m. at 1109-B Bayou Road, La Marque, Texas in regards to the following:

(1) CALL TO ORDER

Mayor Hocking called the Public Hearing to order at 5:30 p.m.

(2) ROLL CALL

Bobby Hocking	Mayor
Keith Bell	Mayor Pro-Tem, Councilmember District A - Absent
Chris Lane	Councilmember, District B
Robert Michetich	Councilmember, District C
Casey Mc Auliffe	Councilwoman, District D - Absent

OTHER OFFICIALS PRESENT:

Robin Eldridge	City Clerk

(3) Conduct Public Hearing to receive public comments on the submission of an application to the Texas Department of Agriculture for a Community Development Block Grant Program (Downtown Revitalization Grant) - funds available $350,000.00

Mayor Hocking called the Public Hearing at 5:30 p.m.

No one spoke.

Mayor Hocking closed the Public Hearing at 5:31 p.m.

(4) ADJOURNMENT

Public Hearing Adjourned.

DRAFT

CITY OF LA MARQUE, TEXAS

_____

Bobby Hocking, Mayor

_____

Robin Eldridge, TRMC, City Clerk

DRAFT

CITY OF LA MARQUE
REGULAR CITY COUNCIL
MINUTES
of
SEPTEMBER 9, 2019

City Council Meeting Minutes of the City of La Marque City Council held on Monday, September 9, 2019, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER
Mayor Hocking called the Special Meeting to order at 6:15 p.m.

(2) ROLL CALL

Bobby Hocking	Mayor
Keith Bell	Mayor Pro-Tem, Councilmember District A
Chris Lane	Councilmember, District B
Robert Michetich	Councilmember, District C
Casey Mc Auliffe	Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson	City Manager
Robin Eldridge	City Clerk
Derra Purnell	Olson & Olson

(3) PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS

a. Proclamation - National POW/MIA Day
Mayor Hocking read a proclamation in recognition of National POW/MIA Day, (someone will pick the proclamation from City Hall)

b. Proclamation – Constitution Week
Mayor Hocking presented a proclamation in recognition of Constitution Week to the following: Nancy Schrull, Donna Hatch, Regent, George Washington Chapter DAR, Cheryl Tucker Constitution Week Chair, and Terry Fuller

c. Presenting of Plaque - Khambrel Foundation (Teen BIZ 2019) - Mayor Hocking along with Councilmember Chris Lane presented a plaque to show appreciation to Tonia Griffin of the Khambrel Foundation for their help and support of the

Teen Biz 2019. This project was led by Councilmember Lane to teach teens how to get started in starting a business, business psychology, creating a website and much more

d. Presenting of Plaque – Chick fil A (Teen BIZ 2019) - Mayor Hocking along with Councilmember Chris Lane acknowledged their appreciation to Chick fil A for providing lunches each day for the class of Teen Biz 2019

e. Employee Recognition – Excellent Customer Service Award (Sergeant Richard Garcia) Police Chief Jackson recognized Sergeant Richard Garcia for his positive interaction with members of the public and fellow employees, and being recognized as displaying excellent customer service to citizens of La Marque

f. Employee Recognition – Excellent Customer Service Award (Chaise Cary)
Mayor Hocking read an excerpt from a letter that a citizen had written praising Public Works Interim Director Chaise Cary for his excellence in customer service. City Manager Charles Jackson shared a status change and a promotion from Interim to the Public Works Director to Mr. Cary

(4) MINUTES

a. City Council Public Hearing- CDBG Minutes of August 19, 2019
b. La Marque Employee Benefits Trust Meeting Minutes of August 19, 2019
c. City Council Special Meeting Minutes of August 19, 2019
d. City Council Special Meeting Minutes of August 26, 2019

****** Councilwoman Mc Auliffe made a motion to approve all minutes listed above.
****** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**

(5) CONSENT AGENDA

a. Consider recommendation to adopt Ordinance No. **O-2019-0017,** making appropriations for the support of the City of La Marque for the fiscal year beginning October 1, 2019 and ending September 30, 2020 appropriating money to a sinking fund to pay interest and principal due on the City's indebtedness; and adopting the annual budget for the City of La Marque 2019-20 fiscal year *THIS IS THE FIRST READING*

b. Consider recommendation to adopt Ordinance No. **O-2019-0018**, levying ad valorem taxes for use and operation of the municipal government of the City of La Marque, Texas for the 2019 tax year; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid *THIS IS THE FIRST READING*

c. Consider recommendation to adopt Ordinance No. **O-2019-0019,** amending Appendix A, Schedule of Fees and Charges of the Code of Ordinances, City of La Marque, Texas by amending prescribed solid waste collection charges *THIS IS THE FIRST READING*

d. Consider recommendation to adopt Ordinance No. **O-2019-0020,** amending Appendix A, Schedule of fees and Charges of the Code of Ordinances, City of La Marque, Texas by amending prescribed water and sewer rates effective with October 2019 billing *THIS IS THE FIRST READING*

e. Consider recommendation to adopt Ordinance No. **O-2019-0021,** approving a request to re-zone from R-1 Single Family Residential to L-1 Light Industrial a tract of land containing 1.2449 acres (54,226 square-feet), situated in the John D. Moore League, Abstract 150, Galveston County, Texas, being out of Lot 30, Division "H", in Cook and Stewart Subdivision, recorded in Volume 81, Page 526, in the office of the County Clerk of Galveston, Texas being all of a tract of land conveyed to Kurt W. Dohman and Judy B. Dohman by deed recorded under County Clerk's File No. 2015001297 of the Official Public Records of Galveston County, Texas (Lake Road at Charity) *THIS IS THE FIRST READING*

f. Consider recommendation to award **RFQ #19-01** and approve a contract to ADICO, Inc. for Engineering Services for Proposed Contract Funding for the Community Development Block Grant-Disaster Recovery (CDBG-DR) through the Texas General Land Office for Infrastructure and Acquisition projects

g. Consider recommendation to adopt Resolution No. **R-2019-0023**, authorizing the City Manager of the City of La Marque, Texas, as authorized signatory for contractual documents pertaining to the Texas General Land Office (GLO); Texas Community Development Block Grant-Disaster Recovery (CDBG-DR) Hurricane Harvey DR-4332

h. Consider recommendation to approve the annual Galveston County Health District Water Pollution Control and Abatement Contract for services provided including City-wide grease trap inspections, Waste Water Treatment inspections, and complaint investigations in the amount of $13,067.00

i. Consider recommendation to approve the contract for Bid **LM #06-20** to Oriental Building Services, Inc. for janitorial services in the amount of $32,393.88

j. Consider recommendation to award Re-Bid **LM #02-20** and approve a contract to Parrish & Parrish Tractor Service for Lawn Care Maintenance of City Facilities and Parks in the amount of $76,475.00

k. Consider recommendation to adopt Resolution No. **R-2019-0024**, nominating Bruce Clawson to appear on the ballot of the Board of Directors of the Galveston Central Appraisal District for two-year terms, beginning January 1, 2020 through December 31, 2021

l. Consider recommendation to adopt Resolution No. **R-2019-0026** awarding **RFQ #19-02** for Engineering Services to LNV Engineering, and authorize the City Manager to execute a contract with LNV Engineering on Pre-and Post-Award

Engineering Services for the Texas Department of Agriculture Downtown Revitalization Grant Program

** Mayor Pro-Tem Bell made a motion to approve the Consent Agenda

** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY**

(6) **NEW BUSINESS**

a. Discussion/possible action regarding authorizing the purchase of one Spartan 4-door mid-mounted fire pumper through H-GAC Buy in the amount of $597,242.00

** Councilmember Lane made a motion to authorize the purchase of one Spartan 4-door, mid-mounted fire pumper through H-GAC Buy in the amount of $597,242.00

** Councilmember Michetich seconded.

A brief discussion and clarification led by Mayor Pro-Tem Bell; Captain Yardley was given recognition for his part in coordinating the loaner truck schedule and setting up the specifications, etc. **MOTION CARRIED UNANIMOUSLY**

b. Discussion/possible action regarding establishing a mechanism for consideration of public expenditures for the La Marque Youth Program Fund

** Mayor Pro-Tem Bell made a motion to name Councilmember Lane to be the Councils coordinator for Youth Projects (he will put a list together and bring back before Council) to make a determination.

** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY**

c. Discussion/possible action regarding adopting Resolution No. **R-2019-0025,** approving the issuance of 2019 Series Unlimited Tax Bonds by Galveston County Municipal Utility District #68

Tim Austin, Attorney for Galveston County MUD #68 approached the podium and;

** Councilmember Michetich stated that in 2016 this was asked for and provided more information at that time, than the present time, so he is asking for an amortization sheet on each individual bond being requested. "Each bond that is under control of MUD 68 now, that is not being asked to be refunded at this time; and that inception date when they started, when their call dates were and when their maturity dates are. Our intent is that this MUD will dissolve itself at one point. I am also asking that the bylaws of the MUD be changed so that only public auctions be held for the sale of those bonds and any future sale of bonds, which is something that can't be put in an ordinance form, because the Mud bylaws would supersede."

Mr. Austin explained that the MUD submitted a different request in 2016, which was consistent with the consent conditions; 1) condition was that before any refunding bonds were sold the City had to give them permission by resolution or an ordinance, which was asked for in 2016. "This is not a refunding bond

issue, this is new money to finance the ongoing infrastructure. This would be new debt. Another consent condition was that we have substantially level debt service, on the debt service schedule. The City was worried that the MUD was lumping more debt at the back side of the bonds making it more difficult to pay off." He distributed a sheet that included information concerning this, which was a schedule showing the total debt service of all bonds together and a reasonable prediction of level debt service.

After further discussion, Motion was made by Councilmember Michetich and was seconded by Councilmember Lane, to table this item until the Special Meeting of City Council scheduled for the 16th of September 2019, the following week. **MOTION CARRIED UNANIMOUSLY**

(7) EXECUTIVE SESSION

1. Section 551.072/ 551.073 (Deliberations about Real Property/deliberations about gifts and donations) – Discussion of the possibility of land donation

2. Section 551.074 (Personnel Matters) – City Manager's roles and responsibilities

Mayor Hocking closed the Regular Meeting and called the Executive Session at 6:54 p.m.

Mayor Hocking resumed the Regular Meeting at 8:02 p.m.

(8) ACTION TAKEN FROM EXECUTIVE SESSION

1. Discussion/possible action regarding the acceptance of land donation

Councilmember Lane made a motion to accept the land donation.
Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY**

2. Discussion/possible action regarding the City Manager's roles and responsibilities

Motion was made by Councilwoman Mc Auliffe to direct the City Manager to establish a Task Force designed to take a multifunctioning approach to improve the safety of the community. Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**

(9) REQUEST AND ANNOUNCEMENTS

There were none

(10) ADJOURNMENT

** Mayor Pro-Tem Bell made a motion to adjourn the Regular Meeting at 8:04 p.m. Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

DRAFT

CITY OF LA MARQUE, TEXAS

_____
Bobby Hocking, Mayor

ATTEST:

_____
Robin Eldridge, TRMC, City Clerk

DRAFT

CITY OF LA MARQUE
CITY COUNCIL WORKSHOP
MINUTES
of
SEPTEMBER 9, 2019

City Council Regular Meeting Minutes of the City of La Marque City Council held on Monday, September 9, 2019, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Hocking called the Regular Meeting to order at 6: p.m.

(2) ROLL CALL

Bobby Hocking	Mayor
Keith Bell	Mayor Pro-Tem, Councilmember District A
Chris Lane	Councilmember, District B
Robert Michetich	Councilmember, District C
Casey Mc Auliffe	Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson	City Manager
Robin Eldridge	City Clerk
Derra Purnell	City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIENCE

The Council dispensed with an Invocation and Pledge.

(4) CITIZENS PARTICIPATION (Limited to three minutes per person)

Library Director, Amy Miller notified Council that in the 2019-2020 Galveston County Budget there was not an inclusion of support for the Library System. This fund translates to roughly $25,000 a year that the La Marque Public Library will possibly not be receiving. She asked for support in attending the County Commissioners Court on September 10, 2019 to let the Commissioners know how much that money means to the county libraries and what taking it away will do to the program.

(5) NEW BUSINESS

a. Discussion relating to adopting Ordinance No. **O-2019-0017,** making appropriations for the support of the City of La Marque for the fiscal year beginning October 1, 2019 and ending September 30, 2020 appropriating money to a sinking fund to pay interest and principal due on the City's indebtedness; and adopting the annual budget for the City of La Marque 2019-20 fiscal year

There was no discussion.

b. Discussion relating to adopting Ordinance No. **O-2019-0018**, levying ad valorem taxes for use and operation of the municipal government of the City of La Marque, Texas for the 2019 tax year; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid

There was no discussion.

c. Discussion relating to adopting Ordinance No. **O-2019-0019, a**mending Appendix A, Schedule of Fees and Charges of the Code of Ordinances, City of La Marque, Texas by amending prescribed solid waste collection charges

Mayor Pro-Tem Bell had questions regarding page 15 of the agenda packet, particularly the costs associated with replacement trash and recycling carts. Tina Ortiz, Utility Billing Supervisor responded. It was clarified that in the past year those fees have not been imposed. If there is a lost or stolen trash cart the citizen is told to file a report with the La Marque Police Department. Once they have a report number the fees are waived. The only time they would be charges is if they chose not to file the report.

He followed up with questions about damaged carts. Ms. Ortiz assured Council that those are either repaired or replaced by Waste Management which does not come at a cost to the City or a resident.

d. Discussion relating to adopting Ordinance No. **O-2019-0020,** amending Appendix A, Schedule of fees and Charges of the Code of Ordinances, City of La Marque, Texas by amending prescribed water and sewer rates effective with October 2019 billing

There was no discussion.

e. Discussion relating to adopting Ordinance No. **O-2019-0021,** approving a request to re-zone from R-1 Single Family Residential to L-1 Light Industrial a tract of land containing 1.2449 acres (54,226 square-feet), situated in the John D. Moore League, Abstract 150, Galveston County, Texas, being out of Lot 30, Division "H", in Cook and Stewart Subdivision, recorded in Volume 81, Page 526, in the office of the County Clerk of Galveston, Texas being all of a tract of land conveyed to Kurt W. Dohman and Judy B. Dohman by deed recorded under County Clerk's File

No. 2015001297 of the Official Public Records of Galveston County, Texas (Lake Road at Charity)

Councilwoman Mc Auliffe wanted to be sure that letters had been sent out to the required neighboring properties, to which staff confirmed has occurred.

f. Discussion relating to awarding **RFQ #19-01** and approving a contract to ADICO, Inc. for Engineering Services for Proposed Contract Funding for the Community Development Block Grant-Disaster Recovery (CDBG-DR) through the Texas General Land Office for Infrastructure and Acquisition project

There was no discussion.

g. Discussion relating to adopting Resolution No. **R-2019-0023**, authorizing the City Manager of the City of La Marque, Texas, as authorized signatory for contractual documents pertaining to the Texas General Land Office (GLO); Texas Community Development Block Grant-Disaster Recovery (CDBG-DR) Hurricane Harvey DR-4332

There was no discussion.

h. Discussion relating to approving the annual Galveston County Health District Water Pollution Control and Abatement Contract for services provided including City-wide grease trap inspections, Waste Water Treatment inspections, and complaint investigations in the amount of $13,067.00

There was no discussion.

i. Discussion relating to approving the contract for Bid **LM #06-20** to Oriental Building Services, Inc. for janitorial services in the amount of $32,393.88

There was no discussion.

j. Discussion relating to awarding Re-Bid **LM #02-20** and approving a contract to Parrish & Parrish Tractor Service for Lawn Care Maintenance of City Facilities and Parks in the amount of $76,475.00

Mayor Pro-Tem Bell directed his questions to Charlene Warren, Assistant to the City Manager. He has concerns regarding the mowing of the ballfields at Mahan Park. Mrs. Warren stated that it was an “option”, Public Works has been mowing the interior of the fields and the contractors have been mowing the exteriors of the fields and a meeting was scheduled to speak with the contractors the following Thursday.

Mayor Pro-Tem Bell asked if the intent was to continue in this fashion or have the fields cut by the contractors. Mrs. Warren clarified that the intent was to have the contractors mow the exterior of the fields, from the fence line to the parking

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lot. City Manager Jackson interjected to note that the arrangement was in the interest of reducing costs.

k. Discussion relating to adopting Resolution No. **R-2019-0024**, nominating Bruce Clawson to appear on the ballot of the Board of Directors of the Galveston Central Appraisal District for two-year terms, beginning January 1, 2020 through December 31, 2021

There was no discussion.

l. Discussion relating **to** adopting Resolution No. **R-2019-0026** awarding **RFQ #19-02** for Engineering Services to LNV Engineering, and authorize the City Manager to execute a contract with LNV Engineering on Pre-and Post-Award Engineering Services for the Texas Department of Agriculture Downtown Revitalization Grant Program

There was no discussion.

(7) ADJOURNMENT

Councilwoman McAuliffe made a motion to adjourn the Workshop at 6:15 p.m. Mayor Pro-Tem Bell seconded. **WORKSHOP ADJOURNED**.

CITY OF LA MARQUE, TEXAS

_____

Bobby Hocking, Mayor

ATTEST:

_____

Robin Eldridge, TRMC, City Clerk

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CITY OF LA MARQUE
REGULAR CITY COUNCIL
MINUTES
of
AUGUST 12, 2019

City Council Meeting Minutes of the City of La Marque City Council held on Monday, August 12, 2019, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Hocking called the Special Meeting to order at 6:19 p.m.

(2) ROLL CALL

Bobby Hocking	Mayor
Keith Bell	Mayor Pro-Tem, Councilmember District A
Chris Lane	Councilmember, District B
Robert Michetich	Councilmember, District C
Casey Mc Auliffe	Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson	City Manager
Robin Eldridge	City Clerk
Ellis Ortego	City Attorney

(3) PRESENTATIONS/ PROCLAMATIONS/INTRODUCTIONS

a. Introduction and Swearing in of new City Employee – Fire Chief Todd Weidman
Mayor Hocking introduced the new Fire Chief Todd Weidman and welcomed his parents who were viewing the meeting via internet, he then administered his swearing in of his office

b. Proclamation - Fair Housing Month – September
Mayor Hocking read the proclamation for the month of September as Fair Housing Month

c. Employee Recognition – Excellent Customer Service Award (Felicia Ward)
Mayor Hocking presented Felicia Ward with an Excellent Customer Service Award and read an excerpt from a letter submitted into the minutes.

d. La Marque Police Academy Alumni Recognition

All members of the La Marque Police Academy Alumni in attendance were recognized as recipients of the Police Academy Alumni of the Year (2019) for the State of Texas. The award was originally presented in San Marcos earlier this year.

(4) PUBLIC HEARING

a. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-0012,** adopting the revised FEMA floodplain maps as a condition of continued eligibility in the National Flood Insurance Program (NFIP)

Mayor Hocking closed the Regular meeting and opened the Public Hearing at 6:31 p.m.
No one spoke.

Mayor Hocking closed the Public Hearing at 6:34 p.m.

(5) OLD BUSINESS

a. Consider recommendation to adopt Ordinance No. **O-2019-0012,** adopting the revised FEMA floodplain maps as a condition of continued eligibility in the National Flood Insurance Program (NFIP)

** Councilmember Michetich made a motion to adopt Ordinance No. O-2019-0012 on the Second and Final reading.

** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**. *THIS IS THE SECOND AND FINAL READING.*

b. Consider recommendation to adopt Resolution No. **R-2019-0017** amending Resolution R-2014-007 Exhibit "A" on current emergency medical services patient billing and collection policy

** Councilmember Lane made a motion to adopt Resolution No. R-2019-0017.

** Councilmember Michetich seconded.

Mayor Pro-Tem made a motion to amend the resolution that will remove the tool of reporting delinquent accounts of citizens of La Marque to credit agencies.

** Councilwoman Mc Auliffe made a motion on the amendment of Resolution No. R-2019-0017.

** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**

** Councilwoman Mc Auliffe made a motion to adopt Resolution No. R-2019-0017 as amended.

** Councilmember Michetich seconded. *MOTION CARRIED UNANIMOUSLY.*

(6) MINUTES

a. City Council Special Called Meeting Minutes of July 15, 2019

b. City Council Special Called Meeting Minutes of August 5, 2019

** Councilmember Mc Auliffe made a motion to approve the Special Called Meeting Minutes of July 15, 2019 and August 5, 2019.

** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**.

(7) CONSENT AGENDA

a. Consider recommendation to adopt Resolution No. **R-2019-0018**, approving an Emergency Event Policy under Federal Law for the City's Employees

b. Consider recommendation to adopt Resolution No. **R-2019-0019**, approving the continued receipt of bingo prize funds collected after January 1, 2020

c. Consider recommendation to adopt Resolution No. **R-2019-0020**, and approving an Interlocal Agreement to participate in the ESC Region 19 purchasing cooperative program

d. Consider adopting Resolution No. **R-2019-0021**, regarding school campuses within the City of La Marque

e. Consider recommendation to adopt Ordinance No. **O-2019-0013**, establishing City Wide Parks User Fees to be assessed in conjunction with all City Utility accounts; amending Appendix A of the Code of Ordinances, City of La Marque, Texas, to reflect the amount of such user fee
THIS IS THE FIRST READING

f. Consider recommendation to adopt Ordinance No. **O-2019-0015**, establishing the Juvenile Case Manager Fee at $5.00 per conviction, and adding a new part-time Juvenile Case Manager position to the Municipal Court *THIS IS THE FIRST READING*

g. Consider recommendation to void the contract with the La Marque Cougars Youth Organization

h. Consider recommendation to authorize the Mayor to execute an Interlocal Agreement with the County of Galveston for County Road Bond Project City of La Marque street improvements

i. Consider recommendation to approve Change Order No. 1 in the amount of $16,880.00 to increase the original contract price from $792,780.00 to $809,660.00 for a cumulative change of 2.129% to the JTM Construction waterline rehabilitation project

j. Consider recommendation to authorize the Mayor to execute an Interlocal Agreement with Gulf Coast Center for Transit Services, and appointing the City Manager as representative to the Bi-County Transit Evaluation Committee

k. Consider recommendation to authorize the Mayor to execute Standard Utility Agreement (s) with the State of Texas, acting through the Texas Transportation Commission ("State"), and the City of La Marque, ("Utility"), for the I-45 widening projects from South of FM 1764 to North of FM 519

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l. Consider recommendation to approve the Final Plat of FM 1764 Plaza being a subdivision of 1.2114 acres located in the W. K. Wilson League, Abstract No. 208, City of La Marque, Galveston County, Texas (also known as Timewise – Southwest corner of FM 1764 and I-45)

m. Consider recommendation to the approve the Final Plat of Sunset Grove Section One, being a Subdivision of 12.54 acres located in the Stephen F. Austin League No. 4, Abstract-2, Galveston County, Texas, also being a Partial Replat of Lots 13 and 14 of Delany Road Acres Vol. 18, PG 760, G.C.M.R. (East of Delany Rd; South of FM 1765)

n. Consider recommendation to adopt the 2019-2020 City Council Vision and Goals

o. Consider recommendation to ratify City Manager's approval of expenditures in the amount of $43,270.00 to Texas Pride Utilities, LLC for costs associated with emergency sanitary sewer rehabilitation project for the Layman Street/ Patricia Drive area

p. Consider recommendation to award **RFP #19-06** to A to Z Fence Company in the amount of $42,415 for the installation of fencing at 401 Laurel

q. Consider recommendation to award Bid **LM #01-20** to DXI Industries for Liquid Chlorine, Calcium Hypochlorite & Sulfur Dioxide in the amount of $44,807.00

r. Consider recommendation to award Bid **LM #03-20** Cold Mix Cold Lay to Century Asphalt in the amount of $32,200.00

s. Consider recommendation to award Bid **LM #05-20** to Evoqua Water Technologies, LLC for Odor and Corrosion Control in the amount of $175,320.00

t. Consider recommendation to award Bid **LM #06-20** to Oriental Building Services, Inc. for janitorial services in the amount of $32,393.88

** Councilmember Lane made a motion to approve the Consent Agenda.

** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**.

(8) EXECUTIVE SESSION

There was no Executive Session.

(9) REQUEST AND ANNOUNCEMENTS

Mayor Hocking announced that former Fire Chief Robert "Bob" Doolittle recently passed away and reported his service information and also announced that a firetruck is named after him. Condolences were sent to his family.

** Councilmember Lane made a motion to adjourn the Regular Meeting at 6:34 p.m. Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

CITY OF LA MARQUE, TEXAS

_____
Bobby Hocking, Mayor

_____
Robin Eldridge, TRMC, City Clerk

DRAFT

CITY OF LA MARQUE
CITY COUNCIL WORKSHOP
MINUTES
of
AUGUST 12, 2019

City Council Regular Meeting Minutes of the City of La Marque City Council held on Monday, August 12, 2019, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER
Mayor Hocking called the Regular Meeting to order at 6:02 p.m.

(2) ROLL CALL

Bobby Hocking	Mayor
Keith Bell	Mayor Pro-Tem, Councilmember District A
Chris Lane	Councilmember, District B
Robert Michetich	Councilmember, District C
Casey Mc Auliffe	Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson	City Manager
Robin Eldridge	City Clerk
Ellis Ortego	City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIENCE
Mayor Pro-Tem Bell provided the Invocation and led the Pledge of Allegiance

(4) CITIZENS PARTICIPATION
There were none

(5) OLD BUSINESS

a. Discussion relating to adopting Resolution No. **R-2019-0017,** amending Resolution R-2014-007, (Exhibit "A") on current emergency medical services billing and collection policy ***THIS ITEM WAS TABLED FROM THE SPECIAL MEETING HELD ON JULY 15, 2019***

Mayor Pro-Tem Bell clarified the new agenda process, which allows citizens to have more participation and interact with Council and staff. Then began to

discuss his concerns on delinquent accounts being sent to credit agencies (credit reports). The idea is to make this new policy less restrictive and place the burden on those non-citizens, rather than with citizens. A review with surrounding cities and their best practices will be sought and brought back before Council before finalizing a new policy. (Ordinance)

(6) NEW BUSINESS

a. Discussion relating to adopting Resolution No. **R-2019-0018**, approving an Emergency Event Policy under Federal Law for the City's Employees.
There was no discussion.

b. Discussion relating to adopting Resolution No. **R-2019-0019**, approving the continued receipt of bingo prize funds collected after January 1, 2020.
There was no discussion.

c. Discussion relating to adopting Resolution No. **R-2019-0020**, and approving an Interlocal Agreement to participate in the ESC Region 19 purchasing cooperative program.
A brief discussion included that this is another buyer's pool similar to the buyback program used by municipalities, offering additional savings when purchasing certain items.

d. Discussion relating to adopting Ordinance No. **O-2019-0013**, establishing City Wide Parks User Fees to be assessed in conjunction with all City Utility accounts; amending Appendix A, by adding Chapter 4 of the Code of Ordinances, City of La Marque, Texas, to reflect the amount of such user fee.
THIS IS THE FIRST READING
There was no discussion.

e. Discussion relating to adopting Ordinance No. **O-2019-0015**, establishing the Juvenile Case Manager Fee of $5.00 per conviction, and adding a new part-time Juvenile Case Manager position to the Municipal Court
Mayor Pro- Tem Bell asked about whether this position would include or be designed to be a position that would be an "advocate" to juveniles; it was asked for this to be included in the ordinance. He asked that this be a bullet point, and clarify that not as an attorney.

f. Discussion relating to voiding of contract with the La Marque Cougars Youth Organization. There was no discussion.

g. Discussion relating to authorizing Mayor to execute an Interlocal Agreement with the County of Galveston for County Road Bond Project City of La Marque street improvements. There was no discussion.

h. Discussion relating to the approval of Change Order No. 1 in the amount of $16,880.00 to increase the original contract price from $792,780.00 to

$809,660.00 for a cumulative change of 2.129% to the JTM Construction waterline rehabilitation project. There was no discussion.

i. Discussion relating to authorizing the Mayor to execute an Interlocal Agreement with Gulf Coast Center for Transit Services, and appointing the City Manager as representative to the Bi-County Transit Evaluation Committee. It was asked whether this meeting could be attended by Councilmembers, to which it is a posted meeting and that members of Council were welcome to attend.

j. Discussion relating to authorizing the Mayor to execute Standard Utility Agreement (s) with the State of Texas, acting through the Texas Transportation Commission ("State"), and the City of La Marque, ("Utility"), for the I-45 widening projects from South of FM 1764 to North of FM 519. There was no discussion.

k. Discussion relating to the approval of the Final Plat of FM 1764 Plaza being a subdivision of 1.2114 acres located in the W. K. Wilson League, Abstract No. 208, City of La Marque, Galveston County, Texas (also known as Timewise – Southwest corner of FM 1764 and I-45) There was no discussion.

l. Discussion relating to the approval of the Final Plat of Sunset Grove Section One, being a Subdivision of 12.54 acres located in the Stephen F. Austin League No. 4, Abstract-2, Galveston County, Texas, also being a Partial Replat of Lots 13 and 14 of Delany Road Acres Vol. 18, PG 760, G.C.M.R. (East of Delany Rd; South of FM 1765). There was no discussion.

m. Discussion relating to ratifying City Manager's approval of expenditures in the amount of $43,270.00 to Texas Pride Utilities, LLC for costs associated with emergency sanitary sewer rehabilitation project for the Layman Street/ Patricia Drive area. There was no discussion.

n. Discussion relating to adopting the 2019-2020 City Council Vision and Goals. There was no discussion.

(7) ADJOURNMENT

Councilmember Lane made a motion to adjourn the Workshop at 6:19 p.m. Councilmember Michetich seconded. **WORKSHOP ADJOURNED**.

CITY OF LA MARQUE, TEXAS

_____

Bobby Hocking, Mayor

ATTEST:

_____

Robin Eldridge, TRMC, City Clerk

CITY COUNCIL AGENDA FORM

Meeting Date: October 14, 2019 | Agenda item: **6a**
Prepared by: Sussie Sutton | Reviewed by: *Charlene Warren/ Charles Jackson*
Department: Development Services

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Ordinance No. **O-2019-0021**, changing the zoning classification from (R-1) Single Family Residential to (L-1) Light Industrial a tract of land containing 1.2449 acres (54,226 square-feet), situated in the John D. Moore League, Abstract 150, Galveston County, Texas, being out of Lot 30, Division "H", in Cook and Stewart Subdivision, recorded in Volume 81, Page 526, in the Office of the County Clerk of Galveston, Texas being all of a tract of land conveyed to Kurt W. Dohman and Judy B. Dohman by deed recorded under County Clerk's File No. 2015001297 of the Official Public Records of Galveston County, Texas (Lake Road at Charity), as recommended by the Planning and Zoning Commission *THIS IS THE SECOND AND FINAL READING*

X

ATTACHMENTS FOR REFERENCE

1. Ordinance/Exhibit A
2. P&Z Recommendation Letter
3. Site Plan
4. Zoning Map
5. City Planning Letter
6. Application

STAFF BRIEFING:

- Staff received request from Beau Yarbrough for a pre-development meeting
- It was agreed that the appropriate zone for this project would be Light Industrial (L-1)
- Request for re-zone was submitted to Planning and Zoning Commission for consideration
- On August 13, 2019, Planning and Zoning Commission considered and is forwarded to Council with a favorable recommendation
- On September 9, 2019, City Council approved the rezone on the First reading of Ordinance

HISTORY: N/A

TARGET IMPLEMENTATION: After approval of a proposed ordinance on a First Reading, and conducting a Public Hearing and an approval of the ordinance on the Second and Final Reading

SIGNIFICANT ACTION DATES:

5/14/19 – Pre-Development Meeting with applicants
8/13/19 - P&Z considered and approved re-zone to Light Industrial (L-1)

CITY COUNCIL AGENDA FORM

9/9/19 – City Council approved re-zone Ordinance on the First reading

ACTION:

☒ Ordinance ☐ Resolution
☐ Special Presentation ☐ Proclamation
☐ Finance Report ☐ Public Hearing
☐ Other
☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

Cost Details:	
Budgeted	N/A
Actual Bid	N/A
Estimated Expenditure	N/A
Acct. Name(s)	N/A
Line Items #	N/A
Other Funding	N/A

STAFF'S RECOMMENDATION: Recommend to adopt Ordinance No. **O-2019-0021,** changing the zoning classification from (R-1) Single Family Residential to (L-1) Light Industrial a tract of land containing 1.2449 acres (54,226 square-feet), situated in the John D. Moore League, Abstract 150, Galveston County, Texas, being out of Lot 30, Division "H", in Cook and Stewart Subdivision, recorded in Volume 81, Page 526, in the Office of the County Clerk of Galveston, Texas being all of a tract of land conveyed to Kurt W. Dohman and Judy B. Dohman by deed recorded under County Clerk's File No. 2015001297 of the Official Public Records of Galveston County, Texas (Lake Road at Charity), as recommended by the Planning and Zoning Commission *THIS IS THE SECOND AND FINAL READING*

FISCAL IMPACT: This owner is moving his company from League City to the City of La Marque which will bring sales tax dollars to our general fund. Additionally, they will be providing job positions. This means these employees will be eating and spending cash in La Marque.

ORDINANCE NO. O-2019-0021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, CHANGING THE ZONING CLASSIFICATION FROM R-1 SINGLE FAMILY RESIDENTIAL TO L-1 LIGHT INDUSTRIAL, FOR A TRACT OF LAND CONTAINING 1.2449 ACRES (54,226 SQUARE FEET), SITUATED IN THE JOHN D. MOORE LEAGUE, ABSTRACT 150, GALVESTON COUNTY, TEXAS, BEING OUT OF LOT 30, DIVISION "H", IN COOK AND STEWART SUBDIVSION, RECORDED IN VOLUME 81, PAGE 526, IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS BEING ALL OF A TRACT OF LAND CONVEYED TO KURT W. DOHMAN AND JUDY B. DOHMAN BY DEED RECORDED UNDER COUNTY CLERK'S FILE NO. 2015001297 OF THE OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY, TEXAS.

WHEREAS, Kurt Dohman is the owner of the property at Lake Road known as Lot 30, Division "H", in Cook and Stewart Subdivision as described in Exhibit "A" attached hereto and made a part hereof for all purposes; and

WHEREAS, the Property presently has a zoning classification of R-1 Single Family Residential under Chapter 71: Zoning of the Code of ordinances of the City of La Marque; and

WHEREAS, the applicant has made application to the City to change such zoning classification of said property from R-1 Single Family Residential as authorized by the City's Zoning Ordinance; and

WHEREAS, the Property described as Lake Road known as Lot 30, Division "H", in Cook and Stewart Subdivision as described in Exhibit "A" attached hereto and made a part hereof for all purposes presently has a zoning classification of R-1 Single Family Residential under Chapter 71: Zoning of the Code of ordinances of the City of La Marque; and

WHEREAS, City Staff has made recommendation to the City to change such zoning of such property, described in Exhibit "A" attached hereto and made a part hereof for all purposes from R-1, Single Family Residential to L-1 Light Industrial as authorized by the City's Zoning Ordinance; and

WHEREAS, the City Council of the City has conducted, in time and manner and after the notice required by law and Chapter 71: Zone of the Code of Ordinances of the City of La Marque, a public hearing on such request in classification; and

WHEREAS, the City Council now deems it appropriate to grant such requested change in classification;

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

Section 1. The facts and the matters set forth in the preamble on this Ordinance are hereby found to be true and correct.

Section 2. The zoning classification of the certain tracts of land out of Lot 30, Division "H", in Cook and Stewart Subdivision as described in Exhibit "A" is hereby changed from R-1, Single Family Residential to L-1, Light Industrial as authorized by the Chapter 71: Zoning of the Code of Ordinances of the City of La Marque.

Section 3. The zoning map of the City, adopted on the 12th day of December, 2005 by ordinance number 953, shall be revised and amended to show the zoning reclassification of said tract of land as provided in section 2 hereof, with the appropriate reference to the number and effective date of this Ordinance and brief description of the nature of the change.

Section 4. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the change in zoning classification of the tract described in section 2 hereof.

Section 5. 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 count of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or the provision hereof other than the part declared to be invalid or unconstitutional; and the City council of the City of La Marque, 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.

PASSED AND APPROVED by the City Council of the City of La Marque, Texas, on the First reading this the **9th** day of **September, 2019**.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque, Texas, on the Second and Final reading this the _____ day of _____, 2019.

CITY OF LA MARQUE, TEXAS

_____
Bobby Hocking, Mayor

ATTEST:

_____
Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

_____
Derra Purnell
Acting City Attorney

DESCRIPTION OF A TRACT OF LAND CONTAINING 1.2449 ACRES (54,226 SQUARE FEET) SITUATED IN THE JOHN D. MOORE LEAGUE, ABSTRACT 150 GALVESTON COUNTY, TEXAS

Being a tract of land containing 1.2449 acres (54,226 square feet), situated in the John D. Moore League, Abstract 150, Galveston County, Texas, being out of Lot 30, Division "H", in Cook and Stewart Subdivision, recorded in Volume 81, Page 526, in the Office of the County Clerk of Galveston County, Texas, being all of a tract of land conveyed to Kurt W. Dohman and Judy B. Dohman by deed recorded under County Clerk's File No. 2015001297 of the Official Public Records of Galveston County, Texas. Said 1.2449-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at the northeast corner of said Lot 30;

THENCE South 02° 41' 52" East, along the east line of said Lot 30 a distance of 170.00 feet to a found 3/8-inch iron rod with cap marked "5247" in the south right-of-way line of Charity Street (50 feet wide) and being in the west line of Wentzel Addition, a subdivision plat recorded in Volume 9, Page 56A of the Map Records of Galveston County, Texas, for the POINT OF BEGINNING and the northeast corner of the said tract herein described;

THENCE continuing South 02° 41' 52" East, along the east line of said Lot 30 and the west line of said Wentzel Addition, a distance of 190.00 feet to a found 3/8-inch iron rod with cap marked "5247" in the north right-of-way line of Faith Street (50 feet wide) for the southeast corner of the said tract herein described;

THENCE South 88° 04' 55" West, along the north right-of-way line of said Faith Street a distance of 285.40 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" at the intersection of said north right-of-way line with the east right-of-way line of Lake Road (60 feet wide) for the southwest corner of the said tract herein described;

THENCE North 02° 41' 52" West, along the east right-of-way of said Lake Road, a distance of 190.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" at the intersection of said east right-of-way line with the south right-of-way line of Charity Street for the northwest corner of the said tract herein described;

THENCE South 88° 04' 55" West, along the south right-of-way line of Charity Street, a distance of 285.40 feet to the POINT OF BEGINNING and containing 1.2449 acres (54,226 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 90758-00) dated June 12, 2019, job number 6-73905-19.

STATE OF TEXAS
REGISTERED
RICHARD FUSSELL
4148
PROFESSIONAL
LAND SURVEYOR

Survey 1, Inc.
Your Land Survey Company

www.survey1inc.com | survey1@survey1inc.com | P.O. Box 2543 | Alvin, TX 77512 | (281)393-1382 | June 12, 2019

August 13, 2019

Mayor and City Council
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

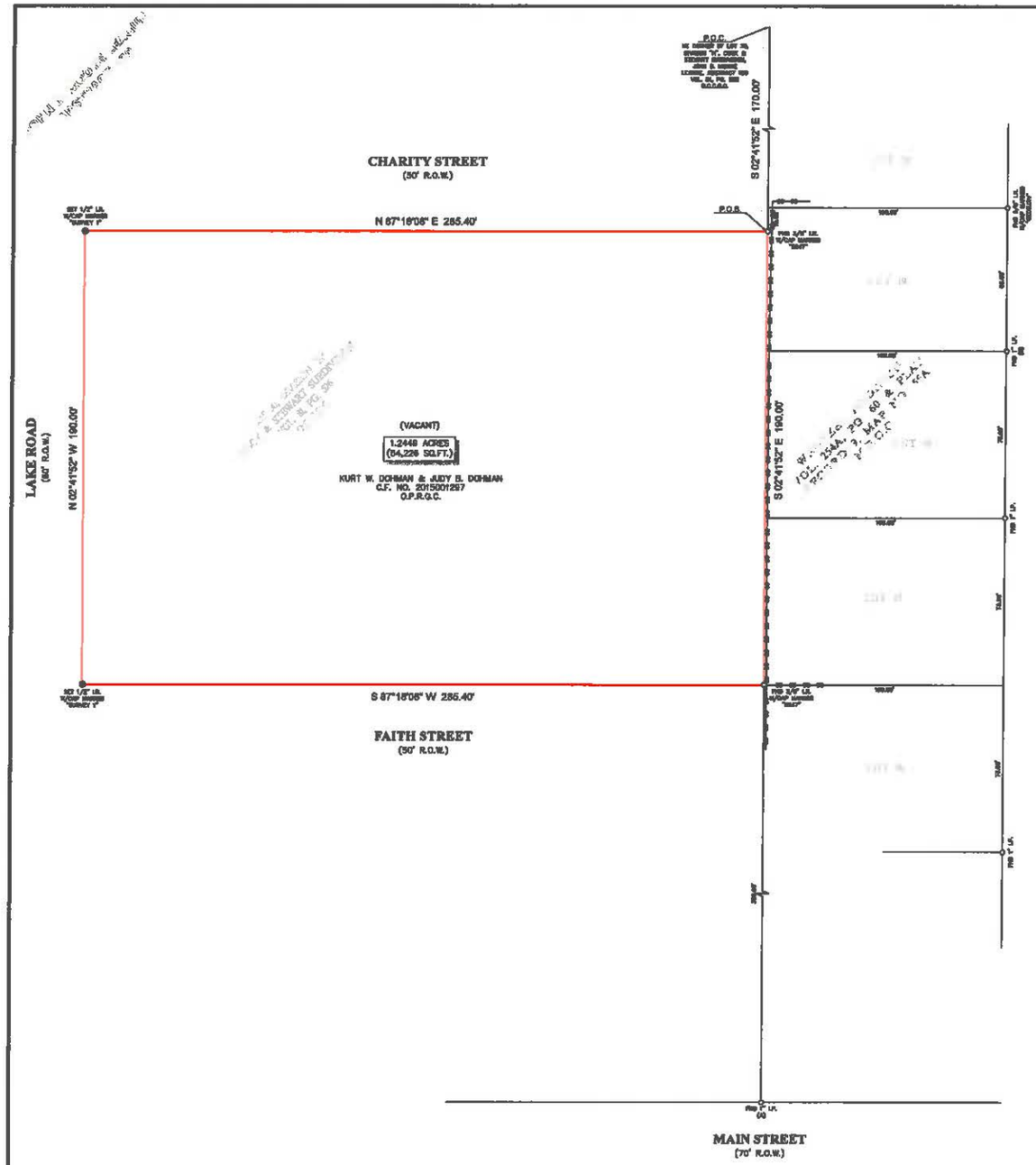
Dear Mayor and City Council:

On August 13, 2019, the Planning and Zoning Commission considered a request to re-zone from R-1 Single Family Residential to L-1 Light Industrial a tract of land containing 1.2449 acres (54,226 square-feet), situated in the John D. Moore League, Abstract 150, Galveston County, Texas, being out of Lot 30, Division "H", in Cook and Stewart Subdivision, recorded in Volume 81, Page 526, in the office of the County Clerk of Galveston, Texas being all of a tract of land conveyed to Kurt W. Dohman and Judy B. Dohman by deed recorded under County Clerk's File No. 2015001297of the Official Public Records of Galveston County, Texas. (Lake Road at Charity)

By unanimous vote, Planning and Zoning Commission recommended forwarding a favorable recommendation to City Council.

Thank you,

_____
Greg Cornett, Vice Chair
Planning and Zoning Commission



SCALE 1"=30'

DESCRIPTION OF A TRACT OF LAND CONTAINING
1.2449 ACRES (54,226 SQUARE FEET) SITUATED
IN THE JOHN D. MOORE LEAGUE, ABSTRACT 150
GALVESTON COUNTY, TEXAS

BEING A TRACT OF LAND CONTAINING 1.2449 ACRES (54,226 SQUARE FEET), SITUATED IN THE JOHN D. MOORE LEAGUE, ABS TRACT 150, GALVESTON COUNTY, TEXAS, BEING OUT OF LOT 30, DIVISION "H", IN COOK AND STEWART SUBDIVISION, RECORDED IN VOLUME 81, PAGE 526, IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS, BEING ALL OF A TRACT OF LAND CONVEYED TO KURT W. DOHMAN AND JUDY B. DOHMAN BY DEED RECORDED UNDER COUNTY CLERK'S FILE NO. 2015001297 OF THE OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY, TEXAS. SAID 1.2449-ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 30;
THENCE SOUTH 02° 41' 52" EAST, ALONG THE EAST LINE OF SAID LOT 30 A DISTANCE OF 170.00 FEET TO A FOUND 3/8-INCH IRON ROD WITH CAP MARKED "5247" IN THE SOUTH RIGHT-OF-WAY LINE OF CHARITY STREET (50 FEET WIDE) AND BEING IN THE WEST LINE OF WENTZEL ADDITION, A SUBDIVISION PLAT RECORDED IN VOLUME 9, PAGE 56A OF THE MAP RECORDS OF GALVESTON COUNTY, TEXAS, FOR THE POINT OF BEGINNING AND THE NORTHEAST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE CONTINUING SOUTH 02° 41' 52" EAST, ALONG THE EAST LINE OF SAID LOT 30 AND THE WEST LINE OF SAID WENTZEL ADDITION, A DISTANCE OF 190.00 FEET TO A FOUND 3/8-INCH IRON ROD WITH CAP MARKED "5247" IN THE NORTH RIGHT-OF-WAY LINE OF FAITH STREET (50 FEET WIDE) FOR THE SOUTHEAST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE SOUTH 88° 04' 55" WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID FAITH STREET A DISTANCE OF 285.40 FEET TO A SET 1/2-INCH IRON ROD WITH CAP MARKED "SURVEY 1" AT THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE WITH THE EAST RIGHT-OF-WAY LINE OF LAKE ROAD (50 FEET WIDE) FOR THE SOUTHWEST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE NORTH 02° 41' 52" WEST, ALONG THE EAST RIGHT-OF-WAY OF SAID LAKE ROAD, A DISTANCE OF 190.00 FEET TO A SET 1/2-INCH IRON ROD WITH CAP MARKED "SURVEY 1" AT THE INTERSECTION OF SAID EAST RIGHT-OF-WAY LINE WITH THE SOUTH RIGHT-OF-WAY LINE OF CHARITY STREET FOR THE NORTHWEST CORNER OF THE SAID TRACT HEREIN DESCRIBED;

THENCE SOUTH 88° 04' 55" WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF CHARITY STREET, A DISTANCE OF 285.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.2449 ACRES (54,226 SQUARE FEET), MORE OR LESS.

NOTES:

1. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE 4204, NAD 83, FOOTS (U) AND (S) WERE HELD FOR HORIZONTAL CONTROL.
2. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF INFORMATION CONTAINED IN A TITLE REPORT FOR THE PROPERTY OF THE OWNER.
3. THIS SURVEYOR CERTIFIES TO THE OWNER FOR THE TRANSACTION HERE, IT IS NOT RESPONSIBLE FOR ADDITIONS, DEPARTURES OR EASEMENT OWNERS.
4. ALL EASEMENTS AND BUILDING LINES SHOWN ARE PER THE RECORDED PLAT UNLESS OTHERWISE NOTED.
5. THERE ARE NO VISIBLE STRUCTURES OR SUBJECT PROPERTY.

LEGEND

FENCE
CHAIN LINK

LEGAL DESCRIPTION: A TRACT OF LAND CONTAINING 1.2449 ACRES (54,226 SQUARE FEET), SITUATED IN THE JOHN D. MOORE LEAGUE, ABSTRACT 150, GALVESTON COUNTY, TEXAS, BEING OUT OF LOT 30, DIVISION "H", IN COOK AND STEWART SUBDIVISION, RECORDED IN VOLUME 81, PAGE 526, IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS. SAID TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS.

STATE OF TEXAS
REGISTERED
RICHARD H. SOELL
4240
PROFESSIONAL
LAND SURVEYOR

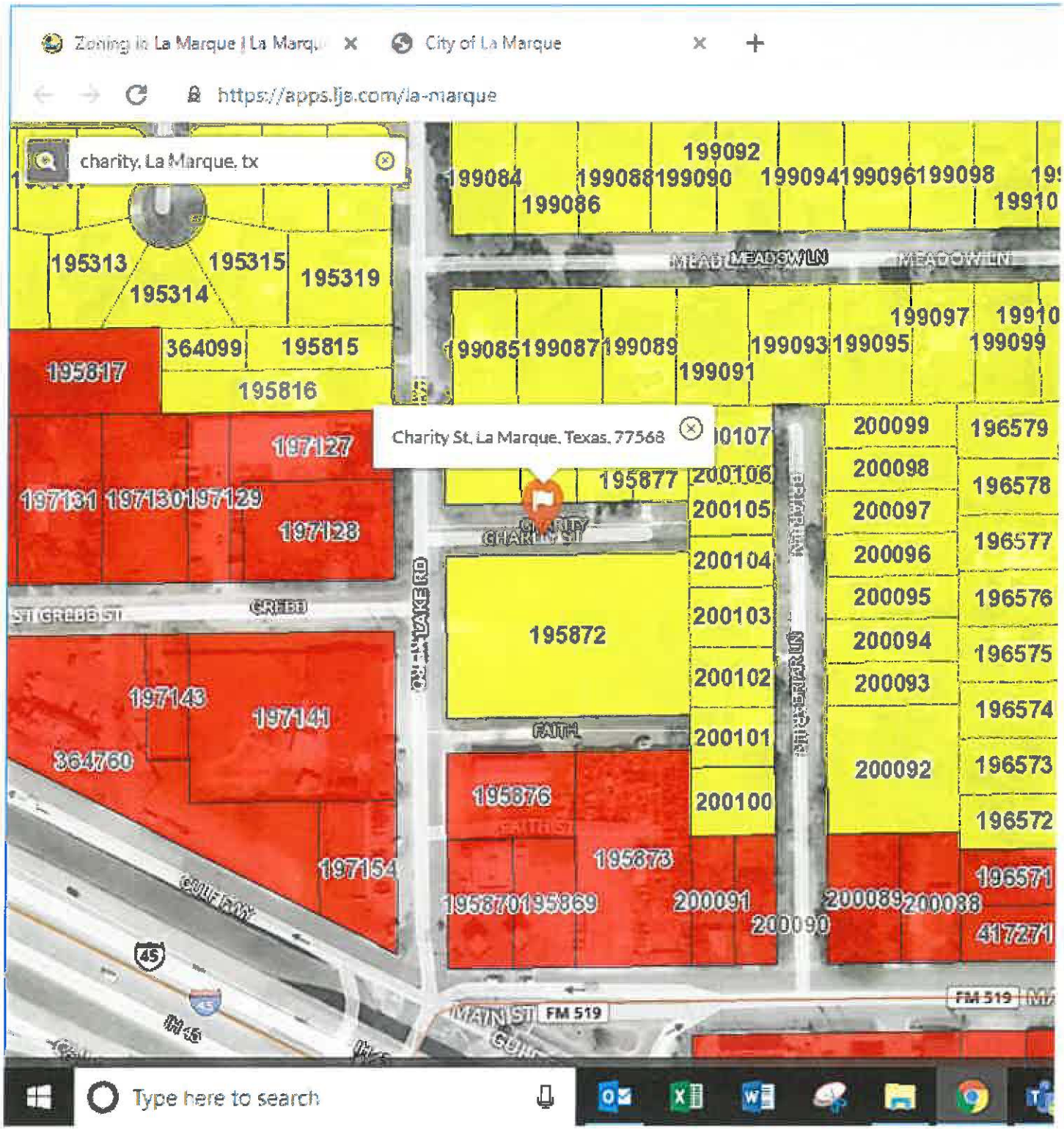
SURVEYOR'S CERTIFICATE:
I HEREBY CERTIFY TO THE PARTIES SHOWN, THAT THIS PLAT REPRESENTS THE PROPERTY AS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADWAYS, AND THAT THERE ARE NO ENCROACHMENTS ON THE PROPERTY, EXCEPT AS SHOWN HEREON.

RICHARD H. SOELL
REGISTERED PROFESSIONAL LAND SURVEYOR

CLIENT:	DOHMAN
ADDRESS:	LAKE ROAD
www.survey1inc.com survey1@survey1inc.com	
Survey 1, Inc. Your Land Survey Company Firm Registration No. 100728-00 P.O. Box 2942 | Alvin, TX 77512 | (281)333-1383	
FIELD CREW: JJ	TECH: RK
DRAWN BY: RK	FINAL CHECK: SF
DATE: JUNE 12, 2019	
JOB #: 6-73905-19	

Sussie Sutton

From: Sussie Sutton
Sent: Thursday, August 1, 2019 12:53 PM
To: Sussie Sutton
Subject: PID# 195872 Lake at Charity Re-Zone Request



stewart title

Real partners. Real possibilities.

June 10, 2019

File No.: 447002
Title Insurance Commitment and Title Data, Inc.

Dear Customer:

The attached title insurance commitment contains information which has been obtained or derived from records and information owned by Title Data, Inc. or one of its subsidiaries (collectively "Title Data"). Title Data owns and maintains land title plants for various Texas counties. Title Data created its title plants through the investment of extensive time, labor, skill and money. **The information contained in the title plants is protected by federal copyright law and Texas common law on trade secrets and contract.**

Title Data has granted our company a license to use one or more of its title plants. Our company's right to access and use Title Data's title plants is governed by our contract with Title Data. Our contract with Title Data restricts who can receive and/or use a title insurance commitment which is based, in whole or in part, upon Title Data's records and information.

Under the terms of our contract with Title Data, we are permitted to provide you with the attached title insurance commitment **for limited use and distribution only**. Specifically, you are sublicensed to deliver, exhibit, or furnish the attached title insurance commitment (or any copies thereof) **ONLY** to your bona fide employees and a third party who is playing a bona fide role in this proposed real estate transaction, including a lawyer, a lender, a surveyor, a real estate broker or agent, and the parties to this proposed transaction.

For purposes of our agreement with Title Data, "deliver, exhibit, or furnish" includes, without limitation, copying this title insurance commitment (whether such copying be by means of a photocopier, facsimile machine, another electronic scanning device, or any other method of reproduction) and providing such copy to any third party.

Your furnishing of the attached title insurance commitment to anyone not specifically enumerated above is not permitted by our contract with Title Data and constitutes a breach of our sublicense to you. Your furnishing of the attached title insurance commitment to anyone not specifically enumerated above is also a violation of federal copyright law and Texas common law.

Therefore, as an express condition of us providing you with the attached title insurance commitment, you specifically agree to limit its uses to those set forth herein, and to provide a copy of this letter to any party to whom you deliver, exhibit, or furnish the attached title insurance commitment (or any copies thereof).

In the event you are unable or unwilling to comply with these conditions, immediately return the attached title insurance commitment to our company, without reviewing, copying or otherwise utilizing in any way the information contained therein.

A COPY OF THIS LETTER MUST ACCOMPANY THE ATTACHED TITLE INSURANCE COMMITMENT AT ALL TIMES. ALL DOWNSTREAM RECIPIENTS MUST PROVIDE A COPY OF THIS LETTER TO ANY OTHER AUTHORIZED USERS OF THE ATTACHED TITLE INSURANCE COMMITMENT.

Thank you for your business.

Sincerely,
Stewart Title Company

Debbie Self

Stewart Title Company
905 Logan
Texas City, TX 77590
(409) 948-1771 main (409) 948-6704 fax
debbie.self@stewart.com

stewart title

COMMITMENT FOR TITLE INSURANCE

ISSUED BY
STEWART TITLE GUARANTY COMPANY

THE FOLLOWING COMMITMENT FOR TITLE INSURANCE IS NOT VALID UNLESS YOUR NAME AND THE POLICY AMOUNT ARE SHOWN IN SCHEDULE A, AND OUR AUTHORIZED REPRESENTATIVE HAS COUNTERSIGNED BELOW.

We, STEWART TITLE GUARANTY COMPANY, will issue our title insurance policy or policies (the Policy) to You (the proposed insured) upon payment of the premium and other charges due, and compliance with the requirements in Schedule C. Our Policy will be in the form approved by the Texas Department of Insurance at the date of issuance, and will insure your interest in the land described in Schedule A. The estimated premium for our Policy and applicable endorsements is shown on Schedule D. There may be additional charges such as recording fees, and expedited delivery expenses.

This Commitment ends ninety (90) days from the effective date, unless the Policy is issued sooner, or failure to issue the Policy is our fault. Our liability and obligations to you are under the express terms of this Commitment and end when this Commitment expires.

In Witness Whereof, the Company has caused this commitment to be signed and sealed as of the effective date of commitment as shown in Schedule A, the commitment to become valid and binding only when countersigned by an authorized signatory.

Stewart Title Company
905 Logan
Texas City, TX 77590

STEWART TITLE GUARANTY COMPANY INCORPORATED 1908 TEXAS

Matt Morris
President and CEO

Denise Carraux
Secretary

For purposes of this form the "Stewart Title" logo featured above is the represented logo for the underwriter, Stewart Title Guaranty Company.

CONDITIONS AND STIPULATIONS

1. If you have actual knowledge of any matter which may affect the title or mortgage covered by this Commitment, that is not shown in Schedule B, you must notify us in writing,. If you do not notify us in writing, our liability to you is ended or reduced to the extent that your failure to notify us affects our liability. If you do notify us, or we learn of such matter, we may amend Schedule B, but we will not be relieved of liability already incurred.

2. Our liability is only to you, and others who are included in the definition of Insured in the Policy to be issued. Our liability is only for actual loss incurred in your reliance on this Commitment to comply with its requirements or to acquire the interest in the land. Our liability is limited to the amount shown in Schedule A of this Commitment and will be subject to the following terms of the Policy: Insuring Provisions, Conditions and Stipulations, and Exclusions.

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252-2029.

STEWART TITLE GUARANTY COMPANY

IMPORTANT INFORMATION	AVISO IMPORTANTE
FOR INFORMATION, OR TO MAKE A COMPLAINT CALL OUR TOLL-FREE TELE- PHONE NUMBER 1-800-729-1902 ALSO YOU MAY CONTACT THE TEXAS DEPARTMENT OF INSURANCE AT 1-800-252-3439	PARA INFORMACION, O PARA SOMETER UNA QUEJA LLAME AL NUMERO GRATIS 1-800-729-1902 TAMBIEN PUEDE COMUNICARSE CON EL DEPARTAMENTO DE SEGUROS DE TEXAS AL 1-800-252-3439
to obtain information on: 1. filing a complaint against an insurance company or agent, 2. whether an insurance company or agent is licensed, 3. complaints received against an insurance company or agent. 4. policyholder rights, and 5. a list of consumer publications and services available through the Department.	para obtener informacion sobre: 1. como someter una queja en contra de una compania de seguros o agente de seguros, 2. si una compania de seguros o agente de seguros tiene licencia, 3. quejas recibidas en contra de una compania de seguros o agente de seguros, 4. los derechos del asegurado, y 5. una lista de publicaciones y servicios para consumidores disponibles a traves del Departamento.
YOU MAY ALSO WRITE TO THE TEXAS DEPARTMENT OF INSURANCE P.O. BOX 149104 AUSTIN, TEXAS 78714-9104 FAX NO. (512) 490-1007	TAMBIEN PUEDE ESCRIBIR AL DEPARTAMENTO DE SEGUROS DE TEXAS P.O. BOX 149104 AUSTIN, TEXAS 78714-9104 FAX NO. (512) 490-1007

TEXAS TITLE INSURANCE INFORMATION

Title insurance insures you against loss resulting from certain risks to your title. The commitment for Title Insurance is the title insurance company's promise to issue the title insurance policy. The commitment is a legal document. You should review it carefully to completely understand it before your closing date.	El seguro de titulo le asegura en relacion a perdidas resultantes de ciertos riesgos que pueden afectar el titulo de su propiedad. El Compromiso para Seguro de Titulo es la promesa de la compania aseguradora de titulos de emitir la poliza de seguro de titulo. El Compromiso es un documento legal. Usted debe leerlo cuidadosamente y entenderlo completamente antes de la fecha para finalizar su transaccion.

Your commitment for Title Insurance is a legal contract between you and us. The Commitment is not an opinion or report of your title. It is a contract to issue you a policy subject to the Commitment's terms and requirements.

Before issuing a Commitment for Title Insurance (the Commitment) or a Title Insurance Policy (the Policy), the title insurance Company (the Company) determines whether the title is insurable. This determination has already been made. Part of that determination involves the Company's decision to insure the title except for certain risks that will not be covered by the Policy. Some of these risks are listed in Schedule B of the attached Commitment as Exceptions. Other risks are stated in the Policy as Exclusions. These risks will not be covered by the Policy. The Policy is not an abstract of title nor does a Company have an obligation to determine the ownership of any mineral interest.

MINERALS AND MINERAL RIGHTS may not be covered by the Policy. The Company may be unwilling to insure title unless there is an exclusion or an exception as to Minerals and Mineral Rights in the Policy. Optional endorsements insuring certain risks involving minerals, and the use of improvements (excluding lawns, shrubbery and trees) and permanent buildings may be available for purchase. If the title insurer issues the title policy with an exclusion or exception to the minerals and mineral rights, neither this Policy, nor the optional endorsements, ensure that the purchaser has title to the mineral rights related to the surface estate.

Another part of the determination involves whether the promise to insure is conditioned upon certain requirements being met. Schedule C of the Commitment lists these requirements that must be satisfied or the Company will refuse to cover them. You may want to discuss any matters shown in Schedules B and C of the Commitment with an attorney. These matters will affect your title and your use of the land.

When your Policy is issued, the coverage will be limited by the Policy's Exceptions, Exclusions and Conditions, defined below.

- EXCEPTIONS are title risks that a Policy generally covers but does not cover in a particular instance. Exceptions are shown on Schedule B or discussed in Schedule C of the Commitment. They can also be added if you do not comply with the Conditions section of the Commitment. When the Policy is issued, all Exceptions will be on Schedule B of the Policy.
- EXCLUSIONS are title risks that a Policy generally does not cover. Exclusions are contained in the Policy but not shown or discussed in the Commitment.
- CONDITIONS are additional provisions that qualify or limit your coverage. Conditions include your responsibilities and those of the Company. They are contained in the Policy but not shown or discussed in the Commitment. The Policy Conditions are not the same as the Commitment Conditions.

You can get a copy of the policy form approved by the Texas Department of Insurance by calling the Title Insurance Company at 1-800-729-1902 or by calling the title insurance agent that issued the Commitment. The Texas Department of Insurance may revise the policy form from time to time.

You can also get a brochure that explains the policy from the Texas Department of Insurance by calling 1-800-252-3439.

Before the Policy is issued, you may request changes in the Policy. Some of the changes to consider are:

- Request amendment of the "area and boundary" exception (Schedule B, paragraph 2). To get this amendment, you must furnish a survey and comply with other requirements of the Company. On the Owner's Policy, you must pay an additional premium for the amendment. If the survey is acceptable to the Company and if the Company's other requirements are met, your Policy will insure you against loss because of discrepancies or conflicts in boundary lines, encroachments or protrusions, or overlapping of improvements. The Company may then decide not to insure against specific boundary or survey problems by making special exceptions in the Policy. Whether or not you request amendment of the "area and boundary" exception, you should determine whether you want to purchase and review a survey if a survey is not being provided to you.
- Allow the Company to add an exception to "rights of parties in possession". If you refuse this exception, the Company or the title insurance agent may inspect the property. The Company may except to and not insure you against the rights of specific persons, such as renters, adverse owners or easement holders who occupy the land. The Company may charge you for the inspection. If you want to make your own inspection, you must sign a Waiver of Inspection form and allow the Company to add this exception to your Policy.

The entire premium for a Policy must be paid when the Policy is issued. You will not owe any additional premiums unless you want to increase your coverage at a later date and the Company agrees to add an Increased Value Endorsement.

COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

ISSUED BY
STEWART TITLE GUARANTY COMPANY

File No.: 447002	Effective Date: June 9, 2019 at 8:00AM
CLOSER: Debbie Self	Issued: June 12, 2019 10:41AM

1. The policy or policies to be issued are:

   a. OWNER'S POLICY OF TITLE INSURANCE (Form T-1)
   (Not applicable for improved one-to-four family residential real estate)
   Policy Amount: $45,000.00
   PROPOSED INSURED: Delldotto Homes, LLC

   b. TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE
   -ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)
   Policy Amount: $
   PROPOSED INSURED:

   c. LOAN POLICY OF TITLE INSURANCE (Form T-2)
   Policy Amount: $
   PROPOSED INSURED:
   Proposed Borrower:

   d. TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)
   Policy Amount: $
   PROPOSED INSURED:
   Proposed Borrower:

   e. LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)
   Binder Amount: $
   PROPOSED INSURED:
   Proposed Borrower:

   f. OTHER:
   Policy Amount: $
   PROPOSED INSURED:

2. The interest in the land covered by this Commitment is:

   FEE SIMPLE

3. Record title to the land on the Effective Date appears to be vested in:

   KURT W. DOHMAN AND JUDY B. DOHMAN

4. Legal description of land:

   See Exhibit "A" Attached Hereto

COMMITMENT FOR TITLE INSURANCE
EXHIBIT "A"
LEGAL DESCRIPTION

ISSUED BY
STEWART TITLE GUARANTY COMPANY

File No.: 447002

ALL that certain 2 tracts or 2 parcels of land out of Lot Thirty (30) in Division "H" of the Cook and Stewart Subdivision of the JOHN D MOORE LEAGUE, in Galveston County, Texas, according to the map of said Cook and Stewart Subdivision of record in Volume 81, Page 526, in the Office of the County Clerk of Galveston County, Texas, and being more particularly described by metes and bound as follows-

Parcel 1- BEGINNING at a point on the East line of said Lot 30, said point being 170 feet South of the Northeast corner of said Lot,

THENCE from said Beginning Point in a Southerly direction along and with the East line of said Lot 30, a distance of 190 feet to a point for corner,

THENCE in a Westerly direction and parallel to the North line of said Lot 30, a distance of 285.4 feet to a point for corner on the West line of said Lot,

THENCE in a Northerly direction along and with the West line of said Lot, a distance of 85 feet to a point for corner,

THENCE in an Easterly direction and parallel to the North line of said Lot, a distance of 90 feet to a point for corner,

THENCE in a Northerly direction parallel to the East and West lines of said Lot, a distance of 105 feet to a point for corner,

THENCE in an Easterly direction parallel to the North line of said Lot, a distance of 195 4 feet to the PLACE OF BEGINNING

Parcel 2- BEGINNING at a point on the West line of said Lot 30, which point is 170 feet South of the Northwest corner of said Lot 30,

THENCE from said Beginning Point running in an Easterly direction parallel with the North line of said Lot 30 and along the South line of that one certain 60 foot easement described in instrument recorded in Volume 1081, Page 605, in the Office of the County Clerk of Galveston County, Texas, for a distance of 90 feet to a point for corner, said corner being the Northeast corner of the tract herein described,

THENCE from said Northeast corner running South parallel with the West line of said Lot 30 for a distance of 105 feet for corner, said corner being the Southeast corner of the tract herein described,

THENCE from said Southeast corner in a Westerly direction parallel with the North line of said Lot 30 for a distance of 90 feet to the West line of said Lot 30 for corner, said corner being the Southwest corner of the tract herein described,

THENCE from said Southwest corner in a Northerly direction along the West line of said Lot 30 for a distance of 105 feet to PLACE OF BEGINNING

MAP& DOCS

THE MAP CONNECTED HEREWITH IS BEING PROVIDED AS A COURTESY AND FOR INFORMATIONAL PURPOSES ONLY; THIS MAP SHOULD NOT BE RELIED UPON. FURTHERMORE, THE PARCELS SET OUT ON THIS MAP MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES. STEWART ASSUMES NO LIABILITY, RESPONSIBILITY OR INDEMNIFICATION RELATED TO THE MAPS NOR ANY MATTERS CONCERNING THE CONTENTS OF OR ACCURACY OF THE MAP.

COMMITMENT FOR TITLE INSURANCE
SCHEDULE B

ISSUED BY
STEWART TITLE GUARANTY COMPANY

EXCEPTIONS FROM COVERAGE

In addition to the Exclusions and Conditions and Stipulations, your policy will not cover loss, costs, attorney's fees and expenses resulting from:

1. The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception.):

   Those recorded in/under Volume 765, Page 601 of the Official Public Records of Real Property of Galveston County, Texas; but omitting any covenants, condition, or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code or (b) relates to handicap, but does not discriminate against handicapped persons.
   Those recorded in/under Volume 725, Page 610 of the Official Public Records of Real Property of Galveston County, Texas; but omitting any covenants, condition, or restriction, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code or (b) relates to handicap, but does not discriminate against handicapped persons.

2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements. Upon receipt of an approved survey, Schedule B, Item 2 may be modified to read in its entirety, "Shortages in area" (Loan Policy only or Owner's Title Policy with prescribed premium.)

3. Homestead or community property or survivorship rights, if any, of any spouse of any insured. (Applies to the Owner's Policy only.)

4. Any titles or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities,
   a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs, or oceans, or

   b. to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or

   c. to filled-in lands, or artificial islands, or

   d. to statutory water rights, including riparian rights, or

   e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area.
   (Applies to the Owner's Policy only.)

5. Standby fees, taxes and assessments by any taxing authority for the year 2019 and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, Texas Tax Code, or because of improvements not assessed for a previous tax year. (If Texas Short Form Residential Loan Policy of Title Insurance (T-2R) is issued, that policy will substitute "which become due and payable subsequent to Date of Policy" in lieu of "for the year 2019 and subsequent years.")

COMMITMENT FOR TITLE INSURANCE
SCHEDULE B

ISSUED BY
STEWART TITLE GUARANTY COMPANY

6. The terms and conditions of the documents creating your interest in the land.

7. Materials furnished or labor performed in connection with planned construction before signing and delivering the lien document described in Schedule A, if the land is part of the homestead of the owner. (Applies to the Loan Title Policy Binder on Interim Construction Loan only, and may be deleted if satisfactory evidence is furnished to us before a binder is issued.)

8. Liens and leases that affect the title to the land, but that are subordinate to the lien of the insured mortgage. (Applies to Loan Policy T-2 only.)

9. The Exceptions from Coverage and Express Insurance in Schedule B of the Texas Short Form Residential Loan Policy of Title Insurance (T-2R). (Applies to Texas Short Form Residential Loan Policy of Title Insurance (T-2R) only.) Separate exceptions 1 through 8 of this Schedule B do not apply to the Texas Short Form Residential Loan Policy of Title Insurance. (T-2R)

10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception.):

    a) Rights of parties in possession. (Owner Title Policy only)

    b) Subject to any easements, rights-of-way, roadways, encroachments, etc., which a survey or physical inspection of the premises might disclose.

    c) All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interests that are not listed.

    d) This Company shall have no liability for, nor any responsibility to defend, any portion of the property described herein against any right, title, interest, or claim (valid or invalid) of any character had or asserted by the State of Texas or by any governmental authority or by the public generally, (1) in and to portions of the above described property that may be within the bed, shore, or banks of a perennial stream or lake, whether navigable in fact or law; or within the bed or shore or the beach adjacent thereto of a body of water affected by the ebb and flow of the tide; and (2) in and to portions of the above described property which may be between the water's edge and a line of vegetation on the upland or for any claim or right for ingress and egress thereto.

COMMITMENT FOR TITLE INSURANCE
SCHEDULE C

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Your Policy will not cover loss, costs, attorneys' fees, and expenses resulting from the following requirements that will appear as Exceptions in Schedule B of the Policy, unless you dispose of these matters to our satisfaction, before the date the Policy is issued:

1. Documents creating your title or interest must be approved by us and must be signed, notarized and filed for record.

2. Satisfactory evidence must be provided that:

   - no person occupying the land claims any interest in that land against the persons named in paragraph 3 of Schedule A,

   - all standby fees, taxes, assessments and charges against the property have been paid,

   - all improvements or repairs to the property are completed and accepted by the owner, and that all contractors, sub-contractors, laborers and suppliers have been fully paid, and that no mechanic's, laborer's or materialman's liens have attached to the property,

   - there is legal right of access to and from the land,

   - (on a Loan Policy only) restrictions have not been and will not be violated that affect the validity and priority of the insured mortgage.

3. You must pay the seller or borrower the agreed amount for your property or interest.

4. Any defect, lien or other matter that may affect title to the land or interest insured, that arises or is filed after the effective date of this Commitment.

5. Note: Procedural Rule P-27 as provided for in Section 2561.202, Texas Insurance Code requires that "Good Funds" be received and deposited before a Title Agent may disburse from its Trust Fund Account. Procedural Rule P-27 provides a list of the types of financial documents and instruments which satisfy this requirement. Please be advised that we reserve the right to determine on a case-by-case basis what form of good funds is acceptable.

6. NOTE: For Information Purposes Only, the vesting on Schedule A as per document recorded in County Clerk's File No.2015001297 Official Public Records of Galveston County, Texas.

7. NOTE: We find no outstanding liens of record affecting the subject property. Inquiry should be made concerning the existence of any unrecorded lien or other indebtedness which could give rise to any security interest claim in the subject property.

COMMITMENT FOR TITLE INSURANCE
SCHEDULE D

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Policy Commitment No.: 447002

The information contained in this Schedule (D) does not affect title to or the lien upon the land described in Schedule A hereof, to be insured in any policy(ies) of title insurance to be issued in accordance with this Commitment.

As to Stewart Title Guaranty Company, the Underwriter herein, the following disclosures are made as of December 31, 2017:

A-1. Shareholders owning or controlling, or holding, directly or indirectly, ten percent (10%) or more of the shares of Stewart Title Guaranty Company as of the last day of the year preceding the date hereinabove set forth are as follows:
Stewart Information Services Corporation -100%

A-2. The members of the Board of Directors of Stewart Title Guaranty Company as of the last day of the year preceding the date hereinabove set forth are as follows: Malcolm S. Morris, Patrick Beall, Matthew Morris, Stewart Morris, Stewart Morris, Jr., John Killea and David C. Hisey.

A-3. The designated officers of Stewart Title Guaranty Company as of the date hereinabove set forth are as follows: Matthew Morris, Chief Executive Officer & President; David C. Hisey, Chief Financial Officer & Assistant Secretary-Treasurer;; Brad Rable, Chief Information Officer; Genady Vishnevetsky, Chief Information Security Officer;; Ann Manal, Chief Human Resources Officer; Dave Fauth, Group President – Direct Operations; Steven M. Lessack, Group President – International Operations; Patrick Beall, Group President; John Killea, General Counsel & Chief Compliance Officer; Charles M. Craig, Senior Vice President – Associate General Counsel and Senior Underwriting Counsel; James Gosdin, Senior Vice President – Chief Underwriting Counsel & Associate General Counsel; John Rothermel, Senior Vice President – Regional Underwriting Counsel.

As to Stewart Title Company (Title Insurance Agent), the following disclosures are made:

B-1 Shareholders, owners, partners or other persons having, owning or controlling one percent (1%) or more of Title Insurance Agent are as follows:

Stewart Title Guaranty Company – 100%

B-2 Shareholders, owners, partners, or other persons having, owning or controlling ten percent **(10%)** or more of an entity that has, owns or controls one percent (1%) or more of Title Insurance Agent are as follows:

Stewart Information Services Corporation - 100%

B-3 If Title Insurance Agent is a corporation, the following is a list of the members of the Board of Directors:

Matthew W. Morris, David C. Hisey, John L. Killea

B-4 If Title Insurance Agent is a corporation, the following is a list of its officers:

Matthew W. Morris, Chairman, Chief Executive Officer and President, David C. Hisey, Chief Financial Officer, Assistant Secretary-Treasurer, John L. Killea, General Counsel, Denise Carraux, Secretary & Assistant Treasurer, and Ken Anderson, Jr., Treasurer and Assistant Secretary

C-1. You are entitled to receive advance disclosure of settlement charges in connection with the proposed transaction to which this commitment relates. Upon your request, such disclosure will be made to you. Additionally, the name of any person, firm or corporation receiving a portion of the premium from the settlement of this transaction will be disclosed on the closing or settlement statement.

You are further advised that the estimated title premium* is:

Owner's Policy	$487.00
Loan Policy	
Endorsement Charges	$0.00
Other	
Total	$487.00

Of this total amount 15% will be paid to Stewart Title Guaranty Company; 85% will be retained by the issuing Title Insurance Agent; and the remainder of the estimated premium will be paid to other parties as follows:

COMMITMENT FOR TITLE INSURANCE
SCHEDULE D

ISSUED BY
STEWART TITLE GUARANTY COMPANY

Amount	To Whom	For Service
$ (or %)		
$ (or %)		
$ (or %)		

"The estimated premium is based upon information furnished to us as of the date of this Commitment for Title Insurance. Final determination of the amount of the premium will be made at closing in accordance with the Rules and Regulations adopted by the Commissioner of Insurance."

stewart title

Real partners. Real possibilities.

DISCLOSURE REGARDING FUNDS FOR CLOSING

(to be provided with or within the Commitment for Title Insurance)

As Escrow Agent for the Real Estate transaction, Stewart Title Company, ("Escrow Agent") has received and/or will receive the buyer's/borrower's funds and/or funds from the buyer's/borrower's lender for disbursement at closing of the transaction.

The seller and the buyer (or the borrower in a refinancing transaction) may request that escrow funds be invested in an interest-bearing account subject to a reasonable administrative fee charged by Escrow Agent and any account terms and conditions negotiated with the financial institution offering the interest bearing account. Otherwise, Escrow Agent shall deposit the earnest money in a demand deposit account that is federally insured to the maximum extent permitted by law. Demand deposit accounts offer immediately available funds for withdrawal after a check has cleared.

Escrow Agent may receive other benefits from the financial institution where the funds are deposited. Based upon the deposit of escrow funds in demand deposit accounts and other relationships with the financial institution, Escrow Agent is eligible to participate in a program whereby it may (i) receive favorable loan terms and earn income from the investment of loan proceeds and (ii) receive other benefits offered by the financial institution.

Stewart Title Company
905 Logan
Texas City, TX 77590
(409) 948-1771 main (409) 948-6704 fax
debbie.self@stewart.com

STEWART TITLE GUARANTY COMPANY

DELETION OF ARBITRATION PROVISION

(Not applicable to the Texas Residential Owner's Policy)

ARBITRATION is a common form of alternative dispute resolution. It can be a quicker and cheaper means to settle a dispute with your Title Insurance Company. However, if you agree to arbitrate, you give up your right to take the Title Insurance Company to court and your rights to discovery of evidence may be limited in the arbitration process. In addition, you cannot usually appeal an arbitrator's award.

Your policy contains an arbitration provision (shown below). It allows you or the Company to require arbitration if the amount of insurance is $2,000,000 or less. If you want to retain your right to sue the Company in case of a dispute over a claim, you must request deletion of the arbitration provision before the policy is issued. You can do this by signing this form and returning it to the Company at or before the closing of your real estate transaction or by writing to the Company.

The arbitration provision in the Policy is as follows:

> "Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured, unless the Insured is an individual person (as distinguished from an Entity). All arbitrable matters when the Amount of Insurance is in excess of $2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction."

_____ _____

SIGNATURE DATE

Stewart Title Guaranty Company Privacy Notice
Stewart Title Companies

WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart Title Guaranty Company and its title affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information.	Do we share	Can you limit this sharing?
For our everyday business purposes— to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.	Yes	No
For our marketing purposes— to offer our products and services to you.	Yes	No
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes— information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and non-financial companies. *Our affiliates may include companies with a Stewart name; financial companies, such as Stewart Title Company*	Yes	No
For our affiliates' everyday business purposes— information about your creditworthiness.	No	We don't share
For our affiliates to market to you — For your convenience, Stewart has developed a means for you to opt out from its affiliates marketing even though such mechanism is not legally required.	Yes	Yes, send your first and last name, the email address used in your transaction, your Stewart file number and the Stewart office location that is handling your transaction by email to optout@stewart.com or fax to 1-800-335-9591.
For non-affiliates to market to you. Non-affiliates are companies not related by common ownership or control. They can be financial and non-financial companies.	No	We don't share

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do not control their subsequent use of information, and suggest you refer to their privacy notices.]

SHARING PRACTICES

How often do the Stewart Title Companies notify me about their practices?	We must notify you about our sharing practices when you request a transaction.
How do the Stewart Title Companies protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer, file, and building safeguards.
How do the Stewart Title Companies collect my personal information?	We collect your personal information, for example, when you request insurance-related services provide such information to us We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.
What sharing can I limit?	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

Contact us: If you have any questions about this privacy notice, please contact us at: **Stewart Title Guaranty Company, 1360 Post Oak Blvd., Ste. 100, Privacy Officer, Houston, Texas 77056**

AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE STATEMENT

To: Sellers: Kurt W. Dohman and Judy B. Dohman

Purchasers/Borrowers: Delldotto Homes, LLC

From: Stewart Title Company

Date: _____, 2019

File No.: 447002

Property Address (Subject Property): 0000 Moore, La Marque, TX 77568

This is to give you notice that Stewart Title Company and/or its associates have a business relationship with the settlement service providers listed below.

Stewart Title Company owns 100% of Professional Real Estate Tax Service of North Texas, LLC and 100% of Professional Real Estate Tax Service, LLC. Because of these relationships, referrals to either LLC may provide Stewart Title Company with a financial or other benefit.

Set forth below is the **estimated** charge or **range of charges** for the settlement services listed. You are NOT required to use the listed providers as a condition for the settlement of your loan on, or the purchase, sale, or refinance of, the subject property. THERE ARE FREQUENTLY OTHER SETTLEMENT SERVICE PROVIDERS AVAILABLE WITH SIMILAR SERVICES. YOU ARE FREE TO SHOP AROUND TO DETERMINE THAT YOU ARE RECEIVING THE BEST SERVICES AND BEST RATE FOR THESE SERVICES.

Provider and Settlement Service	Charge or Range of Charges
Professional Real Estate Tax Service tax certificate(s)	**$22.50 to $90.00**

ACKNOWLEDGEMENT

I/We have read this disclosure, and understand that Stewart Title Company and/or its associates is referring me/us to purchase the above described settlement service(s) and may receive a financial or other benefit as the result of these referrals.

Seller(s):

_____ _____

Kurt W. Dohman Judy B. Dohman

Purchaser(s)/Borrower(s):

Delldotto Homes, LLC

By:_____

After signing, please return to Debbie Self, 905 N Logan St, Texas City, TX 77590, Phone: (409) 948-1771, Fax: (409) 948-6704

CITY OF LA MARQUE
"Gateway to the Gulf"
1130 1st St., La Marque, TX 77568
409-938-9252 S.Sutton@CityOfLaMarque.Org

Rezone Application

Application Date: 6-20-19 **SmartGov Project #:**

Name of Agent: Beau Yarbrough **Phone:** 409-682-2501

Address: P.O. Box 16504, Galveston, TX 77552

Name of Owner: Kurt & Jerry Dohman **Phone:**

Address: P.O. Box 4 Hitchcock, TX 77563

Property Description: ABST 150 J Marc SUR PT OF BLK 30 DIV H Cook & STEWART SUB **Parcel #:** 2775-0008-3000-004

Address: CAD ID-195872 Lake Road @ Charity Street

Plot of Area Attached: (YES) NO **Metes and Bounds Attached:** (YES) NO

Present Zone: Residential

Reason for Change: Interested in building a 6,000 ft office/warehouse for an owner/operator of a window covering business. No manufacturing on site, only light assembly.

Desired Outcome: Light Industrial

APLICATION CHECKLIST

[ ] **SITE PLAN** (To scale) **WITH EXISTING IMPROVEMENTS, DEVELOPMENTS AND PROPERTY LINES**

(8-1/2 X 11 if larger than 8 1/2 x 11 please fold to appropriate size)

[✓] **SURVEY** (To scale, 2 Copies)

[✓] **CURRENT AND ORIGINAL CERTIFIED TAX RECEIPTS**

[✓] **TITLE REPORT** (If purchased in the last 60 days) **OR**

[ ] **PLANNING LETTER**

[✓] **NON-REFUNDABLE APPLICATION FEE** (Payable to the "City Of La Marque")

Submitted to the Board on: / /

Approved: **Denied:** **Other:**

Comments:

APPLICANTS CERTIFICATE

I AFFIRM THAT MY STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature of applicant: **Date:**

NOTE: **All** Planning and Zoning meetings take place on the 2nd Tuesday of the each month. Applications must be received **30 days** prior to the 2nd Tuesday of each month to be considered for that Planning and Zoning Commission meeting.

CITY COUNCIL AGENDA FORM

Meeting Date: October 14, 2019 Agenda item: **6b**
Prepared by: Derra Purnell Reviewed by: Charlene Warren/ Charles Jackson

Department: Legal

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Ordinance No. **O-2019-0022,** amending City Code Chapter 41, "Land Development," Article IV, "Subdivisions" *THIS IS THE SECOND AND FINAL READING*

X

ATTACHMENTS FOR REFERENCE

1. Ordinance

STAFF BRIEFING: Recent legislation heavily modified Chapter 212 of the Texas Local Government Code regarding the City's authority to regulate subdivisions and other development plats and plans. Highlights include:

- Mandatory approval, denial or approval with conditions of plats by P&Z within 30 days, and Council within an additional 30 days;
- Automatic approval of plats and plans that are not acted on within the required deadlines;
- A requirement that the City provide each applicant with written documentation of the reasons for denial/conditions of approval ;
- A requirement that each condition or reason specified in the written statement: (1) must be directly related to the requirements under the subdivision platting law and include a citation to the law that is the basis for the conditional approval or disapproval;
- Requirement that P&Z and Council can only consider items listed in the written statement when considering a resubmitted plat or plan;
- Mandatory approval, denial or approval with conditions of resubmitted plats by P&Z within 15 days and Council within an additional 15 days (and the City cannot establish a deadline for resubmittal); and
- Shifts the burden to the City in a legal action challenging a disapproval of a plan or plat and requires the City to prove by clear and convincing evidence that the disapproval meets the requirements of the subdivision platting law or any applicable case law, and the court may not use a "deferential standard."

To protect the City from automatic approval of plats and plans due to inaction, the following changes in City ordinance/process are necessary:

- Two Planning and Zoning Commission meetings and two Council meetings per month may be required, unless plats are not submitted in time for those meetings;
- Preliminary platting is replaced with a formalized "general plan" process for subdivisions developed in phases so that roads, parks and general lot layouts

are approved as the first step in the process, including any variances that must be obtained;

- Applicants can also meet with staff in option predevelopment meetings as a replacement for the preliminary platting process;
- Water, sewer, street and drainage plans must be approved before a plat is approved; and
- Plats, general plans and civil plans (i.e. water, sewer, roads and drainage) will all be reviewed using an objective and comprehensive checklist of requirements that will form the initial submission checklist for applicants, the review list for staff, the staff report given to the Planning and Zoning Commission, and the notice of deficiencies sent back to applicants by Council.

NOTE: *Planning and Zoning Commission, legal counsel, engineering and development services will all continue to review the ordinance for any modifications needed prior to final adoption.*

HISTORY:

- Legislation effective September 1, 2019
- Planning and Zoning Commission recommended approval September 10, 2019
- First reading before City Council September 16, 2019

TARGET IMPLEMENTATION: October 14, 2019

SIGNIFICANT ACTION DATES:
9/10/2019 – Recommended approval by Planning and Zoning Commission
9/16/2019 – City Council approved on First Reading

ACTION:

☒	Ordinance	☐	Resolution
☐	Special Presentation	☐	Proclamation
☐	Finance Report	☐	Public Hearing
☐	Other		
☒	Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures		

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2019-0022** amending City Code Chapter 41, "Land Development," Article IV, "Subdivisions" *THIS IS THE SECOND AND FINAL READING*

FISCAL IMPACT: **no direct impact**

ORDINANCE NO. O-2019-0021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS AMENDING ARTICLE IV, "SUBDIVISIONS" OF CHAPTER 41, "LAND DEVELOPMENT," OF THE CITY OF LA MARQUE CODE OF ORDINANCES; AMENDING RULES GOVERNING PLATS AND SUBDIVISIONS OF LAND, INCLUDING PROVIDING FOR DEVELOPMENT PLATS; PROVIDING AN EFFECTIVE DATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, the City Council desires to adopt and amend rules for plats, including development plats, under Subchapters A and B of Chapter 212 of the Texas Local Government Code; and

WHEREAS, the Planning and Zoning Commission recommended approval of the following ordinance on September 10, 2019; and

WHEREAS, after a public hearing, the City Council desires to adopt the following amendments to its rules governing plats and subdivisions of land with the City's corporate limits and extraterritorial jurisdiction;

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

Section 1. Article IV, "Subdivisions" of Chapter 41, "Land Development," of the City Code is amended to read as follows.

"ARTICLE IV - SUBDIVISIONS

Sec. 41-101. – Authority; Applicability.

This Article is adopted under the authority of the constitution and laws of the state, including particularly, Texas Local Government Code Chapter 212.

A. *Subdivision plat, amending plat, or replat required.* A subdivision plat is required for the following purposes:
   1) To combine lots or tracts;
   2) To subdivide land to divide a lot or tract into two or more parcels;
   3) To amend a previously recorded Plat;
   4) To correct errors on an approved and recorded Plat; or
   5) As otherwise required by Chapter 212 of the Texas Local Government Code.

B. *Development plat required.* A development plat is required for the following purposes; provided however, a development plat is not required if a subdivision plat is required under Section 41-101A, above, or where development consists solely of construction of one single-family residence on a single platted lot:
   1) To divide land within the City or its ETJ into two or more tracts that results in parcels or lots greater than five acres in size, provided a subdivision plat is not required for such division of land; or
   2) To construct, or enlarge any exterior dimension, of any building, structure, or improvement on land without an existing plat.

C. *General Plan Required.* Where the proposed subdivision constitutes a unit of a larger tract owned by the subdivider, which is intended to be subsequently subdivided as additional units of the same subdivision, the submission of any plat shall be accompanied by a layout of the entire area, showing the tentative proposed layout of streets, blocks, drainage, parks, community or public amenities and other improvements for such areas.
D. *Infrastructure Construction Plans*. In addition, development that requires construction of new facilities shall require infrastructure construction plans.
E. *Drainage Plans*. All plats shall require a drainage plan prepared by a state licensed engineer that complies with the Engineering Design Criteria Manual, as adopted and amended by the City from time to time.
F. *Previously platted lots*. Where a lot having less area, width or depth than herein required existed in separate ownership of record on February 9, 1960, the regulations relating to the size of the lot in this Article shall not prohibit the erection of a single-family dwelling thereon.

Sec. 41-102. - Definitions.
The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Any office referred to in this Article by title means the person employed or appointed by the city in that position, or that person's duly authorized representative. Definitions not expressly prescribed in this Article are to be construed in accordance with customary usage in municipal planning and engineering practices.

Alley means a minor unimproved public right-of-way, not intended to provide the primary means of access to abutting lots.

Building setback line means the line within a property defining the minimum horizontal distance between a building and the adjacent street line.

City manager means the City manager or the City manager's designee.

Development means the new construction or the enlargement of any exterior dimension of any building, structure or improvement, fill or grading if a permit would be required under Chapter 32 of the City Code, or the application for any building permit.

Engineer means a person duly authorized under Texas State law to practice the profession of engineering.

Extraterritorial jurisdiction or *ETJ* means the City's extraterritorial jurisdiction as determined under Chapter 42 of the Texas Local Government Code.

General Plan means an application that does not include a plat or infrastructure construction plans submitted to the City Manager in accordance with this Article for approval of the layout of an entire tract owned by one subdivider intended to be divided into lots in phases, showing the proposed layout of streets, blocks, drainage, parks, and community and public amenities for the entire tract.

Infrastructure construction plan means a complete application that does not include a plat submitted to the City Manager in accordance with this Article for approval of a detailed construction plan, signed and sealed by an engineer, for one or more types of public infrastructure intended to be dedicated to the City upon completion of construction, including but not limited to: streets, water, wastewater, storm sewer and drainage facilities.

Lot means an undivided tract or parcel of land having frontage on a public street and which is or in the future may be offered for sale, conveyance, transfer or improvement; which is designated as a distinct and separate tract; and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed of record.

Plat means an application consisting of all of the following submitted to the City Manager in accordance with this Article for approval of a subdivision plat, development plat, amending plat or replat: (i) a plat that complies with Chapter 212 of the Texas Local Government Code, in the form required for recording in the county real property records, if applicable; (ii) the applicable filing fee; and (ii) a completed application for plat approval on the form proscribed by the City.

Plan means a complete application submitted to the City Manager in accordance with this Article for approval of a general plan, drainage plan, or infrastructure construction plan.

Street means a public right-of-way, however designated, that provides vehicular access to adjacent land. Streets shall be categorized as arterial, collector, marginal-access, or minor streets as designated by the city's comprehensive plan or major street plan.
(1) An arterial street primarily provides vehicular circulation to various sections of the city.
(2) A collector street primarily provides circulation within neighborhoods, to carry traffic from minor streets to arterial streets, or to carry traffic through or adjacent to commercial or industrial areas.
(3) A marginal-access street is a street which is parallel to and adjacent to an arterial street, which primarily provides access to abutting properties and protection from through traffic.
(4) A minor street is one used primarily for access to abutting residential property.

Subdivider means any person that owns the land sought to be subdivided or any agent of the property owner dividing or proposing to divide land so as to constitute a subdivision.

Subdivision means a division of any tract of land, situated within the corporate limits or ETJ of the City, into two or more parts for the purpose of laying out any subdivision of any tract of land or any addition to the City, or for laying out suburban lots, building lots, or any other lots, or to lay out any street, alley, park or other parts of

the tract intended for public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto. Subdivision includes resubdivision; but it does not include the division of land for agricultural purposes in parcels or tracts of five acres or more and not involving any new street, alley, easement of access, or public improvement.

Surveyor means a licensed state land surveyor or a registered public surveyor, as authorized by state statutes to practice the profession of surveying.

Utility easement or *easement* means an interest in land granted to the city, to the public generally, and/or to a private utility corporation, for installing or maintaining utilities across, over or under private land, together with the right to enter on the land with machinery and vehicles necessary for the maintenance of the utilities.

Sec. 41-103. – Submittal requirements and approval criteria.

Only complete applications may be filed with the City Manager for consideration by the Planning and Zoning Commission and City Council under this Article. All complete plat and general plan applications submitted to the City Manager during regular city business hours on or before the tenth calendar day prior to the next regularly scheduled Planning and Zoning Commission meeting shall be filed for consideration by the Planning and Zoning Commission and City Council at their next regularly scheduled meeting; provided, however, complete plat or general plan applications submitted on after the ninth day prior to the next regularly scheduled Planning and Zoning Commission meeting shall be filed for consideration at the next regularly scheduled or special called Planning and Zoning Commission meeting within 30 days of the date the complete plat or general plan application is submitted, unless otherwise requested in writing by the applicant.

A. *Plat Applications.* An application for plat approval must include all of the following applicable to the plat in order to be approved:
   (1) A completed application on the form prescribed by the City;
   (2) The applicable filing fee;
   (3) Required impact fee(s), if applicable;
   (4) Approved infrastructure construction plans;
   (5) Permit for floodplain development in accordance with Section 32-7, if required;
   (6) Groundwater availability certification, if required;
   (7) A signed order granting one or more variances, if any are required;
   (8) A signed ordinance granting one or more zone changes, if any are required;
   (9) A signed and approved general plan, if one is required;
   (10) Copy of any federal or state approval required prior to commencement of development (ex. army corps of engineers dredge and fill permit);
   (11) Current City Planning Letter from title company or title report;
   (12) An original certificate obtained from the appropriate Brazoria County taxing authority showing that all taxes have been paid on the tract to be subdivided and that there are no outstanding delinquent taxes against the property;
   (13) Boundary closure calculations, the minimum of which shall be 1:15,000, signed and sealed by Registered Surveyors;
   (14) Letters from utility companies indicating that their required easements are

correctly shown on the plat and verifying availability of utility service;

(15) Lienholders subordination agreement, if applicable;

(16) The draft of any protective covenants whereby the subdivider proposes to regulate the use of the land within the subdivision; provided, however, restrictive covenants, conditions, or limitations shall never be less than the minimum requirements of the City under the terms of this Article or other City Ordinance;

(17) Performance guarantee, in accordance with Section 41-109, or certificate of acceptance signed by City Manager showing accepted infrastructure; and

(18) For any subdivision plat, amended plat, or replat: one hardcopy, including one mylar in recordable format as required by the applicable County and Chapter 212 of the Texas Local Government Code, and one electronic copy in pdf format (including .dwg or similar electronic format acceptable to the City's authorized Engineer if applicable) of the plat as prepared and signed by an engineer or surveyor, together with the original, drawn on sheets 24 inches wide and 36 inches long for the hardcopy, with a binding margin of not less than two inches on the left side of the sheet and margins on the other three sides of not less than one inch, to a scale of 100 feet to one inch, including all of the following:

a) Names, addresses and phone number of the subdivider, all record owners, engineer and/or surveyor;

b) Proposed name of the subdivision, which shall not have the same spelling as or be pronounced similar to the name of any other subdivision located within the county;

c) Names of contiguous subdivisions and the owners of contiguous parcels of unsubdivided land, and an indication of whether or not contiguous properties are platted;

d) Description, by metes and bounds, of the subdivision;

e) Primary control points or descriptions, and ties to such control points to which all dimensions, angles, bearings, block numbers and similar data shall be referred;

f) Bearings and distances to the nearest established street lines or official monuments shall be accurately described on the plat;

g) Subdivision boundary lines, indicated by heavy lines, and the computed acreage of the subdivision;

h) The exact location, dimensions, name and description of all existing or recorded streets, alleys, reservations, easements or other public rights-of-way, within the subdivision, intersecting or contiguous with its boundaries or forming such boundaries;

i) The exact location, dimensions, description and name of all existing or recorded residential lots, parks, public areas, permanent structures and other sites within or contiguous with the subdivision;

j) The exact location, dimensions, description and name of all proposed streets, alleys, drainage structures, parks, other public areas, reservations, easements or other rights-of-way, blocks, lots and other sites within the subdivision;

k) Date of preparation, scale of plat and north arrow;

l) Topographical information which shall include contour lines on a basis of

one vertical foot in terrain;

m) A number or letter to identify each lot or site and each block;

n) Location of city limits line, the outer border of the city's extraterritorial jurisdiction, and zoning district boundaries, if they traverse the subdivision, form part of the boundary of the subdivision, or are contiguous to such boundary;

o) Vicinity map at a scale of not more than ½ mile to an inch, with Key Map page;

p) A statement of express dedication of all streets, easements, alleys, parks, playgrounds, public places, and other rights-of-way within or outside the subdivision necessary to satisfy the requirements of this Ordinance to the public use forever shall be executed by all persons owning an interest in the property subdivided, resubdivided or platted and shall be acknowledged in the manner prescribed by the laws of the State of Texas for conveyance of real property. Lien holders must execute a subordination agreement subordinating their liens to all public streets, alleys, parks, school sites, and other public areas shown on the plat of such subdivision or resubdivision as being set aside for public use and purpose;

q) A notation that building permits will not be issued until all storm drainage improvements, which may include detention ponds, have been constructed;

r) A duly executed acknowledgement on the face of the plat of the owners or proprietors of the land or some duly authorized agent of said owners or proprietors in the manner required for the acknowledgment of deeds; and

s) A place for approval of the city Planning and Zoning Commission and of the city council which shall be substantially the following form:

> "We hereby certify that the above and foregoing Plat of _____ Subdivision, was approved by the Planning and Zoning Commission of the City of La Marque, Texas, on the _____ day of _____, A. D., 20___, and by the city council of the City of La Marque, Texas, on the _____ day of _____, A.D., 20___";

(19) *For any development plat:* one hardcopy and one electronic copy in pdf format of the plat, signed and sealed by a licensed engineer or surveyor that shows:

a) The location of each existing building, structure or improvement;

b) Each easement and right-of-way within or abutting the boundary of the surveyed property, tied to a street intersection or landmark;

c) The dimensions of each sidewalk, alley, square, park or other part of the property intended to be dedicated to public use or for the use of purchasers of property fronting on or adjacent to the sidewalk, alley, square, park or other part; and

d) Proposed and existing buildings, clearly distinguished, foundations, concrete pads, parking lots, stairways, fences and adjacent roadways.

B. *Plan Applications*. An application for approval of a plan must include all of the following applicable to the plan in order to be approved:

(1) A completed application on the form prescribed by the City;

(2) The applicable filing fee;
(3) Required impact fee(s), if applicable;
(4) A signed order granting one or more variances, if any are required;
(5) A signed ordinance granting one or more zone changes, if any are required;
(6) Performance guarantee, in accordance with Section 41-9, or certificate of acceptance signed by building official/director of public works showing accepted infrastructure; and
(7) one hardcopy and one electronic copy in pdf format of the plan (including .dwg or similar electronic format acceptable to the City's authorized Engineer if applicable);
(8) *For any general plan* - A labeled plan illustrating the proposed road layout, parks, drainage easements, detention ponds, green spaces, and any other community or public amenities or facilities for all property under common ownership or intended to be part of a larger development;
(9) *For any Infrastructure construction plan (streets, water, wastewater, and storm water facilities)* – a plan complying with Chapters 56, 68 and 41 of the City Code and the Engineering Design Criteria Manual, as adopted and amended by the City Council from time to time;
(10) *For any drainage plan* - a plan complying with the Engineering Design Criteria Manual, as adopted and amended by the City Council from time to time; and the rules and regulations of any drainage district in which a tract or lot is located; and
(11) Any other documentation required to verify compliance with City Code provisions applicable to the plan submitted.

Sec. 41-104. – Notification of incomplete applications.
The City manager shall notify the applicant in writing (via email or letter) if an application is incomplete within 10 days of receipt of an application for approval of a plat or general plan.

Sec. 41-105. – Consideration of certain plats and plans delegated to city manager.
A. The city manager is hereby delegated authority to approve the following on behalf of the Planning and Zoning Commission and City Council when the following comply with this Article:
   (1) Amending plats described by Local Government Code, § 212.016;
   (2) Minor plats involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities;
   (3) Replats under Local Government Code § 212.0415 that do not require the creation of a new street or the extension of municipal facilities;
   (4) Development plats;
   (5) Drainage plans;
   (6) Infrastructure construction plans; and
   (7) Resubmissions under Section 41-110.
B. The city manager shall refer any plat that is not approved to the Planning and Zoning Commission and City Council to approve, approve with conditions or disapprove within 30 days of the date the complete application is submitted.

Sec. 41-106. – Consideration of plats and general plans by City Council.
Within 30 days after the completed application for a plat or general plan is filed with the City Manager, the Planning and Zoning Commission shall recommend that Council approve, disapprove, or approve with conditions such plat or general plan. Council shall approve, approve with conditions, or disapprove the plat or general plan within 30 days after the date the plat or general plan is approved by the Planning and Zoning Commission or is approved by the inaction of the planning and zoning commission. Further, Council shall provide the applicant a written statement of the conditions for a conditional approval or reasons for a disapproval that clearly articulates each specific condition for the conditional approval or reason for disapproval.

Sec. 41-107. – Standards and specifications for infrastructure construction plans.
All infrastructure construction plans shall comply with the requirements of all of the following: (i) the engineering design criteria manual, as adopted and amended by the City from time to time, (ii) the construction codes adopted and amended by the City in Chapter 14 of the City Code, (iii) Chapters 56 and 68 of the City Code, and (iv) state and federal regulations and laws, including but not limited to TCEQ regulations applicable to public water systems and wastewater collection systems.

Sec. 41-108. – Approval criteria for plats and plans.
No plat, plan or resubmission of a plat or plan shall be approved unless the plat or plan:

A. Is complete (including all required supporting documentation), in accordance with Section 41-103;
B. Includes all required and necessary information in order to determine compliance with applicable city and state law;
C. Includes all information required, and in the form required, to be filed in the county real property records, if applicable;
D. Includes either (i) detail on existing water and wastewater infrastructure facilities or (ii) approved construction plans with performance guarantee, maintenance bond and construction cost estimates, that are:
   (1) included in the application submitted by the applicant;
   (2) signed and sealed by a licensed engineer;
   (3) compliant with the Engineering Design Criteria Manual, as adopted and amended by the City from time to time;
   (4) adequate to provide sufficient use and capacity for the proposed subdivision, including volume, water pressure, wastewater flow, fire flow, prevention of infiltration and inflow, protection of the city's water supply, and connection to existing lines; and
   (5) compliant with all city and state laws and regulations, including but not limited to TCEQ regulations, the International Private Sewage Disposal Code, and the International Plumbing Code, as adopted and amended by the City.
E. Includes either (i) detail on existing streets and access ways or (ii) approved construction plans with performance guarantee, maintenance bond and cost estimates, that are:
   (1) included in the application submitted by the applicant;
   (2) signed and sealed by a licensed engineer;
   (3) compliant with the Engineering Design Criteria Manual, as adopted and

amended by the City from time to time;

(4) not detrimental to existing streets, crosswalks, driveways and sidewalks;

(5) sufficient to provide safe and necessary traffic flow, including emergency vehicle access, crosswalks, sidewalks, waste collection, access to each individual lot and driveway in the proposed subdivision (including reserves, parks and amenities), clear and unambiguous street names and signs, and connection to adjacent streets and sidewalks;

(6) are consistent with the City, State and County streets plan and comprehensive plan; and

(7) comply with all city and state laws and regulations, including but not limited to TxDOT regulations and the International Fire Code, as adopted and amended by the City.

F. Includes either (i) detail on existing drainage facilities or (ii) approved construction plans with performance guarantee, maintenance bond and cost estimates, that are:

(1) included in the application submitted by the applicant;

(2) signed and sealed by a licensed engineer;

(3) compliant with the Engineering Design Criteria Manual, as adopted and amended by the City from time to time;

(4) sufficient to provide drainage after construction of all the proposed improvements and structures, including any fill; and

(5) compliant with all city, state and other applicable laws and regulations, including but not limited to the Texas Water Code;

G. Shows lot lines, building setback lines, lot sizes (including depth and width), reserves, proposed uses, open/green space, and proposed building sites that each comply with the applicable zoning district, as it exists at the time the plat is filed for approval with the city, or applicant has provided an order from the city's zoning board of adjustment providing for any and all variances required for the plat, as submitted, to comply with the applicable zoning district;

H. Conforms to the comprehensive plan, parks plan, streets plan, county road log, and capital improvements plan of the city, including the City's ETJ, and its current and future streets, alleys, parks, playgrounds, and public utility facilities, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities;

I. For development plats, shows details on development, new construction, additions or any other work on buildings or structures (including building height, building size, layout, screening, fencing, changes to nonconforming lots or structures, building setback lines, proposed uses, and lot coverage) that:

(1) Is included in the application submitted by the applicant;

(2) Complies with the applicable zoning district, as it exists at the time the plat is filed for approval with the city, or applicant has provided an order from the city's zoning board of adjustment providing for any and all variances required for the plat, as submitted, to comply with the applicable zoning district;

(3) does not violate, to the extent of the information provided, the International Building Code, International Fire Code, or any other construction codes as adopted and amended by the city at the time the plat is filed for approval by the city manager;

J. For resubmission of plats or plans under Section 41-110, adequately responds to all

conditions for approval or reasons for disapproval provided to the applicant; provided, however, differences between the plat or plan previously acted upon by the Planning and Zoning Commission or City Council and the resubmitted plan or plat that are not a direct result of the written response to conditions of approval or reasons for disapproval (i) shall comply with all the requirements of this Article, and (ii) may be considered by the City as submission of a new plat or plan; and

K. Does not otherwise violate state, federal or local laws or endanger the public health, safety and welfare.

Sec. 41-109. – Completion of infrastructure; Guarantee of performance.

A. All construction of public improvements and infrastructure shall be inspected while in progress by the appropriate city department, and must be approved upon completion by the city manager. After final inspection, the city manager shall notify the subdivider in writing as to acceptance or rejection of the construction. The city manager shall reject such construction only if it fails to comply with the standards and specifications contained or referred to in this Article, including but not limited to the Engineering Design Criteria Manual. If the director rejects such construction, the city attorney shall, on direction of the council, proceed to enforce the guarantees provided in this Article.

B. *Maintenance Bond Required*. Prior to approval of any plat, the subdivider shall file with the council a maintenance bond, executed by a surety company holding a license to do business in the state, in an amount equal to fifty percent (50%) of the construction cost of the improvements, as estimated by the Engineer of Record, conditioned that the subdivider will maintain such improvements in good condition for a period of one year after approval of the final plat. Such maintenance bond shall be approved as to form and legality by the city attorney.

C. *Security in lieu of improvements*. If the subdivider chooses to post security in lieu of completing construction prior to final plat approval, the subdivider may utilize either of the following methods of posting security:

(1) Has filed with the council a performance bond executed by a surety company holding a license to do business in the state and acceptable to the council, in an amount equal to the cost of the improvements required by this Article plus 10% contingency as estimated by the Engineer of Record and approved by the City Manager, conditioned that the subdivider will complete such improvements within one year after approval of such plat, such bond to be approved as to form and legality by the city attorney; or

(2) Has placed on deposit in a bank or trust company selected by the subdivider and approved by the council, in a trust account a sum of money equal to the estimated cost of all site improvements required by this Article plus 10% contingency.

(a) The estimated cost of such improvements shall be the cost as estimated by the engineer of record and approved by the City Manager.

(b) Selection of the trustee shall be subject to approval by the council and the trust agreement shall be approved as to form and legality by the city attorney.

Sec. 41-110. - APPLICANT RESPONSE TO CONDITIONAL APPROVAL / DISAPPROVAL.

After the conditional approval or disapproval by Council of plat or plan submitted

under this Article, the applicant may submit to the City Manager for consideration by the Planning and Zoning Commission and City Council a written response that satisfies each condition for the conditional approval or remedies each reason for disapproval provided to the applicant following a final decision by the City Council (or City Manager if applicable) on a filed plat or plan. A complete application for resubmittal of a plat or plan under this Section shall include all of the following:

A. A copy of the original plat or plan application, including all supporting documents;
B. A plat or plan that complies with this Article in the form required for filing, if applicable;
C. A copy of the decision provided to the applicant under Section 41-106;
D. An application for resubmittal on the form prescribed by the city;
E. The applicable filing fee;
F. A list of those required to be notified either prior to or following plat or plan approval, if applicable, which must be no more than 90 days old; and
G. A written response to each of the conditions for approval with conditions or the reasons for disapproval, which must be in the form of a plat or plan that complies with Section 41-103 if the plan or plat previously submitted does not show any modifications that would result from the written response.

Sec. 41-111. – Consideration of resubmissions. If a complete response is submitted under Section 41-110, Council, or the City Manager in accordance with authority delegated by this Article, shall determine whether to approve or disapprove the applicant's previously conditionally approved or disapproved general plan, subdivision plat, amending plat, replat or minor plat not later than the 15th day after the date the response was submitted. Further, Council may consider only those conditions of approval or reasons for disapproval included in the written response(s) provided to the applicant following previous decision(s) by Council, or the City Manager in accordance with authority delegated by this Article, on the same general plan, subdivision plat, amending plat, replat or minor plat. Any modification to any portion of a plat or plan that is not in direct response to a condition for approval or reason for disapproval (ex. rearranging of lots in Phase I to accommodate a change in the layout for Phase II of a general plan) must be submitted as a new plat or plan in accordance with this Article.

Sec. 41-112. - Variances.

A. The City's Zoning Board of Adjustment may authorize a variance from this Article when, in its opinion, undue hardship will result from requiring strict compliance.
B. In granting a variance, the Zoning Board of Adjustment shall prescribe only conditions that it deems necessary to or desirable in the public interest. In making required findings, the council shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, and the probable effect of such variance upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity. No variance shall be granted unless the council finds that:
   (3) There are special circumstances or conditions affecting the land involved such that the strict compliance of the provisions of this Article would deprive the applicant of the reasonable use of the land;

(4) The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
(5) The granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area; and
(6) The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this Article.

Such findings of the council, together with the specific facts upon which such finds are based, shall be included or incorporated into the official minutes of the Board meeting at which such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of this Article so that the public health, safety and welfare may be secured, and substantial justice done. Pecuniary hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship.

Sec. 41-113. – Optional predevelopment meeting.
Predevelopment meetings with staff are available on request in order to provide preliminary review, advisory opinions, discussion and opportunities for infrastructure participation or other development incentives to developers, subdividers, and other persons. No plat or general plan shall be submitted at any predevelopment meeting. No city employee, officer, agent, consultant, or contractor is delegated authority to approve, disapprove or approve with conditions, including through inaction, any plat or general plan except as expressly provided by Section 41-105.

Sec. 41-114. - Conflict with other ordinances.
This Article shall be deemed to be solely an article governing the submission and process for consideration of plats, general plans and subdivisions of land, and nothing herein contained shall be deemed to modify, change, enlarge or repeal the provisions of any other ordinance of the City concerning buildings, building setback lines, zoning or any other matter. This Article is cumulative of other requirements imposed by ordinances and regulations of the city. To the extent of any inconsistency, the more restrictive provision shall govern.

Sec. 41-115. - Conflict with county regulations.
This Article shall not be applied in such a manner as to amend or alter any rules, regulations, procedures or policies lawfully and officially adopted by the governing body of any county in which there exists territory contained within the city's extraterritorial jurisdiction. In the circumstance where any rule, regulation, procedure or policy lawfully and officially adopted by the governing body of any county is less restrictive than that contained herein.

Sec. 41-116. - Responsibility for payment of installation costs.
The subdivider is responsible for 100 percent of the installation cost of all subdivision improvements, including but not limited to infrastructure construction, parks, roads, and other improvements.

Sec. 41-117. - Offenses.
A. It shall be unlawful for any person to lay out, subdivide or plat any land into lots,

blocks, tracts or streets within the corporate limits of the city, or sell property therein and thereby, if the land has not been laid out, subdivided and platted in accordance with the requirements of this Article.

B. It shall be unlawful for a person to commence development within the corporate limits of the City until a plat has been approved in accordance with this Article.

Sec. 41-118. - Judicial provisions applicable.

The city, acting through the city attorney or any other attorney representing the city, may file an action in a court of competent jurisdiction to:

A. Enjoin the violation or threatened violation by the owner of land of a requirement of this Article applicable to the land; or

B. Recover damages from the owner of a tract of land in an amount adequate for the city to undertake any construction or other activity necessary to bring about compliance with this Article.

Sec. 41-119. - Denial of utility connections and permits.

A. The building official shall not issue any building permit or other permits required for the installation of any utility, either public or private, to serve:
   (1) Lots or tracts within the city for which a subdivision plat has not been properly recorded as required by this Article; or
   (2) A development within the city that is subject to the provisions of this Article, for which a development plat has not been properly approved as required by this Article.

B. No tract of land may receive any service from or connect to the city water or wastewater collection systems unless, at the time of the application for service, the applicant provides evidence that the tract of land was subdivided or developed in compliance with this Article.

C. In those areas located within the city's extraterritorial jurisdiction, the building official shall not approve any plans for the construction of any wastewater collection system or domestic water distribution system and the city engineer shall not approve any plans for the construction of storm drainage system within any utility district for which the city has granted its consent for creation or enlargement, unless and until the provisions of this Article have been complied with for any tract of land served by utilities provided by the utility district."

Section 2. Repeal. This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

Section 3. Severability. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, 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 4. Publication and Effective Date. This ordinance shall be effective upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with Chapter 52 of the Texas Local Government Code.

Section 5. Public Hearing. This ordinance was adopted following a public hearing as required by Section 212.002 of the Texas Local Government Code.

PASSED, APPROVED, AND ADOPTED on First Reading this 16th day of September 2019; and

PASSED, APPROVED, AND ADOPTED on Second and Final Reading this ____ day of _____, 2019.

APPROVED:

_____
Bobby Hocking, Mayor

ATTEST:

_____
Robin Eldridge, TRMC, City Clerk

CITY COUNCIL AGENDA FORM

Meeting Date: October 14, 2019 Agenda item: **7a**
Prepared by: Charlene Warren Reviewed by: *Charlene Warren/ Charles Jackson*

Department: Administration

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Resolution No. **R-2019-0032,** supporting Galveston Bay Estuary's The Galveston Bay Plan, 2nd Edition, The Comprehensive Conservation and Management Plan for the Galveston Bay Ecosystem

X

ATTACHMENTS FOR REFERENCE

1. Resolution

STAFF BRIEFING:

- Galveston Bay is critical to the economic well-being, health and quality of life for the region's communities
- The original Galveston Bay Plan was approved in 1995 by the Governor of Texas and the US Environmental Protection Agency, with a lifespan of 20 years, and evaluations every five years
- The Texas Estuaries Act (1999) recognizes the national significance of Texas estuaries and the benefits and public purpose of the estuary management plans
- The Galveston Bay Estuary Program was created to provide long-term protection of Galveston Bay through an ecosystem-wide process of cooperative action and management
- At the 20-year timeline for the original plan, an in-depth analysis of the original objectives was undertaken, going beyond the most urgent actions defined in the *Strategic Action Plan*
- *The Galveston Bay Plan, 2nd Edition* builds upon 30 years of factual, scientific information and identifies specific actions, goals, and objectives to address priority issues
- These strategies and tools will ensure that Galveston Bay is preserved for future generations

HISTORY: N/A

TARGET IMPLEMENTATION: October 14, 2019

SIGNIFICANT ACTION DATES: N/A

CITY COUNCIL AGENDA FORM

ACTION:

- ☐ Ordinance
- ☒ Resolution
- ☐ Special Presentation
- ☐ Proclamation
- ☐ Finance Report
- ☐ Public Hearing
- ☐ Other
- ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

Cost Details:	
Budgeted	N/A
Actual Bid	N/A
Estimated Expenditure	N/A
Acct. Name(s)	N/A
Line Item #	N/A
Other Funding	N/A

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2019-0032,** supporting Galveston Bay Estuary's The Galveston Bay Plan, 2nd Edition, The Comprehensive Conservation and Management Plan for the Galveston Bay Ecosystem

FISCAL IMPACT: **N/A**

RESOLUTION NO. R-2019-0032

A Resolution of the City of La Marque, Texas to support the Galveston Bay Estuary Program's The Galveston Bay Plan, 2nd Edition, The Comprehensive Conservation and Management Plan for the Galveston Bay Ecosystem.

WHEREAS, Galveston Bay is a special and unique place where freshwater from rivers and streams mixes with saltwater from the ocean; and

WHEREAS, Galveston Bay is critical to the economic wellbeing, health, and quality of life for this region's communities; and

WHEREAS, the original *Galveston Bay Plan* was approved by the Governor of Texas and the United States Environmental Protection Agency in 1995 and was designed to be implemented over a 20-year period with evaluations every five years; and

WHEREAS, the Texas Estuaries Act (1999) recognizes the national significance of Texas estuaries and the benefits and public purpose of the estuary management plans, and directs the previous Texas Natural Resource Conservation Commission to be the lead state agency for implementation of the plans under the National Estuary Program, among other supportive roles; and

WHEREAS, the Galveston Bay Estuary Program was created to provide long-term protection of Galveston Bay through an ecosystem-wide process of cooperative action and management in accordance with the original approved plan and consistent with §320 of the Federal Clean Water Act; and

WHEREAS, at the mid-point of the original plan's 20-year timeline, the Galveston Bay Council's decision to identify the most urgent actions for implementing the plan and to sustain the bay's future resulted in the publication of the document *Charting the Course to 2015: Galveston Bay Strategic Action Plan* (2009)*;* and

WHEREAS, at the 20-year timeline for the original plan, an in-depth analysis of the original objectives was undertaken, going beyond the most urgent actions defined in the *Strategic Action Plan*; and

WHEREAS, *The Galveston Bay Plan, 2nd Edition* builds upon 30 years of factual, scientific information and identifies specific actions, goals, and objectives to address priority issues; and

WHEREAS, the strategies and tools identified in *The Galveston Bay Plan*, *2nd Edition*, in concert with the collaboration, coordination, and monitoring that occurs through the Galveston Bay Council and its subcommittees, will ensure that Galveston Bay is preserved for future generations to come.

NOW THEREFORE, BE IT RESOLVED THE CITY OF LA MARQUE, TEXAS recognizes that the Galveston Bay Estuary Program's coordinated regional management of Galveston Bay will be the most effective means of preserving this region's most valuable natural resource and intends to join with other local governments and regional stakeholders to support the goals of *The Galveston Bay Plan, 2nd Edition, The Comprehensive Conservation and Management Plan for the Galveston Bay Ecosystem.*

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on this the _____ day of _____, 2019.

CITY OF LA MARQUE, TEXAS

_____
Bobby Hocking, Mayor

ATTEST:

_____
Robin Eldridge, TRMC
City Clerk

CITY COUNCIL AGENDA FORM

Meeting Date:	October 14, 2019	Agenda item:	**7b**
Prepared by:	Charlene Warren/ Charles Jackson	Reviewed by:	*Charlene Warren/ Charles Jackson*
Department:	Administration		

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Resolution No. **R-2019-0033,** amending Resolution No. R-2015-0022 by deleting the requirement for level debt service applicable to Galveston County Municipal Utility District No. 68 bonds

X

ATTACHMENTS FOR REFERENCE

1. Resolution
2. Resolution R-2015-0022

STAFF BRIEFING:

- Letter was received from Allen Boone Humphries Robinson, LLC, the Attorneys for Municipal Utility District No. 68 asking for the City's approval for the issuance of 2019 Series Unlimited Tax Bonds
- At the September 9, 2019 City Council meeting, City Council requested that staff meet with MUD #68 representative for additional information before bringing item back before Council
- At the September 16, 2019 City Council meeting, City Council agreed to amend the language removing the level debt service requirement as previously adopted in Resolution No. **R-2015-0022**

HISTORY:

- The City of La Marque consented to the creation of the Municipal Utility District No. 68 in Ordinance 952 on the second and final reading on November 28, 2005, and later to the annexation of land into the District in 2015
- In 2015, as a condition of annexation, a level debt service requirement was implemented via Exhibit B of Resolution No. **R-2015-0022**
- As consent conditions, the City required that the District's bonds maintain substantially level debt service, and that the District may satisfy this requirement by submitting the anticipated debt service on the District's bonds to the City

TARGET IMPLEMENTATION: October 14, 2019

SIGNIFICANT ACTION DATES:

11/14/2005 – First reading of Ordinance for the creation of MUD #68
11/28/2005 – Second and final reading of the approval and adoption of the Ordinance creating MUD #68
8/30/2019 – Letter received from Attorney for MUD #68
9/16/2019 – City Council agreed to amend Resolution No. **R-2015-0022**

CITY COUNCIL AGENDA FORM

ACTION:

- ☐ Ordinance
- ☒ Resolution
- ☐ Special Presentation
- ☐ Proclamation
- ☐ Finance Report
- ☐ Public Hearing
- ☐ Other
- ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

Cost Details:	
Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name(s)	
Line Item #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2019-0033,** amending Resolution No. R-2015-0022 by deleting the requirement for level debt service applicable to Galveston County Municipal Utility District No. 68 bonds

FISCAL IMPACT: **N/A**

RESOLUTION NUMBER R-2019-0033

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING RESOLUTION NO. 2015-0022 RELATING TO THE CONSENT CONDITIONS FOR THE INCLUSION OF LAND WITHIN BY GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 68; AND PROVIDING AN EFFECTIVE DATE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS:

SECTION 1. The City Council hereby amends Resolution No. 2015-0022 whereby the City of La Marque, Texas, consented to the inclusion of land within **GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 68,** and imposed certain conditions upon such consent, to delete the requirement for level debt service applicable to such district's bonds for bonds issued after the effective date of this resolution. As amended, such Exhibit B shall read in its entirety as shown on the attachment hereto. As so amended, the attached exhibit contains the consent conditions of the City applicable to the referenced district.

SECTION 2. It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 3. This Resolution shall take effect immediately upon its first and final reading and the passage and approval.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on the _____ day of _____, 2019.

CITY OF LA MARQUE, TEXAS

_____
Mayor

ATTEST:

_____
City Clerk

808914

Exhibit B [as amended]
Consent Conditions

(a) The District may issue bonds, including refunding bonds, only for the purpose of purchasing, refinancing, designing and constructing, or otherwise acquiring waterworks systems, sanitary sewer systems, storm sewer systems, drainage facilities, parks and recreational facilities, and streets and thoroughfares, or parts of such systems or facilities (the "Public Improvements"), and to make any and all necessary purchases, constructions, improvements, extensions, additions, and repairs thereto, and to purchase or acquire all necessary land, right-of-way, easements, sites, equipment, buildings, plants, structures, and facilities therefor, and to operate and maintain same, and to sell water, sanitary sewer, and other services within or without the boundaries of the District. No bonds will be issued with a final maturity date more than 30 years from the date of issuance, and the first principal maturity must occur within three years of the date of issuance. Such bonds must provide that the District reserves the right to redeem said bonds on any date subsequent to the 10th anniversary of the date of issuance (or any earlier date at the discretion of the District) without premium, and none of such bonds, other than refunding bonds, will be sold for less than 97 percent of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the date of the sale of such bonds. No bonds of the District may be issued without specific City consent if the City has given notice to the District that it intends to dissolve the District in accordance with applicable law within 120 or fewer days after such notice. The resolution or order authorizing the issuance of the District's bonds will not contain a provision that the pledges of any revenues from the operation of the District's water and sewer and/or drainage system to the payment of the District's bonds.

(b) Any refunding bonds of the District must provide for a minimum of three percent present value savings, and no maturity beyond the latest maturity of the refunded bonds, unless approved by the City in writing prior to the sale thereof.

(c) Before the commencement of any construction of public improvements within the District, its directors, officers, or developers and landowners will submit to the City, or to its designated representative, all plans and specifications for the construction of such public improvements to serve the District and obtain the approval of such plans and specifications. All water wells, water meters, flushing valves, valves, pipes, and appurtenances thereto, installed or used within the District, will conform to the standard specifications of the City. All water service lines and sewer service lines, lift stations, and appurtenances thereto, installed or used within the District will comply with the City's standard plans and specifications as amended from time to time. The

construction of the District's water, sanitary sewer, and drainage facilities will be in accordance with the approved plans and specifications and with applicable standards and specifications of the City; and during the progress of the construction and installation of such facilities, the City may make periodic on-the-ground inspections. All thoroughfares and street will be located, designed and constructed in accordance with applicable City standards and comprehensive/thoroughfare plans and with plans and specifications approved by the City.

(d) Prior to the sale of any lot or parcel of land, the owner or the developer of the land included within the limits of the District will obtain the approval of the City of La Marque of a plat which will be duly recorded in the Real Property Records of Galveston County, Texas, and otherwise comply with the rules and regulations of the City of La Marque.

CITY COUNCIL AGENDA FORM

Meeting Date:	October 14, 2019	Agenda item:	**7c**
Prepared by:	Charlene Warren/ Charles Jackson	Reviewed by:	*Charlene Warren/ Charles Jackson*
Department:	Administration		

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Resolution No. **R-2019-0034**, awarding RFQ #19-03 to Adico, LLC for Engineering Services relating to Hazard Mitigation Assistance (HMA) grant applications, and appointing the City Manager as an authorized signatory to execute a contract with Adico, LLC

X

ATTACHMENTS FOR REFERENCE

1. Resolution
2. Adico, LLC Proposal
3. RFQ #19-03

STAFF BRIEFING:

- City of La Marque is in process of preparing grant applications for various FEMA Hazard Mitigation Assistance (HMA) programs through the Texas Division of Emergency Management (TDEM) and/or Texas Water Development Board (TWDB).
- HMA includes FEMA Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation Grant Program (PDM) and Flood Mitigation Assistance Grant Program (FMA).
- The city must enter into a contract with a qualified Texas Certified Engineering Firm, per grant regulations.
- Each application will be brought before City Council for approval prior to submission
- The City of La Marque further states that all funds will be used in accordance with all federal, state, local ad programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition and all civil rights requirements

HISTORY:

September 5/September 12, 20219 – Legal posting dates as requirement for RFQ #19-03

September 25, 2019 - RFQ submissions due; Adico, LLC. was found to have the highest qualifications

TARGET IMPLEMENTATION: October 14, 2019

SIGNIFICANT ACTION DATES: **N/A**

CITY COUNCIL AGENDA FORM

ACTION:

☐ Ordinance ☒ Resolution
☐ Special Presentation ☐ Proclamation
☐ Finance Report ☐ Public Hearing
☒ Other – Award of RFQ
☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

Cost Details:	
Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name(s)	
Line Item #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2019-0034**, awarding RFQ #19-03 to Adico, LLC for Engineering Services relating to Hazard Mitigation Assistance (HMA) grant applications, and appointing the City Manager as an authorized signatory to execute a contract with Adico, LLC

FISCAL IMPACT: There are many eligible project opportunities through these nationally competitive grants. Ms. Alice Ashley, Provision Specialized Resources, LLC is evaluating all opportunities which would benefit the City and its residents. Until projects are determined and applications completed, matching fund requirements are unknown. A workshop is planned prior to the November 11, 2019 City Council to discuss various project options and estimated costs.

RESOLUTION NO. R-2019-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS DESIGNATING AUTHORIZED SIGNATORY FOR CONTRACTUAL DOCUMENTS PERTAINING TO ENGINEERING/ ARCHITECTURAL/ SURVEYING PRE-AWARD AND POST-AWARD ENGINEERING SERVICES FOR HAZARD MITIGATION ASSISTANCE (HMA) CONTRACT(S), IF AWARDED, FROM THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM) AND/OR TEXAS WATER DEVELOPMENT BOARD (TWDB). HMA INCLUDES FEMA HAZARD MITIGATION GRANT PROGRAM (HMGP), PRE-DISASTER MITIGATION GRANT PROGRAM (PDM) AND FLOOD MITIGATION ASSISTANCE GRANT PROGRAM (FMA).

WHEREAS, the City of La Marque, Texas is in preparation of applications for the pre-award and post-award engineering services for Hazard Mitigation Assistance (HMA) contract(s), if awarded, from the Texas Division of Emergency Management (TDEM) and/or Texas Water Development Board (TWDB). HMA includes FEMA Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation Grant Program (PDM) and Flood Mitigation Assistance Grant Program (FMA) and;

WHEREAS, the City of La Marque, Texas appoints the City Manager as an authorized signatory for the City to enter into a contract with Adico, LLC, for Engineering/ Architecture/ Surveying Services for the abovementioned grant application(s);

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS AS FOLLOWS:

The City Manager be authorized to execute contractual documents between Adico, LLC and the City of La Marque for; Engineering/Architectural/Surveying Pre-Award And Post-Award Engineering Services For Hazard Mitigation Assistance (HMA) Contract(s), if awarded, from the Texas Division of Emergency Management (TDEM) and/or Texas Water Development Board (TWDB). HMA includes FEMA Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation Grant Program (PDM) and Flood Mitigation Assistance Grant Program (FMA).

PASSED, APPROVED, AND ADOPTED by the City Council of the City of La Marque, Texas on this the _____ day of _____, 2019

CITY OF LA MARQUE, TEXAS

_____
Bobby Hocking
Mayor

ATTEST:

_____
Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

_____
Derra Purnell
Acting City Attorney

RFQ # 19-03
CITY OF LA MARQUE, TEXAS

HAZARD MITIGATION ASSISTANCE
TEXAS DIVISION OF EMERGENCY MANAGEMENT/
TEXAS WATER DEVELOPMENT BOARD

ADICO
CONSULTING ENGINEERS

2114 EL DORADO BLVD., SUITE 400, FRIENDSWOOD, TX 77546
T: 832-895-1093 | WEBSITE: WWW.ADICO-LLC.COM
CONTACT: DINH V. HO, P.E., DINH@ADICO-LLC.COM

DUE: SEPTEMBER 25, 2019 @ 10AM

RFQ #19-03
CITY OF LA MARQUE

TABLE OF CONTENTS

I. COVER
II. TRANSMITTAL LETTER
III. STATEMENT OF QUALIFICATIONS
IV. FIRM PROFILE
V. REQUIRE DOCUMENTS

ADICO
CONSULTING ENGINEERS

Wednesday, September 25, 2019

Robin Etheridge
City Clerk
c/o City of La Marque
1111 Bayou Rd
La Marque, TX 77568

TRANSMITTAL LETTER

Re: City of La Marque - RFQ #19-03
Proposed Contract Funding for the Hazard Mitigation Grant Program (HMDP), Pre-Disaster Mitigation Grant Program (PDM), and /or Flood Mitigation Assistance Grant Program (FMA)
Statement of Qualifications for Engineering Services

Dear Ms. Etheridge,

Adico, LLC is please to submit for your review and consideration our Statement of Qualifications for the City of La Marque's RFQ # 19-03 pre-award and post-award engineering services for Hazard Mitigation Assistance (HMA) contract(s), if awarded, from the Texas Division of Emergency Management (TDEM) and/or Texas Water Development Board (TWDB). HMA includes FEMA Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation Grant Program (PDM) and Flood Mitigation Assistance Grant Program (FMA), Pre-Disaster Mitigation Grant Program (PDM) and Flood Mitigation Assistance Grant Program (FMA).

The City of La Marque is considering applying for such funding to support eligible mitigation projects under the following programs:

- Hazard Mitigation Grant Program (HMGP)
- Pre-Disaster Mitigation Grant Program (PDM)
- Flood Mitigation Assistance Grant Program (FMA)

Adico acknowledges the City of La Marque reserves the right to negotiate with any and all individual or firms that submit proposals, as per the Texas Professional Services Procurement Act and the Uniform Grant and Contract Management Standards. Section 3 Residents and Business Concerns, Minority Business Enterprises, Small Business Enterprises and Women Business Enterprises are encouraged to submit proposals. The City of La Marque is an Affirmative Action/Equal Opportunity Employer.

Adico is a "client first" company that identifies our client's current and future needs based on seeing the overall landscape of our client. As a dedicated and experienced civil engineering firm, Adico has participated in numerous master drainage, detention and flood mitigation projects in the Houston metropolitan area. Our experienced staff has worked on many of these projects with several area school districts, public municipalities and private clients to aid in achieving the end goal of modern, cost effective and functional facilities. We are familiar and knowledgeable in the HMA application and awarding process as Adico was awarded an HMA project from the City of Iowa Colony for professional engineering services in August 2018 and Huffman Independent School District in October of 2018. Our committed staff offers over 45 years of civil engineering services, including preliminary feasibility, Stage II feasibility, preliminary and final design, preparation of construction documents and construction phase services. We are dedicated to being efficient and cost effective with smart designs that meets or exceeds our client's expectations.

Adico, LLC understands the Scope of Work as detailed in the Request for Qualifications, RFQ # 19-03, for

Engineering Services published on or about September 10, 2019. The City of La Marque is seeking to contract with a state-registered engineering firm to assist the City in pre-award engineering services of its proposed HMA project(s), if funded by FEMA through TDEM and/or TWDB. The City intends to seek funding in support of eligible mitigation projects under one or more of the following programs:

- Hazard Mitigation Grant Program (HMGP)
- Pre-Disaster Mitigation Grant Program (PDM)
- Flood Mitigation Assistance Grant Program (FMA)

The following outlines the request for qualifications:

I. **Scope of Work**

Adico understands the contract will encompass all application and project-related engineering/ architectural/ surveying services to the City of La Marque, TX, including but not limited to the following:

a. Mitigation Projects

Pre-Award*(services associated with developing and requesting Federal disaster assistance), including but not limited to:

- Application preparation assistance
- Preliminary engineering study, if applicable
- Preliminary environmental and historical assessment
- Preliminary surveys, if applicable
- Preliminary Scope of Work determination
- Preliminary Benefit Cost Analysis using FEMA's BCA software program
- Preliminary design plans and specifications
- Preliminary budget

Post-Award

- Comprehensive Benefit Cost Analysis
- Comprehensive engineering study
- Comprehensive environmental and historical assessment
- Final design plans and specifications
- Final budget
- Preparation of the bid packet and contract documents
- Conduct all field testing and inspections (interim and final); and
- Other special services as determined

It is understood that Pre-Award costs must have been incurred after the date of declaration (HMGP) or grant opening announcement (FMA or PDM). Pre-award costs must be identified as separate line items in the cost estimate of the application. Costs associated with implementation of the activity but incurred prior to Federal award or final approval are not eligible. If an award is not made, Pre-award costs will not be reimbursed by FEMA. Pre-award costs are reimbursed when the final project or Phase II is approved and funded.

Further, projects with specialized or complex technical information such as a drainage project will include two phases. Phase 1 will be for developing Hydrologic and Hydraulics Studies, feasibility studies, and other technical studies. After Phase 1 deliverables have been developed and analyzed, a new BCA will be performed, and any necessary changes will be made in the Scope of Work and Budget. When Phase 1 deliverables have been approved by TDEM and FEMA, the balance of Management Activities outlined above will be followed.

II. Statement of Qualifications

Adico understands that the City of La Marque is seeking to contract with a competent engineering firm experienced in federally funded projects. Included in our Statement of Qualifications are the following:

- A brief history of the proposing entity, including general background, knowledge of and experience working with relevant agencies
- Related experience in federally funded construction projects and the specific project type referenced in this RFQ.
- A description of work performance and experience with HMGP, PDM, and/or FMA including a list of at least three references from past local government clients
- Describe the firm's capacity to perform as well as resumes of all employees who will or may be assigned to provide services if your firm is awarded a contract through this solicitation.
- A statement substantiating the firm' resources of and the ability to carry out the scope of work requested in a timely manner.

Our company's previous and current projects is detailed in this package, and lists governmental clients, employee resumes and staff that may be assigned to this project, if awarded the services contract award. Also included is our certificate of insurance for professional liability.

III. We understand that for this RFQ, qualifications will be evaluated, and the most qualified respondent will be selected, subject to negotiations of fair and reasonable compensation.

IV. Evaluation Criteria

Adico acknowledges the proposals received will be evaluated and ranked according to the following criteria and using the rating sheet enclosed as Exhibit A.

V. Submission Requirements

- System for Award Management. Consultant/Firm is not debarred or suspended from the Excluded Parties List System (EPLS) in the System for Award Management (SAM) and must have an active registration with the System for Award Management (www.SAM.gov). Include verification that your company is registered and that the company's principal is not listed (is not debarred) through the System for Award Management (www.SAM.gov). Enclose a printout of the search results that includes the record date.
- Form CIQ. Enclosed in Exhibit B. Texas Local Government Code chapter 176 requires that any vendor or person who enters or seeks to enter into a contract with a local government entity disclose in the Questionnaire Form CIQ the vendor or person's employment, affiliation, business relationship, family relationship or provision of gifts that might cause a conflict of interest with a local government entity. Questionnaire form CIQ is included in the RFQ and must be submitted with the response.
- Certification Regarding Lobbying. Enclosed in Exhibit B. Certification for Contracts, Grants, Loans, and Cooperative Agreements is included in the RFQ and must be submitted with the response.
- Form 1295. Enclosed in Exhibit B. Effective January 1, 2016, all contracts and contract amendments, extensions, or renewals executed by the Commissioners Court will require the completion of Form 1295 "Certificate of Interested Parties" pursuant to Government Code § 2252.908. Form 1295 must be completed by awarded vendor at time of signed contract submission. Form 1295 is included in this RFQ for your information
- Required Contract Provisions. Applicable provisions enclosed in Exhibit C must be included in all contracts executed as a result of this RFQ

VI. Contracting with small and minority businesses, women's business enterprises, and labor surplus area

firms. Small and minority businesses, women's business enterprises, and labor surplus area firms are encouraged to participate in this RFQ. If the awarded vendor is a prime contractor and may use subcontractors, the following affirmative steps are required of the prime contractor:

- Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

We hope, after your review of our Statement of Qualifications, that we have provided a glimpse of our professional engineering services for the City's upcoming projects. We have no doubt that Adico can provide the City with competent, proficient and valuable engineering services.

We appreciate your time and consideration and look forward to hearing from you.

Sincerely,
Adico, LLC

Dinh V. Ho, P.E.
TBPE Firm No. 16423

STATEMENT OF QUALIFICATIONS

RFQ # 19-03
CITY OF LA MARQUE, TEXAS

HAZARD MITIGATION ASSISTANCE
TEXAS DIVISION OF EMERGENCY MANAGEMENT/
TEXAS WATER DEVELOPMENT BOARD

ADICO
CONSULTING ENGINEERS

211 E. PARKWOOD AVE., SUITE 209, FRIENDSWOOD, TX 77546
T: 832-895-1093 | WEBSITE: WWW.ADICO-LLC.COM
CONTACT: DINH V. HO, P.E., DINH@ADICO-LLC.COM

DUE: SEPTEMBER 25, 2019 AT 10:00 AM

FIRM PROFILE

Introduction:

Adico, LLC is a consulting civil engineering firm based in Friendswood, TX. Our combined professional experience offers over 45 years of civil engineering expertise in the Houston metropolitan area. Our ambition is simple, we want to use our engineering expertise to create a highly efficient, cost effective product to, at minimum, exceed our clients' expectations. We have worked with numerous both public and private entities to produce projects we are proud to call our own. Smart design, functionality, cost efficiency and time consciousness are imperative to our success and the reason for several repeat clients. Availability and constant communication with our clients are vital to our success. In our many years in the business, we have developed strong strategic and prosperous partnerships working with fellow engineers, architects, construction contractors, utility districts and governmental agencies to provide clients with the ultimate end result of a successful project that they envisioned.

We offer a wide range of professional civil engineering services. These services include:

- Project conception and initial planning
- Preliminary feasibility studies
- Stage 2 feasibility study
- Preliminary design through final design
- Preparation of construction documents
- Construction phase services

Adico, LLC has consulted on numerous projects, both small and large. Our clients have a vast portfolio of projects throughout the Houston metropolitan area and we are proud to have consulted on many of these complex, exclusive and highly unique projects. To name a few, below is a sample of our consulting services:

- Municipality consulting
- Disaster Recovery consulting
- Educational facilities
- Utility analysis
- Drainage analysis
- Street design and construction management
- Sidewalks and parking lots
- Road and bridges
- Storm water management and system design
- Wastewater treatment plants
- Single family residential land development
- Education facilities
- Commercial site development, including office space, warehouse, strip centers, gas stations, etc.

Core Values

Adico's core values are availability, constant communication and developing lasting professional relationships. Our staff offers over 45 years of professional services working in various specialties to come together and provide the ultimate service of ensuring our clients goals. We have never tried to cut on either quality, the pace of work or any other construction aspects. We stay true to fulfill our promise of efficiency and quality service.

Quality

We believe our attention to details ensures our success. We always aim to "do it right" the first time and eliminate unnecessary steps, to save time and money. From conception of a project, we derive and commit to a game plan that fits the needs of our client's interests. Our game plan foresees most constraints with time, money and schedule. Market awareness and communication is the imperative to a successful project.

Pace

Adico is a prepared firm. We know that most projects are time sensitive. Maintaining an accurate and steady schedule can make or break a project. Our clients are ensured that with our representation, the project will be delivered in a time sensitive manner. Accuracy and attention to detail is not thwarted when we are given a timeline for completion. As experienced professionals, skillful execution is important to our success.

Our Projects:

Our Civil Engineering firm has a vast portfolio of projects that includes working with numerous municipalities, commercial clients and educational facilities. We work with both public and private entities, with no project being too small or too large. Adico is committed to delivering the needs and wants of our clients. Examples of our projects include, dental offices, strip centers, warehouses, public and private infrastructure projects, veterinary clinics, business offices, and education facilities for school districts. Our experienced professional staff has developed numerous lasting relationships where we are referred to new clients many times over. Our work and product speak for itself.

Relevant Project Experience:

Currently, Adico is the consulting City Engineer for the City of Iowa Colony. During our three and one-half year tenure as City Engineer, our firm has reviewed, consulted and developed the City's drainage needs for a rapidly growing city. Currently, several large developments have required strategic drainage planning for current needs as well as planning future needs to accommodate future development. As City Engineer, we are responsible for all improvements including reviews and approval of water, sanitary sewer, storm, and paving construction plans for all development projects. We also review and approve all major infrastructure projects, and plan major thoroughfare plans, capital improvement projects, and assist City staff with most matters related to any development. Adico provides construction inspection related services and ensure projects are complete and functioning as intended prior to the City's acceptance of facilities for maintenance. We are the City's representatives for local government jurisdictions, such as drainage districts, county and state agencies and coordinate planning for drainage, road improvements and

coordination of disaster related planning and emergency management.

Adico has first-hand experience in natural disaster planning and implementation. As the City Engineer, we coordinated with city staff, residents, and local government to implement a pre-storm plan and post storm clean-up and recovery plan. We provided communication to residents and local government and performed a city-wide survey of pre and post storm conditions. Below is a list of natural related projects that we have been granted HMA and CDBG contracts:

- Hurricane Ike: In September 2008, Hurricane Ike landed in Galveston as a Category 2 storm. It brought extensive winds and heavy rainfall across the area. Iowa Colony received severe wind and flood damage to the City that resulted in loss of power for approximately two weeks. The loss of power halted almost all recovery and relief efforts to its residents. After Hurricane Ike in 2008, the City's Fire Department applied for and received a grant for generators for major storm events. Although, Adico was not formed at the time, our Principal, Dinh V. Ho, was the City Engineer, with another firm. Mr. Ho provided the City with assistance in completing FEMA related grant documents to obtain the grant.

- Hurricane Harvey, one of the most devastating storms that brought 1000-year rainfall levels that ravaged our local area. Specifically, Iowa Colony received over 60" of rain in a three-day period. Prior to the storm's arrival, in the interest of protecting the residents and City infrastructure, Adico met with local city officials and county government to mitigate damage of the approaching storm. We formulated a plan that included keeping residents informed, debris removal from storm drains, overall debris removal, road closures of low-lying areas and keeping open lines of communications with city officials and residents. We believe our efforts to mitigate flood water from Hurricane Harvey helped tremendously, however, flooding still occurred as several residents experienced flooding and damages to their homes.

  After the storm, our staff surveyed and noted damages to its residents and infrastructure. We worked with City staff and local governments to seek assistance from FEMA for disaster recovery efforts. We developed permit waivers for residents to begin rebuilding efforts without additional expenses from the City. And, more importantly, we worked with local government of hazard mitigation needs for future storm events. We held many discussions with FEMA and other local governments about the City's needs for improving infrastructure to mitigate flooding, including regional detention facilities and local detention facilities.

  After Hurricane Harvey, Adico assisted the City in applying for grants with FEMA. In order to do this, we assisted the City with setting up a Procurement Policy for Federal Funds. We reviewed and aided the City with the completion of procurement documents for HMA and CDBG to procure a grant writer. We also assisted the City in reviewing proposals for grant writers and provided opinions in the selection City's grant writer. We worked with the selected grant writer in developing the advertisement package for engineering services in accordance with GLO guidelines. As City Engineer, we identified several city projects that met the criteria for HMA and CDBG funding. We assisted the grant writers in preparing the advertisement package to solicit engineering firms for HMA and CDBG projects.

  In September 2019, we provided our qualifications for engineering services for HMA and CDBG

funding for Harvey related projects in the City of Iowa Colony. We were awarded both HMA and

CDBG as engineering service providers. After being awarded the contracts, we worked with grant writers in preparing pre-funding activities including providing cost estimate, preliminary plans, specifications and budget.

- Hurricane Harvey-Huffman Independent School District. Adico submitted our Statement Qualification for an RFQ for Hurricane Harvey related damages. We were awarded the contract for engineering services for construction design and construction administration in October 2018. We provided the school district with engineering design and construction administration of projects related to floodplain mitigation such as:

    - Replacement and flood mitigation of chiller plants
    - Lift Station
    - Water Plant
    - Sanitary Sewer
    - Siteworks such as mitigation of athletic fields, detention expansion of various facilities, flood protection of middle school, pump systems and site access to raised buildings and transportation parking

Work Performance and Experience:

Adico is familiar with the complicated and detailed process of grant funding for HMA and CDBG projects. As we have been awarded contracts and worked with city staff, municipalities and grant writers, we are confident in our ability to perform the services required. Since our firm was awarded as the engineering service providers in 2018, Adico has since identified qualifying projects and in the process of working with the grant writers in Iowa Colony and Huffman ISD for pre-award and post-award services.

Firm Staff and Ability to Perform:

Adico, LLC for was formed in 2015 with our principal as its sole employee. In four years, through building advantageous professional relationships and dedication to our craft, we have rapidly grown into an 8-person staff. We have prided ourselves with expertise of our field and producing quality work that results in repeat clients and referrals. Included in our staff is our principal, Dinh V. Ho, two senior project engineers, two project designers, two field inspectors, and one administrative personnel. Our team has decades of experience in hazard mitigation projects at all levels, including planning, designing, and pre and post construction activities for both private and public entities.

Adico recognizes our field, Civil Engineering, is ever changing and always ensures we are knowledgeable of the changes and adapt to them. Our team is diverse and skilled with over 45-year of solid working experience in due diligence, design, pre and post construction activities and obtaining governmental approvals. The team has built and maintained lasting relationships that have paved the way for our success as a firm.

ADICO

CONSULTING ENGINEERS

CONSULTING ENGINEERING SERVICES:

CIVIL ENGINEERS,

PROJECT MANAGERS, CONSTRUCTION MANAGEMENT

ADICO, LLC - CONSULTING ENGINEERS
2114 EL DORADO BLVD., SUITE 400, FRIENDSWOOD, TX 77546

ENGINEERING SERVICES

CIVIL ENGINEERING

- Site Planning and Utilities
- Site Development
- Stormwater Drainage System
- Water/Wastewater System
- Pump Station Design
- Wastewater Treatment Plan
- Pedestrian Facilities Planning
- Roadway Design
- Construction Administration

WATER RESOURCES

- Storm Water Management Plans
- Channels
- Storm Sewer Systems
- Detention Basins
- Storm Water Pump Stations
- Water Amenities and Water Quality Ponds
- NPDES Permits/ FEMA Submittals
- Storm Water Pollution Prevention Plans

SITE DEVELOPMENT

- Retail & Mixed Use
- Townhomes and Multi-Family Projects
- Offices and Medical Facilities
- Education

PLANNING

- Master Planning
- Feasibility Studies
- Land Use Planning and Approvals

TRANSPORATION AND TRAFFIC

- Roadways Geometrics
- Construction Sequencing
- Traffic Control Plans
- Utility Relocations
- Signing & Pavement Markings
- Railroad Design and Studies
- Construction Management/ Administration

LAND DEVELOPMENT

- Feasibility Analysis
- Water Treatment and Distribution
- Wastewater Collection and Treatment
- Storm Water Management
- Erosion/ Sedimentation Controls
- Roadway Design
- Traffic Engineering
- Construction Administration

CIVIL ENGINEERIN

ALLC civil engineering team has extensive experience ranging from planning, design and construction of water distribution, wastewater collection, stormwater systems and roadways for municipalities, utility districts and private clients.

MUNICIPAL

- Mason Creek Utility District
- City of Iowa Colony
- City of La Marque
- Harris County MUD 381
- Harris County MUD 420
- Harris County
- Galveston County
- City of Sugar Land

EDUCATION

- Magnolia ISD—Magnolia West H.S.
- Alvin ISD-Bel Nafegar Sanchez E.S.
- Alvin ISD— Bob &Betty Nelson E.S.
- Alvin ISD— Sterling Lakes ES.
- Houston ISD—Ryan Elementary Parking Lot Expansion

INDUSTRIAL/COMMERCIAL

- Ellis Business Park
- Hunting Energy Service – Ameriport Campus
- Hunting Energy Services—National Coupling Expansion
- ProBuild, Inc.—Manvel, Katy, Conroe
- Schlumberger

Falcon Ridge Elementary School

Huffman Independent School District

Provided professional engineering services including site grading, water, sanitary sewer, storm and paving design and construction phase services.

Completed 2018

Bob and Betty Nelson Elementary School

Alvin Independent School District

Provide professional engineering services including site grading, water, sanitary sewer, storm and paving design and construction phase services.

Completed 2018

Magnolia West High School

Magnolia Independent School District

Design of stormwater drainage detention system and access drive

Completed 2014

Ryan Elementary School

Houston Independent School District

Design of stormwater drainage detention system and parking area expansion

Completed 2012

Butler & Barnett Stadium

Houston Independent School District

Design of Synthetic Turf System, including stormwater drainage detention system and new parking area

Completed 2011

Bel Nafegar Sanchez Elementary School

Alvin Independent School District

Design includes underground utilities, paving, grading and drainage.

Completed 2019

Pearland Public Safety Building

City of Pearland

- Site Analysis
- Detention & Flood Control Facilities
- Paving, Grading & Drain age Structures
- Permitting & Platting
- Site Design
- Surveying
- Underground Utilities

Completed 2010

Cypress Creek Family YMCA

The Mathis Group

- Site Analysis
- Detention & Floodplain Mitigation
- Paving, Grading & Drain- age Structures
- Permitting & Platting
- Site Design

Completed 2009

National Coupling Expansion

Hunting Subsea

- Site Analysis
- Master planning
- Detention & Flood-Control Facilities
- Paving, Grading & Drain-age Structures
- Permitting & Platting
- Site Design
- Surveying
- Underground Utilities

Completed 2010

Weekley Community Center

Harris County Precinct 4

- Site Analysis
- Detention & Floodplain Mitigation
- Paving, Grading & Drain- age Structures
- Permitting & Platting
- Site Design

Completed 2015

REFERENCES

Mr. Joe Castillo, Jr., LEED AP Director
Project Management Office
Harris County Public Infrastructure Dept.
1001 Preston, 7th Floor
Houston, Texas 77002
713.755.7630

Mr. Jeff Couvillion Director
Building Programs Alvin Independent School District
2200 Stapp Maxwell
Alvin, TX 77511
281.245-2469

Kayleen Rosser
City Secretary
City of Iowa Colony
12003 Iowa Colony Blvd.
Iowa Colony, TX 77583 281.369.2471

Mr. Ron Cox
Ron Cox Consulting
120 St. Andrews
Friendswood, Texas 77546
281.543.0042

Mr. Pete Davies, P.E. Project Coordinator
Harris County Public Infrastructure Dept.
1001 Preston, 7th Floor
Houston, Texas 77002
713.755.1149

Mr. Jeremy Phillips
Senior Director of Infrastructure
Harris County Precinct 2
8103 Wade Road
Baytown, TX 77521
713.274.2376

Mr. Ronald K. Brink, AIA Architect
Harris County Public Infrastructure Dept.
10555 Northwest Freeway, Room 213
Houston, Texas 77092
713.956.3086

Mr. Peter McDaniel Manager of Construction
Harris County Public Infrastructure Dept.
1310 Prairie, Suite 1102
Houston, Texas 77002
713.755.9317

Mr. Mark Berthold
Director of Facilities Program ProBuild, Inc.
7595 Technology Way, Suite 500
Denver, CO 80237
303.262.8600

RESUME

Role: Principal in Charge/ Project Manager

Education Bachelor of Science, Civil Engineering, Lamar University

Licensing: Texas No. 93895

Project Commitment: 100%

Dinh V. Ho, P.E.
Principal in Charge/ Project Manger

Dinh Ho, P.E. brings over 20 years of civil engineering experience in the area of site and land development. He is responsible for overseeing design and management of projects ranging from education to municipalities. His experiences include coordination with surveyors, architects and other professionals in the preparation of development plans; preparation and review of contractor's bid packages for street paving, sewer, storm water, water utility and franchise utility improvement; and supervision of construction activities.

PROJECT EXPERIENCE:

- Iowa Colony, CDBG Disaster Recovery and Hazard Mitigation Assistance (HMA) procurement and Pre-Funding and Post Funding Services.
- Iowa Colony, City Engineer, Review and approve infrastructure improvement projects including bridges, major thoroughfares, collector streets and subdivision streets and provide construction inspection services, Iowa Colony, TX
- Alvin ISD, Bob and Betty Nelson Elementary School, Onsite and Offsite Utilities, Alvin, TX
- Huffman ISD, Falcon Ridge Elementary School, Onsite and Offsite Utilities, Huffman, TX
- Katy ISD, Perform flood mitigation survey of five schools and develop plan to mitigate future flooding, Katy, TX
- Harris County, Provide initial and final design and obtain approval for TXDOT roadway expansion and traffic signalization for approximately 1300 LF of Wolf Road, Huffman, TX
- Alvin ISD, Provide initial and final design and obtain approval for CR 185 widening and traffic signalization for approximately 1,000 LF., Alvin, TX
- Alvin ISD, Provide initial and final design and obtain approvals for 350 LF of pedestrian cross wings and traffic signalization of FM 1462, Alvin, TX.
- Houston ISD, Ryan Middle School-Storm Water Detention and Parking Lot Expansion, Houston, TX
- Houston Community College, Alief Early College High School-New Campus, Houston, TX
- Houston ISD, 2007 Bond Program Manager, Houston, TX

RESUME

Randall J. Liska, P.E.
Senior Project Manager

Randy Liska, P.E. brings over 20 years of civil engineering experience in the design of site and land development. He is responsible for overseeing all design and management of projects for public and private entities. His experiences include performing drainage analysis, Stage I and II feasibility studies, and all pre-development activities. He coordinates and manages civil designers, architects and other professional services to ensure efficiency with regards to time and budget.

Role: Senior Project Engineer

Education: Bachelor of Science, Civil Engineering, University of Houston

Licensing: Texas No. 89374

Project Commitment: 100%

PROJECT EXPERIENCE:

- City of Iowa Colony, CDBG Disaster Recovery and Hazard Mitigation Assistance (HMA) procurement and Pre-Funding and Post Funding Services, Iowa Colony, TX
- Harris County, John Paul Landing Central Cell Excavation, design of 20-acre detention mitigation basin for John Paul Landing Park, Katy, TX
- Fort Bend County MUD 144, Christian Brothers, final design of roadway improvements for approximately 1100 LF of roadway expansion, Rosenberg, TX
- Fort Bend County MUD 144, Summary Park, Provide utility design and paving extension for approximately 400 LF of facilities, Rosenberg, TX
- West Harris County Municipal Utility District No. 21, Derrington Road, Design of approximately 400LF of utilities and roadway expansion, Houston, TX
- Sea Scout Base Camp Galveston and Sea Scout North Facility, developed LEED based construction plans including rerouting of a TxDOT storm sewer facility for an 84student/32 staff dormitory with classrooms and conference rooms, Galveston, TX
- The League City United Methodist Church and Butler Commercial Park, develop master plan for a 20-acre site to include 15-acre church site and a 5-acre commercial shopping center. Provide onsite utilities, paving and detention facilities, League City, TX
- Galveston County Emergency Management Office, provide design of onsite utilities, paving and drainage facilities and obtain TxDOT driveway and utility permits, Galveston, TX

RESUME

Israel Wong
Construction Manager

Israel Wong has 14 years experience in construction management and design for various site development projects. His responsibilities have included design and construction management of water and sewer facilities, paving facilities drainage area maps, storm water plans and profile sheets, storm water pollution prevention plans, as well as traffic control plans. In addition, Israel has served as Construction Bond Manger for Houston ISD 2007 Bond Program, who oversaw four school sites.

Role: Construction Manager

Education: ITT Technical Institute, 1997

Years with Firm: 2016-present

Project Commitment: 100%

PROJECT EXPERIENCE:

- City of Iowa Colony, City inspector for all infrastructure projects, Iowa Colony, TX
- Alvin ISD, Bob and Betty Nelson Elementary School, Onsite and Offsite Utilities, Alvin, TX
- Huffman ISD, Falcon Ridge Elementary School, Onsite and Offsite Utilities, Huffman, TX
- Magnolia ISD, Magnolia West High School, Storm Water Detention and Access road Improvements, Magnolia, TX
- Houston ISD, Butler & Barnett Stadium Synthetic Turf & Drainage System Installation, Houston, TX
- Houston ISD, Delmar Stadium Synthetic Turf & Drainage System Installation, Houston, TX
- Houston ISD, Ryan Middle School-Storm Water Detention and Parking Lot Expansion, Houston, TX
- Houston Community College, Alief Early College High School-New Campus, Houston, TX
- Houston ISD, Wainwright Elementary School Storm Water Detention and Parking Lot Expansion, Houston, TX
- Houston ISD, 2007 Bond Program Manager, Houston, TX

RESUME

Dale P. Dao
Senior Civil Designer

Dale has over 12 years experience of the design of site and land development projects. These projects included paving design, road cross section and ditches, drainage/storm drain design and analysis, potable water and fire design, sanitary sewer, catch basins, as well as inlets and outlets.

Role: Senior Civil Designer

Education:
Instrumentation, Lamar Institute of Technology

Years with Firm: 2016-present

Project Commitment: 100%

PROJECT EXPERIENCE

- Alvin ISD, Bob and Betty Nelson Elementary School, Onsite and Offsite Utilities, Alvin, TX
- Harris County, Provide initial and final design and obtain approval for TXDOT roadway expansion and traffic signalization for approximately 1300 LF of Wolf Road., Huffman, TX
- Huffman ISD, Falcon Ridge Elementary School, Onsite and Offsite Utilities, Huffman, TX
- Alvin ISD, Provide initial and final design and obtain approval for CR 185 widening and traffic signalization for approximately 1,000 LF., Alvin, TX
- Alvin ISD, Provide initial and final design and obtain approvals for 350 LF of pedestrian cross wings and traffic signalization of FM 1462. --- Alvin, TX.
- Magnolia ISD, Magnolia West High School, Storm Water Detention and Access road Improvements — Magnolia, TX
- Houston ISD, Butler & Barnett Stadium Synthetic Turf & Drainage System Installation — Houston, TX
- Houston ISD, Delmar Stadium Synthetic Turf & Drainage System Installation — Houston, TX
- Houston ISD, Ryan Middle School-Storm Water Detention and Parking Lot Expansion — Houston, TX
- Houston Community College, Alief Early College High School-New Campus — Houston, TX

RESUME

Erann Perez
Civil Designer

Erann has over 14 years experience of the design of site and land development projects. These projects included paving design, road cross section and ditches, drainage/storm drain design and analysis, sanitary sewer and paving facilities. His responsibilities have also included SWPPP, GIS, architectural design, fire code and ADA compliance.

Role: Civil Designer

Education: Associates in Engineering Design Graphics Technology North Harris Community College

Years with Firm: 2016-Present

Project Commitment: 100%

PROJECT EXPERIENCE

- Alvin ISD, Bob and Betty Nelson Elementary School, Onsite and Offsite Utilities, Alvin, TX
- Huffman ISD, Falcon Ridge Elementary School, Onsite and Offsite Utilities, Huffman, TX
- Ellis Business Park, Provide onsite drainage plans and develop construction plans for an 8 acre business park -- Friendswood, TX
- Huffman ISD, Falcon Ridge Elementary School, Onsite and Offsite Utilities, Huffman, TX
- Alvin ISD, Provide initial and final design and obtain approval for CR 185 widening and traffic signalization for approximately 1,000 LF., Alvin, TX
- Alvin ISD, Provide initial and final design and obtain approvals for 350 LF of pedestrian cross wings and traffic signalization of FM 1462, Alvin, TX.
- Heritage Crossing, Provide onsite drainage and construction drawings for a 1.2 acre commercial site, Houston, TX
- Sheldon ISD Waterline Extension, Provide construction drawing of approximately 12,000 linear ft of waterline extension, Houston, TX
- HC Pets Clinic, provide drainage and detention analysis and construction drawings for a 7.9 acre Harris County Veterinary Clinic --Houston, TX
- FM 2100 Roadway Extension, provide drainage and construction drawings for TxDOT Road extension, Huffman, TX

RESUME

Dong Nguyen, P.E., CFM
Senior Project Manager

With over 20 years of experience, Dong has worked as a Civil Engineer specializing in water resources and civil design. Specific knowledge and skills include floodplain delineation and mapping, hydrologic impact analysis and mitigation design and drainage system design. Dong has vast experience with the requirements and permitting of Various Counties, Federal Emergency Management Agency, and US Army Corps of Engineers.

Role
Senior Civil Engineer

Education:
Bachelor of Science, Civil Engineer, California State Polytechnic University

License: TRPE: 93048, TCFM: 0775-05N

Project Commitment: 100%

PROJECT EXPERIENCE

- Velasco Drainage District, Prepare Drainage Report for 50 miles of Levees, 14 Pump Stations, 34 Gravity Drainage Structures and a Navigation Control Tidal Gate Structure of the Freeport Hurricane Flood Protection Levee Certification, Clute, TX
- Varner Creek Utility District, Prepare and Obtain the Approve of the LOMR and Levee Certification of Columbia Lakes Subdivision, West Columbia, TX
- Fort Bend County, Manage the Mapping and Release of the Digital Flood Insurance Rate Map (DFIRM) for Fort Bend County, Fort Bend, TX
- LNG Development, Prepare the Drainage Analysis for Pretreatment Facility of Freeport, Freeport, TX
- Cypress Woods Nursing Home, Prepare and Obtain Special Use Permit for the Cypress Woods Nursing Home, Angleton, TX
- Gulf Coast Water Authority, Review the Design and Drainage Study of Chocolate Bayou Salt Water Barrier, Texas City, TX
- LNG Development, Prepare and Obtain the USACE Section 408 Permit for Pretreatment Facility of Freeport, Freeport, TX

Exhibit A
Engineer Rating Sheet

Sub-grantee _____ Date of Rating _____

Name of Respondent _____

Evaluator's Name _____

Experience -- Rate the respondent for experience in the following areas:

	Max.Pts.	Score
Comments:		
Subtotal, Experience	60	

Work Performance

	Max.Pts.	Score
Comments:		
Subtotal, Performance	25	

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Capacity to Perform

	Max.Pts.	Score
Comments:		
Subtotal, Capacity to Perform	15	

TOTAL SCORE

	Factor	Max.Pts.	Score
☐	Experience	60	
☐	Work Performance	25	
☐	Capacity to Perform	15	
	Total Score	100	

Exhibit B: Required RFQ Forms

SAM Search Results
List of records matching your search for :

Search Term : adico, llc*
Record Status: Active

ENTITY Adico, LLC.		Status: Active
DUNS: 079908584 +4:	CAGE Code: 85QA5	DoDAAC:
Expiration Date: 06/05/2020	Has Active Exclusion?: No	Debt Subject to Offset?: No
Address: 211 E PARKWOOD AVE STE 209 City: FRIENDSWOOD ZIP Code: 77546-5387	State/Province: TEXAS Country: UNITED STATES	

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 03/31/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Hiscox Inc.
520 Madison Avenue
32nd Floor
New York, NY 10022

CONTACT NAME:
PHONE (A/C, No, Ext): (888) 202-3007 FAX (A/C, No):
E-MAIL ADDRESS: contact@hiscox.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Hiscox Insurance Company Inc	10200
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Adico, LLC
211 E Parkwood Ave
Suite 209
Friendswood TX 77546

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	CLAIMS-MADE / OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	POLICY / PRO-JECT / LOC						PRODUCTS - COMP/OP AGG	$
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE / OTH-ER	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N (Mandatory in NH)	N / A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
A	Professional Liability			UDC-1582364-EO-19	05/15/2019	05/15/2020	Each Claim: $ 2,000,000 Aggregate: $ 2,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. *See* Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 **Name of vendor who has a business relationship with local governmental entity.**

ADICO, LLC

2 ☐ **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 **Name of local government officer about whom the information is being disclosed.**

_____
Name of Officer

4 **Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.**

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes ☒ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes ☒ No

5 **Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.**

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 Alex Ho, P.E.
Signature of vendor doing business with the governmental entity

9/24/19
Date

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

(A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;

(B) a transaction conducted at a price and subject to terms available to the public; or

(C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

***

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds $2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than $100 in the 12-month period preceding the date the officer becomes aware that:

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

Certification Regarding Lobbying

(To be submitted with each bid or offer exceeding $100,000)

The undersigned certifies, to the best of his or her knowledge and belief, that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(c) The undersigned shall require that the language paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995).

The Contractor, *ADICO, LLC*, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

Dinh Ho, P.E.

Signature of Contractor's Authorized Official

DINH V. HO, PRINCIPAL

Printed Name and Title of Contractor's Authorized Official

9/24/19

Date

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

Approved by OMB
0348-0046

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

Type of Federal Action: a. contract _____ b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	**Status of Federal Action:** a. bid/offer/application _____ b. initial award c. post-award	**Report Type:** a. initial filing _____ b. material change

Name and Address of Reporting Entity: _____ Prime _____ Subawardee Tier_____, if Known: **Congressional District, if known:**	**If Reporting Entity in No. 4 is Subawardee,** Enter Name and Address of Prime: **Congressional District, if known:**
Federal Department/Agency:	**7. Federal Program Name/Description:** CFDA Number, *if applicable*: _____
Federal Action Number, *if known:*	**9. Award Amount,** *if known:* $
10. a. Name and Address of Lobbying Registrant *(if individual, last name, first name, MI):*	**b. Individuals Performing Services** *(including address if different from No. 10a) (last name, first name, MI):*
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	**Signature:** _____ **Print Name:** *DINH V HO, P.E.* **Title:** *PRINCIPAL* **Telephone No.:** *832-895-1093* **Date:** *9/24/19*
Federal Use Only	**Authorized for Local Reproduction** **Standard Form - LLL (Rev. 7-97)**

(To be completed by awarded vendor)

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

4 Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
		Controlling	Intermediary

5 Check only if there is NO Interested Party. ☐

6 UNSWORN DECLARATION

My name is _____, and my date of birth is _____.

My address _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20_____.
(month) (year)

_____
Signature of authorized agent of contracting business entity
(Declarant)

ADD ADDITIONAL PAGES AS NECESSARY

Must file online at www.ethics.state.tx.us/File

Exhibit C: REQUIRED CONTRACT PROVISIONS

2 CFR 200.326 Contract provisions. The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards. The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

All Contracts

THRESHOLD	PROVISION	CITATION
>$150,000 (Simplified Acquisition Threshold)	Contracts for more than the simplified acquisition threshold currently set at $150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.	2 CFR 200 APPENDIX II (A)
>$10,000	All contracts in excess of $10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.	2 CFR 200 APPENDIX II (B)
None	Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.	2 CFR 200 APPENDIX II (F)
None	Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.	2 CFR 200 APPENDIX II (H)
None	Records of non-Federal entities. FEMA, Inspectors General, the Comptroller General of the United States, the Texas Division of Emergency Management (TDEM), Texas Water Development Board (TWDB), and the pass-through entity, or any of their authorized representatives, must have the right of access to any documents, papers, or other records of the non-Federal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the non-Federal entity's personnel for the purpose of interview and discussion related to such documents.	2 CFR 200.336
None	Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. The only exceptions are the following:	2 CFR 200.333

	(a) If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. (b) When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period. (c) Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition. (d) When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity. (e) Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned. (f) Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates). (1) If submitted for negotiation. If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of the rate, then the 3-year retention period for its supporting records starts from the date of such submission. (2) If not submitted for negotiation. If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the 3-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.	
None	Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms. (a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. (b) Affirmative steps must include: (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists; (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources; (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;	2 CFR 200.321

	(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.	
None	Firm shall not use the DHS seal(s), logos, crests, or reproductions of flags or likenesses of DHS agency officials without specific FEMA pre-approval.	DHS Standard Terms and Conditions
Option Contract Language for contracts awarded prior to Grant Award	The contract award is contingent upon the receipt of HMGP/PDM/FMA funds. If no such funds are awarded, the contract shall terminate.	Optional

EO Clause for Construction Contracts > $10K including administration & engineering contracts associated with construction contracts

THRESHOLD	PROVISION	CITATION
>$10,000	Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60–1.3 must include the equal opportunity clause provided under 41 CFR 60–1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964–1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor." 41 CFR 60-1.4 Equal opportunity clause. (b) Federally assisted construction contracts. (1) Except as otherwise provided, each administering agency shall require the inclusion of the following language as a condition of any grant, contract, loan, insurance, or guarantee involving federally assisted construction which is not exempt from the requirements of the equal opportunity clause: The applicant hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following equal opportunity clause: During the performance of this contract, the contractor agrees as follows: (1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause. (2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin. (3) The contractor will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to	41 CFR §60-1.4(b) and 2 CFR 200 APPENDIX II (C)

individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the contractor's legal duty to furnish information.

(4) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(5) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(6) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(7) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(8) The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance:

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

The applicant further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the applicant so participating is a State or local government, the above equal opportunity clause *is not* applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules,

	regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance. The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings. (c) Subcontracts. Each nonexempt prime contractor or subcontractor shall include the equal opportunity clause in each of its nonexempt subcontracts. (d) Inclusion of the equal opportunity clause by reference. The equal opportunity clause may be included by reference in all Government contracts and subcontracts, including Government bills of lading, transportation requests, contracts for deposit of Government funds, and contracts for issuing and paying U.S. savings bonds and notes, and such other contracts and subcontracts as the Director of OFCCP may designate. (e) Incorporation by operation of the order. By operation of the order, the equal opportunity clause shall be considered to be a part of every contract and subcontract required by the order and the regulations in this part to include such a clause whether or not it is physically incorporated in such contracts and whether or not the contract between the agency and the contractor is written. (f) Adaptation of language. Such necessary changes in language may be made in the equal opportunity clause as shall be appropriate to identify properly the parties and their undertakings. [80 FR 54975, Sept. 11, 2015]	

THRESHOLD	PROVISION	CITATION
>$2,000	*Compliance with the Davis-Bacon Act (40 U.S.C. 3141 et seq.) as supplemented by Department of Labor regulations (29 CFR part 5) and with the Copeland "Anti-Kickback" Act (18 U.S.C. 874; 40 U.S.C. 3145) as supplemented in Department of Labor regulations (29 CFR part 3):* Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of $2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.	2 CFR 200 APPENDIX II (D) *Note: PA and HMGP do not require these clauses
>$100,000	Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of $100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.	2 CFR 200 APPENDIX II (E)
>$150,000	Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of $150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).	2 CFR 200 APPENDIX II (G)
>$100,000	Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding $100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or	2 CFR 200 APPENDIX II (I) and 24 CFR §570.303

	employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.	
	A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired during the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines. [78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014]	2 CFR 200 APPENDIX II (J)
	Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.	42 U.S.C. 6201

CITY OF LA MARQUE

NOTICE OF
REQUEST FOR QUALIFICATIONS
RFQ # 19-03

For Application Preparation and Grant Contract Implementation Services
"ENGINEERING/ARCHITECTURE/SURVEYING SERVICES"

The City of La Marque's Request for Qualifications is for pre-award and post-award engineering services for Hazard Mitigation Assistance (HMA) contract(s), if awarded, from the Texas Division of Emergency Management (TDEM) and/or Texas Water Development Board (TWDB). HMA includes FEMA Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation Grant Program (PDM) and Flood Mitigation Assistance Grant Program (FMA).

Accordingly, the City is seeking to contract with a qualified Engineering/Architectural/Surveying Firm (individual/firm) that will be expected to prepare all preliminary application preparations, implementation services, and final design plans and specifications, and to conduct all necessary interim and final inspections. Please submit three (3) copies of your proposal of services and a statement of qualifications for the proposed services to the address below:

Robin Eldridge, City Clerk - City of La Marque, 1111 Bayou Road, La Marque, Texas 77568

Proposals shall be received by the City of La Marque no later than 10:00 a.m. on Wednesday, September 25, 2019.

The City of La Marque reserves the right to negotiate with any and all individuals or firms that submit proposals, as per the Texas Professional Services Procurement Act and the Uniform Grant and Contract Management Standards. Section 3 Residents and Business Concerns, Minority Business Enterprises, Small Business Enterprises and Women Business Enterprises are encouraged to submit proposals. **The City of La Marque is an Affirmative Action/Equal Opportunity Employer**.

If you have any questions, please contact: Alice Ashley at (225)405-1926 or aliceashley@provisionsr.com

Request for Qualification (RFQ) for Engineering Services - Cover Letter

9/3/19

Re: Proposed Contract Funding for the Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation Grant Program (PDM), and/or Flood Mitigation Assistance Grant Program (FMA)

Dear Service Providers:

Attached is a copy of The City of La Marque's Request for Qualifications for *pre-award and post-award engineering services* for Hazard Mitigation Assistance (HMA) contract(s), if awarded, from the Texas Division of Emergency Management (TDEM) and/or Texas Water Development Board (TWDB). HMA includes FEMA Hazard Mitigation Grant Program (HMGP), Pre-Disaster Mitigation Grant Program (PDM) and Flood Mitigation Assistance Grant Program (FMA).

The City of La Marque is considering applying for such funding to support *eligible mitigation projects* under the following programs:

- Hazard Mitigation Grant Program (HMGP)
- Pre-Disaster Mitigation Grant Program (PDM)
- Flood Mitigation Assistance Grant Program (FMA)

Service providers must submit a proposal that includes all indicated programs that could serve as a funding source for the described project. Multiple contracts may be awarded as a result of this solicitation.

The submission requirements for this proposal are also included on the attached Request for Qualifications (RFQ) form. Please mail three (3) hard copies to the address below.

Mail to:

City of La Marque
Attn: City Clerk
1111 Bayou Rd.
La Marque, TX 77568

The deadline for submission of proposals is September 25, 2019 The City of La Marque reserves the right to negotiate with any and all persons or firms submitting proposals.

The City of La Marque is an Affirmative Action/Equal Opportunity Employer. The City reserves the right to negotiate with any and all individuals or firms that submit proposals, as per the Texas Professional Services Procurement Act and the Uniform Grant and Contract Management Standards. Minority Business Enterprises, Small Business Enterprises, Women Business Enterprises, and labor surplus area firms are encouraged to submit proposals.

RFQ for Engineering Services

The City of La Marque is seeking to enter into an engineering services contract with a state-registered engineer to assist the City in pre-award and post-award engineering services of its proposed HMA project(s), if funded by FEMA through TDEM and/or TWDB. The City intends to seek funding in support of *eligible mitigation projects* under one or more of the following programs:

- Hazard Mitigation Grant Program (HMGP)
- Pre-Disaster Mitigation Grant Program (PDM)
- Flood Mitigation Assistance Grant Program (FMA)

The following outlines the request for qualifications.

I. Scope of Work –The successful respondent(s) is to provide engineering services including but not limited to the following areas:

a. Mitigation Projects-Construction (

Pre-Award*--(services associated with developing and requesting Federal disaster assistance), including but not limited to:

- Application preparation assistance
- Preliminary engineering study, if applicable
- Preliminary environmental and historical assessment
- Preliminary surveys, if applicable
- Preliminary Scope of Work determination
- Preliminary Benefit Cost Analysis using FEMA's BCA software program
- Preliminary design plans and specifications
- Preliminary budget

Post-Award

- Comprehensive Benefit Cost Analysis
- Comprehensive engineering study
- Comprehensive environmental and historical assessment
- Final design plans and specifications
- Final budget
- Preparation of the bid packet and contract documents
- Conduct all field testing and inspections (interim and final); and
- Other special services as determined

**Pre-Award costs must have been incurred after the date of declaration (HMGP) or grant opening announcement (FMA or PDM). Pre-award costs must be identified as separate line items in the cost estimate of the application. Costs associated with implementation of the activity but incurred prior to Federal award or final approval are not eligible. If an award is not made, Pre-award costs will not be reimbursed by FEMA. Pre-award costs are reimbursed when the final project or Phase II is approved and funded.*

Note: Projects with specialized or complex technical information such as a drainage project will include two phases. Phase 1 will be for developing Hydrologic and Hydraulics Studies, feasibility studies, and other technical studies. After Phase 1 deliverables have been developed and analyzed, a new BCA will be performed, and any necessary changes will be made in the Scope of Work and Budget. When Phase 1 deliverables have been approved by TDEM and FEMA, the balance of Management Activities outlined above will be followed.

II. Statement of Qualifications - The City is seeking to contract with a competent engineering firm experienced in federally funded projects. Please provide the following information:

- A brief history of the proposing entity, including general background, knowledge of and experience working with relevant agencies
- Related experience in federally-funded construction projects and the specific project type referenced in this RFQ.
- A description of work performance and experience with HMGP, PDM, and/or FMA including a list of at least three references from past local government clients
- Describe the firm's capacity to perform as well as resumes of all employees who will or may be assigned to provide services if your firm is awarded a contract through this solicitation.
- A statement substantiating the firm' resources of and the ability to carry out the scope of work requested in a timely manner.

III. For this RFQ, qualifications will be evaluated, and the most qualified respondent will be selected, subject to negotiation of fair and reasonable compensation.

IV. Evaluation Criteria - The proposal received will be evaluated and ranked according to the following criteria and using the rating sheet enclosed as Exhibit A:

Criteria	Maximum Points
Experience	60
Work Performance	25
Capacity to Perform	15
Total	100

V. Submission Requirements

- **System for Award Management**. Consultant/Firm is not debarred or suspended from the Excluded Parties List System (EPLS) in the System for Award Management (SAM) and must have an active registration with the System for Award Management (www.SAM.gov). Include verification that your company is registered and that the company's principal is not listed (is not debarred) through the System for Award Management (www.SAM.gov). Enclose a printout of the search results that includes the record date.
- **Form CIQ**, enclosed in Exhibit B. Texas Local Government Code chapter 176 requires that any vendor or person who enters or seeks to enter into a contract with a local government entity disclose in the Questionnaire Form CIQ the vendor or person's employment, affiliation, business relationship, family relationship or provision of gifts that might cause a conflict of interest with a local government entity. Questionnaire form CIQ is included in the RFQ and must be submitted with the response.
- **Certification Regarding Lobbying**, enclosed in Exhibit B. Certification for Contracts, Grants, Loans, and Cooperative Agreements is included in the RFQ and must be submitted with the response.
- **Form 1295**, enclosed in Exhibit B. Effective January 1, 2016, all contracts and contract amendments, extensions, or renewals executed by the Commissioners Court will require the completion of Form 1295 "Certificate of Interested Parties" pursuant to Government Code § 2252.908. Form 1295 must be completed by awarded vendor at time of signed contract submission. Form 1295 is included in this RFQ for your information.
- **Required Contract Provisions**. Applicable provisions enclosed in Exhibit C must be included in all contracts executed as a result of this RFQ.

VI. Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms. Small and minority businesses, women's business enterprises, and labor surplus area firms are encouraged to participate in this RFQ. If the awarded vendor is a prime contractor and may use subcontractors, the following affirmative steps are required of the prime contractor:

1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

VII. Deadline for Submission – Proposals must be received no later than 10:00 a.m. on September 25, 2019..

Please mail **three (3) hard copies** to:

City of La Marque
Attn: City Clerk
1111 Bayou Rd.
La Marque, TX 77568

Exhibit A

Engineer Rating Sheet

Sub-grantee _____ Date of Rating _____

Name of Respondent _____

Evaluator's Name _____

Experience -- Rate the respondent for experience in the following areas:

	Max.Pts.	Score
Comments:		
Subtotal, Experience	60	

Work Performance

	Max.Pts.	Score
Comments:		
Subtotal, Performance	25	

NOTE: Information necessary to assess the respondent on these criteria should be gathered by contacting past/current clients.

Capacity to Perform

	Max.Pts.	Score
Comments:		
Subtotal, Capacity to Perform	15	

TOTAL SCORE

	Factor	Max.Pts.	Score
☐	Experience	60	
☐	Work Performance	25	
☐	Capacity to Perform	15	
	Total Score	100	

Exhibit B: Required RFQ Forms

Insert Proof of Registration with the System for Award Management (SAM). Include record search for company name and company principal.

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. *See* Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

OFFICE USE ONLY

Date Received

1 **Name of vendor who has a business relationship with local governmental entity.**

2 ☐ **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 **Name of local government officer about whom the information is being disclosed.**

Name of Officer

4 **Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.**

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes ☐ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

5 **Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.**

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7

Signature of vendor doing business with the governmental entity

Date

Form provided by Texas Ethics Commission www.ethics.state.tx.us Revised 11/30/2015

CONFLICT OF INTEREST QUESTIONNAIRE
For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

(A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;

(B) a transaction conducted at a price and subject to terms available to the public; or

(C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

***

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds $2,500 during the 12-month period preceding the date that the officer becomes aware that

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than $100 in the 12-month period preceding the date the officer becomes aware that:

(i) a contract between the local governmental entity and vendor has been executed; or

(ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);

(2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or

(3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

(A) begins discussions or negotiations to enter into a contract with the local governmental entity; or

(B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

(A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);

(B) that the vendor has given one or more gifts described by Subsection (a); or

(C) of a family relationship with a local government officer.

Certification Regarding Lobbying

(To be submitted with each bid or offer exceeding $100,000)

The undersigned certifies, to the best of his or her knowledge and belief, that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.

(c) The undersigned shall require that the language paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31, U.S.C. § 1352 (as amended by the Lobbying Disclosure Act of 1995).

The Contractor, _____, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Contractor understands and agrees that the provisions of 31 U.S.C. § 3801 et seq., apply to this certification and disclosure, if any.

_____
Signature of Contractor’s Authorized Official

_____
Printed Name and Title of Contractor’s Authorized Official

_____
Date

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks “Subawardee,” then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., “RFP-DE-90-001.”

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).

11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503

Approved by OMB
0348-0046

Disclosure of Lobbying Activities

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

Type of Federal Action: a. contract ____ b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	**Status of Federal Action:** a. bid/offer/application _____ b. initial award c. post-award	**Report Type:** a. initial filing _____ b. material change

Name and Address of Reporting Entity: ____ Prime _____ Subawardee Tier_____, if Known: **Congressional District, if known:**	**If Reporting Entity in No. 4 is Subawardee,** Enter Name and Address of Prime: **Congressional District, if known:**
Federal Department/Agency:	**7. Federal Program Name/Description:** CFDA Number, *if applicable*: _____
Federal Action Number, *if known:*	**9. Award Amount**, *if known:* **$**
10. a. Name and Address of Lobbying Registrant *(if individual, last name, first name, MI):*	**b. Individuals Performing Services** *(including address if different from No. 10a) (last name, first name, MI):*
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.	**Signature: _____** **Print Name: _____** **Title: _____** **Telephone No.: _____ Date: _____**
Federal Use Only	**Authorized for Local Reproduction** **Standard Form - LLL (Rev. 7-97)**

(To be completed by awarded vendor)

CERTIFICATE OF INTERESTED PARTIES

FORM 1295

OFFICE USE ONLY

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

1 **Name of business entity filing form, and the city, state and country of the business entity's place of business.**

2 **Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**

3 **Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**

4

Name of Interested Party	City, State, Country (place of business)	Nature of Interest (check applicable)	
		Controlling	Intermediary

5 **Check only if there is NO Interested Party.** ☐

6 **UNSWORN DECLARATION**

My name is _____, and my date of birth is _____.

My address is _____, _____, _____, _____, _____.
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____ day of _____, 20_____.
(month) (year)

_____
Signature of authorized agent of contracting business entity
(Declarant)

ADD ADDITIONAL PAGES AS NECESSARY

Must file online at www.ethics.state.tx.us/File

Form provided by Texas Ethics Commission www.ethics.state.tx.us Revised 12/22/2017

Exhibit C: REQUIRED CONTRACT PROVISIONS

2 CFR 200.326 Contract provisions. The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards. The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

All Contracts

THRESHOLD	PROVISION	CITATION
>$150,000 (Simplified Acquisition Threshold)	Contracts for more than the simplified acquisition threshold currently set at $150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.	2 CFR 200 APPENDIX II (A)
>$10,000	All contracts in excess of $10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.	2 CFR 200 APPENDIX II (B)
None	Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.	2 CFR 200 APPENDIX II (F)
None	Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.	2 CFR 200 APPENDIX II (H)
None	Records of non-Federal entities. FEMA, Inspectors General, the Comptroller General of the United States, the Texas Division of Emergency Management (TDEM), Texas Water Development Board (TWDB), and the pass-through entity, or any of their authorized representatives, must have the right of access to any documents, papers, or other records of the non-Federal entity which are pertinent to the Federal award, in order to make audits, examinations, excerpts, and transcripts. The right also includes timely and reasonable access to the non-Federal entity's personnel for the purpose of interview and discussion related to such documents.	2 CFR 200.336
None	Financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. The only exceptions are the following:	2 CFR 200.333

	(a) If any litigation, claim, or audit is started before the expiration of the 3-year period, the records must be retained until all litigation, claims, or audit findings involving the records have been resolved and final action taken. (b) When the non-Federal entity is notified in writing by the Federal awarding agency, cognizant agency for audit, oversight agency for audit, cognizant agency for indirect costs, or pass-through entity to extend the retention period. (c) Records for real property and equipment acquired with Federal funds must be retained for 3 years after final disposition. (d) When records are transferred to or maintained by the Federal awarding agency or pass-through entity, the 3-year retention requirement is not applicable to the non-Federal entity. (e) Records for program income transactions after the period of performance. In some cases recipients must report program income after the period of performance. Where there is such a requirement, the retention period for the records pertaining to the earning of the program income starts from the end of the non-Federal entity's fiscal year in which the program income is earned. (f) Indirect cost rate proposals and cost allocations plans. This paragraph applies to the following types of documents and their supporting records: indirect cost rate computations or proposals, cost allocation plans, and any similar accounting computations of the rate at which a particular group of costs is chargeable (such as computer usage chargeback rates or composite fringe benefit rates). (1) If submitted for negotiation. If the proposal, plan, or other computation is required to be submitted to the Federal Government (or to the pass-through entity) to form the basis for negotiation of the rate, then the 3-year retention period for its supporting records starts from the date of such submission. (2) If not submitted for negotiation. If the proposal, plan, or other computation is not required to be submitted to the Federal Government (or to the pass-through entity) for negotiation purposes, then the 3-year retention period for the proposal, plan, or computation and its supporting records starts from the end of the fiscal year (or other accounting period) covered by the proposal, plan, or other computation.	
None	Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms. (a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. (b) Affirmative steps must include: (1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists; (2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources; (3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;	2 CFR 200.321

	(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; (5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and (6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.	
None	Firm shall not use the DHS seal(s), logos, crests, or reproductions of flags or likenesses of DHS agency officials without specific FEMA pre-approval.	DHS Standard Terms and Conditions
Option Contract Language for contracts awarded prior to Grant Award	The contract award is contingent upon the receipt of HMGP/PDM/FMA funds. If no such funds are awarded, the contract shall terminate.	Optional

EO Clause for Construction Contracts > $10K including administration & engineering contracts associated with construction contracts

THRESHOLD	PROVISION	CITATION
>$10,000	Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of ‘‘federally assisted construction contract’’ in 41 CFR Part 60–1.3 must include the equal opportunity clause provided under 41 CFR 60–1.4(b), in accordance with Executive Order 11246, ‘‘Equal Employment Opportunity’’ (30 FR 12319, 12935, 3 CFR Part, 1964–1965 Comp., p. 339), as amended by Executive Order 11375, ‘‘Amending Executive Order 11246 Relating to Equal Employment Opportunity,’’ and implementing regulations at 41 CFR part 60, ‘‘Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.’’ 41 CFR 60-1.4 Equal opportunity clause. (b) Federally assisted construction contracts. (1) Except as otherwise provided, each administering agency shall require the inclusion of the following language as a condition of any grant, contract, loan, insurance, or guarantee involving federally assisted construction which is not exempt from the requirements of the equal opportunity clause: The applicant hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee, the following equal opportunity clause: During the performance of this contract, the contractor agrees as follows: (1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause. (2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin. (3) The contractor will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to	41 CFR §60-1.4(b) and 2 CFR 200 APPENDIX II (C)

individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by the employer, or is consistent with the contractor's legal duty to furnish information.

(4) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(5) The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

(6) The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(7) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(8) The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (8) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance:

Provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

The applicant further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided, that if the applicant so participating is a State or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

The applicant agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules,

	regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency and the Secretary of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance. The applicant further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of September 24, 1965, with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings, the administering agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings. (c) Subcontracts. Each nonexempt prime contractor or subcontractor shall include the equal opportunity clause in each of its nonexempt subcontracts. (d) Inclusion of the equal opportunity clause by reference. The equal opportunity clause may be included by reference in all Government contracts and subcontracts, including Government bills of lading, transportation requests, contracts for deposit of Government funds, and contracts for issuing and paying U.S. savings bonds and notes, and such other contracts and subcontracts as the Director of OFCCP may designate. (e) Incorporation by operation of the order. By operation of the order, the equal opportunity clause shall be considered to be a part of every contract and subcontract required by the order and the regulations in this part to include such a clause whether or not it is physically incorporated in such contracts and whether or not the contract between the agency and the contractor is written. (f) Adaptation of language. Such necessary changes in language may be made in the equal opportunity clause as shall be appropriate to identify properly the parties and their undertakings. [80 FR 54975, Sept. 11, 2015]	

THRESHOLD	PROVISION	CITATION
>$2,000	*Compliance with the Davis-Bacon Act (40 U.S.C. 3141 et seq.) as supplemented by Department of Labor regulations (29 CFR part 5) and with the Copeland "Anti-Kickback" Act (18 U.S.C. 874; 40 U.S.C. 3145) as supplemented in Department of Labor regulations (29 CFR part 3):* Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of $2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.	2 CFR 200 APPENDIX II (D) *Note: PA and HMGP do not require these clauses
>$100,000	Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of $100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.	2 CFR 200 APPENDIX II (E)
>$150,000	Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of $150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).	2 CFR 200 APPENDIX II (G)
>$100,000	Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding $100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or	2 CFR 200 APPENDIX II (I) and 24 CFR §570.303

	employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.	
	A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired during the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines. [78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014]	2 CFR 200 APPENDIX II (J)
	Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.	42 U.S.C. 6201

CITY COUNCIL AGENDA FORM

Meeting Date: October 14, 2019 Agenda item: **7d**
Prepared by: Chief Kirk Jackson Reviewed by: *Charlene Warren/ Charles Jackson*

Department: Police

AGENDA ITEM DESCRIPTION: Consider recommendation to authorize the Mayor to execute an Interlocal Agreement (ILA) between the City of La Marque and the County of Galveston for the City's continued participation in the Galveston County Auto Crimes Task Force (GCACTF)

X

ATTACHMENTS FOR REFERENCE

1. Interlocal Agreement FY 2019 between the City of La Marque and the County of Galveston for participation in the Galveston County Auto Crimes Task Force

STAFF BRIEFING:

- La Marque Police Department (LMPD) is a current recipient of this grant
- This is a continuation of the current FY 2018-2019 grant
- The agents who are assigned to the GCACTF conduct investigations, both proactive and reactive, as assigned by the Task Force Commander
- The agent assigned to the Task Force by LMPD investigates auto crimes cases reported to the La Marque Police Department as well as working jointly with other agents
- Agents operate both overtly and covertly in the investigation of auto crimes
- Agents also conduct public awareness programs and serve as liaison to their home agency sharing and gathering information related to motor vehicle crimes
- The GCACTF grant funds a vehicle and salary, not including benefits
- Salary expense will be reimbursed to the City based on City-issued invoices
- Expenses for gas, oil, and vehicle maintenance are the responsibility of the City of La Marque (the grant provides the assigned agent with a vehicle)
- The ILA and program costs have been discussed with the Finance Director

HISTORY:

- City Council authorized the City's participation in the GCACTF in 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018 and 2018-2019 (current).

TARGET IMPLEMENTATION: Fiscal Year 2019-2020

SIGNIFICANT ACTION DATES:

August 13, 2018 – Approval of the 2018-2019 Interlocal Agreement (ILA) by the La Marque City Council

CITY COUNCIL AGENDA FORM

ACTION:

- ☐ Ordinance
- ☐ Resolution
- ☐ Special Presentation
- ☐ Proclamation
- ☐ Finance Report
- ☐ Public Hearing
- ☒ Other - ILA
- ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

Cost Details:	
Budgeted	$85,185.00
Actual Bid	
Estimated Expenditure	$24,686 + $2,400 fuel + $1,200 maintenance and insurance for the grant funded vehicle $56,899 salary is grant funded.
Acct. Name(s)	
Line Items #	Various
Other Funding	

STAFF'S RECOMMENDATION: Motion to authorize the Mayor to execute an Interlocal Agreement (ILA) between the City of La Marque and the County of Galveston for the City's continued participation in the Galveston County Auto Crimes Task Force (GCACTF)

FISCAL IMPACT: Estimated $28,286 annually for benefits, and fuel, maintenance and insurance for grant funded vehicle.

Interlocal Agreement
State of Texas

This Agreement is entered into by and between the **County of Galveston**, a political subdivision of the State of Texas, hereinafter referred to as **"County"** and the **City of La Marque**, a municipal corporation situated in County, Texas, hereinafter called **"City"** pursuant to the Interlocal Cooperation Act, Texas Government Code, Chapter 791.

WITNESSETH

WHEREAS, the County of Galveston and City of La Marque have the objective to participate in a combined task force funded by the Automobile Burglary and Theft Prevention Authority of the State of Texas, in the amount of $469,183 for the Galveston County Auto Crimes Task Force, and,

WHEREAS, the City has agreed to contribute the total of $25,940 in matching funds if said grant application is approved; and,

WHEREAS, the source of funds would not normally be used for this purpose; and,

WHEREAS, the County and City believe it to be in their best interests to continue a *multijurisdictional ABTPA Task Force*; and

WHEREAS, the County and City agree to each accept the responsibility and to adhere to all applicable federal, state, and local laws or regulations

NOW THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

ARTICLE I. PURPOSE
1 .01 The purpose of this Agreement is to allow the County to file an application for a grant with the Automobile Burglary and Theft Prevention Authority, which extension is attached hereto as Exhibit "A" and made a part hereof for all purposes.

ARTICLE II. TERM
2 .01 The term of this Agreement is to commence on September 1, 2019 and to end: August 31, 2020.

ARTICLE III. CONSIDERATION
3 .01 As consideration for this Agreement, the City agrees to contribute a total of $25,940 in matching funds for the enhancement of the funded grant program in the amounts and methods as follows:

Item Description	Amount	Method (Cash Paid/In Lieu of/In kind)
Agent Benefits (City employee)	$22,340	Fringe paid by City in lieu of match (Professional and Contractual Services)
Fuel for Agent's Vehicle (City employee)	$2,400	In-Kind Match by City (Supplies and Direct Operating Expenses)
Maintenance/Insurance for Agent's Vehicle (City employee)	$1,200	In-Kind Match by City (Supplies and Direct Operating Expenses)

ARTICLE IV. ALLOCATION OF FUNDS
4 .01 The specific allocation of the County and City fund is set out in the attachment to this Agreement, marked as **Exhibit "A"**, and made a part hereof for all purposes.

ARTICLE V. EQUIPMENT
5 .01 Upon termination of this Agreement, equipment including vehicles, hardware, and other non-expendable items will revert back to the applicant. The Automobile Burglary and Theft Prevention Authority of the State of Texas will be notified and inventory records will be updated.

ARTICLE VI. AMENDMENTS
6 .01 This Agreement may be amended by the mutual agreement of the parties hereto in writing to be attached to and incorporated into this agreement.

ARTICLE VII. LEGAL CONSTRUCTION
7 .01 In the event any one or more of the provisions contained in this Agreement shall be held to be invalid, illegal, or unenforceable in any respect such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

ARTICLE VIII. ENTIRE AGREEMENT
8 .01 This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the subject matter hereof, and no other agreement, statement, or promise relating to the subject matter of this Agreement which is not contained herein shall be valid or binding upon all parties.

EXECUTED IN DUPLICATE ORIGINALS, EACH OF WHICH SHALL HAVE THE FULL FORCE AND EFFECT OF AN ORIGINAL, EFFECTIVE SEPTEMBER 1, 2019.

County of Galveston by:	City of La Marque by:
_____	_____
Mark Henry, County Judge	Bobby Hocking, Mayor
_____	_____
Date Signed	Date Signed
ATTEST:	ATTEST:
_____	_____
Dwight D. Sullivan, County Clerk	Robin Eldridge, City Clerk

Galveston County Grant Application Negotiation for Fiscal Year 2020

The Application was submitted by Mark Henry at 8/12/2019 1:03:14 PM and is now locked.
The confirmation Number is 2019081200116.

Program Title Please enter a short description of the proposed program that can be used as the title. *Galveston County Auto Crimes Task Force*

Which type of grant are you applying for?

New Grant - Only available to agencies that are not currently operating under a 2019 grant or they are a participant in an FY17 grant but desire to make application under their own agency may apply under this section. These are annual competitive grants that require a minimum cash match of 20% for the program described in the application. Awarded activities are funded on a reimbursement basis.

To be eligible for consideration for funding, a program must be designed to support one or more of the following **ABTPA program categories**.

- Law Enforcement, Detection and Apprehension
- Prevention, Anti-Theft Devices and Motor Vehicle Registration
- Reduction of the Sale of Stolen Vehicles or Parts

Grant Participation and Coverage Area

- **Other Coverage** (Describe): *Galveston County Auto Crimes Task Force covers Brazoria, Matagorda, and Southern Harris County areas on a request basis. We currently conduct 68-A inspections for these areas, respond to complaints and assist on investigations. The geographical area has a population growth during the summer time. Our Analyst offers support not only statewide, Nationally (Federal Agencies) but also internationally upon request.*
- **Law Enforcement Grant**
  Participating and coverage agencies below.

  Participating Agencies: agencies that will materially participate in the grant application through the use of interlocal agreements. The agencies selected in this list only includes agencies that will receive or provide funding and/or resources. The interlocal agreements do not need to be submitted with the application. Interlocal agreements will need to be executed prior to the first payment being made if selected for a grant. Letters of support with the application from the participating agencies are strongly recommended.

  Coverage Agencies: agencies that will be covered by the grant but not materially participating in the grant application. These agencies will not be covered by a grant interlocal agreement but as law enforcement agencies may have jurisdictional coverage agreements unrelated to the grant. The agencies selected in this list only includes agencies that will be covered or where the chief of police or county sheriff indicates that their agency will coordinate or call upon the taskforce. These will not directly receive or

provide funding and/or resources. Letters of support with the application from the participating agencies are strongly recommended.

Participating Agencies	Coverage Agencies
TX0840000 GALVESTON CO SO	None
TX0840400 GALVESTON PD	TX0200000 BRAZORIA CO SO (MIP)
TX0840700 LA MARQUE PD	TX0200100 ALVIN PD
	TX0200200 ANGLETON PD
	TX0200300 CLUTE PD
	TX0200400 DANBURY PD
	TX0200500 FREEPORT PD
	TX0200800 LAKE JACKSON PD
	TX0200900 MANVEL PD
	TX0201000 PEARLAND PD(MIP)(IBR)
	TX0201100 RICHWOOD PD
	TX0201200 SWEENY PD (AE)
	TX0201400 WEST COLUMBIA PD
	TX0201700 ALVIN COMMUNITY COLL PD
	TX0201800 BRAZORIA PD
	TX0201900 BROOKSIDE VILLAGE PD
	TX0202700 JONES CREEK PD (AE)
	TX0202800 SURFSIDE BEACH PD
	TX0202900 OYSTER CREEK PD
	TX0203200 ALVIN ISD PD
	TX0203300 ANGLETON ISD PD (AE)
	TX0203500 COLUMBIA-BRAZORIA ISD PD
	TX0840200 DICKINSON PD
	TX0840300 FRIENDSWOOD PD (AE)
	TX0840500 HITCHCOCK PD
	TX0840600 KEMAH PD
	TX0840800 LEAGUE CITY PD
	TX0840900 TEXAS CITY PD
	TX0841000 UTMB-GALVESTON PD
	TX0841200 TX A&M GALVESTON PD (AE)
	TX0841900 JAMAICA BEACH PD (AE)
	TX0842100 SANTA FE PD
	TX0842200 BAYOU VISTA PD
	TX0842300 COLL OF THE MAINLAND PD
	TX0842800 Santa Fe ISD PD
	TX0843100 GALVESTON ISD PD
	TX1012500 WEBSTER PD
	TX1012800 NASSAU BAY PD
	TX1610000 MATAGORDA CO SO
	TX1610100 BAY CITY PD
	TX1610200 PALACIOS PD
	TX1610900 BAY CITY ISD PD

Resolution: Complete a Resolution and submit to local governing body for approval. *Sample Resolution* is found in the Request for Application or send a request for an electronic copy to *grantsMVCPA@txdmv.gov*.

Grant Budget Summary

Budget Category	ABTPA Expenditures	Cash Match Expenditures	Total Expenditures	In-Kind Match
Personnel	$324,175	$12,040	$336,215	$0
Fringe	$0	$107,062	$107,062	$0
Overtime	$0	$0	$0	$0
Professional and Contract Services	$130,001	$57,666	$187,667	$0
Travel	$4,950	$0	$4,950	$0
Equipment				
Supplies and Direct Operating Expenses (DOE)	$10,057	$23,500	$33,557	$48,000
Total	$469,183	$200,268	$669,451	$48,000
		42.68%		

Description	Subcategory	Pct Time	ABTPA Funds	Cash Match	Total	In-Kind Match
Personnel						
Lt./Commander (Position # 401)	Investigator/LEO	100.00%	$81,240	$4,300	$85,540	$0
Investigator (Position #404)	Investigator/LEO	100.00%	$75,439	$2,890	$78,329	$0
Investigator (Position #405)	Investigator/LEO	100.00%	$71,804	$2,250	$74,054	$0
Analyst (Position #403)	Crime Analyst/LE Professional	80.00%	$44,874	$800	$45,674	$0
Deputy II (Position #402)	Investigator/LEO	100.00%	$50,818	$1,800	$52,618	$0
	Total Personnel		$324,175	$12,040	$336,215	$0
Fringe						
Lt./Commander (Position # 401)	Investigator/LEO		$0	$25,781	$25,781	$0
Investigator (Position #404)	Investigator/LEO		$0	$24,168	$24,168	$0
Investigator (Position #405)	Investigator/LEO		$0	$23,187	$23,187	$0
			$0	$15,526	$15,526	$0

Description	Subcategory	Pct Time	ABTPA Funds	Cash Match	Total	In-Kind Match
Analyst (Position #403)	Crime Analyst/LE Professional					
Deputy II (Position #402)	Investigator/LEO		$0	$18,400	$18,400	
	Total Fringe		$0	$107,062	$107,062	$0
	Overtime					
Lt./Commander (Position # 401)	Investigator/LEO		$0	$0	$0	$0
Investigator (Position #404)	Investigator/LEO		$0	$0	$0	$0
Investigator (Position #405)	Investigator/LEO		$0	$0	$0	$0
Analyst (Position #403)	Crime Analyst/LE Professional		$0	$0	$0	$0
Deputy II (Position #402)	Investigator/LEO		$0	$0	$0	$0
	Total Overtime		$0	$0	$0	$0
	Professional and Contract Services					
Galveston PD - Sr Police Officer	Investigator/LEO - personnel	100.00%	$73,102	$5,647	$78,749	$0
Galveston PD - Sr Police Officer	Investigator/LEO - fringe	100.00%	$0	$29,679	$29,679	$0
Galveston PD - Sr Police Officer	Investigator/LEO - overtime	100.00%	$0	$0	$0	$0
La Marque PD - Detective	Investigator/LEO - personnel	100.00%	$56,899	$2,450	$59,349	$0
La Marque PD - Detective	Investigator/LEO - fringe	100.00%	$0	$19,890	$19,890	$0
La Marque PD - Detective	Investigator/LEO - overtime	100.00%	$0	$0	$0	$0
	Total Professional and Contract Services		$130,001	$57,666	$187,667	$0
	Travel					
MVCPA Meetings and Workshops	Administrative In-state		$390	$0	$390	$0
Advanced/Specialized Auto Theft	Training In-State		$1,260	$0	$1,260	$0
TAVTI	Training In-State		$3,300	$0	$3,300	$0

Description	Subcategory	Pct Time	ABTPA Funds	Cash Match	Total	In-Kind Match
	Total Travel		$4,950	$0	$4,950	$0
Equipment						
	Total Equipment					
Supplies and Direct Operating Expenses (DOE)						
Service Contracts (Hardware/Software)			$5,000	$10,300	$15,300	$0
Fuel			$0	$0	$0	$16,800
Vehicle Maintenance			$0	$1,200	$1,200	$7,200
Wireless Communications			$0	$12,000	$12,000	$0
Administrative Supplies			$1,507	$0	$1,507	$0
Operating Supplies			$1,550	$0	$1,550	$0
Training/Registrations			$2,000	$0	$2,000	$0
Utilities			$0	$0	$0	$24,000
	Total Supplies and Direct Operating Expenses (DOE)		$10,057	$23,500	$33,557	$48,000

Budget Narrative

Personnel: Lt/Commander (Galveston County Sheriff's Office): Commander supervises daily operations of the Task Force including strategy development and case assignment/review. Maintains communication with the Project Director, investigators, and office personnel. The Unit Commander stays in contact with the County Auditor and Purchasing Agent to ensure compliance with the appropriate state and county regulations. Commander provides both tactical and strategic analytical support to all local, county, state, and federal agencies. Commander coordinates with the Analyst concerning appointments, travel, training, and monitoring grant and financial records. Attends and conducts peace officer training and public awareness programs as needed. 100% assigned to Auto Crimes Task Force.

Investigators (Galveston County Sheriff's Office): Conduct investigations, both pro-active (self-initiated) and reactive; operates both overtly and covertly as deemed necessary by the Commander. Attends and conducts peace officer training. Conducts public awareness programs as directed. Serve as liaison to assigned districts sharing and gathering information related to motor vehicle crimes. Assist all local, county, state, and federal agencies when requested related to Auto Crimes Task Force stated mission assignments. 100% assigned to Auto Crimes Task Force.

Analyst (Galveston County Sheriff's Office): Performs intelligence analysis including

Budget Narrative

research, crime mapping, link analysis, VIN decoding, secondary identification methods, and any other vehicle-related requests for local, state, and federal investigators. 80% assigned to Auto Crimes Task Force.

Deputy II (Galveston County Sheriff's Office): Primary duties will consist of pro-active LPR operation and field identification and assistance. May conduct minor investigations and overt/covert operations as deemed necessary by the Commander. Attends and conducts peace officer training. Conducts public awareness programs as directed. May assist assigned district liaisons by sharing and gathering information related to motor vehicle crimes as deemed necessary by the Commander. Assists all local, county, state, and federal agencies when requested related to Auto Crimes Task Force stated mission assignments. 100% assigned to Auto Crimes Task Force.

Personnel not listed in funding tables include 2 part time reserve deputies assigned to the Auto Crimes Task Force. Their duties may include: conducting investigations, both pro-active (self-initiated) and reactive; operating both overtly and covertly as deemed necessary by the Commander. Attends and conducts peace officer training. Conducts public awareness programs as directed. Serve as liaison to assigned districts sharing and gathering information related to motor vehicle crimes. No grant funds requested for salaries; nor matches used in grant application; however, some costs may be incurred to provide training or equipment necessary to conduct ACTF business.

Note: Salaries listed are based on proposed position steps/grades with respect to percentage of time spent on Auto Crimes Task Force grant activities plus 3% potential cost of living adjustments/step increases/salary increases possible for the coming fiscal year. Cash match amounts reflected are for sworn law enforcement personnel per the Law Enforcement Career Path Program for: Certification Pay (based on level of certification as follows: $50 per month for intermediate certification; $100 per month for advanced certification; and $150 per month for master certification); and Longevity Pay: $5.00 per month for each year of time in service, but not more than $125.00 per month. Also included is a one-time bonus of $1,000 per employee typically given to County employees in the second pay period in November.

Fringe: Cash Match reflected above includes the following benefits for all county employees with respect to percentage of time spent on Auto Crimes Task Force grant activities: Pension -Texas County District and Retirement System (TCDRS) at 11.87% Alternate Plan (County does not participate in Social Security) at 8.765% Medicare at 1.450% Unemployment Insurance at 0.230% Health Insurance at $555/month. Fringe match calculated with potential 3% COLA and includes no overtime.

Overtime: N/A

Professional and Contract Services: Galveston Police Department (Sr Police Officer): Conduct investigations, both pro-active (self-initiated) and reactive; operates both overtly and covertly as deemed necessary by the Commander. Attends and conducts peace officer training. Conducts public awareness programs as directed. Serve as liaison to assigned districts sharing and gathering information related to motor vehicle crimes. Assist all local, county, state, and federal agencies when requested related to Auto Crimes Task Force stated mission assignments. 100% assigned to Auto Crimes Task Force. The Galveston Municipal Police Association and the City of Galveston are currently

Budget Narrative

pending a new Collective Bargaining Agreement. Salary, benefits and overtime shown were calculated with a proposed negotiated salary adjustments with no overtime. Salary match paid by Galveston PD includes Certification Pay (based on TCOLE certification - Intermediate: $100/month; Advanced: $167/month; and Masters: $208/month); Longevity Pay ($4.50 per years of service/month); and Education Pay (based on degree held from nationally accredited college or university - Associates: $75/month; Bachelors: $200/month; Masters: $250/month). Benefits/Fringe provided by City match include: Pension (12%); Social Security (6.20%); Medicare (1.450%); Workers Comp (9.250%); Health Insurance ($515/month); Dental Insurance ($24/month): and Life Insurance ($16/month).

La Marque Police Department (Detective): Conduct investigations, both pro-active (self-initiated) and reactive; operates both overtly and covertly as deemed necessary by the Commander. Attends and conducts peace officer training. Conducts public awareness programs as directed. Serve as liaison to assigned districts sharing and gathering information related to motor vehicle crimes. Assist all local, county, state, and federal agencies when requested related to Auto Crimes Task Force stated mission assignments. 100% assigned to Auto Crimes Task Force. Salary and benefits reflected were calculated based on current hourly rate billed and agreed adjustments and increases for FY 2020 per Collective Bargaining Agreement between the La Marque Municipal Police Association and the City of La Marque with no overtime. Salary Match paid by La Marque PD includes Certification Pay: up to $150/month depending on certification level; Longevity Pay: one-time annual payment received in November; an Equipment Allowance: $65/month; Fitness Pay: $250 one-time per year in December. Benefits provided by City match include: Pension (14.85%); Social Security (6.20%); Medicare (1.450%); and Health Insurance ($543/month).

Travel: The current per diem rate for the county is $45 per day and the mileage rate is in conjunction with the IRS standard mileage rate. Each investigator assigned by contract will follow the travel policies of their home agencies respectively and will bill ACTF for reimbursement of travel costs incurred. An average general per diem of $45 per day used in below calculations.

Administrative (In-State): ACTF anticipates travel to MVCPA Board Meetings plus one grant workshop per year for Commander and Analyst. Calculated one overnight stay: $45 per diem/day x 2 people x 1 times per year - $90; and hotel estimate: $150/night (including taxes) x 2 people x 1 night = $300. TOTAL = $390

Advanced/Specialized Auto Theft (In-State): Locations to be determined for FY 2020. Estimated funds include training for 1 person: hotel rooms at $150/night (including taxes) for 3 nights x 2 classes - $900; plus average per diem of $45/per day x 4 days x 2 classes - $360. TOTAL = $1,260

TAVTI -Texas Association of Auto Theft Investigators (In-State): To be held in Waco in FY 2020 and estimated funds include: 4 hotel rooms at $150/night (including taxes) for 4 nights x 4 persons- $2,400; per diem (average): $45/day x 5 days x 4 people - $900. TOTAL = $3,300

Equipment: N/A

Budget Narrative

Supplies and Direct Operating Expenses (DOE): Service Contracts: (Requesting $5,000 in grant funds and $10,300 cash match using Program Income Funds). Software Licensing and Maintenance costs of $10,300 to renew annual contract with Vigilant Solutions for Law Enforcement Archival and Reporting Network (LEARN) and National Vehicle Location System (NVLS) access to LPR data (including private data) and Facial Recognition System; Software Licensing and Maintenance costs of $2,500 to CovertTrack to renew annual contract to access mapping for tracking devices on our bait vehicle; and Hardware Maintenance Contract annual renewal with Vigilant Solutions for $2,500 to provide upgrades to the existing License Plate Reader camera system.

Fuel: The county and cities provide fuel for ACTF vehicles including investigator vehicles, LPR, and bait car. All amounts shown as in-kind match are based on estimate of $200/month. Quarterly expenditure reports will document actual match by each entity.

Vehicle Maintenance: Requesting $1,200 cash match using Program Income funds to cover any cost for maintenance or repair to bait vehicles (including a car, cargo trailer, all-terrain vehicles and personal water craft); License Plate Reader vehicle; ACTF Polaris UTV; and ACTF crime prevention trailer; and $7,200 In-Kind from the County and Cities to repair and maintain agent's vehicles (6 total) estimated at $1,200/agent.

Wireless Communications: Requesting $12,000 cash match using Program Income funds for cell phones used by ACTF staff; cellular data links in bait vehicles, LPR, tracking units to operate GPS systems, and IP video cameras used for surveillance. Also includes costs of air cards for laptop computers to send/receive data to identify motor vehicles, suspects, or relay information in surveillance situations in a timely and secure method. Costs estimated at $1,000/month.

Administrative Supplies: Routine office supplies, paper, batteries for electronics, audio/videotapes, and blank CDs/DVDs, etc. These items assist personnel to perform efficiently and professionally. Estimated cost for office supplies is $1,507 and accommodates expensive printer cartridges for agent's printer, which was provided by the County. Galveston County Information Technology will support and maintain the black and white laser printers and provide ink cartridges.

Operating Supplies: Estimated $1,550 for Departmental Supplies such as cleaners and degreasers for use in identifying vehicles/parts, small hand tools, VIN etching supplies; finger print supplies; and other items used by Auto Crimes Task Force Agents in the course of their assigned duties.

Training: Includes estimated registration fees for training including: Texas Association of Vehicle Theft Investigators (TAVTI) conference at $200/person for 4 people; $500 for new detective/investigator training for 1 person to attend (if offered locally and requiring no additional travel costs); $500 for interview and interrogation training for 1 person to attend (if offered locally and requiring no additional travel costs); and remaining funds would be available for other investigative or analytical training opportunities offered locally requiring no additional travel costs.

Utilities/Building Maintenance/Alarm: In-kind match shown for County provided utility

Budget Narrative

services (electrical, water, sewer, garbage disposal, etc) and maintains/repairs the building for the Auto Crimes Task Force. 24-hour monitoring and call-out service for our office building (alarm systems) are also provided by Galveston County. Cost of utilities estimated at $2000/month, however quarterly expenditure reports will document actual utility bill amounts.

Revenue

Indicate Source of Cash and In-Kind Matches for the proposed program.

Cash Match

Source of Cash Match

Galveston County	Grantee	$119,102
City of Galveston	Subgrantee	$35,326
City of La Marque	Subgrantee	$22,340
Program Income	Program Income	$23,500
Total Cash Match		$200,268

In-Kind Match

Source of In-Kind Match

Galveston County	Grantee	$40,800.00
City of Galveston	Subgrantee	$3,600.00
City of La Marque	Subgrantee	$3,600.00
Total In-Kind Match		$48,000.00

Statistics to Support Grant Problem Statement

Use UCR data	**2016**	**2017**	**2018**
Larceny from a motor vehicle	1907	1931	1799
Larceny from a motor vehicle - Parts	167	120	66
Jurisdictions included in totals	Statistics for Area of Jurisdiction		
Theft of a motor vehicle	687	759	694
Recoveries of Motor Vehicles	317	388	340
Jurisdictions included in totals	Statistics for Area of Jurisdiction		

Provide any additional information or limitations about the data provide above
Data collected from UCR reports for local agencies for CY's 2016, 2017, and 2018.

Application Narrative

Grant Introduction (Executive Summary)

1.1 Briefly describe the organization and program operation. Provide a high level summary to the intent of the application and how it will affect the local community. (500 words or less)

Galveston County is the grantee and is governed by county commissioners' court. The court appointed Galveston County Sheriff to oversee this project. Galveston County Auto Crimes Task Force command structure has a Director (appointed by Sheriff), Commander, Assistant Commander, Analyst and four Investigators with a request for one additional investigator for FY 2020. The task force follows the command structure of the Sheriff's Office.

Galveston County Auto Crimes Task Force is a multi-agency and multi-jurisdictional task force with extensive training in auto theft and vehicle financial fraud. The task force coordinates responses both pro-actively and re-actively to multifaceted motor vehicle crimes throughout the region. Motor vehicle crimes are often tied to organized crime and patterns of crime that require the task force to proactively communicate across jurisdictional boundaries. Economic enterprises and individuals sustaining illegal behavior, including theft by fraud, are causing harmful losses to Texas communities.

Galveston County Auto Crimes Task Force proposes to reduce auto crimes throughout Galveston County and the surrounding areas by collaborating with law enforcement agencies within Galveston County and the surrounding counties by conducting covert operations, surveillance, vehicle identification, agency assistance, and intelligence sharing.

Crime mapping and analytical research is an integral part of fighting the varied array of criminal enterprises across multiple jurisdictions. We develop strategies and utilize crime statistics to assign personnel to operations to pro-actively combat thefts and burglaries of motor vehicles/parts. We utilize available resources (license plate reader, bait vehicles, and covert/undercover equipment) to target and reduce the rate of burglaries of motor vehicles/parts and thefts of motor vehicles. Investigators also work re-actively, investigating assigned follow up cases from participating agencies to help identify prolific offenders and potential suspects and/or actors. We further conduct vehicle inspections for port operations and DMV 68-A forms.

Galveston County Auto Crimes Task Force will conduct vehicle theft/burglary of a vehicle public education/awareness events that will influence the community to safeguard their vehicles and personal property through the use of practical prevention methods.

Galveston County Auto Crimes Task Force provides an Analyst who assists officers from any requesting Local, County, State, or Federal Agency.

Task Force funding is crucial to combat, burglary of motor vehicles/parts, theft of motor vehicles, boat theft, boat trailer theft, and heavy equipment crimes.

Grant Problem Statement

2.1 Provide an assessment of the motor vehicle burglary (including theft of parts) problem in the coverage area of this application.

Galveston County Auto Crimes Task Force provides full service to Galveston County (population 349,112 per UCR reports 2018). Additionally, Brazoria, Southern Harris

and Matagorda counties are served on a request basis. Recently there has been an increase in requests from Brazoria County agencies.

Two areas in the county have seen dramatic increases in burglaries of motor vehicles, jugging, which we intend to address. The north end of Galveston County and eastern Brazoria County is ever-growing in population and retail businesses creating a target rich environment; and the tourist industry in the southern part of Galveston County has seen record increases since the growth of the economy. Both areas have increased incidents of violence associated with motor vehicle crimes.

Galveston County suffered losses of two million dollars in 2018 due to motor vehicle burglaries and thefts. Victims also suffer an array of losses well beyond economic, such as lost time, lost business, and lost wages and overall diminishment of community well-being. In CY 2018, there were 1799 burglaries of motor vehicles/stolen parts with a value loss of $2,005,885 and an average loss $1,115.

Since 2017 there has been an almost 7.07% reduction in vehicle burglaries in Galveston County overall but Northern parts of the county have drastically increased. These reductions are attributed to increased public awareness, pro-active LPR patrols, surveillance, and bait vehicle operations. Joining forces with other state and local law enforcement agencies has helped significantly. Providing local law enforcement training has also assisted in the decline of vehicle part thefts and burglaries. Despite the reduction, Galveston County has experienced an increase in incidences of violence associated with motor vehicle crimes. Much of this is due to increased gang activity throughout the region. There are multiple trends occurring which involve motor vehicle burglaries/parts including victim assisted crime; organized crime; firearms being stolen; drug related; and tire and rim thefts from dealerships.

2.2 Provide an assessment of the motor vehicle theft problem in the coverage area of this application

Since 1993 GCACTF has provided full service targeting vehicle thefts in Galveston County (population 349,112 per UCR reports 2018). Additionally, Brazoria, Southern Harris and Matagorda counties are served on a request basis. Recently there has been an increase in requests from Brazoria County agencies.

Galveston, Southern Harris, Brazoria, and Matagorda Counties have reported increases in motor vehicle thefts. There are multiple trends occurring which involve motor vehicle thefts including victim assisted crime; organized crime; drug related; trafficking in humans and narcotics; theft of rental cars through fraud; chop shops; internet scams; and dealership burglaries and theft of vehicles. In CY 2018 there were 694 vehicle thefts totaling $8,101,756, with an average loss of $11,674 bringing the total loss due to motor vehicle theft and burglary in Galveston County to $10,107,641.

The City of Galveston typically experiences a significant increase in motor vehicle thefts in the summer months. This can almost surely be attributed to the increase in visitors due to the beaches and tourism industry combined with schools being on summer break. The international seaport has increase vehicle export traffic involving human trafficking, narcotics, and U.S. Currency.

Galveston County reported approximately 694 incidents of motor vehicle thefts to police with an average of 1.90% vehicles a day in 2018. While 2018 MVT compared to 2017 a 8.94% decrease, current trends so far for CY 2019 are showing spikes in thefts in Galveston and Texas City.

The auto theft issue defies all boundaries: jurisdictional, political, geographical or administrative. Because of the changing trends and complexity of the issue, the auto theft fight requires the cooperation. collaboration, and involvement of many stakeholders. As the vehicle theft landscape continues to evolve, so must the search for innovative solutions to combat the activities of determined vehicle thieves.

2.3 Describe the geographical target area intended for this application. Include information about the taskforce governing and command structure. Include a description of the coverage area(s) and the nature of support and agreements supporting this application.

Galveston County is comprised of a total area of 824 square miles. Galveston County is south of Houston with an international Sea Port for commercial traffic. Galveston County has one major US highway and six state highways leading in and out of the county. Galveston County has fourteen incorporated cities and three unincorporated rural areas. Galveston County has two major medical facilities with one having a national laboratory.

Galveston County is the grantee and is governed by county commissioners' court. The court has appointed the Sheriff to oversee the project. Galveston County Auto Crimes Task Force command structure includes a Director (appointed by Sheriff), Commander, and Assist Commander. The Task Force has six auto theft investigators including Commander and one motor vehicle theft Analyst assigned. We seek to add and additional investigator from Texas City Police Department in FY 2020 for a total of seven full time auto theft investigators.

The task force is supported by the participating agencies with interlocal agreements from the cities of Galveston, La Marque, Hitchcock, and potentially Texas City. The Sheriff has open ended cooperative working agreements with agencies in Galveston County and the surrounding agencies which we fall under.

Galveston County's tourism industry has grown dramatically in recent years. We have over 70 miles of beachfront plus close proximity to the nation's third largest city, Houston, contributing to the complexity of our theft problems. Galveston's tourism industry continues to thrive. Growth has been clearly seen throughout the entire county with a number of new hotels. The already large cruise industry is growing with the addition of more ships, larger ships and a third terminal. Galveston has become one of the largest cruise terminals in the world.

Contributing to the growth are events such as Mardi Gras, Spring Break and the Lone Star Bike Rally. Galveston hosts one of the largest Mardi Gras events in the nation. Galveston is rated as the #2 spot in Texas for Spring Break. This past year the Lone Star Bike Rally became the second largest rally in the nation surpassing Daytona and

being only second to Sturgis. This event has had an affect countywide with large venues in the La Marque and Hitchcock areas. League City has seen explosive growth in business and entertainment. All of these areas are increasing as target rich environments for thefts, BMV's, jugging, and car-jackings.

The Ports of Galveston and Freeport are also in the service area of our program. Both ports have seen extensive growth in the movement of vehicles and equipment inbound and outbound. It is not uncommon for our port inspections to result in the checking of hundreds of vehicles in a single day.

2.4 Will the program described in the application cover the community(ies) at large or will all or any part of this program be directed to serve a specific target population? **If No or Both, please describe the problem supporting the need for a special target population.**

We do not target specific populations, however through analysis and intelligence gathering, GCACTF may evaluate an area with a specific need or emerging trends which requires a temporary targeted focus to combat auto theft and burglaries. Any agency or portion of our coverage area could be focused on at any given time. For example the Northern parts of Galveston county which have shown increase in burglary of motor vehicles.

Grant Goals and Activities

There are two parts to this section: 1) Functions of Proposed Program and Goals Strategies and Activities (GSA). In the following boxes, describe the functions of the proposed program and then complete a fillable form called GSA.

ABTPA programs must completely describe the functions they will perform in implementing the program. If Awarded, funds expended towards activities not described in this section will result in the reimbursement being denied.

Part 1

3.1 Functions of the Proposed Program Related to Burglary of a Motor Vehicle

Through increased communication and collaboration with law enforcement agencies and interaction directly with citizens and civic groups, along with increased visibility through the LPR and crime prevention displays, we hope to see continued reductions in the numbers of motor burglaries. The proposed TCOLE training of officers to increase awareness of burglary interdiction should have a positive impact on the changing trends as well.

Functions Of Proposed Project

Operations and services are provided to all law enforcement agencies and citizens of Galveston County, and to areas outside of Galveston County on a request basis.

Since 2007, GCACTF has continually thought outside the box to enact new and innovative programs to combat motor vehicle burglary/parts. Investigators are

specially trained in vehicle identification and investigations, cell phone examinations and standard and electronic surveillance measures, in addition to traditional burglary investigation methods. Our experience originated before the first task force was ever formed. The ABTPA concept originated in Galveston County and we were one of the first projects in 1993. GCACTF was the first to have a stripped vehicle display, crime prevention trailer, and has hosted five grantee conferences. We have also hosted four International Law Enforcement Conferences with a focus on vehicle and marine theft. GCACTF was one of the first programs to initiate bait vehicle operations. We also operate a highly successful LPR program. GCACTF strives to be at the forefront of technical advances in vehicle theft interdiction and have incorporated crime analysis and crime mapping to streamline operations and resources effectively.

Galveston County Auto Crimes uses various combinations of the following eight methods to combat burglary of motor vehicles and parts:

1) Investigation: Officers funded under ABTPA generally operate in specialized units that require both proactive and reactive experience in motor vehicle burglary/parts investigative skills. The officers and examine reports, review intelligence, develop leads and witnesses, identify offenders, identify and track criminal organizations, and develop sources of information from victims, informants and community members.

2) Analysis: Galveston County Auto Crimes Task Force employs an Analyst who provides analytical support to investigators and assists officers from any requesting Local, County, State, and Federal Agencies. She utilizes available resources to provide crime mapping, analytical research, strategies and statistics to identify trends and areas with high rates of burglaries of motor vehicles/parts and assists investigators with research to identify prolific offenders and potential suspects and/or actors involved with burglaries of motor vehicles.

3) Identification: Motor vehicle burglary and theft investigators receive specialized training to identify vehicles and parts of vehicles. Certain title transactions require these specially trained officers to certify the proper vehicle identification number prior to completion. This skill is critical to not only establishing the elements of motor vehicle crime for prosecution purposes but also in recovering vehicles/parts and clearing cases. The specialized skill in vehicle identification is often used to assist other departments and agencies in critical moments. The specialized training and skill set promoted by ABTPA allows task force officers the means to identify most manufactured vehicles and trailers and their parts.

4) Collaboration: GCACTF collaborates across local, state and federal departments and jurisdictions to identify criminal enterprises. Additionally, task forces are seeing motor vehicle burglary/parts with highly organized criminal networks using illegal methods to convert the vehicles into economic value through title fraud, insurance fraud, or exportation. The ABTPA funded task force works across all levels of government and across all boundaries to be effective in reducing motor vehicle burglary/parts.

5) Motor Vehicle Business Support: Task force conducts inspections of salvage yards, recycling centers, rebuilders and other motor vehicle related businesses. When

vehicle parts are identified the task force works with local businesses to identify and interrupt the criminal network that brought the stolen items into the system. The task force also works to shut down illegal operations that render stolen motor vehicle parts, which are often referred to as "chop shops". These illegal operations undermine legitimate businesses throughout the state.

6) Port Coordination: GCACTF coordinate efforts along the port of Galveston to interdict criminal networks moving stolen vehicles and parts to and from the country. The port (HAMOC) monthly team meetings discussions coordinated by Homeland Security, have increased the communication between jurisdictions where vehicles are stolen and/or parted out for international transport through ports. Not all stolen vehicles are taken to Mexico. The coordination promoted by GCACTF/Homeland Security has helped agencies think more regionally to solve motor vehicle theft/parts.

7) Technology: Task force Investigators have developed sophisticated techniques to identify and arrest offenders who burglarize and steal motor vehicles/parts. The task force uses bait cars and trailers, license plate readers, surveillance equipment, and tracking equipment when authorized by courts. This technology and the expertise needed to successfully utilize it is critical to GCACTF task force to decrease incidents of thefts/burglaries and meet the statutory measures to increase recoveries of stolen vehicles/parts; increase clearance of cases; and increase arrests.

8) Identify Prolific Offenders: The task force works diligently to identify prolific offenders. Many motor vehicle burglary/parts and theft cases are committed by the same individuals or groups. GCACTF works with Texas Department of Criminal Justice-Office of Inspector General and other law enforcement agencies and utilizes a law enforcement confidential system, FUGINET (a database of inmate and parolee information) to conduct roundups of parolees convicted of motor vehicle burglary/parts and theft. FUGINET provides special coordinated access to incarcerated persons, and intelligence gathering specially crafted for motor vehicle burglary/parts and theft.

9) Communication: GCACTF spends a great deal of effort in communicating with each other, other law enforcement agencies, vehicle manufacturers, and our communities. We work with command structures and regional DPS Crime Information Centers on receiving and providing intelligence. The task force issues BOLOs (be-on-the-lookouts) through the TCIC/NCIC centers and direct communications. The task force uses all communication means necessary to clear cases, arrest offenders and recover vehicles and property.

The following services are provided to participating agencies within Galveston County, as well as to the agencies in our coverage area when requested:

Conduct investigations regarding auto burglaries, including stripped vehicles/parts, salvage switch parts, and insurance fraud cases.

Provide direct and indirect investigative assistance to all law enforcement agencies regarding burglaries of vehicles/parts.

Provide assistance regarding patterns of criminal activity relating to burglaries of motor

vehicle/parts.

Provide investigative assistance in any criminal activity committed in conjunction with burglaries of motor vehicles/parts to include gang activity, narcotics trafficking, etc.

Provide assistance to citizens and law enforcement agencies concerning complaints regarding burglaries of motor vehicles (this may include implementing operations, conducting surveillance and/or using bait to combat the activity)

Conduct inspections of vehicle related businesses (recycling facilities, storage facilities, tow yards, salvage dealers, etc.) to ensure compliance with appropriate state and federal statutory and regulatory laws/rules. Additionally, ACTF will provide assistance in the investigation of citizen complaints involving Vehicle Storage Facilities in coverage area.

Assist requesting law enforcement agencies in coverage area regarding the execution of search warrants, arrest warrants, motions to revoke probation, and parole revocations regarding burglaries of motor vehicles.

Provide analytical assistance to all requesting law enforcement agencies pertaining to burglaries of motor vehicles.

Provide instructors and/or speakers to area civic organizations, school districts, Citizen Police Academies, In-service training, and Basic Police Academies, and law enforcement agencies in the areas of crime prevention and probable cause development regarding burglaries of motor vehicles.

Provide electronic and technical equipment and assistance to requesting law enforcement agencies relating to burglaries of motor vehicles.

Assist in processing of recovered stolen evidence/parts related to burglaries of motor vehicles and/or provide assistance/training to requesting agencies regarding the processing of recovered evidence/parts.

Provide On-Call Agent 24 hours a day/7 days a week to assist law enforcement agencies in coverage area regarding burglaries of motor vehicles.

3.2 Functions of the Proposed Program Related to Theft of a Motor Vehicle

Changing trends in our area dictate that we must place a higher priority on crime prevention education and training initiatives, combined with crime analysis and mapping to reinforce operations targeting vehicles left with keys in them. Partnerships and presentations to apartments and neighborhood watch associations; homeowners associations; local businesses; and citizens police and sheriff's academy associations are made to educate and assist in crime prevention. Galveston County Auto Crimes Task Force will increase communication and training of crime prevention to law enforcement personnel. We will continue the increased visibility through static display of stripped vehicle displays.

Functions Of Proposed Project

Since 1993 the GCACTF has continually thought outside the box to enact new and innovative programs to combat motor vehicle theft. Currently ACTF agents are specially trained in vehicle inspections/investigations, cell phone examinations and standard and electronic surveillance measures, in addition to traditional auto theft investigative methods. Operations and services are provided to all law enforcement agencies and the citizens of Galveston County as well as the counties serviced on a request basis. Our experience originated before the first task force was ever formed. The ABTPA concept originated in Galveston County and we were one of the first projects in 1993. GCACTF was the first to have a stripped vehicle display, crime prevention trailer, and has hosted four grantee conferences. We have also hosted four International Law Enforcement Conferences with a focus on vehicle and marine theft. GCACTF was one of the first programs to initiate bait vehicle operations. We also operate a highly successful LPR program. GCACTF strives to be at the forefront of technical advances in vehicle theft interdiction and has incorporated Crime analysis and crime mapping to streamline operations and resources effectively. Members of our task force remain vigilant in the fight against motor vehicle theft.

The task force uses various combinations of the following eight methods to combat motor vehicle theft:

1) Investigation: Officers funded under ABTPA generally operate in specialized units that require both proactive and reactive experience in motor vehicle theft investigative skills. The officers examine reports, review intelligence, develop leads and witnesses, identify offenders, identify and track criminal organizations, and develop sources of information from victims, informants and community members.

2) Analysis: Galveston County Auto Crimes Task Force employs an Analyst who provides analytical support to investigators and assists officers from any requesting Local, County, State, and Federal Agencies. She utilizes available resources to provide crime mapping, analytical research, strategies and statistics to identify trends and areas with high rates of vehicle thefts and assists investigators with research to identify prolific offenders and potential suspects and/or actors involved with motor vehicle thefts and associated gateway crimes. She regularly assists other ABTPA task forces and DPS auto theft investigators with secondary VIN locations, VIN decoding, rebuilding VINs and cross-referencing vehicles and components for positive identification of altered, burned, stolen and partially identified vehicles for investigations and 68A inspections.

3) Identification: Motor vehicle burglary and theft investigators receive specialized training to identify vehicles. Certain title transactions require these specially trained officers to certify the proper vehicle identification number prior to completion. This skill is critical to not only establishing the elements of motor vehicle crime for prosecution purposes but also in recovering vehicles and clearing cases. The specialized skill in vehicle identification is often used to assist other departments and agencies in critical moments. The specialized training and skill set promoted by ABTPA allows task force officers the means to identify most manufactured vehicles and trailers as well as ATVs, boats, and heavy equipment.

4) Collaboration: GCACTF collaborates across local, state and federal departments and jurisdictions to identify criminal enterprises. Additionally, task forces are seeing motor vehicle theft cases with highly organized criminal networks using illegal methods to convert the vehicles into economic value through title fraud, insurance fraud, or exportation. The ABTPA funded task force works across all levels of government and across all boundaries to be effective in reducing motor vehicle theft.

5) Motor Vehicle Business Support: Task force conducts inspections of salvage yards, recycling centers, rebuilders and other motor vehicle related businesses. When stolen vehicles are identified the task force works with local businesses to identify and interrupt the criminal network that brought the stolen items into the system. The task force also works to shut down illegal operations that render stolen motor vehicles and parts, which are often referred to as "chop shops". These illegal operations undermine legitimate businesses throughout the state.

6) Port Coordination: GCACTF coordinate efforts along the port of Galveston to interdict criminal networks moving stolen vehicles to and from the country. The port (HAMOC) monthly team meetings discussions coordinated by Homeland Security, have increased the communication between jurisdictions where vehicles are stolen. Not all stolen vehicles are taken to Mexico. The coordination promoted by GCACTF/Homeland Security has helped agencies think more regionally to solve motor vehicle theft.

7) Technology: Task force Investigators have developed sophisticated techniques to identify and arrest offenders who and steal motor vehicles. The task force uses bait cars and trailers, license plate readers, surveillance equipment, and tracking equipment when authorized by courts. This technology and the expertise needed to successfully utilize it is critical to GCACTF task force to decrease incidents of motor vehicle thefts and meet the statutory measures to increase recoveries of stolen vehicles; increase clearance of cases; and increase arrests.

8) Identify Prolific Offenders: The task force works diligently to identify prolific offenders. Many motor vehicle theft cases are committed by the same individuals or groups. GCACTF works with Texas Department of Criminal Justice-Office of Inspector General and other law enforcement agencies and utilizes a law enforcement confidential system, FUGINET (a database of inmate and parolee information) to conduct roundups of parolees convicted of motor vehicle theft. FUGINET provides special coordinated access to incarcerated persons, and intelligence gathering specially crafted for motor vehicle theft.

9) Communication: GCACTF spends a great deal of effort in communicating with each other, other law enforcement agencies, vehicle manufacturers, and our communities. We work with command structures and regional DPS Crime Information Centers on receiving and providing intelligence. The task force issues BOLOs (be-on-the-lookouts) through the TCIC/NCIC centers and direct communications. The task force uses all communication means necessary to clear cases, arrest offenders and recover vehicles and property.

The following services are provided to participating agencies within Galveston County, as well as to the agencies in our coverage area when requested:

Conduct investigations regarding commercial auto theft in coverage area to include stripping operations, salvage switch operations, and insurance fraud cases.

Provide direct and indirect investigative assistance to requesting law enforcement agencies regarding carjacking and vehicle arson incidents.

Provide assistance regarding patterns of criminal activity relating to vehicle crimes including unauthorized use of a motor vehicle, theft of motor vehicles including trailers, ATVs, 4 wheelers, boats/personal watercraft, and heavy equipment.

Provide investigative assistance in any criminal activity involving the use of stolen vehicles to include gang activity, narcotics trafficking, smuggling of persons and/or property, etc.

Assist citizens and law enforcement agencies concerning complaints regarding new and used car dealers in coverage area

Inspect vehicle related businesses (recycling facilities, storage facilities, tow yards, salvage dealers, etc.) to ensure compliance with appropriate state and federal statutory and regulatory laws/rules. Additionally, ACTF will provide assistance in investigation of citizen complaints involving vehicle related business

Inspect in-bound and out-bound vehicles and heavy equipment at Port of Galveston in cooperation with the US Customs Service. Inspections will include Cargo Containers and RORO ships being used to export vehicles through the Port of Galveston. Assistance will also be given with inspections at the Port of Houston and Port of Freeport.

Assist law enforcement agencies in coverage area regarding execution of search warrants, arrest warrants, motions to revoke probation, and parole revocations regarding vehicle crimes and other violations involving persons with a history of engaging in vehicle crimes.

Provide analytical assistance to all requesting law enforcement agencies pertaining to vehicle crimes, organized criminal activity, and crimes involving serious bodily injury/death or the potential for serious bodily injury/death to any person [i.e. sexual assaults, kidnapping, murder, and serial offenses]

Provide instructors and/or speakers to area civic organizations, school districts, and law enforcement agencies in the areas of crime prevention, probable cause development regarding vehicle crimes, citizen police academies, in-service training, and basic police academies.

Provide electronic and technical equipment and assistance to requesting law enforcement agencies relating to vehicle crimes.

Assist in processing of recovered stolen vehicles for evidence recovery where the recovering agency does not have sufficient personnel or additional circumstances exist limiting available personnel. ACTF will provide training to requesting agencies regarding the processing of recovered vehicles.

Provide on-call agent 24 hours a day / 7 days a week to assist requesting law enforcement agencies with investigating auto theft and/or surveillance of located vehicles, interviewing and processing of persons arrested in motor vehicle crimes, Lo-Jack tracking of stolen vehicles, etc.

3.3 Functions of the Proposed Program Related to Motor Vehicle Burglary and Theft Prevention

According to a National Insurance Crime Bureau (NICB) January 01, 2016 thru December 31, 2019 report, 209 vehicles in the nation were stolen with the keys in the ignition, which is often referred to as "victim assisted" theft. To reduce simple mistakes like this, the task force will spend a great deal of time and effort conducting prevention and public awareness programs. We communicate with citizen and neighborhood groups and home owners associations, make appearances and presentations with our LPR, stripped vehicle display or crime prevention trailer at stock shows, county fairs, civic organizations, racing events, social media, and other public events; and provide public service announcements all in an effort to harden citizen targets against motor vehicle crimes through increased education and awareness. The task force provides brochures, give-aways and other printed material with ABTPA logos and Galveston County Auto Crimes Task Force identifiers for reference.

ABTPA Task Forces are required to collaborate across judicial boundaries and to develop regional strategies to implement funded activities. Describe how the applicant staff and jurisdiction will coordinate with other agencies and jurisdictions in the implementation of this program.

3.4 Collaboration Effort

Galveston County Auto Crimes Task Force investigators are assigned liaison areas throughout Galveston County and into surrounding and adjacent territories. Each area has several cities in the assignment. We conduct daily briefings to evaluate the current trends of motor vehicle burglary/parts and motor vehicle theft cases.

Much of our intelligence information is gathered and shared through the Bay Area Investigators group email. This group has over 1033 (April 5, 2019) participants including detectives and crime analysts from virtually each agency in our coverage area, and further covering the entire southeast region of Texas. ACTF and other ABTPA task forces and auto theft units in our region utilize this media to communicate activities in adjacent coverage areas, share intelligence, overlapping investigations, 68-A's for all adjacent counties and any requests for assistance. This collaboration method is invaluable in the fight against motor vehicle burglary/parts and motor vehicle theft.

We further have weekly briefings with our in-house NICB Agent who works from our office one day per week. They notify us of activities and trends they see/work in surrounding areas which may cross into our coverage areas. They coordinate

meetings, conference calls, and other communications with all affected jurisdictions in order to keep us all notified and corroborating efforts. Additionally, we participate in monthly meetings with Homeland Security (HAMOC) in LaPorte, Texas in reference to port activities involving motor vehicle, heavy equipment, imports and exports.

We will continue to follow up with reporting agencies and recovery agencies when working investigations where vehicle theft/burglaries were reported and/or recovered by another agency. These collaborations are vital to successfully investigate and prosecute.

Our analyst receives requests and provides assistance to other auto theft task forces, investigators, patrol officers, commercial vehicle enforcement officers, US marshals, federal agents, DPS troopers and other local, state, and federal agencies on a daily basis.

To prevent overlapping of contiguous taskforces to Galveston county we coordinate and collaborate with the area of jurisdictions. This is done by email, two way radio, phones and in person meetings. These activities are done on a daily, weekly, monthly basis as needed. We have collaboration meetings in reference to strategies for working complex cases which overlap in other jurisdictions so that overlapping does not occur.

3.5 Functions of the proposed program for other motor vehicle crimes investigations related to motor vehicle burglary or theft such as motor vehicle fraud related crime, insurance fraud, preventing stolen vehicles from entering Mexico, bridge/port crime, cartel or organized criminal enterprises etc...

Galveston County Auto Crimes Task Force utilizes specialized trained auto theft Investigators to conduct complex investigations into organized criminal organizations to prevent motor vehicle theft, theft by fraud, burglary of motor vehicles, insurance fraud, and Port crimes involving motor vehicles. While we show a decrease in overall auto theft and burglary statistics, the referrals of complex vehicle crime investigations have increased from various agencies in our coverage area. These complex cases are time consuming and labor intense. Senior investigators spend months investigating and organizing these complex cases while standard cases are not being distributed due to lack of personnel. With the addition of another investigator, we hope to be able to better handle our re-active caseload, while still being able to take on the complex cases and pro-actively work operations.

The techniques utilized will be as follows:

Investigation:

Investigators will conduct investigations into proactive and reactive crimes by writing reports, examine reports, review and provide intelligence briefings, develop leads and witnesses, identify offenders and networks, identify and track organize criminal organizations, inform prosecutors and other agencies, develop sources of information from victims, informants and community members . These methods will result in recovered motor vehicles, arrest of actors, and clearance of active cases.

Identify vehicles:

Specialized trained auto theft investigators will use contacts and databases through the National Insurance Crime Bureau to identify vehicles which have been altered and unidentifiable. This collaborative effort will help in title transactions, motor vehicle crime prosecution, and recovery of stolen vehicles where criminals have worked to remove, conceal or change the vehicles identity.

Communicate and collaborate across jurisdictions:

Galveston County Auto Crimes Task Force perform investigations across local, state, jurisdictions. Investigators collaborate with local, state, federal law enforcement agencies, vehicle manufactures, industry professionals, and TxDPS crime information centers. If crime patterns or suspects are identified the information is shared through intelligence briefings. Communication and Collaboration through the International Association of Auto Theft Investigators and Texas Association of vehicle theft Investigators, and Auto Burglary Theft prevention Authority has improved the effectiveness of the Task Forces to identify new trends by criminal enterprises.

Identify prolific offenders:

Prolific offenders are identified through analyzing data and offense reports, witness statements and intelligence briefings. Once identified it is found that prolific offenders commit a large proportion of thefts or burglaries of motor vehicles. Through collaboration with other agencies it can reduce thefts and burglaries of motor vehicles.

Technology:

Advancement in technology for bait vehicles, trailers, computer systems, and GPS trackers have giving the edge to law enforcement with this specialized surveillance equipment. These systems have increase the clearance rate of cases, recoveries of vehicles, and arrest of actors.

Port Enforcement:

Port inspections are crucial part of reducing auto theft from crossing international borders. Vehicles are transported to the international sea ports to be exported by Criminals organizations. These vehicles can be stolen containing U.S. Currency, weapons, and narcotics. Coordination and collaboration with Customs and U.S. Coast Guard have reduce the impact such crimes by stopping the export of such items.

Public awareness and crime prevention

Educational and informational classes are put on throughout the year to educate the consumers on auto theft and motor vehicle burglary prevention.

Part II

Goals, Strategies, and Activities

Select Goals, Strategies, and Activity Targets for the proposed program.

Click on the link above and select the method by which statutory measures will be collected. Law Enforcement programs must also estimate targets for the ABTPA predetermined activities. The ABTPA board has determined that grants programs must document specific activities that are appropriate under each of the three goals. Applicants are allowed to write a limited number of user defined activities.

ID	Activity	Measure	Target
	Mandatory Motor Vehicle Theft Measures Required for all Grantees.		
1.1.15	Increase the recovery rate of stolen motor vehicles	Report the number of vehicles recovered	*Mandatory. Reporting for Task Force Only*
1.1.16	Increase the clearance rate of motor vehicle thefts	Report the number of motor vehicle theft cases cleared	*Mandatory. Reporting for Task Force Only*
1.1.17	Increase the number of persons arrested for motor vehicle theft	Report the number of persons arrested for motor vehicle theft	*Mandatory. Reporting for Task Force Only*
	Mandatory Burglary of a Motor Vehicle Measures Required for all Grantees		
2.1.12	Increase the clearance rate of motor vehicle burglaries	Report the number of burglary cases cleared	*Mandatory. Reporting for Task Force Only*
2.1.13	Increase the number of persons arrested for motor vehicle burglary	Report the number of persons arrested for burglary	*Mandatory. Reporting for Task Force Only*
	Measures for Grantees. Add Target values for those that you will measure.		
1	**Goal 1: Reduce the Incidence of Motor Vehicle Theft through Enforcement Strategies**		
1.1	**Strategy 1: Conduct Activities that Result in the Arrest, Clearance, and Recoveries of Motor Vehicle Theft**		
1.1.1	Identify groups of auto theft offenders through intelligence gathering, crime analysis and the use of informants	Number of groups identified	*6*
1.1.2	Identify and document/record prolific motor vehicle theft offenders [Prolific is defined as "linked to MVT offenses three or more times"]	Number identified/documented offenders	*20*
1.1.3			*48*

ID	Activity	Measure	Target
	Collaborate with the District Attorneys' offices regarding sentencing, case packets or addressing repeat offenders	Report the total number of cases where LEOs collaborated with prosecutors	
1.1.5	Conduct inspections of local businesses related to vehicle enterprise (transportation code or occupation code authorized companies such as salvage yard, repair shop, parts recycling center, used car dealership, salvage rebuilder, title service company, other). (see 1.3 for number of vehicles inspected in these businesses)	Number of businesses inspected	*0*
1.1.6	Conduct bait vehicle operations that target motor vehicle theft offenders	Number of bait vehicle deployments	*25*
1.1.8	Deploy license plate readers (LPR)	Number of times LPR deployed	*60*
1.1.9	Respond to license plate reader (LPR) alert notifications	Number of times investigators responded to LPR alert notifications	*20*
1.1.12	Conduct covert operations targeting motor vehicle theft offenders	Number of covert operations	*12*
1.1.13	Conduct warrant "round-up" operations targeting auto crimes offenders, including those wanted for motor vehicle thefts, vehicle burglaries and the theft of vehicle parts	Number of operations	*2*
1.2	**Strategy 2: Conduct Collaborative Efforts that Result In Reduction of Incidents of Motor Vehicle Theft**		
1.2.1	Provide Agency Assists	Number of agency assists	*250*
1.2.2	Collaborate with other units or divisions (i.e. homicide, vice, narcotics, etc.) where a motor vehicle was used in the commission of the crime (includes identification of vehicle).	Number of times collaborated within departments or SOs participating in taskforce	*50*
1.2.3	Collaborate with LE agencies and other organizations that assist in the reduction of motor vehicle thefts	Number of times collaborated with coverage area agencies or other law enforcement agencies	*50*

ID	Activity	Measure	Target
1.2.4	Collaborate on investigations regarding stolen parts and other property	Number of cases investigated	*12*
1.2.5	Conduct intelligence information-sharing	Number of intelligence meetings attended	*12*
1.2.6	Conduct intelligence information-sharing	Crime analysis bulletins disseminated	*4*
1.3	**Strategy 3: Prevent and Reduce the Incidence of Motor Vehicle Related Fraud Activities**		
1.3.1	Collaborate with agencies relating to investigation and enforcement of vehicle insurance fraud	Number of collaborations	*10*
1.3.2	Conduct 68(A) inspections (for TxDMV assignment or reassignment of VIN)	Number of vehicles inspected to complete a serialized 68A inspection form per TxDMV (VIN assignment, reassignment, bonded title)	*150*
1.3.3	Conduct VIN verification inspections. (All other reasons except bridge or port)	Number of vehicles inspected	*10*
1.3.4	Coordinate with TxDMV/Tax Offices relating to investigation and enforcement of fraudulent titles and registration of stolen vehicles	Number of collaborations related to MVT	*12*
2	**Goal 2: Reduce the Incidence of Theft from Motor Vehicles through Enforcement Strategies**		
2.1	**Strategy 1: Conduct Activities that Result in the Arrest, Clearance, and Recoveries of Burglary of Motor Vehicles and Theft of Vehicle Parts and Accessories**		
2.1.1	Conduct bait vehicle operations that target vehicle burglary offenders	Number of bait vehicle burglary deployments	*12*
2.1.2	Identify "prolific BMV offenders" through informants and intelligence [Prolific is defined as "linked to BMV and theft of vehicle parts and accessories offenses three or more times"]	Number of offenders identified	*6*
2.1.3	Collaborate with the District Attorneys' offices regarding sentencing, case packets or addressing repeat offenders	Report the total number of cases where LEOs collaborated with prosecutors	*10*
2.1.4	Conduct inspections of local businesses related to vehicle		*12*

ID	Activity	Measure	Target
	enterprise (transportation code or occupation code authorized companies such as salvage yard, repair shop, parts recycling center, used car dealership, salvage rebuilder, title service company, other).	Number of businesses inspected (see Goal 5 for number and value of parts recovered)	
2.1.5	Conduct warrant "round-up" operations targeting auto crimes offenders, including those wanted for motor vehicle thefts, vehicle burglaries and the theft of vehicle parts	Number of "round up" operations	*2*
2.1.7	BMV related cases presented to prosecutor	Report the total number of BMV related cases presented to prosecutor(s) where there was an incidence of theft from motor vehicles (includes criminal complaints for BMV, Theft, theft of parts or other cases directly tied to ABTPA statute of motor vehicle burglary and economic motor vehicle theft as defined in ABTPA statute)	*5*
2.2	**Strategy 2: Conduct Collaborative Efforts that Result in the Reduction of Incidents of Theft From a Motor Vehicle**		
2.2.1	Provide Agency Assists	Number of agency assists	*30*
2.2.2	Collaborate with other units or divisions (i.e. homicide, vice, narcotics, etc.) where a motor vehicle was used in the commission of the crime (includes identification of vehicle).	Number of times collaborated within departments or SOs participating in taskforce	*6*
2.2.3	Collaborate with LE agencies and other organizations that assist in the reduction of thefts from a motor vehicle	Number of times collaborated with coverage area agencies or other law enforcement agencies.	*12*
2.2.4	Investigate cases regarding stolen parts and other property	Number of cases investigated	*10*
3	**Goal 3: Educate/Train Citizens and Qualified Personnel in Detection and Prevention of Motor Vehicle Theft, Burglary of Motor Vehicles and Theft of Vehicle Parts and Accessories**		
3.1	**Strategy 1: Conduct Public Awareness Related Activities Used to Educate Citizens**		
3.1.1		Number of outreaches	*12*

ID	Activity	Measure	Target
	Conduct educational outreach events (include trade show, exhibits, booths at community events, vehicle displays, brochures, etc.)		
3.1.2	Conduct educational presentations to citizens	Number of presentations	*10*
3.1.4	Conduct vehicle identification number (VIN) etchings	Number of etching events	*4*
3.1.5	Purchase advertisements in local outlets	Number of advertisements purchased	*0*
3.1.6	Conduct vehicle report card initiatives.	Number report cards issued	*0*
3.1.7	Utilize social media outlets (FaceBook, Twitter, Instagram, etc.)	Number of postings in social media outlets	*15*
3.1.8	Deploy outdoor public notification signage	Number of deployments per month (if sign remains several months, count as 1 deployment per month)	*0*
3.1.10	Conduct media outreach, including, public service announcements, press releases, and interviews	Number of outreaches	*4*
3.2	**Strategy 2: Conduct Law Enforcement Training Activities to Educate Officers on Recognition and Apprehension of Stolen Vehicles and Property**		
3.2.1	Conduct law enforcement training (TCOLE)	Number of classes	*4*
3.2.2	Conduct law enforcement training (TCOLE)	Number of participants	*50*
3.2.3	Conduct vehicle crimes presentations to law enforcement agencies (non TCOLE)	Number of classes	*4*
3.2.4	Conduct vehicle crimes presentations to law enforcement agencies (non TCOLE)	Number of participants	*10*

Grant Evaluation

4.1 Describe the method and practice of evaluating the program activities. Including management and staff participation and systems (forms and software) used to ensure reliable and accurate data is collected and reported.

Investigators will be required to submit daily activity reports and monthly summaries which will be used to evaluate our goals, strategies, and activities. These results will be instrumental, along with crime analysis to implement and target operations effectively toward an overall goal of reducing auto theft and auto burglaries/parts. The mandated statutory requirements are documented in this process to evaluate burglary of motor vehicles/parts and theft of motor vehicles.

An overall monthly report will be compiled and sent to the Sheriff to be available to the commissioners' court. and reported to This will be provided to ABTPA on a quarterly basis.

We maintain an in-house electronic long term calendar which we tentatively schedule operations, crime prevention activities, training events, and special projects outlined in our grant activities. We compile numbers of auto thefts and auto burglaries/parts monthly from each agency in our direct project area. These numbers are added to an excel spreadsheet that documents the historical rise and fall of auto theft trends since 1991 and burglary trends since 2007. We will continue to use this method to instantly evaluate whether we are meeting our goals to reduce auto theft and burglary, and also to note rising trends in specific areas.

We will use our goals, strategies and activities for monthly progress reports to evaluate if we are reaching our projected target activities. This will allow monthly assessment as to whether our activities are effective in our goal so that we can re-evaluate how we target the auto theft and burglary problems in our area. The data collected will be evaluated so criminal activity can be targeted so we can be more effective in crime reduction. The GCACTF will continue to document vehicle theft and burglary statistics to allow for easy and quick identification of statistical trends and comparisons to previous time periods and/or locations.

4.2 Provide suggested measures that your think would better reflect the law enforcement or prevention work that your grant will perform. If the suggested measure fits into one of the goals 1-3 in the goals list above please indicate. If the suggested measure is a new kind of goal please suggest what best fits your measure.

Our analyst is called upon by officers and investigators with other agencies on a regular basis. As one of, if not the last auto theft analyst in the state, she is many times a last resort left to help identify vehicles, trailers, equipment, ATVs, boats and component parts. Although the assists provided do not directly affect the burglary and theft rates, they do sometimes help with the recovery rates and returning stolen property to rightful owners. Assists leading to recoveries is tracked through quarterly progress reports in the narrative sections. Other data being tracked pertains to the types of assistance calls received; for what kinds of agencies; and whether they are ABTPA funded. However a more targeted reporting method may be considered if more analysts become available with more funding, or if the data could prove useful to ABTPA administration.

Current Documents in folder

Grant Review and Negotiation Document.pdf (7/26/2019 8:03:17 AM)
Resolution.pdf (5/9/2019 9:17:02 AM)

Supporting Documentation.pdf (8/3/2019 11:24:23 AM)

Certifications

The certifying official is the authorized official, Mark Henry, County Judge.

By submitting this application I certify that I have been designated by my jurisdiction as the authorized official to accept the terms and conditions of the grant. The statements herein are true, complete, and accurate to the best of my knowledge. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties.

By submitting this application I certify that my jurisdiction agrees to comply with all terms and conditions if the grant is awarded and accepted. I further certify that my jurisdiction will comply with all applicable state and federal laws, rules and regulations in the application, acceptance, administration and operation of this grant.

CITY COUNCIL AGENDA FORM

Meeting Date: October 14, 2019 Agenda item: **7e**
Prepared by: Sussie Sutton Reviewed by: *Charlene Warren/ Charles Jackson*

Department: Development Services

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Ordinance No. **O-2019-0023,** changing the zoning classification from (R-1) Single Family Residential to (L-1) Light Industrial a tract of land being the East 360.00 Feet of the North 510.00 Feet of the South ½-of a 10 Acre Tract of Subdivision "B", Cook and Stewart Subdivision, A Subdivision in Galveston County, Texas according to the map or Plat thereof Recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County, Texas and 10 Acre Tract is described in instrument Recorded in Volume 557, Page 520, of the Deed of Records of Galveston County, Texas, PID #195613, as recommended by the Planning and Zoning Commission *THIS IS THE FIRST READING*

X

ATTACHMENTS FOR REFERENCE

1. Ordinance/Exhibit A
2. P&Z Recommendation Letter
3. Site Plan
4. Zoning Map
5. City Planning Letter
6. Application

STAFF BRIEFING:

- Staff received request from Stacy Cortez to re-zone from a property on Holmen from R-1 Residential to L-1 Light Industrial
- Request was submitted to Planning and Zoning Commission for consideration
- Planning and Zoning Commission approved and is forwarding to Council with a favorable recommendation

HISTORY: N/A

TARGET IMPLEMENTATION: After approval of a proposed ordinance on a First Reading, and conducting a Public Hearing and an approval of the ordinance on the Second and Final Reading

SIGNIFICANT ACTION DATES:
7/15/2019 – Application submitted by property owner
8/13/2019 – Planning and Zoning Commission considered and approved re-zone

CITY COUNCIL AGENDA FORM

ACTION:

☒ Ordinance ☐ Resolution

☐ Special Presentation ☐ Proclamation

☐ Finance Report ☐ Public Hearing

☐ Other

☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

Cost Details:	
Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name(s)	
Line Item #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2019-0023,** changing the zoning classification from (R-1) Single Family Residential to (L-1) Light Industrial a tract of land being the East 360.00 Feet of the North 510.00 Feet of the South ½-of a 10 Acre Tract of Subdivision "B", Cook and Stewart Subdivision, A Subdivision in Galveston County, Texas according to the map or Plat thereof Recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County, Texas and 10 Acre Tract is described in instrument Recorded in Volume 557, Page 520, of the Deed of Records of Galveston County, Texas, PID #195613, as recommended by the Planning and Zoning Commission *THIS IS THE FIRST READING*

FISCAL IMPACT: Once this property zoning designation is changed the property will be sold to enlarge the existing company currently on location. Enlarging a company can result in more sales tax for the general fund.

ORDINANCE NO. O-2019-0023

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, CHANGING THE ZONING CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (R-1), TO LIGHT INDUSTRIAL (L-1) OF A TRACT OF LAND BEING THE EAST 360.00 FEET OF THE NORTH 510.00 FEET OF THE SOUTH ½-OF A 10 ACRE TRACT OF SUBDIVISION "B", COOK AND STEWART SUBDIVISION, A SUBDIVISION IN GALVESTON COUNTY, TEXAS IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS; CHANGING THE ZONING CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (R-1), TO LIGHT INDUSTRIAL (L-1) OF A TRACT OF LAND BEING THE EAST 150.00 FEET OF THE NORTH 110.00 FEET OF THE SOUTH ½ OF A 10 ACRE TRACT, OF SUBDIVISION "B", COOK AND STEWART SUBDIVISION, A SUBDIVISION IN GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OF PLAT THEREOF RECORDED IN VOLUME 81, PAGE 526 IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS, AND 10 ACRE TRACT IS DESCRIBED IN INSTRUMENT RECORDED IN VOLUME 557, PAGE 520, OF THE DEED RECORDS OF GALVESTON COUNTY, AMENDING THE ZONING MAP OF THE CITY ADOPTED THE 12TH DAY OF DECEMBER 2005 BY ORDINANCE NUMBER 953.

WHEREAS, Carol Hasserd (the "Applicant"), is the owner of the property 620 Holman Street described as being the East 360.00 Feet of the North 510.00 Feet of the South ½-of a 10 Acre Tract of Subdivision "B", Cook and Stewart Subdivision, A Subdivision in Galveston County, Texas; and the owner of the property 620 Holman Street described as being the East 150.00 Feet of the North 110.00 Feet of the South ½ of a 10 acre tract, of subdivision "B", Cook and Stewart Subdivision, A Subdivision in Galveston County, Texas; and

WHEREAS, both of the Properties described in Exhibit "A" attached hereto and made a part hereof for all purposes presently have a zoning classification of Single Family Residential under Chapter 71: Zoning of the Code of ordinances of the City of La Marque; and

WHEREAS, the applicant has made application to the City to change such zoning classification of said properties from Single Family Residential to Light Industrial as authorized by the City's Zoning Ordinance; and

WHEREAS, City staff has made recommendation to the City to change such zoning classification of both properties described in Exhibit "A" attached hereto and made a part hereof for all purposes from R-1, Single Family Residential to L-1, Light Industrial as authorized by the City' s Zoning Ordinance; and

WHEREAS, the City Council of the City has conducted, in time and manner and after the notice required by law and Chapter 71: Zone of the Code of Ordinances of the City of La Marque, a public hearing on such request in classification; and

WHEREAS, the City Council now deems it appropriate to grant such requested change in classification;

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

Section 1. The facts and the matters set forth in the preamble on this Ordinance are hereby found to be true and correct.

Section 2. The zoning classification of the certain tracts being the East 360.00 Feet of the North 510.00 Feet of the South ½-of a 10 Acre Tract of Subdivision "B", Cook and Stewart Subdivision, A Subdivision in Galveston County, Texas, as described in Exhibit "A", attached hereto and made a part hereof for all purposes, fronting the intersection of Holman Street in the City of La Marque, is hereby changed from Single Family Residential to Light Industrial as authorized by the Chapter 71: Zoning of the Code of Ordinances of the City of La Marque.

AND The zoning classification of the certain tracts being the East 150.00 Feet of the North 110.00 Feet of the South ½ of a 10 Acre tract, of Subdivision "B", Cook and Stewart subdivision, a subdivision in Galveston County, Texas, described in Exhibit "A" attached hereto and made a part hereof for all purposes is hereby changed from R-1, Single Family Residential to L-1, Light Industrial as authorized by the City's Zoning Ordinance.

Section 3. The zoning map of the City, adopted on the 12th day of December, 2005 by ordinance number 953, shall be revised and amended to show the zoning reclassification of said tracts of land as provided in section 2 hereof, with the appropriate reference to the number and effective date of this Ordinance and brief description of the nature of the change.

Section 4. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the change in zoning classification of the tract described in section 2 hereof.

Section 5. 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 count of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or the provision hereof other than the part declared to be invalid or unconstitutional; and the City council of the City of La Marque, 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.

PASSED AND APPROVED by the City Council of the City of La Marque, Texas, on the First reading this the _____ day of _____, 2019.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque, Texas, on the Second and Final reading this the _____ day of _____, 2019.

CITY OF LA MARQUE, TEXAS

_____
Bobby Hocking, Mayor

ATTEST:

_____
Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

_____
Derra Purnell
Acting City Attorney

TRACT I
DESCRIPTION OF A TRACT OF LAND CONTAINING
0.3788 ACRES (16,500 SQUARE FEET) SITUATED
IN THE J. D. MOORE LEAGUE, ABSTRACT 150
GALVESTON COUNTY, TEXAS

Being a tract of land containing 0.3788 acres (16,500 square feet), situated in the J. D. Moore League, Abstract 150, Galveston County, Texas, being the East 150.00 feet of the North 110.00 feet of the South 1/2 of a called 10 acre tract out of said Subdivision "B", Cook and Stewart Subdivision, a subdivision recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County, Texas. Said 0.3788-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2-inch iron rod in the intersection of the east right-of-way line of Ross Street (60.00 feet wide) and the south right-of-way line of a 20.00 foot Private Road;

THENCE North 89°17'00" East, a distance of 510.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the POINT OF BEGINNING and the northwest corner of the said tract herein described;

THENCE North 89°17'00" East, a distance of 150.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the northeast corner of the said tract herein described;

THENCE South 00°43'00" East, a distance of 110.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the southeast corner of the said tract herein described;

THENCE South 89°17'00" West, a distance of 150.00 feet to the southwest corner of the said tract herein described;

THENCE North 00°43'00" East, a distance of 110.00 feet to the POINT OF BEGINNING and containing 0.3788 acres (16,500 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 100758-00) dated 09-02-19, job number 6-74013-19.

STATE OF TEXAS
REGISTERED
RICHARD FUSSELL
4148
PROFESSIONAL
LAND SURVEYOR

TRACT 1
PID #195613 Holman

TRACT II
DESCRIPTION OF A TRACT OF LAND CONTAINING
0.9091 ACRES (39,600 SQUARE FEET) SITUATED
IN THE J. D. MOORE LEAGUE, ABSTRACT 150
GALVESTON COUNTY, TEXAS

Being a tract of land containing 0.9091 acres (39,600 square feet), situated in the J. D. Moore League, Abstract 150, Galveston County, Texas, being the East 360.00 feet of the West 510.00 feet of the North 110.00 feet of the South 1/2 of a called 10.00 acres tract out of Subdivision "B", Cook and Stewart Subdivision, a subdivision recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County, Texas. Said 0.9091-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2-inch iron rod in the intersection of the east right-of-way line of Ross Street (60.00 feet wide) and the south right-of-way line of a 20.00 foot Private Road;

THENCE North 89°17'00" East, a distance of 150.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the POINT OF BEGINNING and the northwest corner of the said tract herein described;

THENCE North 89°17'00" East, a distance of 360.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the northeast corner of the said tract herein described;

THENCE South 00°43'00" East, a distance of 110.00 feet to the southeast corner of the said tract herein described;

THENCE South 89°17'00" West, a distance of 360.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the southwest corner of the said tract herein described;

THENCE North 00°43'00" West, a distance of 110.00 feet to the POINT OF BEGINNING and containing 0.9091 acres (39,600 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 100758-00) dated 9-02-19, job number 06-74013-19.

STATE OF TEXAS
REGISTERED
RICHARD FUSSELL
4148
PROFESSIONAL
LAND SURVEYOR

Tract 2
PID# 195613 Holman

August 13, 2019

Mayor and City Council
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

Dear Mayor and City Council:

On August 13, 2019, the Planning and Zoning Commission considered a request to re-zone from Single Family Residential (R-1) to Light Industrial (L-1) a tract of land being the East 360.00 Feet of the North 510.00 Feet of the South ½-of a 10 Acre Tract of Subdivision "B", Cook and Stewart Subdivision, A Subdivision in Galveston County, Texas according to the map or Plat thereof Recorded in Volume 81. Page 526 in the Office of the County Clerk of Galveston Clerk of Galveston County, Texas and 10 Acre Tract is described in instrument Recorded in Volume 557, Page 520, of the Deed of Records of Galveston County, Texas.

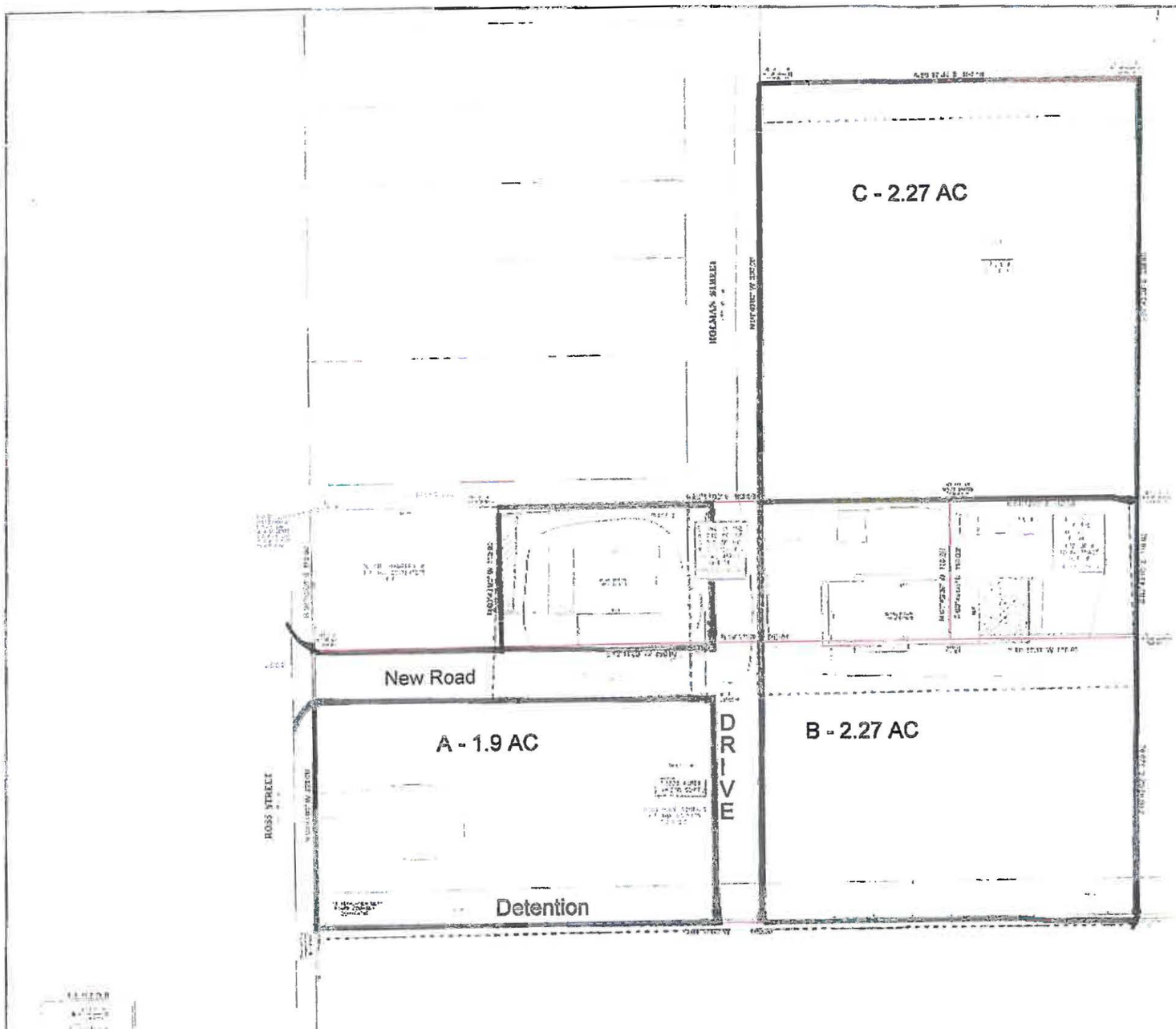
And considered a request to re-zone from Single Family Residential (R-1) to Light Industrial (L-1) a tract of land being the East 150.00 feet of the North 110.00 Feet of the South ½ of a 10 Acre tract, of subdivision "B", Cook and Stewart Subdivision, a Subdivision in Galveston County, Texas, according to the map of Plat thereof recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County, Texas, and 10 Acre Tract is described in instrument recorded in Volume 557, Page 520, of the Deed Records of Galveston County. PID #195613

By unanimous vote, Planning and Zoning Commission recommended forwarding a favorable recommendation to City Council.

Thank you,

_____

Greg Cornett, Vice Chair
Planning and Zoning Commission



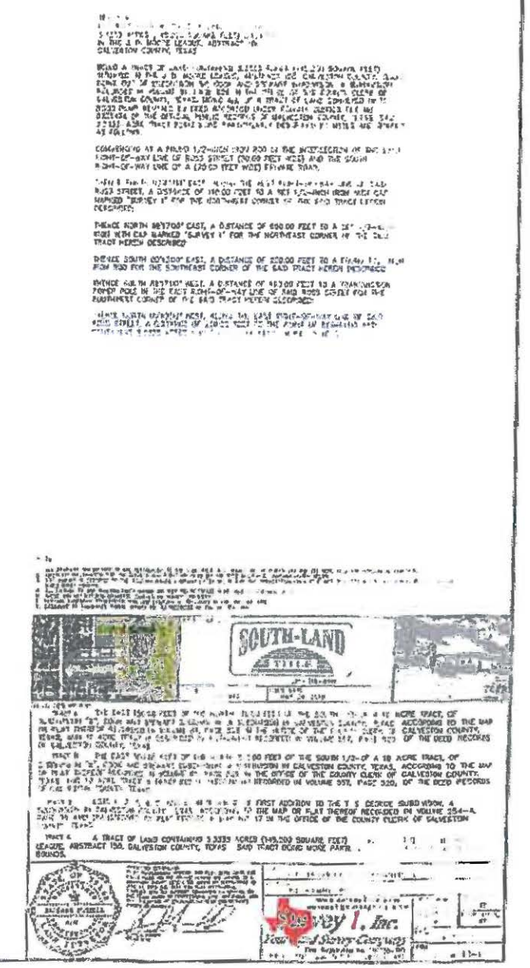
Proposed Site Development Plan

3 Building Sites

A - 1 @ 1.9 Acre

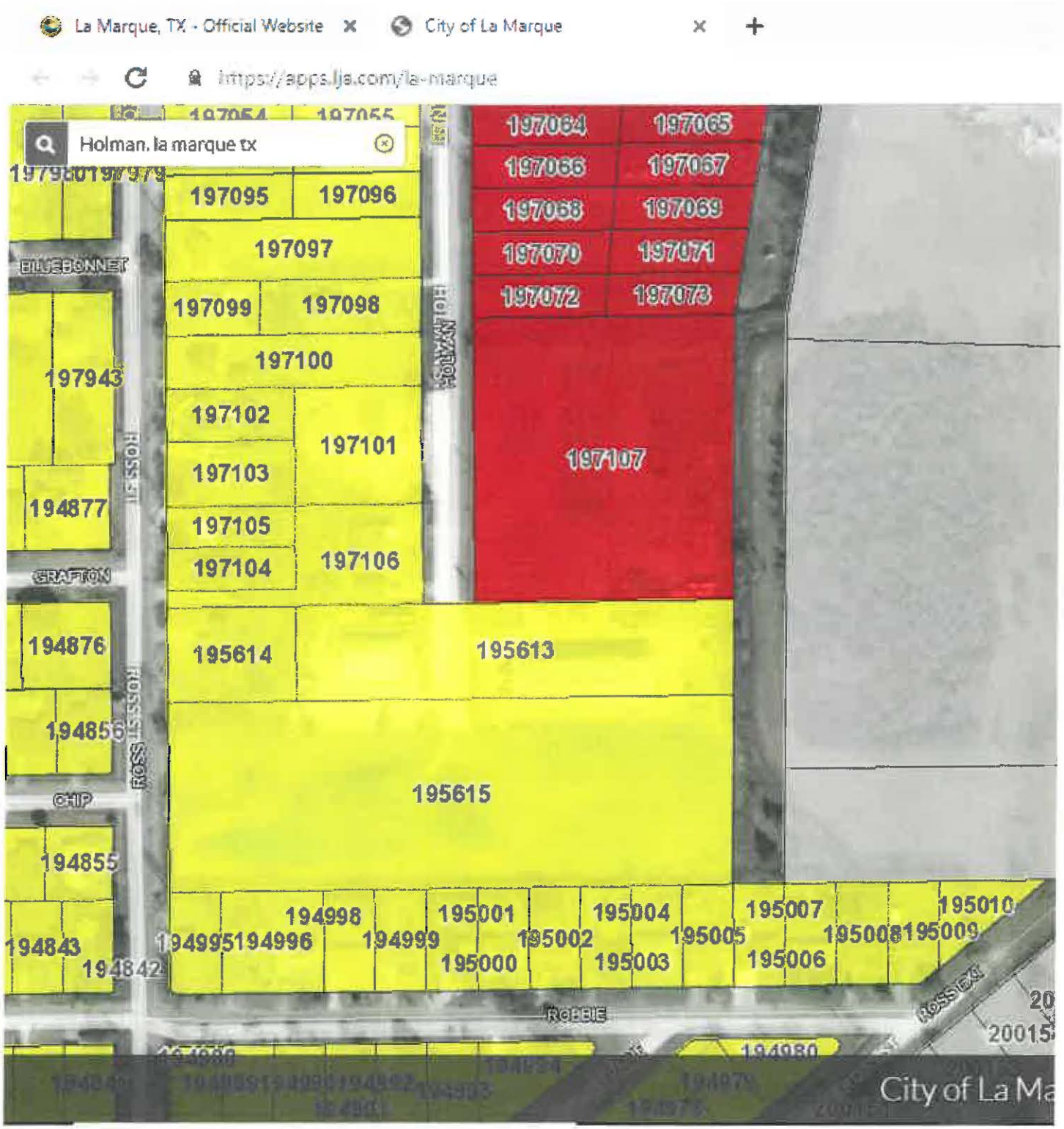
B & C - 2 @ 2.27 Acre

8,000 to 12,000 S.F. Buildings with Storage Yard



Sussie Sutton

To: Sussie Sutton
Subject: Homan Zoning Map



SOUTHLAND

TITLE

6710 Stewart Road, Suite 200

Galveston, Texas 77551

CITY PLANNING LETTER

Date: June 6, 2019

City of Galveston
823 Rosenberg
Room 401
Galveston, Texas 77550

Att: Development Services

RE: File No. TP1968432

To Whom It May Concern:

This company (South Land Title, LLC) certifies that a diligent search of the real property records of South Land Title, LLC's title plant has been made, as to the herein described property and as of 8:00 AM on the 30th day of May, 2019, we find the following:

Record Owner:

Carol Hasserd (Tracts 1 & 2)

Boo's Pump Rental Equipment, Inc., a Texas corporation (Tract 1)

Boo's Pump Rentals, Inc., a Texas corporation (Tract 2)

Legal Description:

Tract 1:

The East 150 feet of the North 110 feet of the South 1/2 of a 10 acre tract out of Subdivision "B", Cook and Stewart Subdivision, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County,

Texas, said 10 acre tract is described in instrument recorded in Volume 557, Page 520, of the Deed Records of Galveston County, Texas.

Tract 2:

The East 360 feet of the West 510 feet of the North 110 feet of the South 1/2 of a 10 acre tract out of Subdivision "B", Cook and Stewart Subdivision, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County, Texas, said 10 acre tract is described in instrument recorded in Volume 557, Page 520, of the Deed Records of Galveston County, Texas.

Tract 3:

Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6), in Block Nine (9), of First Addition to the T. S. George Subdivision, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 254-A, Page 38 and transferred to Plat Record 4, Map No. 17 in the Office of the County Clerk of Galveston County, Texas.

Tract 4:

A tract of land out of Subdivision "B", Cook and Stewart Subdivision, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County, Texas, and being more particularly described by metes and bounds as follows:

THE SURFACE ONLY of a tract of land out of Subdivision B of Cook 6 Stewart Subdivision in the John D. Moore League, in Galveston County, Texas, according to the map thereof of record in Volume 86, Page 521 in the office of the County Clerk of Galveston County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the Northwest corner of said subdivision B;

THENCE Southwardly along the west boundary line of said subdivision B, 1969 feet to the beginning corner of the tract herein described;

THENCE Southwardly along the West boundary line of said subdivision B, 220 feet to point for corner;

THENCE Eastwardly at right angles to said West boundary line of said subdivision B, 660 feet to point for corner;

THENCE Northwardly parallel with the West boundary line of subdivision B, 220 feet to point for corner;

THENCE Westwardly 660 feet to point for corner and the place of beginning of the tract herein described.

Subject to the following:

Restrictions:

None of record

Easements:

Easement granted to Houston Pipe Line Company, as set forth and described by instrument(s) recorded in Volume 583, Page 495 in the Office of the County Clerk of Galveston County, Texas.

Easement granted to Community Public Service Company. as set forth and described by instrument(s) recorded in **Volume 811, Page 384** in the Office of the County Clerk of Galveston County, Texas.

Water pipeline easement granted to Gulf Coast Water Authority, as set forth and described by instrument(s) filed for record under Galveston County Clerk's File No(s). **9943681** and **9950534.**

Electric transmission line easement granted to Texas-New Mexico Power Company, as set forth and described by instrument(s) recorded under Galveston County Clerk's File No. **2011064796.**

Terms, conditions and stipulations contained in that certain Boundary Agreement, as set forth in instrument filed for record under Galveston County Clerk's File No. **9908732.**

Liens:

Notice of Lien dated July 27, 1995, filed for record under Galveston County Clerk's File No. **9528217,** by the City of La Marque, Texas, in the amount of $109.38 (One Hundred Nine and 38/100). (As Tract 3)

Notice of Lien dated June 2, 1998, filed for record under Galveston County Clerk's File No. **9826666,** by the City of La Marque, Texas, in the amount of $44.00 (Forty Four and 00/100). (As to Tract 3)

Notice of Lien dated August 21, 2000, filed for record under Galveston County Clerk's File No. **2000044993**, by the City of La Marque, Texas, in the amount of $44.00 (Forty Four and 00/100). (as to Tract 3)

No examination has been made as to abstracts of Judgments, state or federal tax liens, the status of taxes, tax suits or paving assessments. This letter is issued for the use of, and shall insure to the benefit of PLATTING. Liability of South Land Title, LLC for mistakes or errors in this letter is hereby limited to the cost of said letter. This letter is-issued with the express understanding, evidenced by the acceptance thereof, that South Land Title, LLC does not undertake.to give or express any opinion as to the validity or effect of the instruments listed, and this letter is neither a guaranty or warranty of title.

Liability hereunder ts limited to the amount paid for same. This report is furnished solely as an accommodation to the party requesting same and should not be relied upon, as a warranty or representation as to the title to the property described herein, and may not be given to or used by any third party. South Land Title, LLC assumes no liability whatsoever for the accuracy of this report, nor for any omission or error with respect hereto. YOU AGREE TO RELEASE, INDEMNIFY AND HOLD HARMLESS TITLE COMPANY BECAUSE OF ANY NEGLIGENCE BY SOUTHLAND TITLE, uC (WHETHER SOLE, JOINT OR OTHERWISE) FOR ANY CLAIM, Loss, LIABILITY OR DAMAGES ARISING OUT OF THIS REPORT. This report is not title insurance. If a policy of title insurance is purchased, any liability thereunder shall be determined solely by the terms of such policy.

Sincerely,

Michael W. Denton – Commercial Examiner

Southland Title, LLC

CITY OF LA MARQUE
"Gateway to the Gulf"
1130 1st St., La Marque, TX 77568
409-938-9252 S.Sutton@CityOfLaMarque.Org

Rezone Application

FOR PID# 195613

7-15-19 CS

Application Date: ~~6/20/19~~ **SmartGov Project #:** ____

Name of Agent: Stacy Cortez **Phone:** (409) 739-3789

Address: 213 Echo Brook Ln Dickinson, Tx 77539

Name of Owner: Carol Hasserd **Phone:** (409) 739-2669

Address: 209 Echo Brook Ln Dickinson, Tx 77539

Property Description: See back of page **Parcel #:** 197107, 195615, 195613

Address: 620 Holman St. and 620A Holman St.

Plot of Area Attached: YES NO **Metes and Bounds Attached:** YES NO

Present Zone: PID# 197107 is C-1 Gen. Commercial, #195613 & #195615 are R-1 single residential

Reason for Change: This property is a business - Boo's Pump Rentals - for over 40yrs. Would like to develop empty lots for addition Busines

Desired Outcome: Re Zone all lots to Light Industrial.

APLICATION CHECKLIST

[✓] **SITE PLAN** (To scale) **WITH EXISTING IMPROVEMENTS, DEVELOPMENTS AND PROPERTY LINES**

(8-1/2 X 11 if larger than 8 1/2 x 11 please fold to appropriate size)

[✓] **SURVEY** (To scale, 2 Copies)

[✓] **CURRENT AND ORIGINAL CERTIFIED TAX RECEIPTS**

[✓] **TITLE REPORT** (If purchased in the last 60 days) **OR**

[✓] **PLANNING LETTER**

[✓] **NON-REFUNDABLE APPLICATION FEE** (Payable to the "City Of La Marque")

Submitted to the Board on: / /

Approved: ____ **Denied:** ____ **Other:** ____

Comments: ____

APPLICANTS CERTIFICATE

I AFFIRM THAT MY STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature of applicant: Stacy Cortez **Date:** 6/20/19

NOTE: All Planning and Zoning meetings take place on the 2nd Tuesday of the each month. Applications must be received **30 days** prior to the 2nd Tuesday of each month to be considered for that Planning and Zoning Commission meeting.

CITY COUNCIL AGENDA FORM

Meeting Date: October 14, 2019 Agenda item: **7f**
Prepared by: Sussie Sutton Reviewed by: *Charlene Warren/ Charles Jackson*

Department: Development Services

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Ordinance No. **O-2019-0024**, changing the zoning classification from (R-1) Single Family Residential to (L-1) Light Industrial a tract of land containing 3.3333 Acres (145,200 Square Feet) out of Subdivision B of Cook & Stewart Subdivision in the John D. Moore League, Galveston County, Texas according to the map thereof recorded in Volume 86, Page 521 in the Office of the County Clerk of Galveston, Texas PID #195615, as recommended by the Planning and Zoning Commission *THIS IS THE FIRST READING*

X

ATTACHMENTS FOR REFERENCE

1. Ordinance/Exhibit A
2. P&Z Recommendation Letter
3. Site Plan
4. Zoning Map
5. City Planning Letter
6. Application

STAFF BRIEFING:

- Staff received request from Stacy Cortez to re-zone from a property on Holmen from R-1 Residential to L-1 Light Industrial
- Request was submitted to Planning and Zoning Commission for consideration
- Planning and Zoning Commission approved and is forwarding to Council with a favorable recommendation

HISTORY: N/A

TARGET IMPLEMENTATION: After approval of a proposed ordinance on a First Reading, and conducting a Public Hearing and an approval of the ordinance on the Second and Final Reading

SIGNIFICANT ACTION DATES:
7/15/2019 – Application submitted by property owner
8/13/2019 – Planning and Zoning Commission considered and approved re-zone

CITY COUNCIL AGENDA FORM

ACTION:

☒ Ordinance ☐ Resolution

☐ Special Presentation ☐ Proclamation

☐ Finance Report ☐ Public Hearing

☐ Other

☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

Cost Details:	
Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name(s)	
Line Item #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2019-0024,** changing the zoning classification from (R-1) Single Family Residential to (L-1) Light Industrial a tract of land containing 3.3333 Acres (145,200 Square Feet) out of Subdivision B of Cook & Stewart Subdivision in the John D. Moore League, Galveston County, Texas according to the map thereof recorded in Volume 86, Page 521 in the office of the County Clerk of Galveston, Texas PID# 195615, as recommended by the Planning and Zoning Commission *THIS IS THE FIRST READING*

FISCAL IMPACT: Once this property zoning designation is changed the property will be sold to enlarge the existing company currently on location. Enlarging a company can result in more sales tax for the general fund.

ORDINANCE NO. O-2019-0024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, CHANGING THE ZONING CLASSIFICATION FROM SINGLE FAMILY RESIDENTIAL (R-1), TO LIGHT INDUSTRIAL (L-1) A TRACT OF LAND CONTAINING 3.3333 ACRES (145,200 SQUARE FEET) OUT OF SUBDIVISION B OF COOK & STEWART SUBDIVISION IN THE JOHN D. MOORE LEAGUE, GALVESTON COUNTY, TEXAS ACCORDING TO THE MAP THEREOF RECORD IN VOLUME 86, PAGE 521 IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON, TEXAS, AND AMENDING THE ZONING MAP OF THE CITY ADOPTED THE 12TH DAY OF DECEMBER 2005 BY ORDINANCE NO. 953

WHEREAS, Carol Hasserd (the "Applicant"), owner of the property 620 Holman Street described as being a Tract of Land containing 3.333 Acres (145,200 Square Feet) out of Subdivision B of Cook & Stewart Subdivision in the John D. Moore League, Galveston County, Texas; and

WHEREAS, the Property presently has a zoning classification of Single Family Residential under Chapter 71: Zoning of the Code of ordinances of the City of La Marque; and

WHEREAS, the applicant has made application to the City to change such zoning classification of said property from Single Family Residential to Light Industrial as authorized by the City's Zoning Ordinance; and

WHEREAS, City Staff has made recommendation to the City to change such zoning classification of a tract of land containing 3.333 Acres (145,200 Square Feet) out of Subdivision B of Cook & Stewart Subdivision in the John D. Moore League, Galveston County, Texas; and, described in Exhibit "A" attached hereto and made a part hereof for all purposes said properties from R-1, Single Family Residential to L-1, Light Industrial as authorized by the City's Zoning Ordinance; and

WHEREAS, the City Council of the City has conducted, in time and manner and after the notice required by law and Chapter 71: Zone of the Code of Ordinances of the City of La Marque, a public hearing on such request in classification; and

WHEREAS, the City Council now deems it appropriate to grant such requested change in classification;

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

Section 1. The facts and the matters set forth in the preamble on this Ordinance are hereby found to be true and correct.

Section 2. The zoning classification of the certain tracts being a Tract of Land containing 3.333 Acres (145,200 Square Feet) out of Subdivision B of Cook & Stewart Subdivision in the John D. Moore League, Galveston County, Texas; a Subdivision in Galveston County, Texas, as described in Exhibit "A", attached hereto and made a part hereof for all purposes, fronting the intersection of Holman Street in the City of La Marque, is hereby changed from Single Family Residential to Light Industrial as authorized by the Chapter 71: Zoning of the Code of Ordinances of the City of La Marque.

Section 3. The zoning map of the City, adopted on the 12th day of December, 2005 by ordinance number 953, shall be revised and amended to show the zoning reclassification of said tract of land as provided in section 2 hereof, with the appropriate reference to the number and effective date of this Ordinance and brief description of the nature of the change.

Section 4. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the change in zoning classification of the tract described in section 2 hereof.

Section 5. 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 count of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or the provision hereof other than the part declared to be invalid or unconstitutional; and the City council of the City of La Marque, 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.

PASSED AND APPROVED by the City Council of the City of La Marque, Texas, on the First reading this the _____ day of _____, 2019.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque, Texas, on the Second and Final reading this the _____ day of _____, 2019.

CITY OF LA MARQUE, TEXAS

_____
Bobby Hocking, Mayor

ATTEST:

_____
Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

_____
Derra Purnell
Acting City Attorney

TRACT III
DESCRIPTION OF A TRACT OF LAND CONTAINING
2.2727 ACRES (99,000 SQUARE FEET) SITUATED
IN THE J. D. MOORE LEAGUE, ABSTRACT 150
GALVESTON COUNTY, TEXAS

Being a tract of land containing 2.2727 acres (99,000 square feet), situated in the J. D. Moore League Survey, Abstract 150, Galveston County, Texas, being all of Lots 1-6, in Block 9 of First Addition of the T. S. George Subdivision, a subdivision recorded in Volume 254-A, Page 38 and transferred to Plat Record 4, Map No. 17 of the Office of the County Clerk of Galveston County, Texas. Said 2.2727-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2-inch iron rod in the intersection of the east right-of-way line of Ross Street (60.00 feet wide) and the south right-of-way line of a 20.00 feet Private Road;

THENCE North 89°17'00" East, a distance of 360.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the POINT OF BEGINNING and the southwest corner of the said tract herein described;

THENCE North 00°43'00" West, along the east right-of-way line of Holman Street (60.00 feet wide) a distance of 330.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the northwest corner of the said tract herein described;

THENCE North 89°17'00" East, a distance of 300.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the northeast corner of the said tract herein described;

THENCE South 00°43'00" East, a distance of 330.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the southeast corner of the said tract herein described;

THENCE South 89°17'00" West, a distance of 300.00 feet to the POINT OF BEGINNING and containing 2.2727 acres (99,000 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 100758-00) dated 09-02-19, job number 6-74013-19.

STATE OF TEXAS
REGISTERED
RICHARD FUSSELL
4148
PROFESSIONAL
LAND SURVEYOR

August 13, 2019

Mayor and City Council
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

Dear Mayor and City Council:

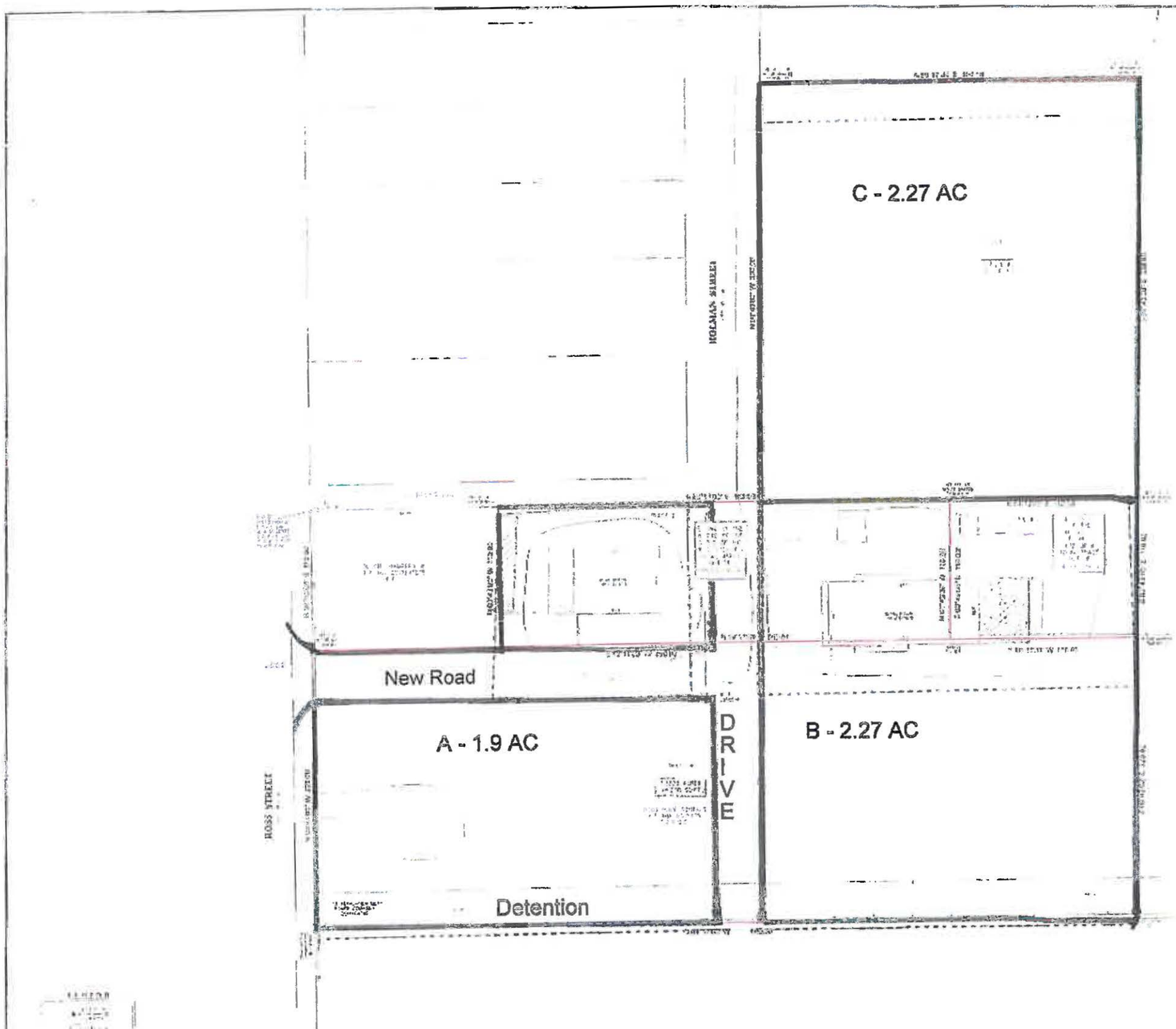
On August 13, 2019, the Planning and Zoning Commission considered a request to re-zone from Single Family Residential (R-1) to Light Industrial (L-1) a tract of land containing 3.3333 Acres (145,200 Square Feet) out of Subdivision B of Cook & Stewart Subdivision in the John D. Moore League, Galveston County, Texas according to the map thereof record in Volume 86, Page 521 in the office of the County Clerk of Galveston, Texas. PID# 195615

By unanimous vote, Planning and Zoning Commission recommended forwarding a favorable recommendation to City Council.

Thank you,

_____

Greg Cornett, Vice Chair
Planning and Zoning Commission



Proposed Site Development Plan

3 Building Sites

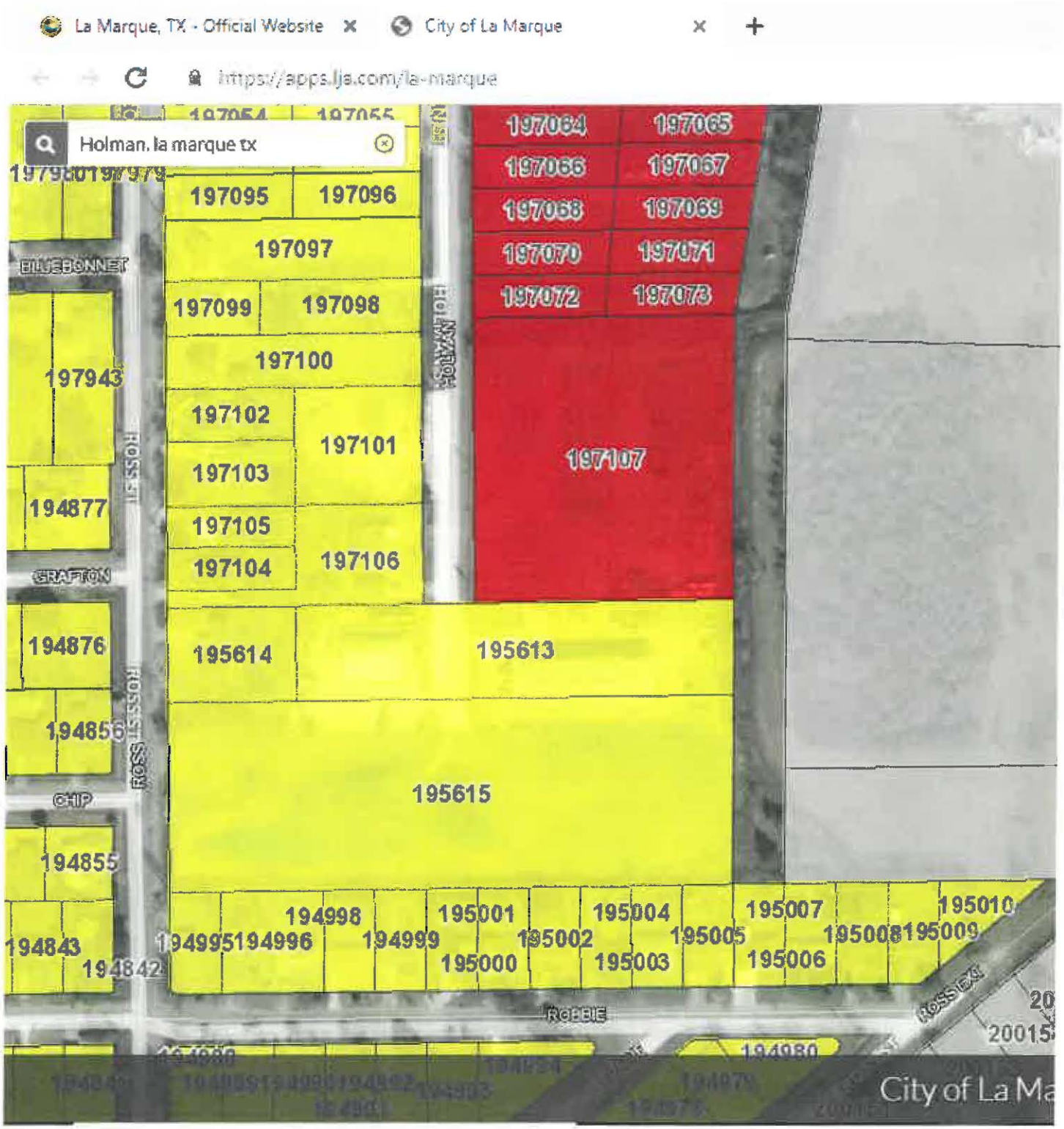
A - 1 @ 1.9 Acre

B & C - 2 @ 2.27 Acre

8,000 to 12,000 S.F. Buildings with Storage Yard

Sussie Sutton

To: Sussie Sutton
Subject: Homan Zoning Map



SOUTHLAND

TITLE

6710 Stewart Road, Suite 200

Galveston, Texas 77551

CITY PLANNING LETTER

Date: June 6, 2019

City of Galveston
823 Rosenberg
Room 401
Galveston, Texas 77550

Att: Development Services

RE: File No. TP1968432

To Whom It May Concern:

This company (South Land Title, LLC) certifies that a diligent search of the real property records of South Land Title, LLC's title plant has been made, as to the herein described property and as of 8:00 AM on the 30th day of May, 2019, we find the following:

Record Owner:

Carol Hasserd (Tracts 1 & 2)

Boo's Pump Rental Equipment, Inc., a Texas corporation (Tract 1)

Boo's Pump Rentals, Inc., a Texas corporation (Tract 2)

Legal Description:

Tract 1:

The East 150 feet of the North 110 feet of the South 1/2 of a 10 acre tract out of Subdivision "B", Cook and Stewart Subdivision, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County,

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THENCE Southwardly along the west boundary line of said subdivision B, 1969 feet to the beginning corner of the tract herein described;

THENCE Southwardly along the West boundary line of said subdivision B, 220 feet to point for corner;

THENCE Eastwardly at right angles to said West boundary line of said subdivision B, 660 feet to point for corner;

THENCE Northwardly parallel with the West boundary line of subdivision B, 220 feet to point for corner;

THENCE Westwardly 660 feet to point for corner and the place of beginning of the tract herein described.

Subject to the following:

Restrictions:

None of record

Easements:

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Notice of Lien dated June 2, 1998, filed for record under Galveston County Clerk's File No. **9826666,** by the City of La Marque, Texas, in the amount of $44.00 (Forty Four and 00/100). (As to Tract 3)

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Sincerely,

Michael W. Denton – Commercial Examiner

Southland Title, LLC

CITY OF LA MARQUE
"Gateway to the Gulf"
1130 1st St., La Marque, TX 77568
409-938-9252 S.Sutton@CityOfLaMarque.Org

Rezone Application FOR PID # 195615

7-15-19 SC

Application Date: ~~6/20/19~~ **SmartGov Project #:** ____

Name of Agent: Stacy Cortez **Phone:** (409) 739-3789

Address: 213 Echo Brook Ln Dickinson, Tx 77539

Name of Owner: Carol Hasserd **Phone:** (409) 739-2669

Address: 209 Echo Brook Ln Dickinson, Tx 77539

Property Description: See back of page **Parcel #:** 197107, 195615, 195613

Address: 620 Holman St. and 620A Holman St.

Plot of Area Attached: YES NO **Metes and Bounds Attached:** YES NO

Present Zone: PID # 197107 is C-1 Gen. Commercial, #195613 & #195615 are R-1 single residential

Reason for Change: This property is a business - Boo's Pump Rentals - for over 40yrs. Would like to develop empty lots for addition Busines

Desired Outcome: Re Zone all lots to Light Industrial.

APLICATION CHECKLIST

[✓] **SITE PLAN** (To scale) **WITH EXISTING IMPROVEMENTS, DEVELOPMENTS AND PROPERTY LINES**

(8-1/2 X 11 if larger than 8 1/2 x 11 please fold to appropriate size)

[✓] **SURVEY** (To scale, 2 Copies)

[✓] **CURRENT AND ORIGINAL CERTIFIED TAX RECEIPTS**

[✓] **TITLE REPORT** (If purchased in the last 60 days) **OR**

[✓] **PLANNING LETTER**

[✓] **NON-REFUNDABLE APPLICATION FEE** (Payable to the "City Of La Marque")

Submitted to the Board on: / /

Approved: ____ **Denied:** ____ **Other:** ____

Comments: ____

APPLICANTS CERTIFICATE

I AFFIRM THAT MY STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature of applicant: Stacy Cortez **Date:** 6/20/19

NOTE: All Planning and Zoning meetings take place on the 2nd Tuesday of the each month. Applications must be received **30 days** prior to the 2nd Tuesday of each month to be considered for that Planning and Zoning Commission meeting.

CITY COUNCIL AGENDA FORM

Meeting Date: October 14, 2019 Agenda item: **7g**
Prepared by: Sussie Sutton Reviewed by: *Charlene Warren/ Charles Jackson*

Department: Development Services

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Ordinance No. **O-2019-0025,** changing the zoning classification from (C-1) General Commercial to (L-1) Light Industrial a tract of land containing Lots 1, 2, 3, 4, 5, and 6, in Block 9, of the First Addition to the T. S. George Subdivision, A subdivision in Galveston County, Texas, according to the Map or Plat thereof recorded in Volume 254-A, Page 38 and Transferred to Plat Record 4. Map No. 17 in the Office of the County Clerk of Galveston County, Texas PID# 197107, as recommended by the Planning and Zoning Commission *THIS IS THE FIRST READING*

X

ATTACHMENTS FOR REFERENCE

1. Ordinance/Exhibit A
2. P&Z Recommendation Letter
3. Site Plan
4. Zoning Map
5. City Planning Letter
6. Application

STAFF BRIEFING:

- Staff received request from Stacy Cortez to re-zone from a property on Holmen from R-1 Residential to L-1 Light Industrial
- Request was submitted to Planning and Zoning Commission for consideration
- Planning and Zoning Commission approved and is forwarding to Council with a favorable recommendation

HISTORY: N/A

TARGET IMPLEMENTATION: After approval of a proposed ordinance on a First Reading, and conducting a Public Hearing and an approval of the ordinance on the Second and Final Reading

SIGNIFICANT ACTION DATES:
7/15/2019 – Application submitted by property owner
8/13/2019 – Planning and Zoning Commission considered and approved re-zone

CITY COUNCIL AGENDA FORM

ACTION:

☒ Ordinance ☐ Resolution

☐ Special Presentation ☐ Proclamation

☐ Finance Report ☐ Public Hearing

☐ Other

☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

Cost Details:	
Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name(s)	
Line Item #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2019-0025,** changing the zoning classification from (C-1) General Commercial to (L-1) Light Industrial a tract of land containing Lots 1, 2, 3, 4, 5, and 6, in Block 9, of the First Addition to the T. S. George Subdivision, A subdivision in Galveston County, Texas, according to the Map or Plat thereof recorded in Volume 254-A, Page 38 and Transferred to Plat Record 4. Map No. 17 in the Office of the County Clerk of Galveston County, Texas PID# 197107, a recommended by the Planning and Zoning Commission *THIS IS THE FIRST READING*

FISCAL IMPACT: Once this property zoning designation is changed the property will be sold to enlarge the existing company currently on location. Enlarging a company can result in more sales tax for the general fund.

ORDINANCE NO. O-2019-0025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, CHANGING THE ZONING CLASSIFICATION FROM GENERAL COMMERCIAL (C-1), TO LIGHT INDUSTRIAL (L-1) A TRACT OF LAND CONTAINING LOTS 1, 2, 3, 4, 5, AND 6, IN BLOCK 9, OF THE FIRST ADDITION TO THE T. S. GEORGE SUBDIVISION, A SUBDIVISION IN GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 254-A, PAGE 38 AND TRANSFERRED TO PLAT RECORD 4. MAP NO. 17 IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS, AND AMENDING THE ZONING MAP OF THE CITY ADOPTED THE 12TH DAY OF DECEMBER 2005 BY ORDINANCE NO. 953

WHEREAS, Carol Hasserd (the "Applicant"), owner of the property 620 Holman Street described as being a Tract of Land containing Lots 1, 2, 3, 4, 5, and 6, in Block 9, of the First Addition to the T. S. George Subdivision, A subdivision in Galveston County, Texas, according to the Map or Plat thereof recorded in Volume 254-A, Page 38 and Transferred to Plat Record 4. Map No. 17 in the Office of the County Clerk of Galveston County, Texas; and

WHEREAS, the Property presently have a zoning classification of General Commercial under Chapter 71: Zoning of the Code of ordinances of the City of La Marque; and

WHEREAS, the applicant has made application to the City to change such zoning classification of said property from General Commercial to Light Industrial as authorized by the City's Zoning Ordinance; and

WHEREAS, City Staff has made recommendation to the City to change such zoning classification of a tract of land containing Lots 1, 2, 3, 4, 5, and 6, in Block 9, of the First Addition to the T. S. George Subdivision, A subdivision in Galveston County, Texas, according to the Map or Plat thereof recorded in Volume 254-A, Page 38 and Transferred to Plat Record 4. Map No. 17 in the Office of the County Clerk of Galveston County, Texas; and

WHEREAS, the City Council of the City has conducted, in time and manner and after the notice required by law and Chapter 71: Zone of the Code of Ordinances of the City of La Marque, a public hearing on such request in classification; and

WHEREAS, the City Council now deems it appropriate to grant such requested change in classification;

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

Section 1. The facts and the matters set forth in the preamble on this Ordinance are hereby found to be true and correct.

Section 2. The zoning classification of the certain tracts being a Tract of Land containing Lots 1, 2, 3, 4, 5, and 6, in Block 9, of the First Addition to the T. S. George Subdivision, A subdivision in Galveston County, Texas, according to the Map or Plat thereof recorded in Volume 254-A, Page 38 and Transferred to Plat Record 4. Map No. 17 in the Office of the County Clerk of Galveston County, Texas, as described in Exhibit "A", attached hereto and made a part hereof for all purposes, fronting the intersection of Holman Street in the City of La Marque, is hereby changed from General Commercial to Light Industrial as authorized by the Chapter 71: Zoning of the Code of Ordinances of the City of La Marque.

Section 3. The zoning map of the City, adopted on the 12th day of December, 2005 by ordinance number 953, shall be revised and amended to show the zoning reclassification of said tract of land as provided in section 2 hereof, with the appropriate reference to the number and effective date of this Ordinance and brief description of the nature of the change.

Section 4. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the change in zoning classification of the tract described in section 2 hereof.

Section 5. 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 count of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or the provision hereof other than the part declared to be invalid or unconstitutional; and the City council of the City of La Marque, 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.

PASSED AND APPROVED by the City Council of the City of La Marque, Texas, on the First reading this the _____ day of _____, 2019.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque, Texas, on the Second and Final reading this the _____ day of _____, 2019.

CITY OF LA MARQUE, TEXAS

_____
Bobby Hocking, Mayor

ATTEST:

_____
Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

_____
Derra Purnell
Acting City Attorney

TRACT III
DESCRIPTION OF A TRACT OF LAND CONTAINING
2.2727 ACRES (99,000 SQUARE FEET) SITUATED
IN THE J. D. MOORE LEAGUE, ABSTRACT 150
GALVESTON COUNTY, TEXAS

Being a tract of land containing 2.2727 acres (99,000 square feet), situated in the J. D. Moore League Survey, Abstract 150, Galveston County, Texas, being all of Lots 1-6, in Block 9 of First Addition of the T. S. George Subdivision, a subdivision recorded in Volume 254-A, Page 38 and transferred to Plat Record 4, Map No. 17 of the Office of the County Clerk of Galveston County, Texas. Said 2.2727-acre tract being more particularly described by metes and bounds as follows:

COMMENCING at a found 1/2-inch iron rod in the intersection of the east right-of-way line of Ross Street (60.00 feet wide) and the south right-of-way line of a 20.00 feet Private Road;

THENCE North 89°17'00" East, a distance of 360.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the POINT OF BEGINNING and the southwest corner of the said tract herein described;

THENCE North 00°43'00" West, along the east right-of-way line of Holman Street (60.00 feet wide) a distance of 330.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the northwest corner of the said tract herein described;

THENCE North 89°17'00" East, a distance of 300.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the northeast corner of the said tract herein described;

THENCE South 00°43'00" East, a distance of 330.00 feet to a set 1/2-inch iron rod with cap marked "SURVEY 1" for the southeast corner of the said tract herein described;

THENCE South 89°17'00" West, a distance of 300.00 feet to the POINT OF BEGINNING and containing 2.2727 acres (99,000 square feet), more or less.

Note: This metes and bounds description is referenced to a survey drawing prepared by Survey 1, Inc. (Firm Registration No. 100758-00) dated 09-02-19, job number 6-74013-19.

Tract 3
PID # 197107 Holman

August 13, 2019

Mayor and City Council
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

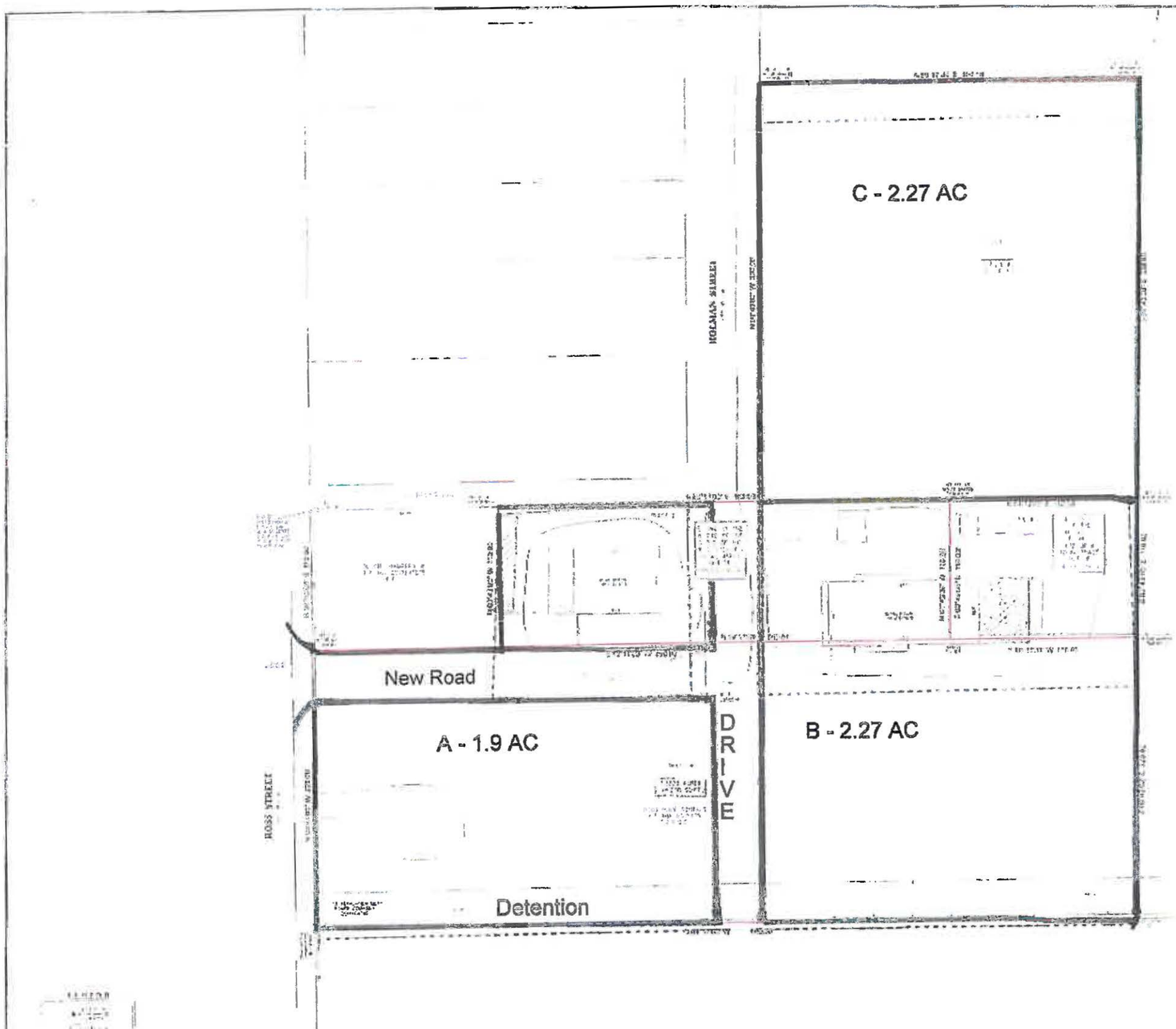
Dear Mayor and City Council:

On August 13, 2019, the Planning and Zoning Commission considered a request a request to re-zone from General Commercial (C-1) to Light Industrial (L-1) a tract of land containing Lots 1, 2, 3, 4, 5, and 6, in Block 9, of the First Addition to the T. S. George Subdivision, A subdivision in Galveston County, Texas, according to the Map or Plat thereof recorded in Volume 254-A, Page 38 and Transferred to Plat Record 4. Map No. 17 in the Office of the County Clerk of Galveston County, Texas. PID#197107

By unanimous vote, Planning and Zoning Commission recommended forwarding a favorable recommendation to City Council.

Thank you,

_____
Greg Cornett, Vice Chair
Planning and Zoning Commission



Proposed Site Development Plan

3 Building Sites

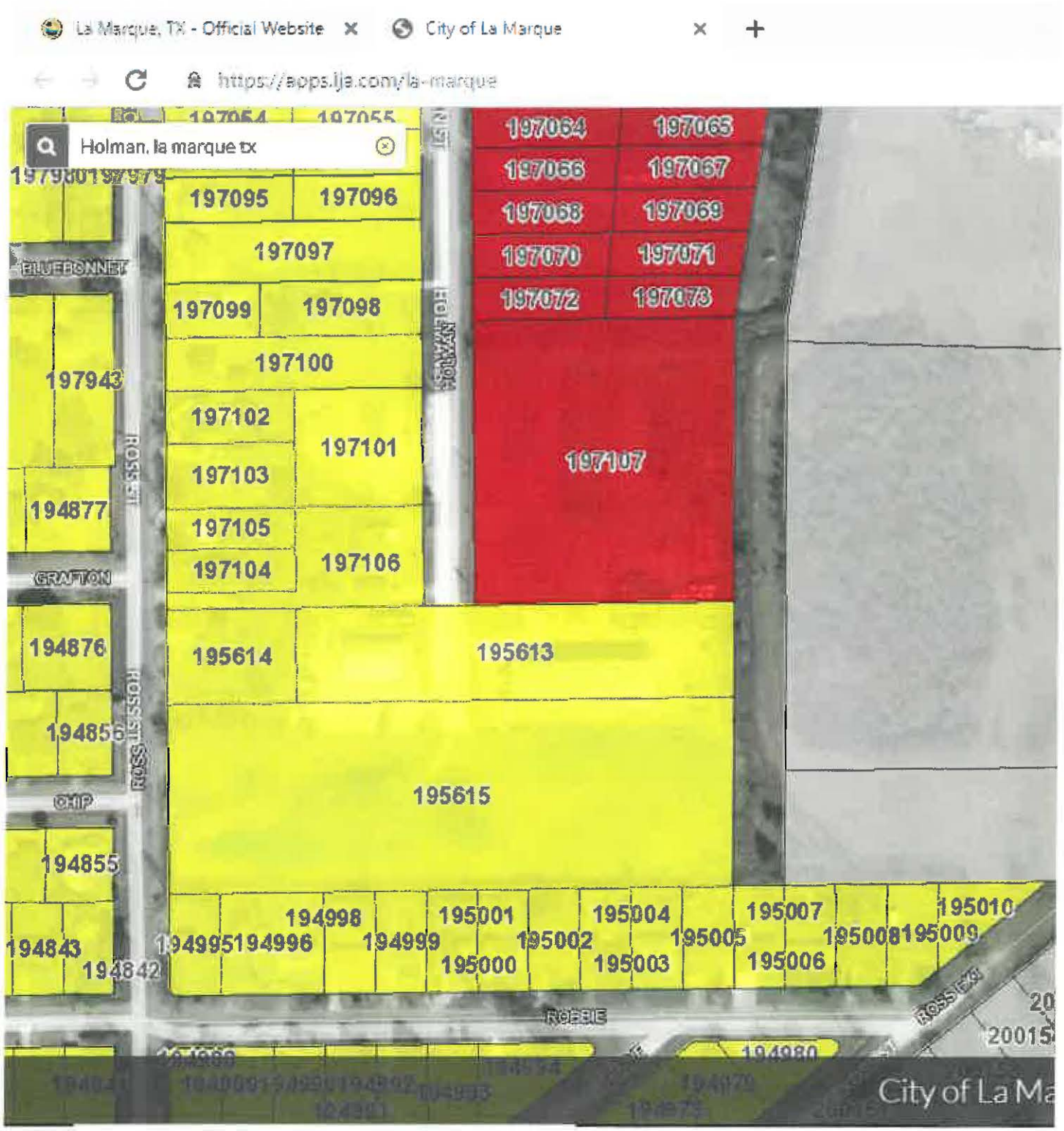
A - 1 @ 1.9 Acre

B & C - 2 @ 2.27 Acre

8,000 to 12,000 S.F. Buildings with Storage Yard

Sussie Sutton

To: Sussie Sutton
Subject: Homan Zoning Map



SOUTHLAND

TITLE

6710 Stewart Road, Suite 200

Galveston, Texas 77551

CITY PLANNING LETTER

Date: June 6, 2019

City of Galveston
823 Rosenberg
Room 401
Galveston, Texas 77550

Att: Development Services

RE: File No. TP1968432

To Whom It May Concern:

This company (South Land Title, LLC) certifies that a diligent search of the real property records of South Land Title, LLC's title plant has been made, as to the herein described property and as of 8:00 AM on the 30th day of May, 2019, we find the following:

Record Owner:

Carol Hasserd (Tracts 1 & 2)

Boo's Pump Rental Equipment, Inc., a Texas corporation (Tract 1)

Boo's Pump Rentals, Inc., a Texas corporation (Tract 2)

Legal Description:

Tract 1:

The East 150 feet of the North 110 feet of the South 1/2 of a 10 acre tract out of Subdivision "B", Cook and Stewart Subdivision, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County,

Texas, said 10 acre tract is described in instrument recorded in Volume 557, Page 520, of the Deed Records of Galveston County, Texas.

Tract 2:

The East 360 feet of the West 510 feet of the North 110 feet of the South 1/2 of a 10 acre tract out of Subdivision "B", Cook and Stewart Subdivision, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County, Texas, said 10 acre tract is described in instrument recorded in Volume 557, Page 520, of the Deed Records of Galveston County, Texas.

Tract 3:

Lots One (1), Two (2), Three (3), Four (4), Five (5) and Six (6), in Block Nine (9), of First Addition to the T. S. George Subdivision, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 254-A, Page 38 and transferred to Plat Record 4, Map No. 17 in the Office of the County Clerk of Galveston County, Texas.

Tract 4:

A tract of land out of Subdivision "B", Cook and Stewart Subdivision, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 81, Page 526 in the Office of the County Clerk of Galveston County, Texas, and being more particularly described by metes and bounds as follows:

THE SURFACE ONLY of a tract of land out of Subdivision B of Cook 6 Stewart Subdivision in the John D. Moore League, in Galveston County, Texas, according to the map thereof of record in Volume 86, Page 521 in the office of the County Clerk of Galveston County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the Northwest corner of said subdivision B;

THENCE Southwardly along the west boundary line of said subdivision B, 1969 feet to the beginning corner of the tract herein described;

THENCE Southwardly along the West boundary line of said subdivision B, 220 feet to point for corner;

THENCE Eastwardly at right angles to said West boundary line of said subdivision B, 660 feet to point for corner;

THENCE Northwardly parallel with the West boundary line of subdivision B, 220 feet to point for corner;

THENCE Westwardly 660 feet to point for corner and the place of beginning of the tract herein described.

Subject to the following:

Restrictions:

None of record

Easements:

Easement granted to Houston Pipe Line Company, as set forth and described by instrument(s) recorded in Volume 583, Page 495 in the Office of the County Clerk of Galveston County, Texas.

Easement granted to Community Public Service Company. as set forth and described by instrument(s) recorded in **Volume 811, Page 384** in the Office of the County Clerk of Galveston County, Texas.

Water pipeline easement granted to Gulf Coast Water Authority, as set forth and described by instrument(s) filed for record under Galveston County Clerk's File No(s). **9943681** and **9950534.**

Electric transmission line easement granted to Texas-New Mexico Power Company, as set forth and described by instrument(s) recorded under Galveston County Clerk's File No. **2011064796.**

Terms, conditions and stipulations contained in that certain Boundary Agreement, as set forth in instrument filed for record under Galveston County Clerk's File No. **9908732.**

Liens:

Notice of Lien dated July 27, 1995, filed for record under Galveston County Clerk's File No. **9528217,** by the City of La Marque, Texas, in the amount of $109.38 (One Hundred Nine and 38/100). (As Tract 3)

Notice of Lien dated June 2, 1998, filed for record under Galveston County Clerk's File No. **9826666,** by the City of La Marque, Texas, in the amount of $44.00 (Forty Four and 00/100). (As to Tract 3)

Notice of Lien dated August 21, 2000, filed for record under Galveston County Clerk's File No. **2000044993**, by the City of La Marque, Texas, in the amount of $44.00 (Forty Four and 00/100). (as to Tract 3)

No examination has been made as to abstracts of Judgments, state or federal tax liens, the status of taxes, tax suits or paving assessments. This letter is issued for the use of, and shall insure to the benefit of PLATTING. Liability of South Land Title, LLC for mistakes or errors in this letter is hereby limited to the cost of said letter. This letter is-issued with the express understanding, evidenced by the acceptance thereof, that South Land Title, LLC does not undertake.to give or express any opinion as to the validity or effect of the instruments listed, and this letter is neither a guaranty or warranty of title.

Liability hereunder ts limited to the amount paid for same. This report is furnished solely as an accommodation to the party requesting same and should not be relied upon, as a warranty or representation as to the title to the property described herein, and may not be given to or used by any third party. South Land Title, LLC assumes no liability whatsoever for the accuracy of this report, nor for any omission or error with respect hereto. YOU AGREE TO RELEASE, INDEMNIFY AND HOLD HARMLESS TITLE COMPANY BECAUSE OF ANY NEGLIGENCE BY SOUTHLAND TITLE, uC (WHETHER SOLE, JOINT OR OTHERWISE) FOR ANY CLAIM, Loss, LIABILITY OR DAMAGES ARISING OUT OF THIS REPORT. This report is not title insurance. If a policy of title insurance is purchased, any liability thereunder shall be determined solely by the terms of such policy.

Sincerely,

Michael W. Denton – Commercial Examiner

Southland Title, LLC

CITY OF LA MARQUE
"Gateway to the Gulf"
1130 1st St., La Marque, TX 77568
409-938-9252 S.Sutton@CityOfLaMarque.Org

Rezone Application FOR PID# 197107

7-15-19 SC

Application Date: ~~6/20/19~~ **SmartGov Project #:** ____

Name of Agent: Stacy Cortez **Phone:** (409) 739-3789

Address: 213 Echo Brook Ln Dickinson, Tx 77539

Name of Owner: Carol Hasserd **Phone:** (409) 739-2669

Address: 209 Echo Brook Ln Dickinson, Tx 77539

Property Description: See back of page **Parcel #:** 197107, 195615, 195613

Address: 620 Holman St. and 620A Holman St.

Plot of Area Attached: YES NO **Metes and Bounds Attached:** YES NO

Present Zone: PID# 197107 is C-1 Gen. commercial, #195613 & #195615 are R-1 single residential

Reason for Change: This property is a business - Boo's Pump Rentals - for over 40yrs. Would like to develop empty lots for addition Busines

Desired Outcome: Re Zone all lots to Light Industrial.

APLICATION CHECKLIST

[✓] **SITE PLAN** (To scale) **WITH EXISTING IMPROVEMENTS, DEVELOPMENTS AND PROPERTY LINES**

(8-1/2 X 11 if larger than 8 1/2 x 11 please fold to appropriate size)

[✓] **SURVEY** (To scale, 2 Copies)

[✓] **CURRENT AND ORIGINAL CERTIFIED TAX RECEIPTS**

[✓] **TITLE REPORT** (If purchased in the last 60 days) **OR**

[✓] **PLANNING LETTER**

[✓] **NON-REFUNDABLE APPLICATION FEE** (Payable to the "City Of La Marque")

Submitted to the Board on: / /

Approved: ____ **Denied:** ____ **Other:** ____

Comments: ____

APPLICANTS CERTIFICATE

I AFFIRM THAT MY STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature of applicant: Stacy Cortez **Date:** 6/20/19

NOTE: All Planning and Zoning meetings take place on the 2nd Tuesday of the each month. Applications must be received **30 days** prior to the 2nd Tuesday of each month to be considered for that Planning and Zoning Commission meeting.

CITY COUNCIL AGENDA FORM

Meeting Date: October 14, 2019
Prepared by: Chaise Cary
Department: Public Works

Agenda item: **7h**
Reviewed by: *Charlene Warren/ Charles Jackson*

AGENDA ITEM DESCRIPTION: Consider recommendation to ratify City Manager's approval of expenditures in the amount of $33,300.00 to Android Construction Services, LLC for costs associated with emergency insertion valve(s) installation for 2nd Street at the railroad tracks

[X]

ATTACHMENTS FOR REFERENCE:

1. Android Construction Services Invoice

STAFF BRIEFING:

- Public Works Department was notified July 20, 2019, about a water main leaking at the railroad track. Water was blowing 50' in the air and Union Pacific had to shut down operations due to the leak eroding the land under the tracks.
- Public Works Director Cary received approval via a phone call from City Manager Jackson to call in Android Construction for an emergency installation of line stops and insertion valves.
- Finance Director has reviewed.

HISTORY:

July 20, 2019 – City staff was notified of a water main collapse at the railroad (2nd Street and Oak Street) Emergency locates called in and Union Pacific notified
July 21, 2019 – Emergency installation of insertion valves commenced
July 22, 2019 – Emergency insertion valves concluded successfully

TARGET IMPLEMENTATION: October 14, 2019

SIGNIFICANT ACTION DATES: **N/A**

ACTION:

- ☐ Ordinance
- ☐ Resolution
- ☐ Special Presentation
- ☐ Proclamation
- ☐ Finance Report
- ☐ Public Hearing
- ☒ Other – Ratify Expenditure
- ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

Cost Details:	
Budgeted	
Actual Bid	$33,300.00
Estimated Expenditure	$33,300.00
Acct. Name(s)	Repair & Maintenance-Sewer
Line Item #	02-3011-22-00
Other Funding	

Rev. 09/24/2014

CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to ratify City Manager's approval of expenditures in the amount of $33,300.00 to Android Construction Services, LLC for costs associated with emergency insertion valve(s) installation for 2nd Street at the railroad tracks

FISCAL IMPACT: Unanticipated emergency project, $33,300.00

Android Construction Services, LLC

16195 S Hwy 288 B

Angleton Texas 77515

Date	Invoice
7/24/2019	19-0023

City of La Marque

1111 Bayou Road

La Marque Texas 77568

Attention: Chaise Cary

P.O. No.	Terms	Project
		Emergency Repair
		2nd & Hwy 3

Description	Amount
Excavate for 8 inch line stop	$1,200.00
Expedite 8 inch line stop	$1,800.00
Install 8 inch line stop	$7,000.00
Expedite 8 inch inserta valve	$1,800.00
Excavate and install 8 inch inserta valve	$10,000.00
Expedite 8 inch gate valve	$1,800.00
Install 8 inch gate valve	$4,500.00
Exploration of water source that was not on city plans. Found 8 inch tee and valve on East side of railroad tracks	$2,000.00
Install two 8 inch repair clamps and excavate for line repair	$3,200.00
Less 10% If Paid In 20 Days	
Total:	$33,300.00

CITY COUNCIL AGENDA FORM

Meeting Date:	October 14, 2019	Agenda item:	**7i**
Prepared by:	Venisha Henderson/ Chaise Cary	Reviewed by:	*Charlene Warren/ Charles Jackson*
Department:	Public Works		

AGENDA ITEM DESCRIPTION: Consider recommendation to award Bid **LM #07-20** to Coburn Supply Company for Water & Sewer Supplies in the amount of $151,845.90

X

ATTACHMENTS FOR REFERENCE

1. Bid Tab

STAFF BRIEFING:

- Staff recommends accepting the bid to Coburn Supply Company as the only qualified bidder meeting all specifications
- All bid amounts are based on estimated quantities supplied by the City of La Marque
- There were 55 bids solicited on the Texas Bid Systems network
- A legal ad was placed in the Galveston County Daily News that ran twice in a fifteen (15) day period
- The bid was posted on the City's web site and Texas Bid Systems network
- Two (3) bids were received
- Please see the bid tabulation for bid results
- This item had been reviewed by the Finance Director

HISTORY:

- Annual supplies are utilized to make repairs to the City's water mains, ranging in sizes from ¾" service lines up to 16" transmission lines
- In addition to water line repairs, these funds are utilized to purchase sewer repair piping from 4" service lines up to 36" trunk sewers
- The annual bid quantities reflect prices for a range of pipe sizes and materials for repairs, but not all items bid will be purchased
- We list a large range of materials to establish bid prices for the year

TARGET IMPLEMENTATION: November 1, 2019

SIGNIFICANT ACTION DATES:

November 1, 2019 – Contracts need to be in place and PO's approved before this date

CITY COUNCIL AGENDA FORM

ACTION:

- ☐ Ordinance
- ☐ Resolution
- ☐ Special Presentation
- ☐ Proclamation
- ☐ Finance Report
- ☐ Public Hearing
- ☒ Other – Award of Bid
- ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

Cost Details:	
Budgeted	85000.00
Actual Bid	151845.90
Estimated Expenditure	**85000.00**
Acct. Name(s)	Water & Sewer Supplies
Line Items #	02-3010-22-00 02-3011-22-00
Other Funding	

STAFF'S RECOMMENDATION: Motion to award Bid **LM #07-20** to Coburn Supply Company for Water & Sewer Supplies in the amount of $151,845.90

FISCAL IMPACT: Water and sewer repair parts are an annual recurring expense.

BID TABULATION
LM 07-20
WATER AND SEWER SUPPLIES

Bidder	Description	Amount of Bid
Coburn Supply Company	Full Bid	$ 151,845.90
ACT Pipe & Supply	Full Bid	$ 169,007.82
MDN Enterprise	Full Bid	$ 179,390.50
Ferguson Waterworks	Full Bid	$ 182,903.55

CITY COUNCIL AGENDA FORM

Meeting Date: October 14, 2019 | Agenda item: **8a**

Prepared by: Robin Eldridge | Reviewed by: *Charlene Warren/ Charles Jackson*

Department: Administration

AGENDA ITEM DESCRIPTION: Discussion/ possible action regarding adopting Resolution No. **R-2019-0035,** designating members of the City Council as Representative and Official Alternate to the General Assembly of the Houston-Galveston Area Council for the year 2020

X

ATTACHMENTS FOR REFERENCE

1. Resolution
2. Letter from H-GAC

STAFF BRIEFING:

- H-GAC's bylaws provide that each member of a Home Rule City with a population under 25,000, as of the last (2010) Federal Census, is entitled to designate one Representative and one Alternate to the H-GAC General Assembly, which will meet in early 2020.

HISTORY:

- The current designees are: Councilmember Robert Michetich as the Representative and Councilwoman Casey Mc Auliffe as the Alternate.

TARGET IMPLEMENTATION: October 14, 2019

SIGNIFICANT ACTION DATES:

10/25/2019 – Due date for our City's designation to be submitted to H-GAC

11/7/2019 – Dinner and meeting of Home Rule City Representatives is to be held on this date

ACTION:

☐ Ordinance ☐ Resolution

☐ Special Presentation ☐ Proclamation

☐ Finance Report ☐ Public Hearing

☒ Other - Appointment

☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

Cost Details:	
Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name(s)	
Line Item #	
Other Funding	

CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2019-0035,** designating _____ as Representative and _____ as Official Alternate to the General Assembly of the Houston-Galveston Area Council for year 2020

FISCAL IMPACT: **N/A**

RESOLUTION NO. R-2019-0035

DESIGNATION OF REPRESENTATIVE AND ALTERNATE
HOUSTON-GALVESTON AREA COUNCIL
2020 GENERAL ASSEMBLY

BE IT RESOLVED, by the Mayor and City Council of La Marque, Texas that _____ be and is hereby designated as its Representative to the GENERAL ASSEMBLY of the Houston-Galveston Area Council for the year 2020.

FURTHER, that the Official Alternate authorized to serve as the voting representative should the hereinabove named representative become ineligible, or should he/she resign, is _____.

THAT the Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named representative and alternate.

PASSED, APPROVED AND ADOPTED, by City Council of the City of La Marque on this the this _____ day of _____, 2019.

CITY OF LA MARQUE, TEXAS

_____
Bobby Hocking, Mayor

ATTEST:

_____
Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Houston-Galveston Area Council Office of the Executive Director

September 5, 2019

Hon. Bobby Hocking
Mayor
City of La Marque
1111 Bayou Rd
La Marque, TX 77568

Dear Mayor Hocking:

I am writing regarding the appointment of your city's representative to H-GAC's 2020 General Assembly.

H-GAC's Bylaws provide that each member Home Rule city with a population under 25,000 as of the last (2010) Federal Census is entitled to designate one representative and one alternate to the H-GAC General Assembly, which will meet in early 2020.

I am enclosing the appropriate form for your city's use in officially designating a representative and an alternate. The two designees must be elected official members of your city's governing body. Please return the completed form by fax to 713-993-2414 or email cynthia.jones@h-gac.com.

A dinner meeting of Home Rule city representatives is scheduled for the evening of Thursday, November 7. At that meeting, your 2019 Home Rule Cities' H-GAC Board of Directors representatives will report on this year's activities and look ahead to issues and progress in 2020.

We are sending a copy of these designation materials to your city secretary as well. We would appreciate receiving your city's designation form no later than October 25. If you have any questions during the designation process, please call Rick Guerrero at 713-993-4598.

Sincerely,

Chuck Wemple

CW/cj

Enclosure
cc: City Secretary

Mailing Address
PO Box 22777
Houston, Texas 77227-2777
Phone 713-627-3200

Recycled

Physical Address
3555 Timmons Lane, Suite 120
Houston, Texas 77027-6466
Phone 713-627-3200

CITY COUNCIL AGENDA FORM

Meeting Date: October 14, 2019
Prepared by: Charlene Warren/ Charles Jackson
Department: Administration

Agenda item: 8b
Reviewed by: Charlene Warren/ Charles Jackson

AGENDA ITEM DESCRIPTION: Discussion/possilbe action regarding approving allocations from the Youth Program Fund to various organizations who meet eligibility requirements as recommended by Councilmember Lane, Coordinator for Youth Projects

[X]

ATTACHMENTS FOR REFERENCE

1. Proposed Allocations

STAFF BRIEFING:

- The City is in receipt of annual donations for fund youth programs
- At the August 19, 2019 City Council authorized the creation a Youth Program Fund where annually, Council will designate a mechanism to bring proposed projects or programs for funding from this fund
- At the September 9, 2019 City Council named Councilmember Lane as the Council's coordinator for Youth Projects
- All recipient organizations must meet eligibility requirements prior to receiving allocations

HISTORY: N/A

TARGET IMPLEMENTATION: October 14, 2019

SIGNIFICANT ACTION DATES:

August 5, 2019 – City Council passed on First Reading of Ordinance
September 9, 2019 – City Council appointed Councilmember Lane as the Youth Projects coordinator

ACTION:

- ☐ Ordinance
- ☐ Resolution
- ☐ Special Presentation
- ☐ Proclamation
- ☐ Finance Report
- ☐ Public Hearing
- ☒ Other – Approve Allocations
- ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

Cost Details:	
Budgeted	N/A
Actual Bid	N/A
Estimated Expenditure	N/A
Acct. Name(s)	N/A
Line Item #	N/A
Other Funding	N/A

STAFF'S RECOMMENDATION: Motion to approve allocations from the Youth Program Fund to various organizations who meet eligibility requirements as recommended by Councilmember Lane, Coordinator for Youth Projects

FISCAL IMPACT: No fiscal impact as the funds are donations and designated for specific use.

YOUTH ORGANIZATIONS FUND

ORGANIZATIONS	DONATIONS
CPA Movie Nights	$1,500
Kiwanis	$3,000
Ambitious Athletics	$3,000
Galveston County Seahawks	$4,000
Greater St. Matthews Summer Enrichment Program	$4,000
Khambrel Foundation	$3,000
Concession Stand	$5,000
La Marque Tigers	$2,000
Josh (Anti-bullying Class)	$1,500
Champion Tutors	$1,500
Financial Literacy	$3,000
Summer Program	$3,000
Friends of the Library	$1,500
Mainland Express	$1,500
Galveston County Teen Parenting Coalition	$2,000
Downtown Future Olympics (2)	$1,500 each

CITY COUNCIL AGENDA FORM

Meeting Date: October 14, 2019 Agenda item: **8c**
Prepared by: Charlene Warren Reviewed by: *Charlene Warren/ Charles Jackson*

Department: Administration

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding authorizing the City Manager to execute a contract with the County of Galveston Commissioners' Court to provide fire protection services to unincorporated areas of Galveston County commencing July 15, 2019 and running through July 14, 2020, in return for payment in the amount of twenty two thousand five hundred dollars and no/100 ($22,500.00).

X

ATTACHMENTS FOR REFERENCE

1. Proposed Contract

STAFF BRIEFING:

- Chapter 352 of the Local Government Code, "County Fire Protection" and chapter 791 of the Government Code, "Interlocal Cooperation Act" provides authority for this agreement
- LMFD routinely provides mutual aid assistance upon request if resources are available
- Commissioners' Court agrees to pay the City of La Marque twenty two thousand five hundred and no/100 ($22,500.00) as reimbursement for mutual aid responses during the contract term to be used for purchase of equipment, supplies, training of personnel, and miscellaneous expenditures as determined by the Fire Chief
- Contract term becomes effective July 1, 2019 upon final execution by the principals and runs through July 14, 2020
- Contract is pending legal review and will not be executed until complete

HISTORY:

- Galveston County has historically appropriated funds each year to the La Marque Fire Department in return for the provision of mutual aid assistance to unincorporated areas outside of the City of La Marque when assets are available at the discretion of the Fire Chief.

TARGET IMPLEMENTATION: October 14, 2019

SIGNIFICANT ACTION DATES: N/A

CITY COUNCIL AGENDA FORM

ACTION:

☐ Ordinance ☐ Resolution

☐ Special Presentation ☐ Proclamation

☐ Finance Report ☐ Public Hearing

☒ Other – Authorization to execute contract

☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

Cost Details:	
Budgeted	N/A
Actual Bid	N/A
Estimated Expenditure	N/A
Acct. Name(s)	N/A
Line Item #	N/A
Other Funding	N/A

STAFF'S RECOMMENDATION: Motion to authorize the City Manager to execute a contract with the County of Galveston Commissioners' Court to provide fire protection services to unincorporated areas of Galveston County commencing July 15, 2019, and running through July 14, 2020, in return for payment in the amount of twenty two thousand five hundred dollars and no/100 ($22,500.00)

FISCAL IMPACT: Funds received in the amount of $22,500.00 will be transferred into Line Item 01-3050-06-00, Fire Equipment

STATE OF TEXAS §
§
COUNTY OF GALVESTON §

CONTRACT

This Contract is made by and between the County of Galveston, Texas, acting by and through its Commissioners' Court hereinafter called "County" and the City of La Marque, Texas, acting by and through its City Commission, hereinafter called "City" or "recipient".

Whereas, Chapter 352 of the Texas Local Government Code, "County Fire Protection" and Chapter 791 of the Government Code, "Interlocal Cooperation Act," provides authority that the Commissioners' Court may contract the governing body of a municipality to provide fire protection services to locations outside of the municipalities; and

Whereas, citizens residing within unincorporated areas of the County surrounding the City's city limits are in need of obtaining the services of the City to assist them in time of need; and

Whereas, the City is willing to make its fire protection services available to unincorporated areas of the County.

Now, therefore, for and in consideration of the mutual covenants expressed herein it is agreed as follows:

1. To assist the various communities located in the unincorporated areas surrounding the City's city limits, the County agrees to pay the City to be on call and make fire protection runs into the unincorporated areas of Galveston Count the sum of TWENTY-TWO THOUSAND FIVE HUNDRED AND NO/ 100 ($22,500.00). Payment of this sum shall be made following the acceptance and execution of this Contract by both parties.

2. City agrees to make reasonable efforts to respond to requests for fire protection services in the unincorporated areas of the County surrounding the City's city limits, regardless of the source of the request.

3. City agrees to keep a record of any runs made in response to an area in the unincorporated portions of the County, and to submit, not later than July 21, 2020, a report to the County Commissioners' Court advising the Court of the runs made to unincorporated areas of the County during the period of July 15, 2019 to July 14, 2020. For each run, the City will report the date and time of the run, the distance travelled, the number of personnel who responded, and all expenses incurred by the City as determined by the most recent City financial audit in making the reported runs. The County and City acknowledge that the City's run expenses will not impact the amount payable under this Contract.

4. It is expressly agreed and understood between the parties that the County shall have no right at any time to supervise, manage, direct or control the City and its members in the performance of their services. The City shall totally decide and be responsible for the manner, means and methods by which they operate.

5. It is further agreed and understood between the parties that in accordance with §352.004 of the Local Government Code, V.T.C.A., the acts of any person who, in the act of carrying out the County's authority to provide fire protection under this agreement, furnishes fire protection to a county resident who lives outside the municipalities in the County, including the act of person who is a regular employee or fire fighter of a municipality, is considered to be the act of an agent of the County.

6. It is further agreed that the City is not liable for the acts of its employee in fighting fires outside the City under this Contract. However, it is acknowledged that the City will continue any responsibilities it may have to provide workers' compensation, to any employees who provide firefighting services under this Contract.

7. Nothing in this Contract shall be construed to waive any provision contained within Chapter 74 of the Civil Practice and Remedies Code of the State of Texas, commonly known as the Good Samaritan Law.

8. To the extent permitted by the Constitution and laws of the State of Texas, City agrees to indemnify and save harmless the county of Galveston, its agents, Commissioners, Boards, Officers and employees from any and all suits, actions, or claims of any character, type or description brought or made for or on account of any injuries or damages received or sustained by any person or persons arising out of or occasioned by the acts of the Fire Department, its members, deputies, agents or employees.

9. During the term of this Contract, the City agrees to:

   a) Maintain membership in the Galveston County Firefighters Association,

   b) Comply with the Texas Commission on Fire Protection (TCFP) and any other applicable Federal and State regulatory agency, and submit an annual letter stating such compliance to the Galveston County Fire Fighters Association.

10. Equal Employment Opportunity - The City agrees that it shall not discriminate against any employee or applicant for employment because of race, color, religion, national origin, sex, disability, genetic information, or veteran status. Such action shall include, but not be limited to, the following: employment; upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The recipient agrees to post notices, which set forth the provisions of this non-discrimination section, in conspicuous places available to employees or applicants for employment and will, in all solicitation or advertisements for employees placed by or on behalf of the recipient, state that all qualified applicants will receive consideration for employment without regard to race, color,

religion, national origin, sex, disability, genetic information, or veteran status.

11. Drug-Free Workplace – the City shall comply with the applicable provisions of the Drug-Free Work Place Act of 1988 (Public Law 100-690, Title V, Subtitle D; 41 U.S.C. § 8102, et seq.) and implementing regulations there under and maintain a drug-free work environment.

12. Americans With Disabilities Act – the City shall comply with all applicable terms, conditions, and requirements of the Americans with Disabilities Act of 1990 (Public Law 101-136) and implementing regulations there under.

13. Nondiscrimination – the City acknowledges and agrees that neither it nor its subcontractors shall discriminate on the basis of race, color, religion, national origin, sex, disability, genetic information, or veteran status. Respondent and its subcontractors shall comply with all Federal statutes relating to nondiscrimination. These laws include, but are not limited to:

    Title VI of the Civil Rights Act of 1964
    Title IX of the Education Amendments of 1972
    The Rehabilitation Act of 1973, Section 503
    The Rehabilitation Act of 1973, Section 504
    The Age Discrimination Act of 1975
    The Drug Abuse Office and Treatment Act of 1972
    The Drug-Free Workplace Act of 1988

14. This Contract shall begin effective upon the execution of this document by both parties and shall terminate on September 30, 2020.

15. This Contract constitutes the only agreement of the parties hereto and supersedes any prior understanding or written or oral agreements between the parties respecting the within subject matter. The City disclaims any reliance on representations by the County that are not expressly set out in this Contract.

16. In the event any portion of this Agreement is held to be unenforceable, the unenforceable portion shall be construed in accordance with applicable law as nearly as possible to reflect the original intention of the parties. The remainder of the provisions shall remain in full force and effect.

17. Neither party's failure to enforce strict performance of any provisions of this Agreement shall be construed as a waiver of any provision or right. Neither the course of conduct between the parties nor trade practice shall act to modify any provision of this Agreement.

18. This Agreement will be governed by and construed in accordance with the laws of the State of Texas and venue shall lie in Galveston County.

19. Each signatory to this Agreement certifies that he/she has been authorized by their entity to execute this Agreement.

20. This Agreement is being executed with multiple originals signed by both parties.

GALVESTON COUNTY, TEXAS

By: _____
Mark Henry,
County Judge

ATTEST:

_____
Dwight D. Sullivan,
County Clerk

CITY OF LA MARQUE, TEXAS

By:_____
Charles "Tink" Jackson-City Manager

ATTEST:

_____
City Secretary

Approved As To Form:

_____
City Attorney