



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

Mayor Bobby Hocking

Mayor Pro-Tem Keith Bell- District A

Councilmember Chris Lane- District B

Councilmember Robert Michetich- District C

Councilwoman Casey McAuliffe- District D

ORDINANCE NO. O-2019-0026

RESOLUTION NO. R-2019-0041

**CITY OF LA MARQUE
SPECIAL CITY COUNCIL
AGENDA
of
DECEMBER 16, 2019**

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Special Meeting on Monday, December 16, 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. Excellent Employee Customer Service Awards- Troy Anders (Police Department); Todd Weidman (Fire Department); DeWanna Pleasant and Joe Mose (Public Works Department)
- b. Presentation of CPM Scholarships
- c. Proclamation and Presentation- Epilepsy Month (November)
- d. Special Recognitions
- e. Presentation- Plaque (City Attorney)
- f. Other Recognitions

(4) MINUTES

- a. Regular City Council Minutes of November 11, 2019
- b. Workshop City Council Minutes of November 11, 2019
- c. Budget Workshop Minutes of July 22, 23 and 25, 2019

(5) 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 approve entering into a Contract with the Galveston County Clerk and Galveston County Election Officer for the General Election to be held on May 2, 2020, and possible Runoff Election on June 13, 2020 – Mayor Hocking/City Clerk R. Eldridge
 - b. Consider recommendation to adopt Resolution No. **R-2019-0040**, appointing an ADA Coordinator, and approving ADA Grievance Procedures in accordance with the Americans with Disabilities Act, Title II – City Clerk R. Eldridge
 - c. Consider recommendation to adopt Resolution No. **R-2019-0041**, expressing intent to reimburse certain expenditures – Finance Director S. Kou
 - d. Consider recommendation to terminate the current agreement with U. S. Capital as the City’s financial advisor effective January 10, 2020 – Finance Director S. Kou
 - e. Consider recommendation to approve an agreement with Stifel as City’s financial advisor assisting with debt and other financial advisory services – Finance Director S. Kou
 - f. Consider recommendation to approve observed City Holidays for calendar year 2020 – City Manager C. Jackson
 - g. Consider recommendation to approve 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
 - h. Consider recommendation to approve the annual purchase of surface water from Gulf Coast Water Authority in the amount of \$1,523,799.89 which includes: Bond A \$8,546.00, Bond B \$36,542.00, Bond D \$245,520.00 and Surface Water \$1,233,191.89 – Public Works Director C. Cary
 - i. Consider recommendation to ratify City Manager’s approval of LNV, Inc. Task Order No. 1 to survey the City of La Marque Cemetery located at 1709 South Oak Street – Public Works Director C. Cary
 - j. Consider recommendation to approve LNV, Inc. Task Order No. 2 for engineering services to rehabilitate the headworks and lift station pump improvements at the wastewater treatment plant as part of the Wastewater Treatment Plan expansion project – Public Works Director C. Cary
 - k. Consider recommendation to approve LNV, Inc. Task Order No. 3 for the design phase of the 2.25 MGD Wastewater Treatment Plant expansion and existing facility upgrades – Public Works Director C. Cary
- (6) NEW BUSINESS**
- a. Discussion/possible action regarding requisites for vacant City Attorney position – City Manager C. Jackson

(7) 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 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development)

- a. Section 551.071 (Consultation with Attorney) – Youth Program Fund
- b. Section 551.074 (Personnel Matters) – City Manager’s Roles and Responsibilities

(8) ACTION TAKEN FROM EXECUTIVE SESSION

- a. Discussion/possible action regarding the Youth Program Fund
- b. Discussion/possible action regarding City Manager's Roles and Responsibilities

(9) 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.*

(10) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on or before December 13, 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
REGULAR CITY COUNCIL
MINUTES
of
NOVEMBER 11, 2019**

City Council Meeting Minutes of the City of La Marque City Council held on Monday, November 11, 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 6:08 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 – Absent

OTHER OFFICIALS PRESENT:

Charles “Tink” Jackson	City Manager
Robin Eldridge	City Clerk
Derra Purnell	Olson & Olson – Legal Counsel

(3) PRESENTATIONS/PROCLAMATIONS/RECOGNITIONS

- a. Proclamation - November as National Epilepsy Awareness Month and Presentation given by Trysten Pearson and Cannon King – there was no one available to receive this Proclamation
- b. Outstanding Employee Customer Service Award- Kellie Ladd- Police Officer
Mayor Hocking recognized Office Ladd by reading a letter submitted by a citizen about a call the Officer Ladd responded to, a burglary in progress, and because of her quick response and training, the business was spared from any theft.

(4) MINUTES

- a. Regular City Council Minutes of October 14, 2019

- b. Workshop City Council Minutes of October 14, 2019
- c. Special City Council Minutes of October 21, 2019
- d. Budget Workshop Minutes of July 22, 23 and 25, 2019
- e. Regular City Council Minutes of July 8, 2019

(5) PUBLIC HEARING (S)

Mayor Hocking closed the Regular Meeting and opened the Public Hearings (s) at 6:16 p.m.

- a. Conduct Public Hearing to hear public input regarding adopting 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

No one spoke.

- b. Conduct Public Hearing to hear public input regarding adopting 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

No one spoke.

- c. Conduct Public Hearing to hear public input regarding adopting 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

No one spoke.

- d. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-0026**, changing the zoning district for Delany Cove Phase II (Sections 11, 12 and 13) from R-1 Single-family Residential district to Delany Cove Planned Development District, establishing zoning regulations for the Delany Cove Planned Development District, amending the comprehensive plan to

incorporate this Planned Development District, and approving the general land plan for Delany Cove Phase II.

No one spoke.

Mayor Hocking closed the Public Hearing (s) and reconvened the Regular Meeting at 6:10 p.m.

(6) OLD BUSINESS

- a. 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

** Councilmember Michetich made a motion to adopt Ordinance No. O-2019-0023 on the second and final reading.

** Mayor Pro-tem Bell seconded. **MOTION CARRIED UNANIMOUSLY**

- b. 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

** Councilmember Michetich made a motion to adopt Ordinance No. O-2019-0024 on the second and final reading.

** Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY**

- c. 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

** Councilmember Lane made a motion to adopt Ordinance No. O-2019-0025 on the second and final reading.

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

- d. Consider recommendation to adopt Ordinance No. **O-2019-0026**, changing the zoning district for Delany Cove Phase II (Sections 11, 12 and 13) from R-1 Single-family Residential district to Delany Cove Planned Development District, establishing zoning regulations for the Delany Cove Planned Development District, amending the comprehensive plan to incorporate this Planned Development District, and approving the general land plan for Delany Cove Phase II

** Councilmember Lane made a motion to adopt Ordinance No. O-2019-0026 on the second and final reading.

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

- e. Discussion/possible action to approve 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
THIS ITEM WAS TABLED FROM CITY COUNCIL MEETING HELD ON OCTOBER 21, 2019

** Mayor Hocking preferred this item to be addressed and action taken on after the Executive Session

(7) CONSENT AGENDA

- a. Consider recommendation to approve procedural rules adopted by the City's Board of Adjustment
- b. Consider recommendation to accept the quarterly investment reports for Second and Third Quarters 2019
- c. Consider recommendation to approve quote provided by Crescent Electric for exterior lighting at 401 Laurel in the amount of \$57,500
- d. Consider recommendation to ratify City Manager's approval of expenditures in the amount of \$49,850.00 to Android Construction Services, LLC for costs associated with emergency repairs of a 12" C900 distribution line off FM 1765 at the U-Haul Storage facility
- e. Consider recommendation to approve Change Order No. 2 to increase the contract duration by 58 days and the Final Construction Change Order for the JTM Construction waterline rehabilitation project
- f. Consider recommendation to adopt Resolution No. **R-2019-0036**, approving a financing agreement with Government Capital for the purpose of procuring "heavy equipment, rolling stock, and equipment"
- g. Consider recommendation to adopt Resolution No. **R-2019-0037**, casting votes for Bruce Clawson for the Board of Directors of the Galveston Central Appraisal

District for two-year terms, beginning January 1, 2020 through December 31, 2021

- h. Consider recommendation to adopt Resolution No. **R-2019-0038**, authorizing application submission to the Texas Water Development Board (TWDB): FY 2019 Flood Mitigation Assistance Grant Cycle made available via FEMA funding
- i. Consider recommendation to adopt Resolution No. **R-2019-0039**, designating the City Manager as the authorized signatory and City representative for the Texas Water Development Board (TWDB)/Flood Mitigation Assistance (FMA) grant program

** Councilmember Lane made a motion to approve the Consent Agenda.
** Mayor Pro-Tem Bell seconded.

Mayor Pro-Tem Bell asked if each Veterans Day in the future will be designated being a City Holiday, and it was said that each December Council will vote on which holidays will be given for the following year. **MOTION CARRIED UNANIMOUSLY**

(8) APPOINTMENTS

- a. Discussion/possible action regarding appointments and/or reappointments to fill various positions of the Boards and Commissions
- ** Mayor Pro-Tem Bell reappointed Herman Harper to the Board of Adjustments for another two-year term. The appointment stood as submitted.

(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 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development)

- a. Section 551.071 (Consultation with Attorney) – Youth Program Fund
- b. Section 551.074 (Personnel Matters) – City Manager’s Roles and Responsibilities

Mayor Hocking closed the Regular Meeting and called the Executive Session at 6:19 p.m.

Mayor Hocking reconvened the Regular Meeting at 7:12 p.m.

(10) ACTION TAKEN FROM EXECUTIVE SESSION

- a. Discussion/possible action regarding the Youth Program Fund

- ** Mayor Pro-Tem Bell made a motion to approve applications from six non-profit organizations providing activities to benefit the youth of La Marque, granting each organization the amount being requested for a grand total of \$25,000.00.
- ** Councilmember Lane. **MOTION CARRIED UNANIMOUSLY**

- b. Discussion/possible action regarding City Manager's Roles and Responsibilities
There was no action

(11) REQUEST AND ANNOUNCEMENTS

Councilmember Michetich along with Mayor Pro-tem Bell both congratulated Councilmember Lane for the Youth Program activities
Mayor Hocking wish all a Happy Veterans Day

(12) ADJOURNMENT

- ** Councilmember Lane made a motion to adjourn the Regular Meeting at 7:15 p.m.
- ** Councilmember Michetich Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk



**CITY OF LA MARQUE
CITY COUNCIL WORKSHOP
MINUTES
of
NOVEMBER 11, 2019**

City Council Workshop Minutes of the City of La Marque City Council held on Monday, November 14, 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

Keith Bell

Chris Lane

Robert Michetich

Casey Mc Auliffe

Mayor

Mayor Pro-Tem, Councilmember District A

Councilmember, District B

Councilmember, District C

Councilwoman, District D - absent

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson

Robin Eldridge

Derra Purnell

City Manager

City Clerk

City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIENCE

Mayor Hocking led the invocation and the Pledge of Allegiance

(4) CITIZENS PARTICIPATION

There were none.

(5) NEW BUSINESS

- a. Discussion relating to approving procedural rules adopted by the City's Board of Adjustment - There was no discussion
- b. Discussion relating to accepting the quarterly investment reports for Second and Third Quarters 2019 - There was no discussion
- c. Discussion relating to approving quote provided by Crescent Electric for exterior lighting at 401 Laurel in the amount of \$57,500 - There was no discussion.

- d. Discussion relating to ratifying City Manager's approval of expenditures in the amount of \$49,850.00 to Android Construction Services, LLC for costs associated with emergency repairs of a 12" C900 distribution line off FM 1765 at the U-Haul Storage facility - There was no discussion.
- e. Discussion relating to approving Change Order No. 2 to increase the contract duration by 58 days and the Final Construction Change Order for the JTM Construction waterline rehabilitation project
 - ** Councilmember Michetich thanked JTM Construction for submitting the lowest bid and coming in \$80,00.00 under their submitted amount.
- f. Discussion relating to adopting Resolution No. **R-2019-0036**, approving a financing agreement with Government Capital for the purpose of procuring "heavy equipment, rolling stock, and equipment"
 - ** Mayor Pro-Tem Bell clarified that the particular equipment and its designation would be outlined in the forthcoming Parks Master Plan.
- g. Discussion relating to adopting Resolution No. **R-2019-0037**, casting votes for Bruce Clawson for 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.
- h. Discussion relating to adopting Resolution No. **R-2019-0038**, authorizing application submission to the Texas Water Development Board (TWDB): FY 2019 Flood Mitigation Assistance Grant Cycle made available via FEMA funding - There was no discussion.
- i. Discussion relating to adopting Resolution No. **R-2019-0039**, designating the City Manager as the authorized signatory and City representative for the Texas Water Development Board (TWDB)/Flood Mitigation Assistance (FMA) grant program - there was no discussion.

(7) ADJOURNMENT

The Workshop adjourned at 6:08 p.m.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk



**CITY OF LA MARQUE
CITY COUNCIL
BUDGET WORKSHOP MINUTES
MINUTES
of
JULY 22, 23, AND 25, 2019**

Budget Workshop Minutes of La Marque City Council held on Monday, July 22, 23, and 25, 2019, beginning at 10:00 a.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Hocking called the Budget Workshop to order at 10:08 a.m. (Monday July 22, 2019)

(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
Kierra Nance	Deputy City Clerk

(3) Review and Discuss Proposed Fiscal Year 2019-2020 Departmental Budgets and all Funds

City Manager Charles "Tink" Jackson introduced Mark Havran of LJA Engineering who provided the following information in a power point presentation:

- The City's current Wastewater Treatment Plant is close to 27 years old
- State Statutes require the WWTP expand to meet the flows that the city is currently getting, due to the city's growing population and needs
- City hired ARKK to perform a Water and Wastewater Impact Study (August 2018)

- City hired LJA to provide an assessment and feasibility report on what the current infrastructure of the WWTP looked like (October 2018)
- Reviewed requirements by TCEQ (75/90 Rule)
- Reviewed violations the city has received for excessive flow for consecutive three months
- Fines can range from \$5,000.00 per day for each day the city is in violation (money would come from operating revenue)
- If the city is proactive, this can be moved from a fine to a solution
- Provided information for a Wastewater Treatment Plan Expansion that upon implementation, will satisfy the 75/90 Rule
- A location map for the expansion was briefly discussed along with what would be the ultimate the size of plant for the city (5.25 million-gallon plant) – should carry the city through any future development of property within the city (maximum – ultimate buildout)
- One baseball field may have to be included in the first phase (Mahan Park) in the process
- The project would take place in two phases, only beginning the second when needed and with the help of the current owners of that proposed area
- A schedule and timetable for the first phase would satisfy compliance with TCEQ
- Total estimate over a five-year period is \$14.3 million dollars.

Ivan Langford of Gulf Coast Water Authority reported the following:

- Provides surface water to the Rice farm and into Industries Fort Bend Brazoria and Galveston Counties and to cities
- Opportunity to obtain more water capacity through the issuance of debt to pay for a high service pump station that pushes water to the distribution center that in turn pumps water to their 13 customers
- La Marque was their first customer, and pumps the quantity of water closest to their limit by contract
- GCWA demonstrated to TCEQ that it could produce up to 7.6 million gallons of water per day, by having their plant re-rated
- A request for additional capacity has been sent by the City
- A new contract is forthcoming within the next few days- that will show the division of water capacity breakdown
- Additional raw water available - opportunity to purchase from the Brazos River Authority
- (2) sources- (1) water rights from the free flow of the river water (water rights), (2) backup water is water stored; the Brazos River Authority has made more water available with the next five years.
- 1995 – GCWA- Fort Bend and Brazoria counties have water to sell and you may want to get on surface water....so they signed contracts for the future of their communities- then other cities did the same
- Manvel didn't take advantage of this and they are running into constraints

- Encouraged to look at the city's future growth and try to prepare and set aside water for the future.
- Money has been set aside to set aside and purchase more water

Mayor Hocking called for a break at 11:08 a.m.

Budget Workshop resumed at 11:24 a.m.

REVENUES

- Budget has been built based on an increase on utility fees and property tax increases to (.53).

Finance Director Suzy Kou began at the beginning of the proposed budget binder.

- After the 2018 audit the City ended the year with 5.4 million dollars, which did not include reserves.

A question was brought about the steady decrease in revenues in the Fire and Ambulance line item within the past three years - item will be on the August Agenda (insurance billing or delinquent accounts?)

Projections are based on a 1% sales tax increase and is an estimate only (revenues) 3.1 Million + is the estimated fund balance for the next year to work with - this does not include health insurance cost, but put in 5% increase from last year

Discussion about the ninety-day surplus, the proposed budget with the built-in projections, etc. continued. There are some positions built-in, the process is different from in the previous budget workshops. Previously a straight, flat budget was presented, this year under new management, the projections are based on an increase in taxes and utility rates. It was said that \$30,000.00 per day is the amount for surplus days. Rental registration permits were also discussed (\$400.00 - \$500.00) registrations estimate. Several that have not registered. Revenue from rentals, \$40,000.00 being a rough estimate. 70 to 80% of the homes are currently being rented within the City. The process was discussed (cross referencing owners vs. renters); After discussing with the Finance Director, it was determined to place \$50,000 in that line item. The selling of garbage bags was briefly discussed.

Mayor Hocking called for the lunch break at 12:31 p.m.

Mayor Hocking resumed the Budget Workshop at 2:02 p.m.

CITY COUNCIL

Goals & Objectives were reviewed that were determined during the Council Retreat from earlier this year.

Utilizing the building formerly used as the LMISD Administration offices for the Police Department was discussed – to move forward with process. (A legal opinion is being sought); the existing police department building future (Municipal Court); a few TCISD IT employees are currently using one of the rooms in the building; there is adjacent land also included on this property.

A “plan” for future City Hall, Police Station, Council Chambers and other city facilities is needed, instead of using other buildings, patching older buildings up to make them work. To add an addition to the Councils Goals and Objectives (Develop City Facility Master Plan).

2010 for each District in Council Budget - \$5000.00 -line item added (projects, mailers, etc.)

IT- an additional Maintenance person is being budgeted

CITY MANAGER-

- Administration Position now included in the City Clerk (Deputy City Clerk)
- Goals and Objectives - development of succession planning in departments; Personnel Manual – goal to be finished by the end of the year; proposed increase for all employees excluding Fire and Police Collective Bargaining; reorganization of Public Works; organization work charts; completion of Master Plan of Parks and Facilities; salaries increase in health insurance, retirement; additional items in operating supplies; Certified Public Management Program- (2) spaces per year (scholarship) incentive to stay and work here; Added \$10,000.00 for Juneteenth Celebration (venue in a larger location); Hurricane Huddle additional \$5,000.00; Training for Boards and Commissions (\$10,000.00)- discussed the possibility of the Chamber promoting and or sponsoring for the Juneteenth Celebration;

HUMAN RESOURCES

- Receptionist is moved under the City Manager budget for 2020;

UTILITY FUND

- Rate structure has some proposed changes- after a survey of surrounding cities
- Commercial and residential the same currently, proposing tiered billing for residential but not for commercial; and a different rate between the residential and commercial
- Lowest rates in the County
- Average usage 4-5 thousand gallons (about \$3.50 more per month- residents with new rate)

DEBT SERVICE

- In 2022 it will begin to drop off
- Governmental- new public safety building (Fund 15), close to a million dollars
- Enterprise- SSO Program (Department 25, close to 700,000.00
- Bonds- some are voted on by the people (general obligations) certificate of obligations are not required to be voted on by citizens

It was the consensus Council took a break at 2:48 p.m.
Council reconvened to the Budget Workshop at 4:07 p.m.

GENERAL FUND

- Incremental on liability insurance, windstorm and Worker's Comp not included

CAPITAL

- Requests- vehicles, personnel other justifications (already built-in)
- Proposed compensation adjustment non-CBA full-time employees includes a 5% built in rate inside the budget

PUBLIC WORKS

(Goals and Objectives)

- Renovate the Service Center and provide additional training
- Street assessment needed
- City wide drainage (Merry and Melody streets project)
- Baseball and Football fields
- Water and sewer line maintenance division
- Waterline- GLO
- Manholes, valves, water and sewer rehabilitation program

Some accomplishments included 650 Water leaks repaired; 848 Sewer backups repaired

Further discussion included increasing line item for repairing of some of the older vehicles and equipment, repairing water and sewer lines.

Five-year assets - (\$60,000.00) - Playground/park equipment, concession stand, etc.

Discussion continued - football/baseball fields, press box, bleachers, scoreboard and fencing. Pocket parks- asking for some money to be distributed (for ADA compliance equipment)

City Manager pointed out that all of the supplementals have been built-in this proposed budget.

(4) ADJOURNMENT

Mayor Hocking closed the Budget Workshop at 4:07 p.m.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

Robin Eldridge, TRMC, City Clerk

DRAFT



**CITY OF LA MARQUE
CITY COUNCIL
BUDGET WORKSHOP MINUTES
MINUTES
of
JULY 22, 23, AND 25, 2019**

Budget Workshop Minutes of La Marque City Council held on Monday, July 22, 23, and 25, 2019, beginning at 10:00 a.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Hocking called the Budget Workshop to order at 10:05 a.m. (Tuesday, July 23, 2019)

(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
Kierra Nance	Deputy City Clerk

(3) Review and Discuss Proposed Fiscal Year 2019-2020 Departmental Budgets and all Funds

Mark Ciavaglia of Linebarger Law Firm- gave an overview of Senate Bill 2:

- Affects Municipalities - more transparency
- Substance of Bill 2 will go into effect in 2020
- More record keeping in conjunction with Appraisal District (database)
- The terms "Effective Tax Rate" and "Roll-back Rate" will no longer be used in the Tax Code

- “Roll-back Rate” will be referred to as the “Voter Approval Tax Rate” (rollback rate under existing law was 8%, this will now be 3.5%) - biggest change
- Effective Tax Rate will be referred to as “No New Revenue Tax Rate”
- Changes for La Marque: Creation of a New Tax Rate – is the “de minimis Tax Rate” (if the cities adopted rate exceeds the de minimis rate, this will trigger an election to approve the adopted tax rate)
- If a city with a population of less than 30,000 adopts a tax rate that exceeds the voter-approval rate of 3.5, the following rules apply: 1) If the city’s adopted rate exceeds de minimis rate- Automatic election in November; 2) if the city’s adopted rate is equal to or lower than the de minimis rate but exceeds the greater of the 3.5 voter approval tax rate or an 8 percent voter-approval tax rate applicable to a special taxing unit- citizens may petition for an election; 3) if the city’s adopted rate is lower than de minimis rate and does not exceed the greater of the 3.5 voter-approval tax rate or an 8 percent voter-approval tax rate applicable to a special taxing unit- no election required (automatic or petition)
- If a city adopts a rate exceeding the voter-approval tax rate, it must do so not later than the 71st day before the November uniform election date
- The budget and tax calendar will change for this next year
- Only cities with population less than 30,000 are required to calculate and use the de minimis rate – information will be given to the municipalities from their appraisal district database

Discussion continued concerning appraisal of properties. Several years have passed with no change in the appraisal of properties within the city, although this bill did not address appraisal reform.

Mayor Hocking called for a break at 10:51 a.m.

Mayor Hocking resumed the Budget Workshop at 11:09 a.m.

A brief recap from Monday, July 22, 2019 Budget Workshop was provided.

UTILITY BILLING

Tina Ortiz, Utility Billing Supervisor reported that the department is updating and recreating their website, which will provide citizens with more information. Close to finishing switching all of the meters over to the new meters. It was asked that a report be given that would show how much of an increase the city has received since the new meters were installed. It was said that some citizens are receiving their utility bill two days before the bill is due. They do encourage e-billing. Re-adjusting billing cycles was also suggested, to provide more time between receiving and deadline of utility bills. Reports (leak detections) that are generated through the new AMI meter system was briefly discussed.

Clarification was given to Mayor Pro-Tem Bell concerning ten-year estimate for meters that will be needed for the new homes in subdivisions, currently being constructed. (\$300,000.00) - reserved in the - Meter Replacement Fund. The top six (utility rate customers) - a business, a nursing home, motel, apartment complex, high school and a development.

PUBLIC SERVICES (WORKS) - Fund 22

- Includes five new employees- (talked about last year)
- Professional Service Fees (emergency repairs) - continuous and estimates only - may need additional monies to be budgeted
- Amount in overtime reduced due to more employees (emergency water and sewer leaks, and weather disasters)
- All workers are considered "on-call"
- Night and or differential schedule was briefly discussed

Water/wastewater operations - increase in Professional Fees - mostly Precision Utilities (includes lab fees, emergencies, all TQEC related, County water - quality testing, Subsidence District Fees, and State Permits) the increase from last year was due to including the purchase of another by-pass and the allowance of vendors (charges additional 10%) that are sometimes necessary to use in emergency situations.

Purchase Water - \$700,000.00 (includes additional water and for future water rights)
Further discussion included employees in this area that are currently employed.

Vehicle Fleet - five to six more vehicles from Enterprise (lease) built into budget

GCWA - request in for immediate increase additional supply of water; and to "bank" future water

Utility Debt Service - includes AMI meters, and projects relating to Enterprise vehicles

Storm Water Permit Program - Storm Water Permit, MS-4 Permit (school, travel, flood plain management, storm water giveaways for the educational program as required by TCEQ)

Utility Fund Expenditures - salary adjustment is the increase for all employees (built in)

Mayor Hocking called for a lunch break at 12:04 p.m.

Mayor Hocking resumed the Budget Workshop at 2:02 p.m.

LIBRARY

Highlighted partnerships formed with other local organizations including Khambrel Foundation, Galveston County Food Bank, Animal Alliance, College of the Mainland, La Marque Head-Start, and relationships with other City Departments (Fire and Police).

Donation a few years ago will be used (furniture, more electrical outlets for charging electrical devices, reading space, etc.) Library goals were briefly discussed.

EMERGENCY MANAGEMENT

Hurricane Huddle- event – instead of the Town Hall done in the past no other significant changes

CITY CLERK

Addition of a Deputy City Clerk

Explanation of the TMCA program

It was asked that a certain dollar figure associated with this new position and total compensation package, what level of employee (tier) that this position holds, for going through training and taking on additional responsibilities was asked to be brought forth during this budget process. A system in place is needed.

Addition of Election Expenditures for the 2020 Election

IT

Addition of a new employee (building maintenance)

Creations of a new website portal for engaging with the citizens and each separate department (complaints, public information requests)

Working with City Clerk for a more electronic records upkeep (scanning or other means)

New software for creating employee badges is in the works

PEG Fund – it was asked that something be available for City Council to have a screen in front of them on the dais; and additional microphones or hanging mics for the audience.

DEVELOPMENT SERVICES

Two (2) Additional positions 1) (In-house Plan Inspector/Examiner) 2) File Clerk (Permitting)

Streamlined procedures so permits can be acquired online

Fee Ordinance in the process (amending current ordinance) - charging by square footage - new homes only

It was asked that signs be posted at entrances to the City, so citizens realize that this is a “Zoned” City

CODE ENFORCEMENT

Total of (4) four new employees – two approved from last years' budget
677 Units are registered for Rental Registrations
Reviewed the step by step process for a complaint – rental properties
Complaints have somewhat decreased
State Code on Landlord and Tenant Rights to be posted on the city's Website
Liens line item clarified - expense of filing and releasing liens- mowing and demolitions

EDC

Reviewed accomplishments - Habitat for Humanity lots, blight reduction, downtown project
The adoption of an ordinance requiring pier and beam structures in certain areas was briefly discussed
Reviewed the grants line item

Mayor called for a break at 3:35 p.m.
Mayor Hocking resumed the Budget Workshop at 4:20 p.m.

FINANCE

Finance Director reviewed the Goals and Accomplishments; personnel and their functions, FEMA recovery; audits; Fund 99- no certain department (renovations to city facilities); backup information was requested, that could provide a breakdown of expenditures

MUNICIPAL COURT

Court Security - panic alarm systems were briefly discussed (6) (\$9,500.00); video magistrate in the jail area (for Judge and Alternate) (\$2,400.00) through laptops or cell phones;

Juvenile Case Manager (part-time position) - Ordinance is required, and this will add \$5.00 to all convictions and \$2.00 for each paid conviction, the City will absorb. Grant opportunities are available (truancy related only); this is a self-funded position. Currently, the City collects \$1.00 and the State gets the other \$2.00. It was asked that this collection be placed into some sort of fund that would help the juveniles within the City in some way (programs to help them; videos)

Court Technology Fund/ Court Security Fund - Tyler Technology is what the Court is using (ticket writing, magistrate video)

Sur-charge Fund- this is going to be banished in the near future, this will allow tickets can be cleared easier

POLICE DEPARTMENT

Animal Alliance (Galveston County Animal Control)- an increase of 5% has been built-in, they will look into and get back with the final numbers

ADJOURNMENT

It was the consensus of City Council to Adjourn the Budget Workshop for Tuesday, July 23, 2019 at 5:16 p.m.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

Robin Eldridge, TRMC, City Clerk

DRAFT



**CITY OF LA MARQUE
CITY COUNCIL
BUDGET WORKSHOP MINUTES
MINUTES
of
JULY 22, 23, AND 25, 2019**

Budget Workshop Minutes of La Marque City Council held on Monday, July 22, 23, and 25, 2019, beginning at 10:00 a.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Hocking called the Budget Workshop to order at 10:04 a.m. (Thursday, July 25, 2019)

(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
Kierra Nance	Deputy City Clerk

(3) Review and Discuss Proposed Fiscal Year 2019-2020 Departmental Budgets and all Funds

POLICE DEPARTMENT

Chief Jackson provided the final amount due to Galveston County for the contract for animal control totaling \$113,776.00 (7.94 % increase from last year)

FIRE DEPARTMENT

- City Manager pointed out that the organizational chart (status quo will stay the same until next year budget) since the new Fire Chief had just been hired

- (4) open positions
- Six-month plan to ensure that all of the Fire Fighters are certified and all EMS upgrade to nine paramedics and seven advanced and seven basics.
- Clarification – ideal- minimum staff per shift 9 personnel per day (currently due to holidays, sick, vacation and Kelly days, a minimum of 6 persons per shift per day)
- There is no utilization of compensatory time
- Restrictions are in place of how many personnel can be off at one time
- Currently there are two (2) fire engines with the newest having 73,000 miles and is ten years old; the reserve engine having 70,000 miles at 28 years old
- Engine two is wrecked, but plans are to utilize on the highway to reduce risk working highway incidents (blocker engine)
- \$625,000.00 for a new Fire Truck vs. financing two
- Goal is to fully staff and equip both stations with personnel and operable trucks (number of calls and purpose of calls ratio per station)- data report
- Mutual Aid briefly discussed (trying to limit the calls)
- They will be looking into having a demo model for the City's use until a new truck is ordered and delivered

Mayor Hocking called for a five-minute break at 11:18 a.m.

Mayor Hocking resumed the Budget Workshop at 11:28 a.m.

- Options were offered for the purchasing of a second Fire second truck 1) reimbursement from FEMA; 2) borrow from Equipment replacement fund; 3) Proposed tax increase

POLICE

- 47 - authorized personnel in the department; there are a few vacancies (8)
- overview of the goals
- overview of accomplishments (videos; acquired two donated high-water rescue vehicles; Citizens Police Academy Alumni- outstanding current stance
- Painting of the high-water rescue vehicles (\$15,000.00)
- Cell phone extraction equipment- (Annual subscription \$3,700.00) upfront- \$10,3009.00- not out of this budget (Fund 12)
- Policy Revision- subscription (modernized and in-line with current legislation)- initially- \$21,692.00; annually \$14,742.00 (Texas Best Practices)- built-in
- Requesting two (2) more Narcotics Investigators (\$123,272.50)
- Evidence Room one (1) additional person requested- \$61,625.00
- (2) additional persons for street crimes

- Once changes are made to Police and Fire personnel cannot be undone after this year (new Senate Bill).
- De-escalation training needed (\$3,400.00) 2 persons to certify and bring back the training was discussed
- Training Fund- Budget (Customer Service, Boards and Commissions, Conducting meetings, and citizens (video)

Mayor Hocking called for a lunch break at 12:33 p.m.

Mayor Hocking resumed the Budget Workshop at 2:06 p.m.

*******BUDGET WORKSHOP RECAP*******

HOT Fund - Christmas Parade, Wreaths Across America, Magical Winter Lights and the Crawfish Bash- it was the consensus of City Council to consider \$60,000 for another five years for Bayou Fest

PEG Fund - Educational to the Public (Broadcasting on Channel 16)

YOUTH Fund - Ordinance to create a Youth Fund (future meeting)

SANITATION Fund - Trash Service - a few years when recycling was introduced, citizens were not charged for this service, this will NOT change, Recycling data available on the city's website. Garbage rates will by contract will increase.

- up to 1.22 per month for recycling to be added to water bill

- City originally absorbed this cost, but unforeseen changes have occurred
- Most cities in Galveston County does not offer curbside recycling

Keep La Marque Beautiful Commission

- The \$10,000.00 was asked to be used to institute some Commission Training
- Possibility of another person be used in the capacity that staff now provides to relieve some of the burden from the PIO who is currently providing this service (contract hire?)

Parks Board

- Parks Improvement Fund- monies set aside for the implementation of a Parks Master Plan
- \$60,000 towards fencing, concession stand, bleachers, etc., for the Football Fields since both organizations have combined; pocket-parks upgrades (User Fees, and Bond Monies will help)

Discussion continued on the concessions stand, bleachers and press box, and the development of a Master Plan.

RECAP on the Tax calculations were handed out; along with numbers. An invitation was extended for all of the citizens to sit down and speak to the City Manager and members of staff about the budget proposals and the proposed tax increase. A balanced budget was presented to City Council by the City Manager as per City Charter.

ADJOURNMENT

It was the consensus of City Council to Adjourn the Budget Workshop for Thursday, July 25, 2019 at 3:06 p.m.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

Robin Eldridge, TRMC, City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: December 16, 2019

Prepared by: Robin Eldridge

Agenda item: 5a

Reviewed by: Charlene Warren

Charles Jackson

Department: City Clerk

AGENDA ITEM DESCRIPTION: Consider recommendation to approve entering into a Contract with the Galveston County Clerk and Galveston County Election Officer for the General Election to be held on May 2, 2020, and possible Runoff Election on June 13, 2020

☒

ATTACHMENTS FOR REFERENCE

1. Contract

STAFF BRIEFING:

- In order to ensure that this contract is presented to Galveston County Commissioners for approval in a timely manner, the City Council first has to approve before the January 31, 2020 deadline

HISTORY:

- The City of La Marque has contracted with Galveston County for Election Services for the past several years
- Most cities contract with the County where they are geographically located to avoid high costs of purchasing and programming their own equipment for their elections

TARGET IMPLEMENTATION: January 16, 2020

SIGNIFICANT ACTION DATES:

January 31, 2020 - Due date for entities that want to contract with the County to conduct their elections

May 2, 2020 - City of La Marque's General Election

June 13, 2020 - Runoff date (if needed)

ACTION:

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

Cost Details:	
Budgeted	25,500.00
Actual Bid	
Estimated Expenditure	
Acct. Name(s)	Election Costs
Line Item #	01-4021-07-00
Other Funding	N/A



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to approve entering into a Contract with the Galveston County Clerk and Galveston County Election Officer for the General Election to be held on May 2, 2020 and possible Runoff Election on June 13, 2020

FISCAL IMPACT:

- This amount will depend on how many entities will be having an election, after the filing period ends
- Some entities may be able to cancel their elections
- The cost is split between the County and the entities that will be holding their elections

Contract for Election Services

Local Entity Countywide Vote Center Elections

This Contract is made and entered into this ____ day of _____, 20__ by and between Hon. Dwight D. Sullivan, County Clerk and County Election Officer for Galveston County (herein known as "Galveston County") and _____ on behalf of _____ ("Entity").

This Contract is being entered into pursuant to Texas Election Code, Chapter 31, Subchapter D for the purpose of ensuring that Galveston County and the Entity understand the tasks each is to perform in connection with the following election and any subsequent runoff election, to-wit:

Purpose of Election: _____

May 2, 2020
Election Date

June 13, 2020
Runoff Election Date

Early Voting will be held on **April 20-24, 2020** from 8 a.m. to 5 p.m. and **April 27-28, 2020** with the polls being open from 7 a.m. to 7 p.m. On Election Day the polls will be open from 7 a.m. to 7 p.m.

1. Duties and Services of Galveston County. Galveston County shall be responsible for performing the following duties and furnishing the following services and equipment in connection with the election and any subsequent runoff election.

- 1.1. Program, or arrange to have programmed, the ballot.
[Cost: Based upon the number of contests on the ballot. See the Fee Schedule]
- 1.2. Arrange to have published the legal notices of the first test of the electronic tabulating equipment as provided in Texas Election Code §127.096 and conduct all required tests of the electronic tabulating equipment under Texas Election Code §§127.096-127.098 and §§129.021-129.023. The first test shall be conducted at least five days prior to the election. In addition, it will be performed during normal business hours and open to the public.
[Cost: The cost for publishing the notice will be split equally between all the entities involved. See the Fee Schedule]
- 1.3. Provide technical and equipment support for the electronic poll books, voting machines and equipment being provided to the Entity. In the event there is an equipment failure Galveston County shall try to remedy the problem over the phone. If unable to do so, will dispatch to locations within Galveston County the appropriate technical support personnel and equipment to correct the failure.
[Cost: Included in the 10% election fee]
- 1.4. On behalf of the Entity, obtain Official Voter Registration lists from the Voter Registrar to be used during Early Voting and on Election Day.

[See Section 2.3 below]

- 1.5. Provide Ballot by Mail services for the Entity.

[See the Fee Schedule]

- 1.6. Hire Judges, Alternate Judges, and clerks to serve as election workers at the various polling locations. Workers will be paid in accordance with Section 3 of this contract and will be required to complete election training (at the discretion of the Elections Division) as a prerequisite for serving. Workers will be paid \$40 for attending training.
- 1.7. Select the countywide vote center polling locations in coordination with the Entity and with the approval of Galveston County Commissioners' Court.
- 1.8. Provide the Entity ****and where possible the candidates running for office***, a sample ballot for them to proof and approve or provide corrections.
[See sections 2.6 and 2.7 for related information]

****The Entity will be responsible for providing Galveston County with the email and contact information for each candidate who will be on the ballot.***

For additional Duties of Galveston County see section **(5) Fee Schedule of Galveston County** below.

- 2. *Duties and Services of the Entity.*** The Entity will be responsible for performing the duties and services set forth in this section and will consummate this contract **on or before January 31, 2020**. Contracts submitted after this date will require a \$500 fee ***which will be non-refundable regardless of whether the Entity cancels its election.***

- 2.1. Prepare and submit any required submissions to the U.S. Department of Justice under the Federal Voting Rights Act of 1965 for its election and runoff election.
- 2.2. Publish notices of the election in accordance with Section 4.003(a) of the Texas Election Code.
- 2.3. Provide Galveston County with the Entity's requirements for Official Voter Registration lists for early voting and Election Day.
- 2.4. In accordance with Texas Election Code §4.008 as amended, deliver written notice of the election to Galveston County.
- 2.5. It is understood that the Entity may need to modify its election order after **January 31, 2020**, to reflect the actual early voting and Election Day polling locations once the final determination has been made as to which entities will actually be holding an election.

If the Entity wishes to select additional polling locations within its footprint, it will submit a list and the contact information for each facility to Galveston County by **February 14, 2020**. Regardless of who selects the polling locations the Entity shall comply with Texas Election Code §43.062, and shall notify prospective

voters of the new location by placing a notice at the old polling location and a notice at the new polling location.

[See Section 1.7 for additional information on the selection of countywide polling places]

- 2.6. Provide to Galveston County the language for any ballot propositions, the names of election contests, the names of candidates as they are to appear on the ballot, a copy of a sample ballot, ballot draw information and a completed "Requirements to Program the Ballot" form. These materials will be provided in an electronic form to Galveston County by **no later than February 25, 2020**. All language on the ballot must be provided in both English and Spanish in a Word format. Any other languages required by law, must also be provided in a Word format as well (e.g., Harris County, Chinese and Vietnamese). In addition, the Entity will collect and provide to Galveston County the names, addresses, phone numbers and email addresses of all the candidates who are to appear on its ballot. This information will be used to send candidates copies of the ballot proofs for their review.

[See Section 1.8]

- 2.7. Return to Galveston County, by **March 9, 2020 5 p.m.**, confirmation that the sample ballots Galveston County has prepared and provided to the Entity are satisfactory or provide changes that need to be made. Galveston County intends to conduct the L&A test on the Entity's ballot no later than **March 13, 2020**.

The Entity shall have a representative present during the testing who will sign an affidavit signifying the ballot proofs are accurate and acceptable to the Entity. If unable to attend, a representative may send a signed electronic response approving the ballot.

[See Section 1.8 for related information on ballot proofing]

- 2.8. Galveston County will be conducting elections for numerous Entities on the same day. The parties understand that each election has its own challenges and requirements and that failure to provide the information outlined in Section 2 of this contract by the dates specified will place an undue burden on Galveston County that may hinder the ability to provide the services to the Entity in a timely and accurate manner. **Should the Entity miss the deadlines, and/or fail to notify the County of any special circumstances (e.g., adding portions of another county to their election, additional languages required, or unopposed candidates on the ballot) there may be additional charges incurred, up to \$1,000.00, to be determined by the Chief Deputy of Elections. Should Galveston County be unable to provide the services in a timely and accurate manner the Entity, to the extent allowed under the Constitution and Laws of the State of Texas, shall hold Galveston County and employees harmless from any election errors and corresponding liability and/or damages that may result, including but not limited to the costs incurred related to an election contest and/or the need to conduct a subsequent election.**
- 2.9. As required by §67.017(b) and the Secretary of State's Office, the Entity must submit an electronic precinct-by-precinct report to the Secretary of State's Office by no later than the 30th day after Election Day.

- 2.10. Unless otherwise stipulated, Galveston County will transport or have the Presiding Election Judges transport on its behalf, the voting machines and equipment to and from the Entity's early voting and Election Day voting locations.
- 2.11. Monitor, with the assistance of Galveston County, the overall conduct of its election in Entity's jurisdiction including the observation of the tabulating of the results.
- 2.12. Entity to pay a \$125 fee per early voting and Election Day polling locations within its jurisdiction for additional support staff to provide the Entity and its Judges election support services throughout the term of this contract.
3. **Cancellation of Contract:** Except for contracts consummated after **January 31, 2020**, the Entity may cancel this contract without incurring any expenses by notifying Galveston County of its intention to cancel by no later than two (2) business days after its candidates filing deadline of **February 14, 2020**. The Entity will be obligated to pay Galveston County a \$500 fee if cancelled after this grace period.
4. **Special Provision: Bilingual Poll Worker Requirements.** Galveston County was a party in Civil Action No. 3:07 CV 377 styled "The United States of America, Plaintiff, v. Galveston County, Texas, Defendant in the United States District Court for the Southern District of Texas, Galveston Division". It entered into a Consent Decree that acknowledged it is covered under both Section 4(f)(4) of the Voting Rights Act as amended and 42 U.S.C. §1973(b)(4) Section 4(f)(4) to provide Spanish language written materials and assistance to voters. Galveston also has an obligation to ensure that its polling places and poll workers comply with the Help America Vote Act of 2002 ("HAVA"), 42 U.S.C. §§15301 et. seq. Although this Consent Decree expired December 31, 2010, Galveston County agreed that it is permanently enjoined from:
- a) Failing to provide in Spanish "any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots," that they provide in English as required by Section 4(f)(4) of the Voting Rights Act, 43 U.S.C. 1973b(f)(4); and
 - b) Failing to ensure that poll workers provide and receive adequate training regarding (1) the use of providing provisional ballots under Section 302(a) of HAVA; and (2) the display of all HAVA-required signs under Section 302(b) of HAVA.
5. **Fee Schedule of Galveston County:** Galveston County agrees to perform these services at the following rates:
- a) Provide to the Election Judges all necessary election supplies, which are to be returned to Galveston County after the polls close on Election Night.
Cost: \$50 per kit
 - b) Arrange for staff to receive the supplies and equipment being returned by the Election Judges on Election Night.
Cost: Overtime for staff and part time workers hired to provide this service will be evenly split between the entities contracting with Galveston County.
 - c) Provide all necessary voting machines and equipment for use at early voting and Election Day locations.
Cost: \$465 per Verity Touch, \$506 per Verity Controller and \$577 per Verity Touch with access.

- d) Transport the voting machines and equipment to and from the voting locations.
Cost: \$125 delivery per location
- e) Program the ballot and conduct the Logic and Accuracy Testing of the counting equipment.
Cost: Determined by the number of contests on the ballot: \$600 for up to ten contests, \$1,200 for up to 20, \$1,800 for up to 30, \$2,450 for up to 40 and \$3,000 for 41 or more contests.
- f) Provide a central counting station, supplies, equipment and the tabulating and supervisory personnel needed to tabulate. Prepare the unofficial tabulation results and unofficial/official canvass report.
Cost: \$400 for use of the equipment plus overtime for county employees doing the tabulation if applicable.
- g) Assist the Entity in the general overall supervision of the election and any subsequent runoff election.
Cost: Included in the 10 % election fee
- h) Conduct early voting, Election Day Voting, and bilingual training.
Cost: \$48 per person per class
- i) Two or more electronic poll **pads** will be deployed (at the discretion of the Elections Division) to each polling location.
No Cost
- j) Galveston County will partner with the Entities to determine the polling locations within their jurisdictions.
- k) Hire judges, alternate judges, and clerks that are trained by Galveston County and are registered voters from within one of the jurisdictions holding an election.
Cost: Base cost of \$12 per hour per worker. Any worker who serves more than 40 hours in a given pay week will be compensated at time and a half for the hours served in excess of 40 hours.
- l) Elections Mobile App: Entities contracting elections with Galveston County will have their election information included on the Elections Mobile App.
Cost: up to \$500.
- m) The cost for all printed ballots (ballots by mail, sample ballots and test ballots) is \$.25 per sheet.
- n) Ballots by Mail: Galveston County will provide ballot by mail processing services to the Entity. ***The cost for this service is \$3.00 per ballot (\$3.50, if a multi-page ballot).***
- o) The Entity may have an observer present during the tabulation of the votes. The name and contact information of the observer must be provided to and approved by the Presiding Judge of the Central Count Station on the form prescribed by the Texas Secretary of State upon arrival at the location.

6. Compensation, Billing, and Payment. In accordance with Section 31.100(d) of the Texas Election Code the Entity will pay Galveston County the greater of Seventy-Five (\$75.00) Dollars or ten percent (10%) of the total amount of this contract for general supervision of the election. Pursuant to Texas Election Code §31.098, Galveston County may contract with third persons for election services and supplies agreed to herein and the Entity hereby agrees to pay for these third party costs when invoiced by Galveston County.

Galveston County will invoice the Entity for services rendered under this contract. The Entity will make payment to Galveston County in accordance with the terms and provisions of what is commonly referred to as the Texas Prompt Payment Act.

7. Voting System. The Hart Intercivic Verity equipment as approved by the Texas Secretary of State will be the voting system used in providing services under this contract.

8. Authorized Representatives. Galveston County's authorized representative for all purposes of this contract is its Chief Deputy Clerk for Elections.

The Entity's authorized representative for all purposes of this contract is:

Name

Phone #

9. General Provisions. As specified in Texas Election Code §31.096 this contract may not change:

- a) The authority with whom applications of candidates for a place on a ballot are filed;
- b) The authority with whom documents are filed under Texas Election Code §251.001 et. seq.; or
- c) The authority to serve as custodian of voted ballots or other election records.

As set forth in Texas Election Code §31.099 not later than the 10th day after the date this contract is executed Galveston County shall file a copy of this contract with the County Treasurer and the County Auditor.

10. WAIVER OF DAMAGES. The parties acknowledge that the Hart Intercivic Verity System and the programming of paper ballots is highly technical and that it is conceivable that despite the efforts of Galveston County it might fail during an election or might contain errors. The Entity agrees that should the electronic voting system fail, it will not make any claim against Galveston County or any of their full or part-time employees, independent contractors or agents for damages of any kind, including but not limited to any and all costs relating to an election contest and/or costs and damages incurred for having to conduct a second election caused as a result of such failure or error.

The Entity acknowledges that holding multiple simultaneous elections presents logistical problems and other problems over and above a single election. Galveston County and its employees and agents will attempt to help ensure that these simultaneous elections are conducted without error or mishap, but on occasion, errors or mishaps do occur.

Accordingly, the Entity agrees that should an error or mishap occur that it will not make any claim against Galveston County, or their full or part-time employees, independent contractors or agents for damages of any kind including but not limited to any and all costs relating to an election contest and/or costs and damages incurred by the Entity for having to conduct a second election, as a result of such error or mishap.

If legal action is filed against the Entity involving its election and if Galveston County is named as a party to this legal action and the complaint is based solely on allegations made against the Entity, the Entity shall be solely responsible for all costs and defense of that suit. In addition, the Entity shall be required to provide adequate legal counsel for Galveston County and, upon notice to the Entity, Galveston County shall be entitled to settle such claim or legal action upon terms it deems most advantageous to itself.

For purposes of implementing this contract, Galveston County and the Entity designate the following individuals to submit and/or receive information or notices to Galveston County or the Entity:

Galveston County:

Dwight D. Sullivan, County Clerk
Attention: Ernest Murrie, Chief Deputy Clerk for Elections
Galveston County Justice Center
600 59th Street, Suite 2001
Galveston, TX 77551-4180

P.O. Box 17253
Galveston, Texas 77552-7253
409-770-5108
Email: ernest.murrie@co.galveston.tx.us

Entity:

_____ Phone: _____

_____ Email: _____

This contract will be submitted to the Galveston County Commissioners' Court to be placed on the Consent Agenda as a Receive and File Item.

11. Galveston County Title VI Assurance Clause. Galveston County is committed to ensuring that no person, on the ground of race, color, national origin, religion, sex, age, disability or Veteran status, shall be subjected to discrimination, excluded from participation, or denied the benefits of, its programs and activities.

In accordance with this policy Galveston County requires its service providers and contractors to agree that during the performance of this contract the service provider or contractor for itself, its assignees and successors will abide by the following:

Compliance with Non-Discrimination Laws and Regulations. During the performance of this contract, contractor, for itself, its assignees and successors in interest (hereinafter referred to as "contractor") agrees as follows:

- 1) **Compliance with Regulations.** The contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, DOT) Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are incorporated herein by reference and made a part of this contract.
- 2) **Nondiscrimination.** The contractor, with regard to the work performed by it during the contract, shall not discriminate on the basis of race, color, national origin, religion, sex, age, disability or Veteran status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
- 3) **Solicitations for Subcontractors, Including Procurement of Materials and Equipment.** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, religion, sex, age, disability or Veteran status.
- 4) **Information and Reports.** The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by Galveston County or the Texas Department of Transportation to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to Galveston County or the Texas Department of Transportation as appropriate, and shall set forth what efforts it has made to obtain the information.
- 5) **Sanctions for Noncompliance.** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, Galveston County shall impose such contract sanctions as it or the Texas Department of Transportation may determine to be appropriate, including, but not limited to:
 - a) withholding of payments to the contractor under the contract until the contractor complies, and/or
 - b) cancellation, termination, or suspension of the contract, in whole or in part.

- 6) **Incorporation of Provisions.** The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as Galveston County or the Texas Department of Transportation may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request Galveston County to enter into such litigation to protect the interests of Galveston County, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

Executed this _____ day of _____, 20____.

Galveston County:

Dwight D. Sullivan
County Clerk

Entity:

Name: _____

- | | |
|---|------------------------------------|
| ☐ City Manager | ☐ Mayor |
| ☐ Superintendent | ☐ President |
| ☐ City Secretary | ☐ Other |
| ☐ Chair County Executive Committee | |

Received and Filed:

Galveston County

Hon. Mark Henry
County Judge
Attest:

Dwight D. Sullivan
County Clerk

Date: _____

Date Copy of Agreement Furnished
to County Treasurer: _____

Date Copy of Agreement Furnished
to County Auditor: _____



CITY COUNCIL AGENDA FORM

Meeting Date: December 16, 2019
 Prepared by: Robin Eldridge

Agenda item: 5b
 Reviewed by: Charlene Warren
Charles Jackson

Department: City Clerk

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Resolution No. **R-2019-0040**, appointing an ADA Coordinator, and approving ADA Grievance Procedures in accordance with the Americans with Disabilities Act, Title II

☒ X

ATTACHMENTS FOR REFERENCE

1. Resolution appointing ADA Coordinator
2. Notice
3. Grievance Procedure

STAFF BRIEFING:

- ADA Title II is a federal law that provides individuals with disabilities equal access and opportunities to all areas of public life
- There are five Titles in the Act, of which Title II is divided into parts A and B
- Title II Part A applies to all state executive agencies, courts, legislatures, town, cities, counties, purpose districts and other local government instrumentalities

HISTORY:

- The City of La Marque has adopted an Employee Handbook which addresses procedures for filing a grievance

TARGET IMPLEMENTATION: December 16, 2019

SIGNIFICANT ACTION DATES: N/A

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-2019-0040**, appointing an ADA Coordinator, and approving ADA Grievance Procedures in accordance with the Americans with Disabilities Act, Title II



CITY COUNCIL AGENDA FORM

FISCAL IMPACT: N/A

RESOLUTION NO. R-2019-0040

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, DESIGNATING AN ADA COORDINATOR TO COMPLY WITH AND CARRY OUT RESPONSIBILITIES UNDER TITLE 28 CODE OF FEDERAL REGULATIONS (CFR) § 35.107 (a) FOR PUBLIC ENTITIES THAT EMPLOY 50 OR MORE PERSONS

WHEREAS, according to Title 28 of the Code of Federal Regulations, (CFR) § 35.107 (a) a public entity that employs 50 or more persons, shall designate at least one employee to coordinate its effort to comply and carry out the responsibilities under this part; and

WHEREAS, the City of La Marque, Texas employs in excess of 50 employees; and

WHEREAS, the City of La Marque, Texas, acknowledges that if the designated ADA Coordinator of the City changes, the City shall amend this resolution and state who the new designated ADA Coordinator shall be; and

WHEREAS, the ADA Coordinator is the responsible person in which any person who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of La Marque will report his/her complaint in writing to; and

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

The Human Services Coordinator hereby be the designated ADA Coordinator for the City of La Marque, Texas.

PASSED, APPROVED, AND ADOPTED by 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

Legal Counsel, City of La Marque



NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT

In accordance with the requirements of title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of La Marque will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: the City of La Marque does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: the City of La Marque will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in La Marque programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: the City of La Marque will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in La Marque offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of La Marque, should contact the office of *Patty Rees, Human Resources Coordinator*, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the City of La Marque to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the City of La Marque is not accessible to persons with disabilities should be directed to *Patty Rees, Human Resources Coordinator at 409-938-9249*.

The City of La Marque will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.



THE CITY OF LA MARQUE GRIEVANCE PROCEDURE UNDER THE AMERICAN'S WITH DISABILITIES ACT

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the City of La Marque. The City of La Marque's Personnel Policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to: Patty Rees, Human Resources Coordinator, 1111 Bayou Road, La Marque, Texas 77568

Within 15 calendar days after receipt of the complaint, Patty Rees or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting, Patty Rees or his/her designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of the City of La Marque and offer options for substantive resolution of the complaint.

If the response by Patty Rees or his/her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the City Manager Charles "Tink" Jackson or his/her designee.

Within 15 calendar days after receipt of the appeal, the City Manager Charles "Tink" Jackson or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the City Manager Charles "Tink" Jackson or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Patty Rees or his/her designee, appeals to the City Manager Charles "Tink" Jackson or his/her designee, and responses from these two offices will be retained by the City of La Marque for at least three years.



CITY COUNCIL AGENDA FORM

Meeting Date: December 16, 2019

Prepared by: Suzy Kou

Agenda item: 5c

Reviewed by: Charlene Warren

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Resolution No. **R-2019-0041**, expressing intent to reimburse certain expenditures

☒

ATTACHMENTS FOR REFERENCE

1. Resolution

STAFF BRIEFING:

- This reimbursement resolution allows the City to proceed with certain projects deemed necessary under special circumstances before closing of debt issuance within certain time frame.

HISTORY:

July 22, 23, and 25, 2019 – Major projects were discussed during budget workshops

TARGET IMPLEMENTATION: **December 16, 2019**

SIGNIFICANT ACTION DATES:

July 22, 23, and 25, 2019 – Budget workshops

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-2019-0041**, expressing intent to reimburse certain expenditures

FISCAL IMPACT: Timing of projects' expenditure being spent before debt issuance

RESOLUTION NO. R-2019-0041

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS EXPRESSING
INTENT TO REIMBURSE CERTAIN EXPENDITURES**

WHEREAS, the City of La Marque, Texas (the “City”) is a political subdivision of the State of Texas authorized to finance its activities by issuing obligations; and

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to the projects listed on Exhibit “A” attached hereto (collectively, the “Financed Projects”); and

WHEREAS, in certain circumstances, federal and/or state law requires that the City express its official intent to issue obligations to reimburse itself for expenditures paid prior to the issuance of such obligations in order for such expenditures to be eligible for reimbursement from proceeds of such obligations; and

WHEREAS, Section 1.150-2(d)(2) of the Treasury Regulations sets forth limitations regarding the timing of reimbursements made from the proceeds of certain tax-exempt obligations.

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

Section 1. The City reasonably expects to reimburse itself for costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof and that are to be paid in connection with the Financed Projects from the proceeds of the obligations to be issued subsequent to the date hereof.

Section 2. The City reasonably expects that the maximum principal amount of obligations issued to reimburse the City for the costs associated with the Financed Projects will be \$6,400,000. Such obligations may be issued in one or more series.

Section 3. Unless otherwise advised by bond counsel, any reimbursement allocation will be made not later than 18 months after the later of (1) the date the original expenditure is paid or (2) the date on which the Financed Projects to which the expenditure relates is placed in service or abandoned, but in no event more than three years after the original expenditure is paid.

[Execution Page to Follow]

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on this the 16th day of December 2019.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, City Clerk

[SEAL]

EXHIBIT "A"

DESCRIPTION OF PROJECTS

<u>Purpose/Projects</u>	<u>Amount</u>
The repair and renovation of, the construction of improvements to and the equipment of the City's water and sewer system.	\$5,000,000
The construction improvements to road projects, including enhancements to I-45 road right of way.	\$1,400,000

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
COUNTY OF GALVESTON §

I, the undersigned officer of the City Council of the City of La Marque, Texas, hereby certify as follows:

1. The City Council of the City of La Marque, Texas, convened in a regular meeting on the 16th day of December 2019, at the regular meeting place thereof, within said City, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Bobby Hocking	Mayor
Keith Bell	Mayor Pro Tem and Council Member, District A
Chris Lane	Council Member, District B
Robert Michetich	Council Member, District C
Casey McAuliffe	Council Member, District D

and all of said persons were present, except the following absentee(s): _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

RESOLUTION NO. R-2019-0041

RESOLUTION EXPRESSING INTENT TO
REIMBURSE CERTAIN EXPENDITURES

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said resolution, prevailed and carried by the following vote:

AYES: _____ Members shown present voted "Aye."

NOES: _____ Members shown present voted "No."

2. A true, full and correct copy of the aforesaid resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said resolution has been duly recorded in said City Council's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said meeting pertaining to the adoption of said resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the

date, hour, place and purpose of the aforesaid meeting, and that said resolution would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this 16th day of December 2019.

City Clerk
City of La Marque, Texas

[SEAL]



CITY COUNCIL AGENDA FORM

Meeting Date: December 16, 2019

Prepared by: Suzy Kou

Agenda item: 5d

Reviewed by: Charlene Warren/

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Consider recommendation to terminate the current agreement with U. S. Capital as the City's financial advisor effective January 10, 2020

☒

ATTACHMENTS FOR REFERENCE

1. Current agreement with U.S. Capital
2. Fees comparison

STAFF BRIEFING:

- Based on proposed terms and fees, City would receive more benefits with Stifel

HISTORY:

July 22, 2013 – Council approved agreement with U.S. Capital

TARGET IMPLEMENTATION: January 10, 2020

SIGNIFICANT ACTION DATES: N/A

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other – Agreement Termination | |
| ☒ 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 terminate the current agreement with U. S. Capital as the City's financial advisor effective January 10, 2020

FISCAL IMPACT: Issuance savings on future debts

Fees Comparison

Bonds par amount	U.S. Capital	Stifel
First \$1,000,000	2.00%	2.00%
Next \$1,000,000	1.50%	1.00%
Next \$2,000,000	1.00%	0.75%
Over \$4,000,000	0.50%	0.40%
Minimum fee	\$20,000	\$20,000



CITY COUNCIL AGENDA FORM

Meeting Date: December 16, 2019

Prepared by: Suzy Kou

Agenda item: 5e

Reviewed by: Charlene Warren

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Consider recommendation to approve an agreement with Stifel as City's financial advisor assisting with debt and other financial advisory services

☒

ATTACHMENTS FOR REFERENCE

1. Proposed agreement with Stifel
2. Stifel statement of qualifications
3. Fees comparison

STAFF BRIEFING:

- Based on proposed terms and fees, City would receive more benefits with Stifel
- An experienced financial advisor will benefit the City with more long term savings by assisting us with sound planning and debt structuring

HISTORY:

July 22, 2013 - Council approved agreement with U.S. Capital

TARGET IMPLEMENTATION: December 16, 2019

SIGNIFICANT ACTION DATES: N/A

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other - Agreement | |
| ☒ 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 approve an agreement with Stifel as City's financial advisor assisting with debt and other financial advisory services



CITY COUNCIL AGENDA FORM

FISCAL IMPACT: Fees paid to financial advisor will be built into issuance cost when we issue debts

STIFEL

Suzy Kou, Finance Director
City of La Marque, Texas

RE: FINANCIAL ADVISORY SERVICES
Series 2020 Wastewater Treatment Plant Financing

Stifel, Nicolaus & Company, Incorporated (“Stifel”) presents for your acceptance this agreement to retain Stifel as financial advisor to the City of La Marque, Texas (“Issuer”) for the proposed Series 2020 Wastewater Treatment Plant Financing (the “Bonds”) estimated to be issued in the aggregate principal amount of approximately \$20,000,000. This agreement will be effective on the date signed by an authorized representative of Issuer and will authorize Stifel to act as financial advisor through the completed sale of the proposed Bonds, at which time this agreement will terminate. This agreement may also be terminated on thirty (30) days written notice by either party.

1. Scope of Work. Stifel agrees to perform the following services for Issuer with respect to the Bonds:
 - a. Assume overall responsibility for the financial analysis and structuring recommendations for the Bonds;
 - b. Assist counsel to the underwriter(s) and Issuer in preparation of the preliminary and final official statements for the Bonds consistent with all federal and state requirements;
 - c. Assist Issuer, as requested, in the selection of an underwriter(s), including review of underwriter recommendations to the extent requested in writing by Issuer, and coordinate all activities of the underwriter(s);
 - d. Coordinate with consultants, accountants, bond counsel, other attorneys and staff in connection with the sale of the Bonds;
 - e. Coordinate financing time schedule, distribution of documents, preliminary and final official statement printing, wire-transfer of funds, delivery of bonds and bond closing;
 - f. Assist Issuer on the matter of bond rating(s) for the proposed issue and coordinate the preparation of credit information for submission and presentation to the rating agency(ies);

STIFEL

- g. Coordinate pre-pricing discussions of bond pricing and structuring, supervise the negotiated sale process, and advise on acceptability of offer to purchase bonds by the underwriters;
 - h. If requested, assist Issuer in procuring any appropriate ancillary financing-related products and services including, credit enhancement (e.g., bond insurance), paying agent/registrar/trustee, escrow agent (if applicable), escrow investments, and other such products and services as Issuer may deem necessary or desirable in connection with any financing.
 - i. Attend Issuer meetings as requested, with reasonable advance notice;
 - j. Provide such other services as are mutually agreed upon in writing by Issuer and Stifel.
- 2. Issuer's Obligations. Issuer agrees that, with respect to the Bonds, its staff and consultants will cooperate with Stifel and make available any data in the possession of Issuer necessary to perform Stifel's financial advisory services and regulatory obligations as described in Exhibit A to this agreement.
- 3. Regulatory Disclosures:
 - a. Issuer is aware of Section 975 of the Dodd-Frank Wall Street Reform and Consumer Protection Act and the Securities and Exchange Commission's adopted rule commonly known as the "Municipal Advisor Rule" (SEC Rule 15Ba1-1 to 15Ba1-8 - "the Rule"). Stifel will be serving as a municipal advisor to the Issuer under the Rule and this agreement documents the municipal advisory relationship between Stifel and the Issuer.
 - b. MSRB Rule G-42 requires that a municipal advisor provide its client with certain written disclosures. Please see Exhibit A to this agreement for those disclosures.
- 4. Compensation:

For Stifel's financial advisory services and expenses in processing this bond series to be sold in a single negotiated sale, Stifel shall be paid a fee equal to 2.00% of the first \$1,000,000 par amount of Bonds issued; plus 1.00% of the next \$1,000,000 par amount of Bonds issued; plus 0.75% of the next \$2,000,000 par amount of Bonds issued; plus 0.40% for all Bonds over \$4,000,000 par amount of Bonds issued to be paid at the completion of the sale of the Bonds. A minimum fee for any issue of Bonds will be of \$20,000.

The Issuer will reimburse Stifel for all reasonable costs and expenses incurred by Stifel related to the Bonds being issued, in an amount not to exceed \$5,000.00.



5. Authority to Direct Financial Advisor:

The following individuals have the authority to direct Stifel's performance of its scope of work under this agreement: Suzy Kou, Finance Director; and Charles "Tink" Jackson, City Manager.

Respectfully submitted this 15th day of November, 2019.

STIFEL, NICOLAUS & COMPANY, INCORPORATED

By: _____

Name: _____

Title: _____

ACCEPTANCE

I, _____, upon approval by the governing body of the City of La Marque, Texas, hereby accept the agreement as submitted by Stifel, Nicolaus & Company, Incorporated relative to the financial advisory services, as described herein.

By: _____

Name: _____

Title: _____

Date: _____



EXHIBIT A

City of La Marque, Texas Series 2020 Wastewater Treatment Plant Financing

MSRB Rule G-42 Disclosures

As municipal advisor to the City of La Marque, Texas (“you”), Stifel Nicolaus (“Stifel” or “we”) is subject to the rules of the Municipal Securities Rulemaking Board (MSRB), including MSRB Rule G-42. The rule directs us to make certain disclosures to you. Please review the following disclosures and contact your Stifel municipal advisor if you have any questions.

Our Duties as Your Municipal Advisor

Rule G-42 describes our basic duties to you. Most importantly, we owe you a fiduciary duty, the principal element of which is a duty of loyalty. Under the duty of loyalty, we are required to deal honestly and in the utmost good faith with you and to act in your best interests without regard to our financial or other interests. We may not serve as your municipal advisor if we believe that we have any conflicts of interest that we cannot manage or mitigate so that we can act in your best interests.

Rule G-42 also provides that we owe you a duty of care. As part of that duty, we must possess the degree of knowledge and expertise needed to provide you with informed advice. Also, under that duty, when we make recommendations to you or help you to evaluate the recommendations of others, we may need to ask questions to make sure that we have all the relevant facts.

Disclosure of Conflicts

Rule G-42 requires us to disclose to you any known material, actual or potential conflicts of interest that could reasonably be expected to impair our ability to provide you with advice, including any conflicts associated with contingent fee arrangements. As described in our engagement letter, the payment of our fee will be contingent on the closing of the bond issue described in the engagement letter [and the amount of compensation will be based on a percentage of the principal amount of the bond issue]. While this form of compensation is customary in the municipal securities market, it presents a conflict of interest since we may have an incentive to recommend a transaction to you that is unnecessary or to recommend that the size of the bond issue be larger than is necessary. We would, of course, be willing to discuss an alternative fee arrangement, if that is your preference.

STIFEL

Stifel has not identified any additional potential or actual material conflicts that require disclosure.

Legal and Disciplinary Event Disclosures

Each firm that is registered as a municipal advisor with the U.S. Securities and Exchange Commission (SEC) is required to file Form MA with the SEC and update that form periodically and as events change. The firm is also required to file a Form MA-I for each of its employees who is engaged in municipal advisory activities. Stifel's most recent Form MA and the Form MA-1 for each current Stifel municipal advisor employee may be found on the SEC's EDGAR website using the following hyperlink: <http://www.sec.gov/cgi-bin/browse-edgar?CIK=0000094403&owner=exclude&action=getcompany&Find=Search>.

Item 9 of Form MA requires each municipal advisor firm to disclose any criminal, regulatory violations, or self-regulatory violations and certain civil litigation. Because we are a broker-dealer firm, Form MA permits us to cross-reference to our Form BD, which is available on the website of the Financial Industry Regulatory Authority (FINRA), and our Form ADV, which is available on the SEC website. For your convenience, you may access our Form BD by using the following hyperlink: <http://brokercheck.finra.org/Firm/Summary/793>. You may access our Form ADV by using the following hyperlink: <https://www.adviserinfo.sec.gov/IAPD/IAPDSearch.aspx> and entering Firm 793 in the search field. Item 6 of each Form MA-I requires comparable disclosure about a municipal advisor individual, as well as customer complaint, arbitration, investigation, termination, financial, and judgment/lien disclosure. When an individual has a disciplinary history, Form MA-1 permits us to cross-reference to that individual's Form U-4. The disciplinary history on an individual's Form U-4 is accessible entering the individual's name in FINRA's "Broker-Check" service, using the following hyperlink: <http://brokercheck.finra.org/>.

Our Form MA was amended on July 14, 2017 to reflect the following settlement with FINRA:

In June 2017, Stifel agreed to pay a fine of \$125,000 to settle an alleged violation of MSRB Rule G-23. Stifel determined that a private placement with the county in which Stifel's school district client was located was a lower cost alternative for the school district than a public offering. Stifel presented the idea to the school district, which agreed to hire Stifel as its placement agent. Nevertheless, two months elapsed before Stifel provided disclosure to the school district that, in its role as placement agent, it was not a fiduciary to the school district as required by MSRB Rule G-23. The FINRA settlement document states that: "Because it failed to provide the role disclosure required by MSRB Rule G-23 in a timely manner, Stifel acted as both financial advisor and placement agent for the [school district] in connection with the [Bonds], in violation of MSRB Rule G-23." The alleged violation took place in 2012. Stifel now has robust procedures in place that are designed to result in timely G-23 disclosures to underwriting/placement clients.

STIFEL

We do not believe that any of the legal or disciplinary event disclosures described in our Form MA is material to our ability to serve as your municipal advisor.

Evaluation of Recommendations/Suitability

As provided in our engagement letter, we will assist you in evaluating recommendations, whether made by Stifel or, upon your written request, by third-parties, such as underwriters. We will provide you with our evaluation of the material risks, potential benefits, structure, and other characteristics of the transaction or product. We will discuss with you why we think a recommendation we make is suitable for you. In the case of recommendations made by an underwriter or other third-party that you request in writing that we review, we will discuss with you why we think the recommended transaction or product is or is not suitable for you. We will also inform you of any other reasonably feasible alternatives considered.

In order for us to evaluate whether we think a recommendation is suitable for you, we are required to consider the following factors and we may need information from you about those factors, much as if you were opening a brokerage account:

- financial situation and needs,
- objectives,
- tax status,
- risk tolerance,
- liquidity needs,
- experience with municipal securities transactions or municipal financial products generally or of the type and complexity being recommended,
- financial capacity to withstand changes in market conditions during the term of the municipal financial product or the period that municipal securities to be issued in the municipal securities transaction were reasonably expected to be outstanding, and
- any other material information known by the municipal advisor about the client and the municipal securities transaction or municipal financial product, after reasonable inquiry.

Additional Information

We also wish to inform you that Stifel is registered as a municipal advisor with both the SEC and the MSRB. Information about the duties of a municipal advisor, as well as the procedures for filing a complaint, may be found on the MSRB's website by clicking on the following link:

<http://www.msrb.org/~media/Files/Resources/MSRB-MA-Clients-Brochure.ashx?la=en>. The general website for the MSRB is www.msrb.org. If you have any questions, please contact your municipal advisor.



Statement of Qualifications: Municipal Advisory Services

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Disclaimer: Stifel, Nicolaus & Company, Incorporated (“Stifel”) has prepared the attached materials. Such material consists of factual or general information (as defined in the SEC’s Municipal Advisor Rule). Stifel is not hereby providing a municipal entity or obligated person with any advice or making any recommendation as to action concerning the structure, timing or terms of any issuance of municipal securities or municipal financial products. To the extent that Stifel provides any alternatives, options, calculations or examples in the attached information, such information is not intended to express any view that the municipal entity or obligated person could achieve particular results in any municipal securities transaction, and those alternatives, options, calculations or examples do not constitute a recommendation that any municipal issuer or obligated person should effect any municipal securities transaction. Stifel is acting in its own interests, is not acting as your municipal advisor and does not owe a fiduciary duty pursuant to Section 15B of the Securities Exchange Act of 1934, as amended, to the municipal entity or obligated party with respect to the information and materials contained in this communication.

These materials have been prepared by Stifel for the client or potential client to whom such materials are directly addressed and delivered for discussion purposes only. All terms and conditions are subject to further discussion and negotiation. Stifel does not express any view as to whether financing options presented in these materials are achievable or will be available at the time of any contemplated transaction. These materials do not constitute an offer or solicitation to sell or purchase any securities and are not a commitment by Stifel to provide or arrange any financing for any transaction or to purchase any security in connection therewith and may not be relied upon as an indication that such an offer will be provided in the future. Where indicated, this presentation may contain information derived from sources other than Stifel. While we believe such information to be accurate and complete, Stifel does not guarantee the accuracy of this information. This material is based on information currently available to Stifel or its sources and is subject to change without notice. Stifel does not provide accounting, tax or legal advice; however, you should be aware that any proposed indicative transaction could have accounting, tax, legal or other implications that should be discussed with your advisors and /or counsel as you deem appropriate.

Section I: Stifel Overview

Firm Description

- **NYSE Ticker:** SF
- **Founded:** 1890
- **Headquarters:** St. Louis, Missouri
- **Global Employees:** 7,500+
- **Services:** Brokerage, investment banking, trading, investment advisory and related financial services
- **Client Assets Under Management:** \$289 billion

Capital Position

- As of June 30, 2019, Stifel's total capital base was approximately \$1.24 billion with excess net capital of \$312 million
- **Based upon this capital position, Stifel has the capacity to commit to underwrite, as sole manager, more than \$4.1 billion of municipal securities**
- Our leverage is low compared to our public finance peers

Stifel's Growth and Expansion¹

Acquisitions			
 George K. Baum & Company INVESTMENT BANKERS SINCE 1923	September 2019*	 MERCHANT CAPITAL LLC	December 2014 Public Finance
 FIRST EMPIRE	January 2019 Private Client	 DE LA ROSA & CO. INVESTMENT BANKERS	March 2014 FI, Public Finance
 Ziegler CAPITAL • INVESTMENTS • ADVICE	March 2018 Private Client	 KBW	February 2013 I-Banking
 CITY SECURITIES CORPORATION Invested in you.	January 2017 Public Finance, PC	 Knight	March 2013 Fixed Income
 sterne agee	June 2015 FI, Public Finance, PC	 MILLER BUCKFIRE	December 2012 I-Banking
 BARCLAYS WEALTH	December 2015 Private Client	 STONE & YOUNGBERG	October 2011 FI, Public Finance

Key Statistics

	Today	2005	Increase
Total Capital	\$1.24 bil ²	\$194 mil	6.5x
Revenue	\$3.195 bil	\$270 mil	10.7x
Employees	7,706	1,800	4.2x
Institutional Traders	93	10	9.3x
Institutional Sales	222	78	2.8x
Client Assets	\$300 bil ²	\$26 bil	11.1x
Retail Professionals	3,309	644	5.1x
Retail Offices	366 ²	92	3.9x
Public Finance Bankers	139	19	7.3x

¹ Excludes Stifel Bank and Trust and its other affiliates.

² As of June 30, 2019

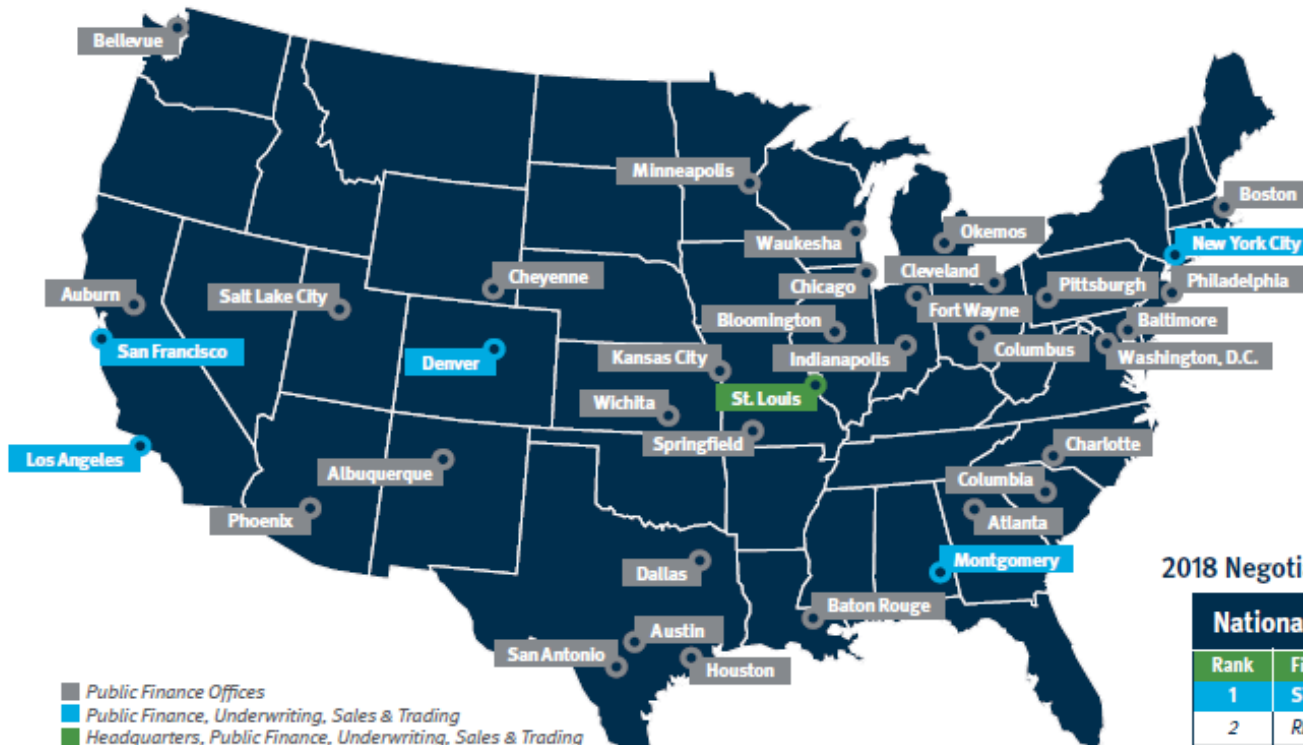
*Pending

George K. Baum Acquisition Impact

STIFEL

Regional & National Presence

The combined firms maintain 37 municipal finance offices and are made up of more than 350 municipal finance professionals across the country.



350+

municipal banking,
sales & trading
professionals

37

municipal finance
offices across the
United States

2018 Negotiated Rankings & Highlights

National Lead Managed Financings

Rank	Firm	No. of Issues
1	STIFEL & GKB	660
2	RBC Capital Markets	404
3	Piper Jaffray & Company	298
4	Raymond James	294
5	BAML	291
6	D.A. Davidson	284
7	Citi	239
8	J.P. Morgan	200
9	Robert W. Baird & Company	197
10	Wells Fargo & Company	181

Source: SDC Thomson Reuters as of 01/02/2019. National negotiated transactions, rankings measured by number of issues allocated to Book Runner.

- Stifel acquired the municipal securities and related operations of George K. Baum & Company (“GKB”) on September 27, 2019.
- This acquisition increased the size of Stifel’s public finance department **by over 75 bankers**, and **added several public finance offices** throughout the country (including two in Texas).

Expanded Texas Presence

Texas Public Finance, Sales & Trading Offices

Office Location	Type	Public Finance	Retail Sales	Inst. Sales	Inst. Trading
Austin	Stifel Retail & Institutional, & PF	1	8	1	
Austin	Century Securities*		1		
Corpus Christi	Stifel Retail		6		
Dallas	Stifel Retail, Institutional, Trading, & PF	8	10	2	3
Dallas - Crescent	Stifel Retail		9		
Denton	Stifel Retail		2		
Fort Worth	Stifel Retail		7		
Houston NW	Stifel Retail & Institutional		7	1	
Houston - McKinney	Stifel Retail		7		
Houston	Century Securities*, & PF	1	1		
Longview	Stifel Retail		4		
San Antonio	Public Finance	2	0		
Temple	Century Securities*		1		
Texarkana	Stifel Retail		2		
Waco	Stifel Retail		2		
Wichita Falls	Stifel Retail		4		

*Century Securities is a subsidiary of Stifel's parent company, Stifel Financial, and is part of the network of brokers that constitutes Stifel's Private Client Group.

• Stifel continues to invest in Texas and our Public Finance Practice

- Texas presence now includes 4 offices with 8 bankers in Dallas, 2 in San Antonio, 1 in Austin and 1 in Houston
- Stifel acquired GKB's public finance practice on September 27th
- Added 75 additional bankers nationally

Recent Transactions



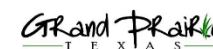
Edinburg Economic Development Corporation
\$10,840,000
Sales Tax Revenue Bonds, New Series 2019
 4/16/2019
 Sole Manager



City of Greenville
\$20,455,000
Combination Tax & Revenue Certificates of Obligation, Series 2019
 3/12/2019
 Sole Manager



Alamito Public Facilities Corporation
\$8,000,000
Multifamily Housing Revenue Bonds (HACEP RAD Conversion Project), Series 2019
 3/22/2019
 Sole Manager



City of Grand Prairie
\$19,475,000
General Obligation Refunding Bonds, Series 2019 (Forward Delivery)
 8/6/2019
 Senior Manager



City of Lubbock
\$88,405,000
Waster & Wastewater Sys Rev Refunding Bonds, Taxable Series 2019B
 10/8/2019
 Co-Manager



Public Finance Authority
\$6,660,000
Public Improvement Revenue Bonds (Hutto Cross Creek PID), Series 2019
 8/7/2018
 Sole Manager

2018 National Public Finance Rankings



National Lead Managed Financings 2018 Negotiated Issues (Ranked by # of Issues)

Rank	Firm	# of Issues	Mkt. Share	Par Amount (US\$ mil)
1	STIFEL & GKB	660	13.6%	\$12,162.2
2	RBC	404	8.4	10,745.7
3	Piper Jaffray & Co	298	6.2	10,326.1
4	Raymond James	294	6.1	10,135.8
5	BAML	291	6.0	31,652.2
6	D A Davidson & Co	284	5.9	3,544.7
7	Citi	239	5.0	28,710.7
8	J P Morgan	200	4.1	24,824.2
9	Robert W Baird & Co	197	4.1	2,844.5
10	Wells Fargo & Co	181	3.8	10,978.9

Source: SDC Thomson Reuters as of 1/2/2019. National negotiated transactions, rankings measured by number of issues allocated to Book Runner.

National Lead Managed Financings 2019 (First Half) Negotiated Issues (Ranked by Par Value)

Rank	Firm	Par Amount (US\$ mil)	Mkt. Share	# of Issues
1	BAML	\$15,193.5	13.0%	118
2	Morgan Stanley	12,509.2	10.7	95
3	Citi	12,020.6	10.3	114
4	RDC	10,375.1	8.9	267
5	Goldman Sachs	8,911.6	7.6	48
6	J P Morgan	8,611.1	7.4	93
7	STIFEL & GKB	7,179.6	6.2	357
8	Wells Fargo	5,585.1	4.8	66
9	Barclays	5,348.4	4.6	53
10	Raymond James	4,321.7	3.7	168

Source: SDC Thomson Reuters as of 7/1/2019. National negotiated transactions, rankings measured by number of issues allocated to Book Runner.

National Lead Managed Financings 2019 (First Half) Negotiated Issues (Ranked by # of Issues)

Rank	Firm	# of Issues	Mkt. Share	Par Amount (US\$ mil)
1	STIFEL & GKB	357	13.3%	\$7,179.6
2	RBC	267	10.0	10,375.1
3	Raymond James	168	6.3	4,321.7
4	D A Davidson & Co	164	6.1	2,216.5
5	Piper Jaffray & Co	153	5.7	4,253.2
6	Robert W Baird & Co	141	5.3	1,671.3
7	BAML	118	4.4	15,193.5
8	Citi	114	4.3	12,020.6
9	Morgan Stanley	95	3.5	12,509.2
10	J P Morgan	93	3.5	8,611.1

Source: SDC Thomson Reuters as of 7/1/2019. National negotiated transactions, rankings measured by number of issues allocated to Book Runner.

- The Stifel Texas Team and legacy GKB public finance group has served as financial advisor or underwriter to both large and small issuers in Texas for more than \$30 billion of bonds since 2000.
 - Out of the \$30 billion, approximately \$24.8 billion come from our financial advisory business.
- Our Stifel Texas Team is a long time trusted financial advisor to the State of Texas.
 - Assisted the State of Texas Comptroller with 24 TRAN and Commercial Paper issuances totaling \$110.5 billion since 1995.
 - In 2013, assisted the State of Texas in securing a **AAA credit rating upgrade from Standard & Poor's Ratings Services.**
 - Serve as financial advisor to the Texas Veterans' Land Board (TVLB). Since 2000, the TVLB has issued approximately 80 series of bonds totaling more than \$4.5 billion.
 - Serve as financial advisor to the Texas Department of Housing and Community (TDHCA). Since 2000, TDHCA has issued approximately 51 series of single family bonds totaling more than \$2.8 billion and 150 series of multifamily bonds totaling more than \$1.37 billion.



- In addition to large state issuers advisory clients, the Stifel Texas Team has served many cities, counties and school districts throughout the State, in roles as Advisor or Underwriter.
- A representative list of recent clients served by the Texas Team is provided below:



- El Paso County
- City of Littlefield
- City of Amherst
- Lamesa ISD
- Lingleville ISD
- City of Elgin
- City of Kyle
- City of Cedar Park
- Peaster ISD
- Reeves County
- City of Eunice
- City of Lovington
- Wise County
- Katy ISD



- City of Lubbock
- Galena Park ISD
- City of Austin
- Travis County
- City of Round Rock
- City of Bellaire
- Bell County
- Bastrop County
- City of Corpus Christi
- City of Rowlett
- Northwest Harris County MUD #6
- City of Frisco
- Lamar CISD
- City of Lufkin



Specialist in Municipal Debt Financings:

- Understand which products are authorized for Texas Municipalities
- Direction through the dynamics and dangers of their use
- Guidance through ongoing regulatory requirements
- Managing the rating and debt issuance process
 - (comparison of AA vs A vs BBB)
 - Financing timelines
- Real time participant in the municipal market

Experience with all Municipal Business Matters:

- Taxable Assessed Valuation, M&O and I&S tax rates
- Sales and Hotel Occupancy Tax
- Bond Elections
- Texas Ethics Commission
- Special districts including PIDs, MUDs, and TIRZ
- Construction
 - Rule of thumb for construction time
 - Contingencies, building systems, “green” buildings

The Utility Player:

- Drafting memorandums for Council use
 - Legislative Insights
 - New types of securities
 - Policy implementation
- Consult with Administration and Council on:
 - Proposals received
 - Financing ideas under consideration
 - Intergovernmental matters
 - Special assignments
- Negotiation team member

An Added Resource for City Management:

- Stress tests and “what if” scenarios
 - Bond and capital programs
 - New money and refunding opportunities
- Tax Rate Analysis
- Comparable buildings or programs
- Consultants
- Lawyers
- Other municipal peers

Municipal Securities Group

Balanced Distribution Platform with Real Time Market Information

STIFEL

Buyers of Municipal Bonds

- Individual Retail Investors: High Net Worth Individuals and “Mom and Pop” Buyers
- Professional Retail Investors: Separate Account Managers, Bank Trust Departments
- Middle Market Institutions: Regional Banks, Insurance Companies, Money Managers and Funds below \$1 billion
- Tier One Institutions: Bond Funds, Institutions and Banks with Assets over \$1 billion

Stifel Municipal Bond Distribution Platform

Private Client Group

- 2,309 Investment Advisors
- 366 offices
- 1.4 million client accounts
- \$289 billion in client assets

Municipal Institutional Sales

- 23 Institutional Representatives
- Tier One institutional coverage
- Bond Funds, large money managers banks and trusts
- Located in major US money centers

Global Fixed Income Sales

- 200+ Institutional Representatives
- Coverage of middle market institutions, corporates and taxable buyers
- US and European teams



Stifel Provides Comprehensive Market Coverage

Structuring Your Debt Portfolio

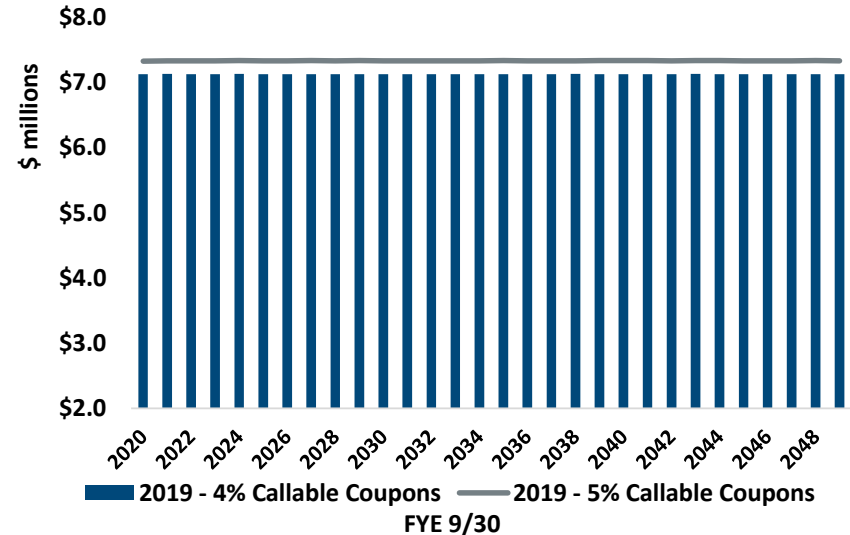
New Money Couponing – Utility System Example

- Issue coupon structure impacts total debt service
- Lower couponing for callable bonds can result in lower yield-to-maturity and lower debt service
- Comparison of 4% couponing versus 5% couponing for callable bonds

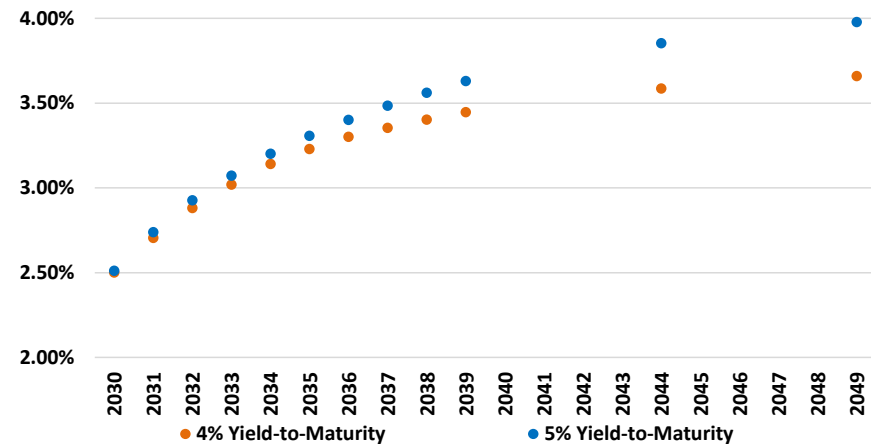
4% Versus 5% Coupon Statistics

New Money Analysis Results*	4% 2019 Issuance July 2019	5% 2019 Issuance July 2019
Par Amount of Bonds	\$122,030,000	\$112,770,000
True Interest Cost	3.38%	3.61%
Final Maturity	2049	2049
Project Fund Deposit	\$132,639,900	\$132,639,900
Call Feature	7/15/2029	7/15/2029
Maximum Annual Debt Service	\$7,132,050	\$7,337,500
Average Annual Debt Service	\$7,130,177	\$7,335,865
Total Debt Service	\$213,885,493	\$220,055,588

Assumed Debt Service



Yield to Maturity Comparison – Current Market



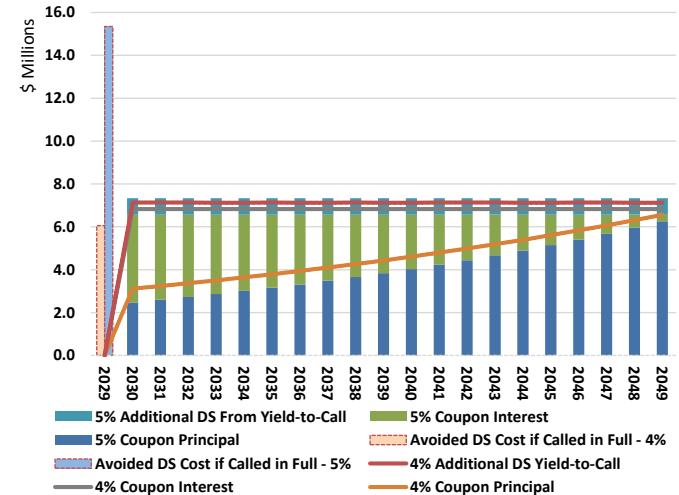
*New Money analyses are preliminary and subject to change. The use of underlying 'A1/A+/A+' (Moody's/S&P/Fitch) ratings is consistent with the current Junior Lien rating of the City's Utility System. Interest rate assumptions are based on current market conditions and similar credits. Actual results may differ, and Stifel makes no commitment to underwrite at these levels. COI and UWD are estimated for discussion purposes.

Structuring Your Debt Portfolio

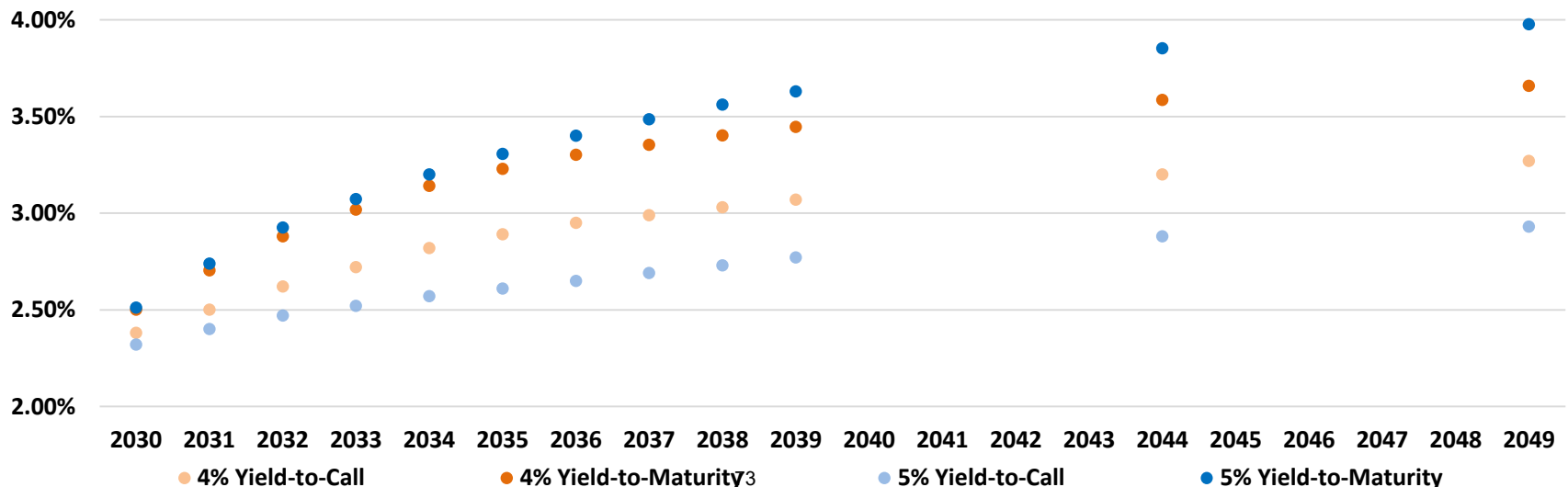
Yield-to-Call Versus Yield-to-Maturity

- **Callable premium coupon bonds are priced to the call date**
 - Results in higher debt service as pricing to call increases yield-to-maturity
- **If called on the first available call date in the future, the issuer achieves the yield-to-call**
 - If called on first call date, lower yield-to-call bonds will have produced a lower true interest cost
 - Conversely, if bonds are paid to maturity the lower yield-to-maturity bonds will have a lower true interest cost

Additional Debt Service from Pricing to Call Date



Current Market Yield-to-Maturity: 5% Versus 4% Couponing



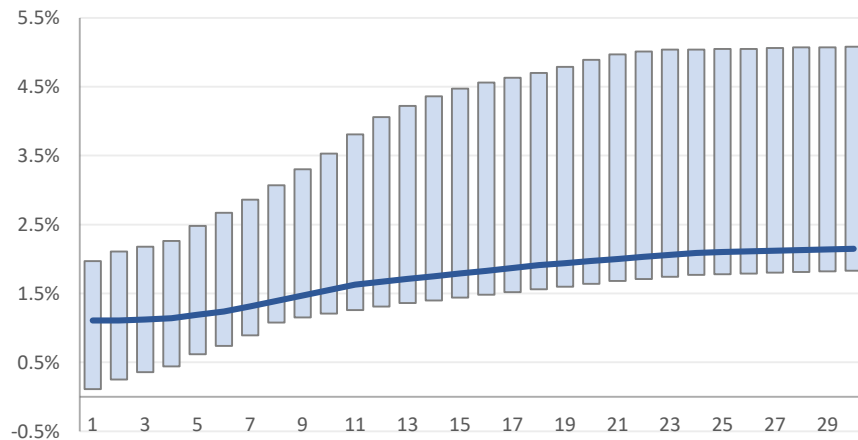
Section II: Market Update

Taxable and Municipal Rates See Repeated Up-Down Movements Since August

10-Year MMD Climbs from Historic August Lows
Comparing 10-Year UST and 10-Year AAA MMD since June 2018



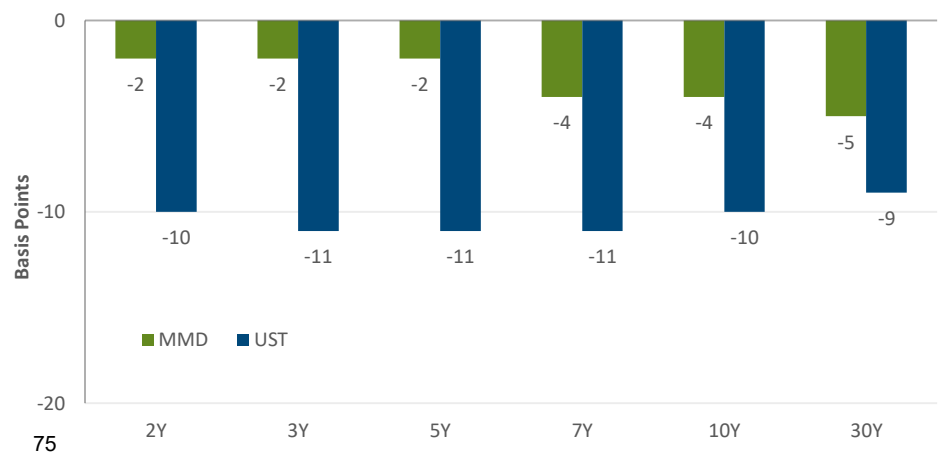
Long-Term Rates Emerge from Bottom Of 10-Year Historic Range
10-Year Historical AAA MMD Range vs. Current AAA MMD



30-Year MMD Yield Climbs from its All-Time Low Record, Previously Set in August
Comparing 30-Year UST and 30-Year AAA MMD since June 2018



Recent MMD and UST Movement
November 7, 2019 to November 14, 2019



Favorable Supply & Demand Dynamic Shifting with Several Weeks of Above Average Supply

• Supply & Demand:

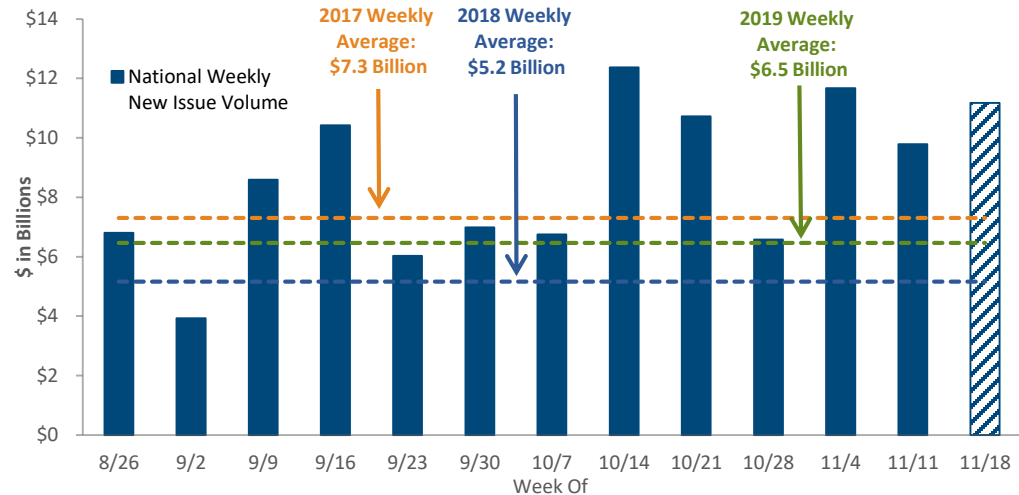
- Supply remains extremely healthy, with November's first two weeks showing above-average issue supply.
 - However, demand for investment-grade municipal bonds has quickly consumed most available supply throughout the previous half-year.
- Current average muni supply remains above the 2018 level.
 - This week's new issue supply is expected to be approximately \$11.77 billion, which is slightly below last week's supply of 9.78 billion.

• Municipal bond funds saw \$1.27 billion of inflows during this past week

- This is up from the previous week's inflows of \$1.10 billion, marking the 6th week in a row that inflows have exceeded \$1 billion. This indicates incredibly strong muni demand.
- Lipper reported its 45th consecutive week of inflows into municipal bond mutual funds, the longest since a 54-week streak that ended in October 2016.
- If trends continue through the end of the year, then 2019's total issuance will surpass that of 2018.

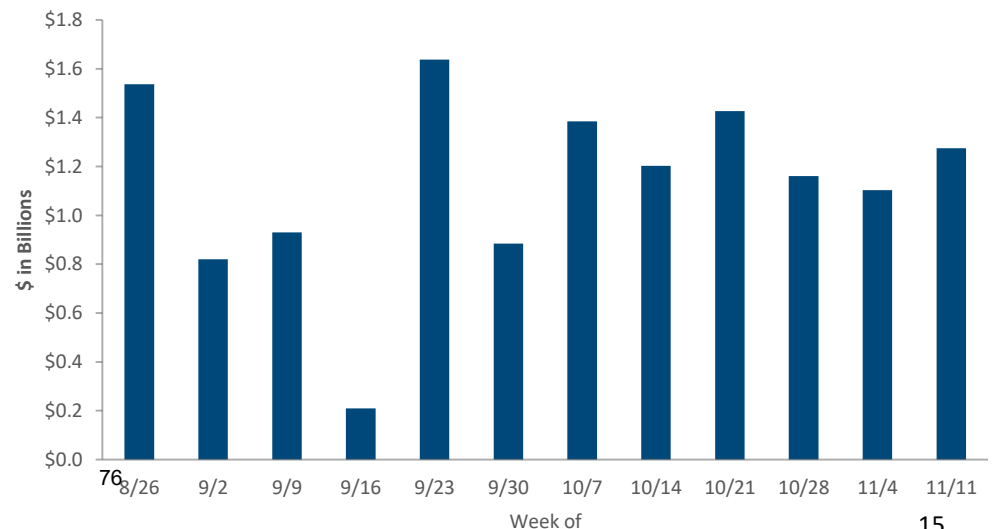
New Issue Supply Remains Strong

Previous 12 Weeks of New Issue Supply and Forecast of Current Week



Tax-Exempt Fund Flows

Recent Weekly Municipal Bond Fund Flows



U.S. Economic Calendar – Key Events and Data Releases

Monday November 18	Tuesday November 19	Wednesday November 20	Thursday November 21	Friday November 22
- Housing Market Index † - Treasury International Capital †	Housing Starts* - Redbook - E-Commerce Retail Sales	- MBA Mortgage Applications EIA Petroleum Status Report* FOMC Minutes*	Jobless Claims* Philadelphia Fed Business Outlook Survey* Existing Home Sales* - Leading Indicators - EIA Natural Gas Report † - Fed Balance Sheet † - Money supply	- PMI Composite FLASH - Consumer Sentiment † - Kansas City Fed Manufacturing Index - Baker-Hughes Rig Count

Economic Data

Monday November 25	Tuesday November 26	Wednesday November 27	Thursday November 28	Friday November 29
- Chicago Fed National Activity Index - Dallas Fed Mfg Survey	International Trade in Goods* - Retail Inventories - Wholesale Inventories - Redbook - S&P Corelogic Case-Shiller HPI † New Home Sales* - Consumer Confidence †	Durable Goods Orders* GDP* Jobless Claims* Personal Income and Outlays* - Pending Home Sales Index † EIA Petroleum Status Report* - EIA Natural Gas Report † - Beige Book †	- Thanksgiving STOCK/BOND MARKET CLOSED	- Chicago PMI † - Fed Balance Sheet † - Money Supply STOCK MARKET EARLY CLOSE (1:00PM ET) BOND MARKET EARLY CLOSE (2:00PM ET)

Legend:

***Market Moving Indicator**

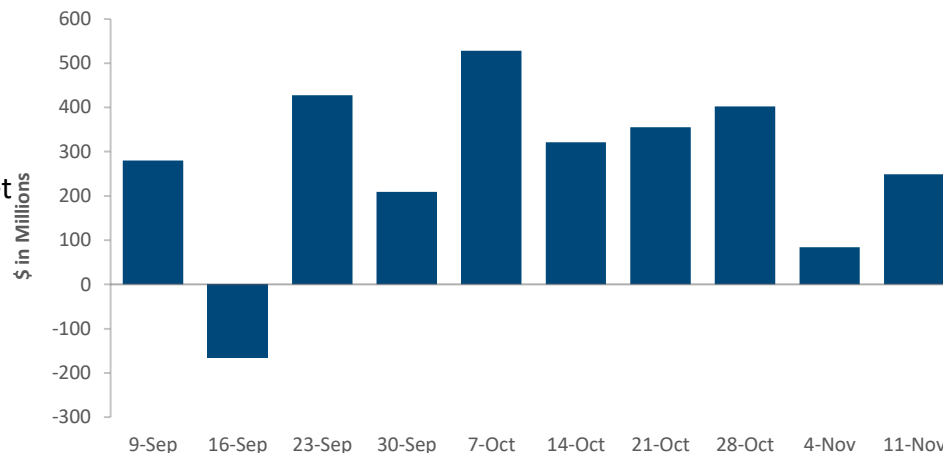
† Merits Extra Attention 16

Tax Exempt High Yield Market

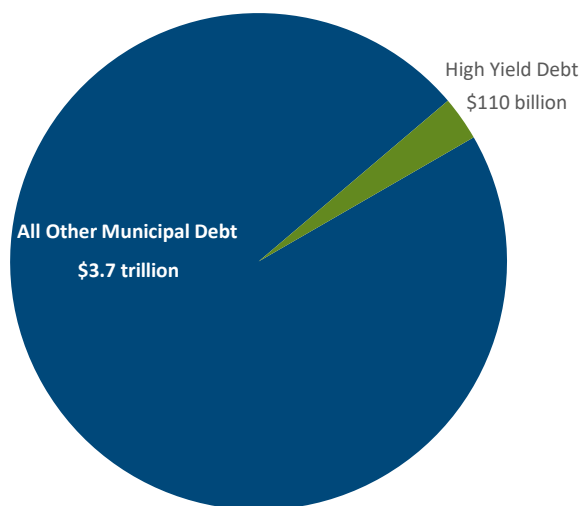
- Inflows into high-yield muni bond funds for 2019 are now higher than the combined sum of 2016, 2017, and 2018
- Investors have flocked to high-yield bonds from volatile equity markets in search of tax shelters and of yield in general
 - The Barclays High Yield Muni Bond Index has returned approximately 9% YTD, outperforming other fixed income asset classes
 - High yield funds saw \$8.38 billion of total inflows in 2017 and \$2.58 billion in 2018; in 2019 YTD high yield funds have seen \$15.99 billion total inflows
 - This past week saw \$249 million of inflows into high yield funds

Recent Weekly High-Yield Fund Flows (Net)

Weeks of September 9, 2019 through November 11, 2019

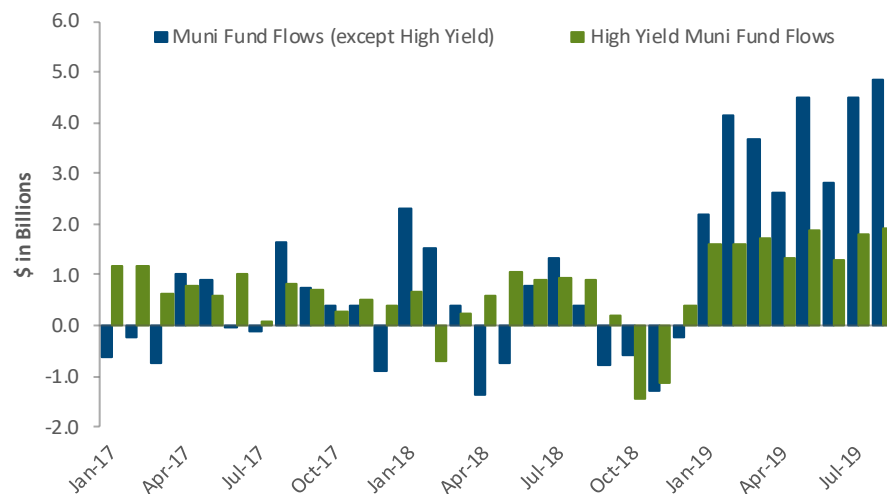


High Yield Debt Outstanding as Proportion of Total Municipal Debt Outstanding



Monthly Fund Flows: High Yield vs. All Other Muni Funds

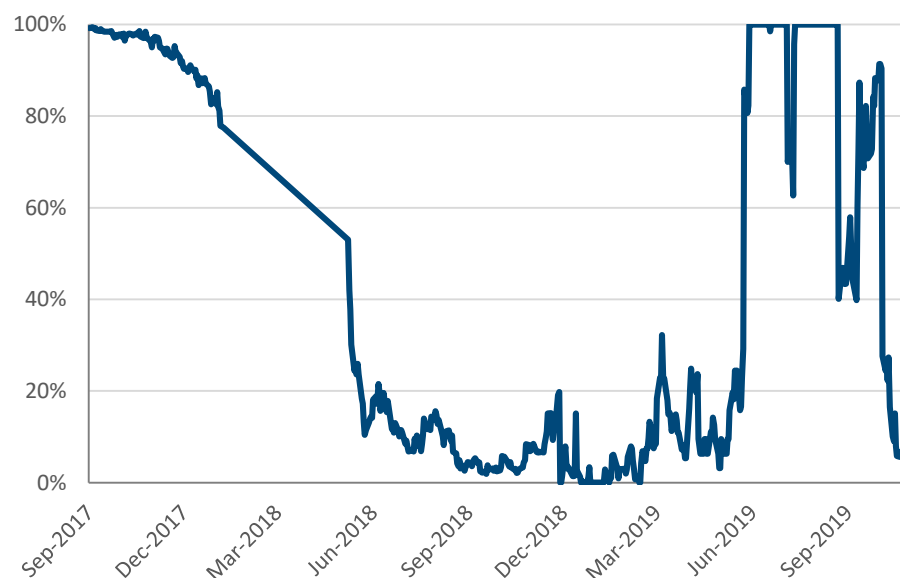
Since January 2017



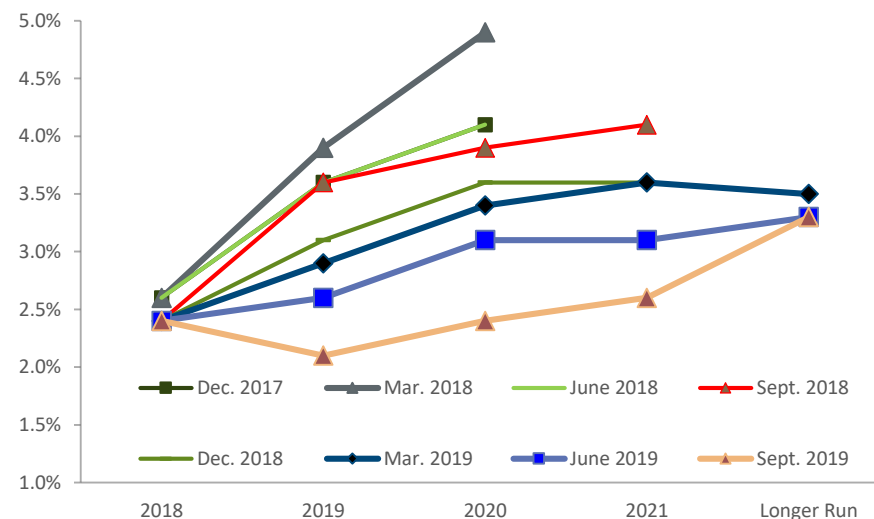
- **The Fed cut rates by 25 basis points in October, as expected**
- The Federal Funds Rate has been reduced to a new target range of between 1.50% - 1.75%
 - Prior to the Fed's decision, the market had already placed a 90% chance of a rate cut into its pricing, but participants were eager to hear the Fed's reasoning
 - In its forward guidance, the Fed dropped its previous commitment to "*act as appropriate*" and said that a "*material reassessment*" of predictions would be needed to justify further action, implying that they hope data allows them to hold rates steady at their next meeting in December
 - The S&P 500, NASDAQ and DJIA all closed at an all-time record last week. Employment remains very strong but data from areas like GDP growth and manufacturing have begun to slow

Market Consensus Yield Curve Projections					
	Current	Q4-19	Q1-20	Q2-20	Q3-20
Fed Funds	1.75%	1.75%	1.65%	1.60%	1.60%
2-Year UST	1.59%	1.57%	1.59%	1.63%	1.65%
10-Year UST	1.82%	1.71%	1.78%	1.86%	1.92%
30-Year UST	2.30%	2.19%	2.21%	2.29%	2.35%

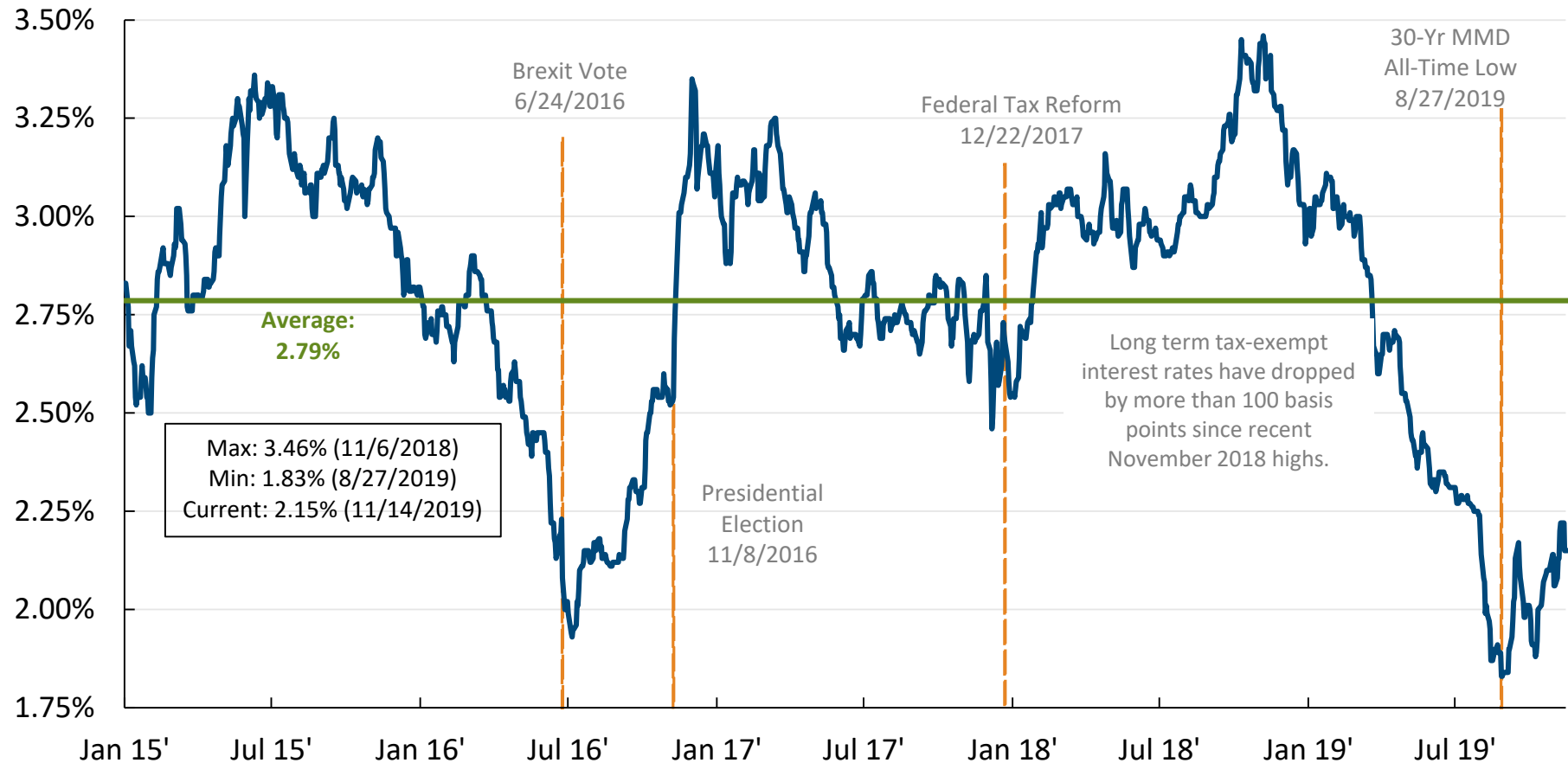
Historical Probability of a Fed Rate Cut (Consensus Projections)



FOMC's Fed Funds Rate Upper Bound Projections from Each Meeting



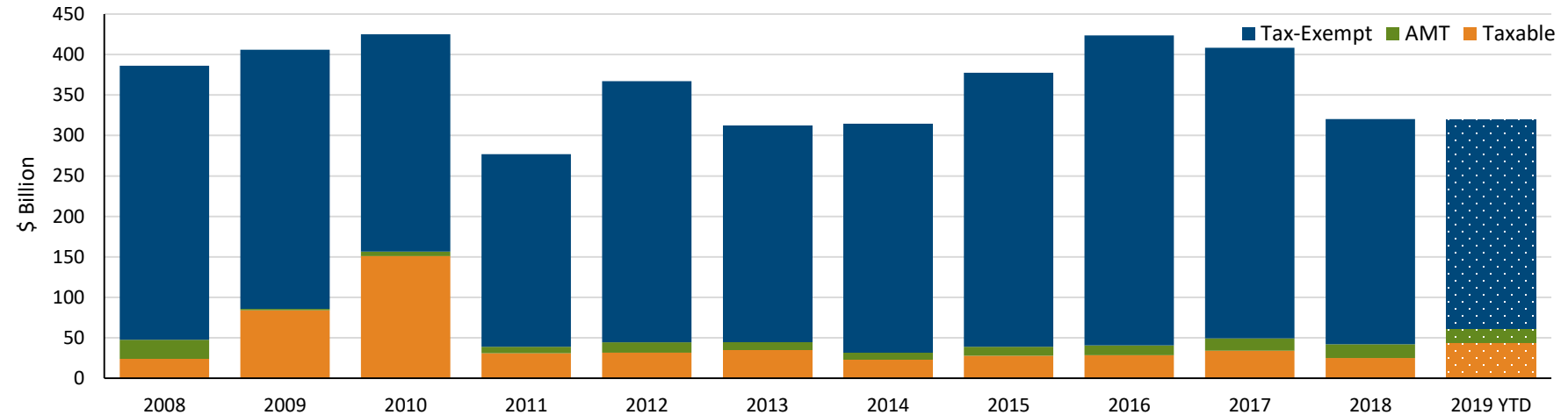
30-Year AAA MMD Since January 1, 2015



Annual Issuance Statistics

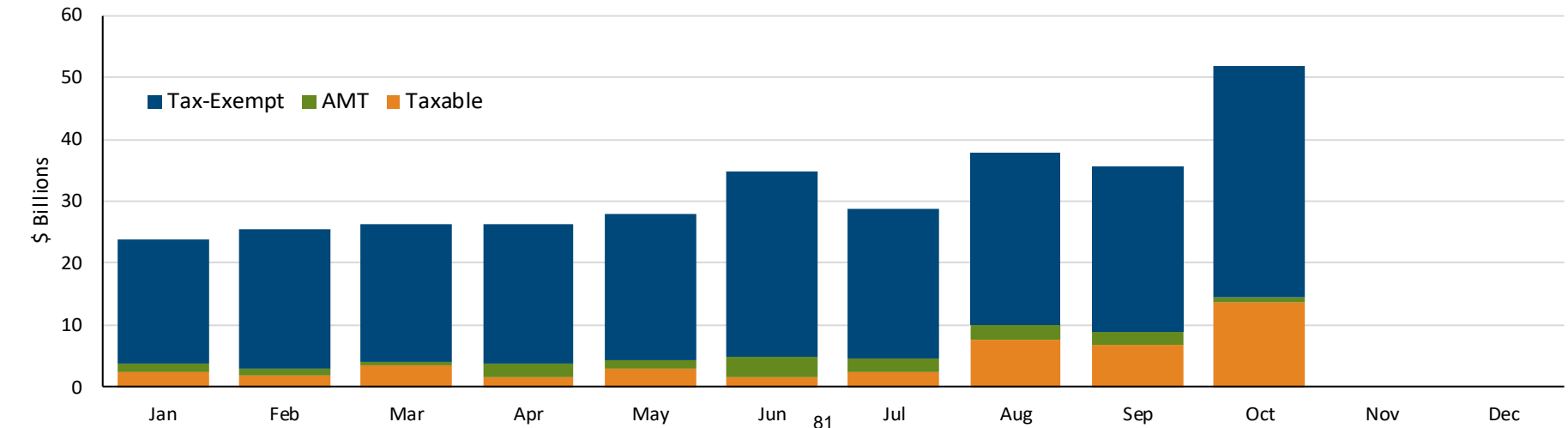
Annual National Municipal Issuance Volume by Tax Status

2019's Issuance, Through October, Nearly Matches 2018's Total Issuance



2019 National Monthly Municipal Issuance Volume by Tax Status

Declining Bond Yields Have Led to a Notable Rise in Recent Taxable Issuance



Fees Comparison

Bonds par amount	U.S. Capital	Stifel
First \$1,000,000	2.00%	2.00%
Next \$1,000,000	1.50%	1.00%
Next \$2,000,000	1.00%	0.75%
Over \$4,000,000	0.50%	0.40%
Minimum fee	\$20,000	\$20,000



CITY COUNCIL AGENDA FORM

Meeting Date: December 16, 2019

Prepared by: Charlene Warren/
Charles Jackson

Agenda item: 5f

Reviewed by: Charlene Warren/
Charles Jackson

Department: Administration

AGENDA ITEM DESCRIPTION: Consider recommendation to approve observed City Holidays for calendar year 2020

☒

ATTACHMENTS FOR REFERENCE

1. Proposed 2020 City Holiday Schedule

STAFF BRIEFING:

- Attached is the proposed holiday schedule for calendar year 2020
- The proposed schedule lists City holidays observed, including the addition of Veteran's Day, as recommended by City Manager

HISTORY: N/A

TARGET IMPLEMENTATION: December 16, 2019

SIGNIFICANT ACTION DATES:

11/11/2019 – City Council ratified Veteran's Day as a 2019 City holiday and discussed its inclusion in future observed City holidays

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other – Observed City Holidays | |
| ☒ 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 approve observed City Holidays for calendar year 2020

FISCAL IMPACT: N/A

Holiday Schedule 2020

New Year's Day	Wednesday, January 1, 2020
Martin Luther King Birthday	Monday, January 20, 2020
Good Friday	Friday, April 10, 2020
Memorial Day	Monday, May 25, 2020
Independence Day	Friday, July 3, 2020
Labor Day	Monday, September 7, 2020
Veteran's Day	Wednesday, November 11, 2020
Thanksgiving	Thursday, November 26, 2020 Friday, November 27, 2020
Christmas Eve	Thursday, December 24, 2020
Christmas Day	Friday, December 25, 2020

Timesheet procedures for regular employees:

When a holiday falls on a 9-hour regular work day, you will only receive **8 hours of holiday credit**. This means that you will need to work a total of **32** regular hours to carry a total of 40 hours for the week of the holiday. As an example, employees that are scheduled to work 9 hours on Monday, you must make up the one hour difference during the week of the holiday as you only receive 8 hours of holiday credit.

The following are **only suggestions** as how to make up the difference. You are not limited to the suggestions below, but you may use them as an example on how to address your employees' schedule during the week of the holiday:

- Work one additional hour during one day of the holiday week or work an extra 30 minutes for 2 days during the week of the holiday
 - Only take a 30 minute lunch for 2 days during the week of the holiday
 - Use 1 hour of vacation.
- Police and Fire employees whose scheduled work day falls on an official holiday will recognize the day of the Holiday.

Timesheet Procedures for Police/Fire Departments - Collective Bargaining & Telecommunicator Personnel:

Follow your departmental internal policies regarding work hours.



CITY COUNCIL AGENDA FORM

Meeting Date: December 16, 2019

Prepared by: Charlene Warren/
Charles Jackson

Agenda item: 5g

Reviewed by: Charlene Warren/
Charles Jackson

Department: Administration

AGENDA ITEM DESCRIPTION: Consider recommendation to approve allocations from the Youth Program Fund to various organizations who meet eligibility requirements as recommended by Councilmember Lane, Coordinator for Youth Projects

☒

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
- At the November 11, 2019 City Council meeting, several organizations were funded
- There are several other programs requesting consideration for funding
- All recipient organizations must meet eligibility requirements prior to receiving allocations

HISTORY: N/A

TARGET IMPLEMENTATION: December 16, 2019

SIGNIFICANT ACTION DATES:

August 5, 2019 - City Council passed on First Reading of Ordinance

August 19, 2019 - City Council passed on Second and Final Reading of Ordinance

September 9, 2019 - City Council appointed Councilmember Lane as the Youth Projects coordinator

October 14, 2019 - City Council tabled the item approving certain organizations to receive allocations

October 21, 2019 - City Council tabled the item approving certain organizations to receive allocations

November 11, 2019 - City Council approved funding requests for several organizations



CITY COUNCIL AGENDA FORM

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.



CITY COUNCIL AGENDA FORM

Meeting Date: December 16, 2019

Prepared by: Amanda Hobby/
Chaise Cary

Agenda item: 5h

Reviewed by: Charlene Warren/
Charles Jackson

Department: Public Works

AGENDA ITEM DESCRIPTION: Consider recommendation to approve the annual purchase of surface water from Gulf Coast Water Authority in the amount of \$1,523,799.89 which includes: Bond A \$8,546.00, Bond B \$36,542.00, Bond D \$245,520.00, and Surface Water \$1,233,191.89

☒

ATTACHMENTS FOR REFERENCE

1. Amendment
2. 2019/2020 Sample Budget
3. GCWA (TMWTP) 2019/2020 Customers Summary of Cost

STAFF BRIEFING:

- The Fourth Amendment was approved 2018/2019 fiscal year, recognizing the establishment of a third delivery site (take point) of purchased water from GCWA
- Current sites are at 5th & Orchid in Texas City, FM 1764 and MOTCO Trust Fund Property
- Annual rate increase of 4.88% for 2019/2020 fiscal year
- Finance Director has reviewed

HISTORY:

- **2018/2019** fiscal year, the City paid \$1,452,893.80 for surface water
- **June 2018** - City disconnected water utility services to MOTCO
- **July 2018** - MOTCO and GCWA developed a plan for relocation of service line which necessitated this action

TARGET IMPLEMENTATION: December 16, 2019

SIGNIFICANT ACTION DATES: N/A



CITY COUNCIL AGENDA FORM

ACTION:

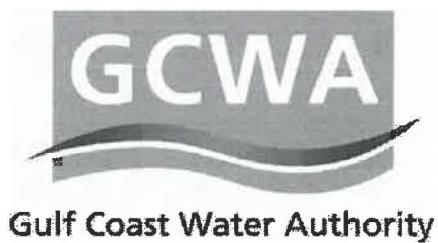
- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:

Budgeted	\$1,523,799.89
Actual Bid	\$1,523,799.89
Estimated Expenditure	\$1,523,799.89
Acct. Name(s)	Purchased Water
Line Items #	02-6011-24-00 43-4301-00-00 43-4302-00-00
Other Funding	N/A

STAFF'S RECOMMENDATION: Motion to authorize the annual purchase of surface water from Gulf Coast Water Authority in the amount of \$1,523,799.89 which includes: Bond A \$8,546.00, Bond B \$36,542.00, Bond D \$245,520.00 and Surface Water \$1,233,191.89 for a combined total of \$1,523,799.89

FISCAL IMPACT: Annual Expense



City of LaMarque

SAMPLE 2019-2020 BUDGET

	2019-2020				2018-2019
	Quantity (KG/Day)	Rate (\$/KG)	Monthly Avg. (\$)	Annual (\$)	Annual (\$)
BOND PAYMENT 2011 A			712.17	8,546.00	8,658.00
BOND PAYMENT 2011 B			3,045.17	36,542.00	37,925.00
BOND PAYMENT 2011 D			20,460.00	245,520.00	245,751.00
TMWTP RAW WATER	1,980	0.32384	19,503.43	234,041.10	229,615.55
TMWTP CAPITAL	1,980	0.17834	10,740.58	128,886.97	127,763.78
TMWTP M&O	1,800	0.71025	38,885.96	466,631.46	425,113.14
TMWTP DISTRIBUTION NORTH LINE			2,147.42	25,769.00	25,221.00
SP RAW WATER	800	0.32384	7,880.17	94,562.06	92,773.96
SP CAPITAL	800	0.17834	4,339.63	52,075.54	51,621.73
SP M&O	800	0.71025	17,282.65	207,391.76	175,046.59
DISTRIBUTION LA MARQUE			541.67	6,500.00	6,500.00
SP DISTRIBUTION SOUTH LINE			1,444.50	17,334.00	26,904.05
TOTAL			126,983.32	1,523,799.89	1,452,893.80
Annual Increase(Decrease)				4.88%	70,906.09

GULF COAST WATER AUTHORITY
 THOMAS MACKEY WATER TREATMENT PLANT (TMWTP) CUSTOMERS
 SUMMARY OF COST
 2019-20

	<u>FUND 06</u> <u>COST OF</u> <u>WATER</u>	* DISTRIBUTION	BONDS	FUND 04 LEAGUE CITY	FUND 12 GALVESTON	Total	18-19	% Change
CUSTOMER CONTRACTS								
TEXAS CITY	3,806,852.05	61,484.05	638,837.44	0.00	0.00	4,507,173.55	4,331,764.84	4.05%
LA MARQUE	1,183,588.89	49,603.36	290,608.23	0.00	0.00	1,523,800.47	1,452,894.60	4.88%
WCID #1	1,338,425.67	90,357.84	12,454.64	0.00	0.00	1,441,238.15	1,414,242.63	1.91%
BACLIFF	376,518.89	25,820.83	0.00	0.00	0.00	402,339.72	393,021.81	2.37%
BAYVIEW	100,931.80	8,418.89	0.00	0.00	0.00	109,350.70	108,335.45	0.94%
WCID #12	375,842.67	107,091.20	120,882.11	0.00	0.00	603,815.98	595,416.80	1.41%
SAN LEON	495,690.95	38,731.25	0.00	0.00	0.00	534,422.21	522,889.98	2.21%
LEAGUE CITY	855,167.13	55,123.47	325,092.94	2,777,068.58	0.00	4,012,452.11	4,413,452.38	-9.09%
GALVESTON	6,893,470.57	454,811.92	3,218,490.74	0.00	740,280.00	11,307,053.23	11,641,453.29	-2.87%
HITCHCOCK	482,337.26	32,502.04	131,717.04	0.00	0.00	646,556.35	657,944.20	-1.73%
WCID #8	332,359.83	21,668.03	87,811.36	0.00	0.00	441,839.22	442,797.25	-0.22%
MUD #12	147,293.58	9,750.61	39,515.11	0.00	0.00	196,559.30	193,632.27	1.51%
FWSD #6	123,019.66	7,800.49	31,612.09	0.00	0.00	162,432.24	163,658.14	-0.75%
TOTAL	16,511,498.95	963,164.00	4,897,021.69	2,777,068.58	740,280.00	25,889,033.22	26,331,503.66	-1.68%

RESOLUTION NO. 2014-005

**FOURTH AMENDMENT
TO MAINLAND WATER PROJECT CUSTOMER CONTRACT**

This Fourth Amendment to Mainland Water Project Customer Contract (this "Amendment") between the **GULF COAST WATER AUTHORITY** (the "Authority") and **THE CITY OF LA MARQUE, TEXAS** (the "Purchaser") is entered into effective as of the 1st day of May, 2014, and amends that certain Mainland Water Project Customer Contract, dated as of August 7, 1981, as amended on September 14, 1981, June 22, 1998 and June 16, 2011 (collectively, the "Original Agreement") between the Authority and the Purchaser.

WITNESSETH:

WHEREAS, Authority previously entered into substantially similar contracts (with the amendments thereto, the "Mainland Project Contracts") with customers located on the mainland in Galveston County for the purpose of allowing the Authority to acquire, construct and operate a water treatment plant and related water supply system in order to provide potable water to certain municipalities and others in Galveston County, Texas (the "Mainland Project Customers"); and

WHEREAS, the Mainland Project Contracts provided for the financing and operation and maintenance for the system known and referred to as the "Mainland Project" or the "Mainland Division;" and

WHEREAS, certain customers (the "South Project Customers") requested, and the Authority agreed to expand and extend the Mainland Division by: (i) the construction and equipment of an expansion to the capacity of the Thomas Mackey water treatment plant and the extension of certain distribution facilities serving the South Project Customers, and (ii) various related distribution facilities serving individual South Project Customers in order to enable the Authority to produce and provide potable water to the South Project Customers in an integrated manner with the Mainland Division Customers served by the Mainland Division (the Mainland Project Customers and the South Project Customers are hereinafter referred to collectively as the "Customers"); and

WHEREAS, such expansion and extension of the Mainland Division was and is known as the "South Project" and the South Project Customers (including certain Mainland Project Customers who also needed additional water) that purchased potable water from the Mainland Thomas Mackey water treatment plant as a result of the expansions entered into contracts (with the amendments thereto, the "South Project Contracts") with the Authority that were substantially similar to the Mainland Project Contracts (the South Project Contracts and the Mainland Project Contracts, being collectively referred to herein as the "Projects Contracts"); and

WHEREAS, the potable water supplied by the Mainland Division to the Customers under the Projects Contracts is supplied by means of the Authority's Industrial Division, which supplies raw water to the Mainland Division, and under the terms of the Projects Contracts the Customers must comply with certain provisions of the Industrial Division Customer Contract (as

defined in the Projects Contracts), including an obligation to make the Industrial Division Payments (as defined in the Projects Contracts); and

WHEREAS, the Authority has identified the need to make certain capital improvements to the Texas City Reservoir and the Industrial Pump Station, which are water supply facilities in the Industrial Division, in order to facilitate the supply of raw water to the Industrial Division and the Mainland Division; and

WHEREAS, in connection with making provision for the financing of such improvements, the Authority and the Industrial Division Customers have entered or will enter into an amended and restated Industrial Division Customer Contract in order to simplify and modernize the provisions of the Industrial Division Customer Contract and provide for the equitable allocation of the costs of facilities improvements among those customers of the Industrial Division and the Mainland Division that benefit from such facilities improvements; and

WHEREAS, in order to facilitate the issuance of bonds for the financing of such improvements the Authority has provided the Customers with copies of a form of the amended and restated Industrial Division Customer Contract and wishes to obtain the consent of the Customers to the issuance of the bonds contemplated in the amended and restated Industrial Division Customer Contract and to extend the term of the Original Agreement to run concurrently with the amended and restated Industrial Division Customer Contract; and

WHEREAS, state law requires that this Amendment also incorporate provisions related to water conservation;

NOW THEREFORE, BE IT RESOLVED THAT for good and valuable consideration including the premises, the parties agree that the Original Agreement shall be amended as follows:

ARTICLE I.

DEFINITIONS

Section 1.1. Definitions. Unless otherwise defined herein, capitalized terms shall have the meaning given in the Original Agreement. The terms defined in the Recitals to this Amendment are incorporated herein for all purposes.

ARTICLE II.

AMENDMENTS

Section 2.1. Amendment to Section 1.1 of the Original Agreement. Section 1.1 of the Original Agreement is hereby amended by amending and restating the definitions of the terms "Industrial Division" and "Industrial Division Customer Contracts," which shall read as follows:

"Industrial Division" shall mean the Industrial Pump Station and Raw Water Transmission System (as defined in the Industrial Division Customer

Contracts) and the Texas City Reservoir and Raw Water Conveyance System (as defined in the Industrial Division Customer Contracts), including the reservoir and water distribution system (and the lands and rights of way on which the same are situated) used in supplying water to industrial customers having plants in the Texas City industrial area and other physical properties acquired by Seller from Industrial Water Company, under that certain "GCWA Agreement" dated June 1, 1971, between Industrial Water Company and Galveston County Water Authority of Galveston County, Texas, together with all additions to, replacements in, and expansions and extensions of said facilities and physical properties heretofore or hereafter made or acquired by the Authority, all exclusive, however, of any physical properties which are located outside of Galveston County, Texas, or which are used exclusively for other than industrial water purposes, or which constitute Special Project Facilities (as defined in the Industrial Division Customer Contracts), or which are part of the Canal System (as defined in the Industrial Division Customer Contracts).

"Industrial Division Customer Contracts" shall mean those contracts providing for the sale of water for industrial purposes to the customers in the Industrial Division from time to time.

Section 2.2. Amendment to Section 5.3(c)(1)(A) of the Original Agreement. Section 5.3(c)(1)(A) of the Original Agreement is hereby amended and restated to read as follows:

(A) For the Water Plant, Operating Charges shall be allocated among all Customers based upon their respective Contract Quantities then in effect; provided, however, that the Board of Directors of the Authority shall adopt a revised cost allocation mechanism for Operating Charges for the Water Plant designed to incentivize water conservation prior to the adoption of its 2014-2015 budget. Upon adoption by the Board of Directors of the Authority, the parties agree that such cost allocation mechanism, as amended from time to time, shall govern the allocation of Operating Charges for the Water Plant under this Agreement.

Section 2.3. Amendment to Section 5.6 of the Original Agreement. Section 5.6 of the Original Agreement is amended to add the following language following the last sentence of the existing text of Section 5.6:

Nothing in this Section, however, shall be construed as preventing the Purchaser, in its sole discretion from making any payment due to the Authority from sources other than revenues and income of the Purchaser's water supply system. During the term of this Agreement, so long as the Authority has potable water available from the Water Plant to supply purchaser in amounts sufficient to meet Purchaser's needs, Purchaser shall not obtain potable water from a source other than the authority except (i) from facilities owned by the Purchaser or contracted for on the date hereof, (ii) from groundwater sources now or hereafter available to the Purchaser, (iii) as may otherwise be permitted by this Agreement, or (iv) with the consent of the Authority.

Section 2.4. Amendment adding Section 10.5 to the Original Agreement. The Original Agreement is hereby amended by the adding Section 10.5 to read as follows:

Section 10.5. Conservation of Water. It is the intent of the parties to this Agreement to provide to the maximum extent practicable for the conservation of water, and Purchaser agrees that it is a condition of this Agreement that it shall reasonably maintain and operate its facilities in a manner that will promote beneficial use, and prevent unnecessary waste, of water. The Authority, in accordance with applicable law or regulation, may from time to time adopt reasonable rules and regulations relating to water conservation and drought management for water supplied by the Authority to Purchaser and other customers of the Authority. Purchaser shall adopt and implement a water conservation and drought contingency plan, as required by applicable law, which may be reviewed by the Authority. If required by applicable law or regulation Purchaser agrees that, in the event Purchaser furnishes water or water services to a third party that in turn will furnish the water or provide water services to the ultimate consumer, the requirements relative to water conservation shall be met through contractual agreements between Purchaser and the third party providing for the establishment and implementation of a water conservation and drought contingency plan in compliance with such applicable law or regulation.

Section 2.5. Amendment to Section 12.1. Section 12.1 of the Original Agreement shall be amended and restated to read as follows:

Section 12.1. Term. This Agreement shall remain in force and effect to and including December 31, 2027, and thereafter until payments in full of the principal, premium, if any and interest on all Mainland Project Bonds and all related fees to be paid under any bond resolution or indenture securing the same.

ARTICLE III.

GENERAL

Section 3.1. Amended and Restated Industrial Division Customer Contract: Consent to the Issuance of Seller's Revenue Bonds.

(a) Purchaser recognizes that the potable water supplied by the Mainland Project to Purchaser under the Mainland Projects Contract is supplied by means of the Authority's Industrial Division, which supplies raw water to the Mainland Division. Purchaser is obligated to comply with certain provisions of the Industrial Division Customer Contract, including the absolute and unconditional obligation to make the payments specified in Article 6 of the Industrial Division Customer Contract, which are designated as Industrial Division Payments and Raw Water Charges in the Original Agreement, pursuant to Article 5 of the Original Agreement. Purchaser hereby acknowledges and agrees that it familiar with the terms and provisions of the Industrial Division Customer Contract, a current form of which is attached hereto as Exhibit A.

(b) Purchaser hereby consents to the issuance of Seller's Revenue Bonds, as such term is defined in the Industrial Division Customer Contract. Purchaser hereby agrees to furnish

the Authority with such financial information, data, projections and related information as may be reasonably required by the Authority in connection with the sale of the Seller's Revenue Bonds in order to comply with all applicable laws, rules and regulations, including the approval of Seller's Revenue Bonds by the Attorney General of the State of Texas. Following the issuance of a series of Seller's Revenue Bonds, the Authority shall furnish the Purchaser with a maturity schedule showing the annual Industrial Division Payments associated with such Seller's Revenue Bonds estimated to be required to pay the principal of and the interest on the Seller's Revenue Bonds when and as the same shall become due and payable (including any sinking fund payments to be made in respect the Seller's Revenue Bonds).

Section 3.2. Original Agreement Remains in Effect. The Original Agreement shall remain in full force and effect as amended and supplemented by this Amendment, and is hereby ratified and approved. To the extent of a conflict between this Amendment and the Original Agreement, this Amendment shall prevail.

Section 3.3. Governing Law. This Amendment shall be governed by and construed in accordance with the laws of the State of Texas.

Section 3.4. Severability. If any provision of this Amendment shall be invalid or unenforceable, the validity and enforceability of the remaining provisions hereof shall not in any way be affected or impaired.

Section 3.5. Counterparts. This Amendment may be signed in multiple counterparts, each of which when so executed shall be deemed an original, but all of which when taken together shall constitute one and the same instrument.

[Execution Page to Follow]

EXECUTED in multiple counterparts, each of which shall be deemed to be an original.

CITY OF LA MARQUE, TEXAS

By: Bobby Hocking
Bobby Hocking, Mayor

APPROVED AS TO FORM:

By: Ellis J. Ortega
Ellis J. Ortega, City Attorney

ATTEST:

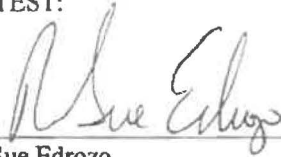
By: Robin Eldridge
Robin Eldridge, City Clerk

GULF COAST WATER AUTHORITY



James McWhorter
President

ATTEST:



R. Sue Edrozo
Secretary-Treasurer



#4465560.3

Fourth Amendment to La Marque
Mainland Water Project Customer Contract
2013

Exhibit A

Form of Amended and Restated Industrial Division Customer Contract

#4465560.3

A-1
202



CITY COUNCIL AGENDA FORM

Meeting Date: December 16, 2019
Prepared by: Chaise Cary

Agenda item: 5i
Reviewed by: Charlene Warren/
Charles Jackson

Department: Public Works

AGENDA ITEM DESCRIPTION: Consider recommendation to ratify City Manager's approval of LNV, Inc. Task Order No. 1 to survey the City of La Marque Cemetery located at 1709 South Oak Street

☒

ATTACHMENTS FOR REFERENCE

1. Task Order No. 1
2. Standard rate schedule 2019

STAFF BRIEFING:

- The City of La Marque cemetery has never been surveyed properly
- Maps and records have been passed between the Church and the City for decades
- There are multiple unidentified graves
- The survey will include the perimeter, marking the existing 4' X 10' spaces, as well as the open spaces
- Each "open" space will be verified with a sounding rod, which the deed will be sold in the future

HISTORY:

- The cemetery dates back to the 1900 Storm, a hurricane that killed thousands in the Galveston County area
- With the church destroyed, the land was utilized to bury the deceased

TARGET IMPLEMENTATION: December 16, 2019

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other - Holiday Schedule | |
| ☒ 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 ratify City Manager's approval of LNV, Inc. Task Order No. 1 to survey the City of La Marque Cemetery located at 1709 South Oak Street

FISCAL IMPACT: Depending on hours

Engineering/Architectural Professional Consulting Services

TASK ORDER NO. 1

For Survey of Cemetery of La Marque

City of La Marque, Texas

AND

LVN, Inc.

This Task Order is issued by the OWNER and accepted by the ENGINEER pursuant to the mutual promises, covenants and conditions contained in the Agreement between the above named parties dated the 21st day of October, 2019, in connection with City of La Marque, Texas, (OWNER) General Engineering Program.

PURPOSE

The purpose of this Task Order is to set forth the requirements, schedule, and payment associated with the ENGINEER's tasks in accordance with the Agreement between OWNER and ENGINEER.

ENGINEER'S SERVICES

General: ENGINEER's services to be provided under this Task Order include Basic and Additional Services outlined below:

Basic Services:

- Surveying
 1. Perform a boundary survey of the Cemetery of La Marque. Locate and mark plot corners as directed by City staff.

TIME OF PERFORMANCE

Time is of the essence. All work in this Task Order shall be completed by the ENGINEER on or before the dates indicated in the following table.

Task	Completion Date
BASIC	April, 2020
ADDITIONAL	N/A
SPECIAL	N/A

PAYMENT

Payment to ENGINEER will be made in accordance with the following:

Payment for Basic Services: OWNER will pay ENGINEER an hourly fee for providing all "Basic Services" authorized, in accordance with the following attached Schedule of Hourly Charges. ENGINEER invoicing shall comply with the provisions of the Agreement between OWNER and ENGINEER. The Basic Services shall be itemized in sufficient detail by line-item, category, services to be performed and cost. OWNER reserves the right to pay ENGINEER a fixed fee for Basic Services at OWNER'S discretion.

Fee for Additional Services: Fees for Additional Services shown in the following table are an **allowance** for potential services to be provided as part of the project, and are subject to modification by the OWNER based on the actual needs of the project. Work will not begin on any Additional Services until requested in writing by the ENGINEER, and until written authorization to proceed with the additional services is provided by the OWNER. Additional Services shall be itemized in sufficient detail by line-item, category, services to be performed and cost. OWNER reserves the right to pay ENGINEER a fixed fee for Additional Services at OWNER'S discretion.

FEE BREAKDOWN FOR SERVICES BY ENGINEER	
	FEE
BASIC SERVICES	
Surveying	Hourly
SUBTOTAL BASIC SERVICES:	Hourly
ADDITIONAL SERVICES	
N/A	N/A
SUBTOTAL ADDITIONAL SERVICES:	
TOTAL FEE:	Hourly

EFFECTIVE DATE

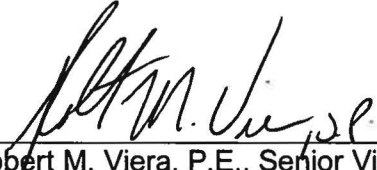
This Task Order No. 1 is effective as of the _____ day of _____, 2019.

IN WITNESS WHEREOF, duly authorized representatives of the OWNER and of the ENGINEER have executed this Task Order No. 1 evidencing its issuance by OWNER and acceptance by ENGINEER.

City of La Marque, Texas

LVN, Inc.

By: _____
 Bobby Hocking, Mayor
 City of La Marque
 1111 Bayou Road
 La Marque, Texas 77568

By:  _____
 Robert M. Viera, P.E., Senior Vice President
 LVN, Inc.
 801 Navigation, Suite 300
 Corpus Christi, Texas 78408



SCHEDULE OF HOURLY CHARGES
BY
PERSONNEL CLASSIFICATION
EFFECTIVE January 1, 2019

The per diem and miscellaneous expense charges for Engineering, Architecture, Drafting, Surveying, and Planning Services are based on the following hourly rates:

Engineering, Planning:

Principal	\$265.00/hr.
Senior Project Manager III	\$240.00/hr.
Senior Project Manager II	\$230.00/hr.
Senior Project Manager I	\$225.00/hr.
Project Manager III	\$210.00/hr.
Project Manager II	\$205.00/hr.
Project Manager I	\$200.00/hr.
Senior Engineer II	\$200.00/hr.
Senior Engineer I	\$195.00/hr.
Project Engineer IV	\$190.00/hr.
Project Engineer III	\$180.00/hr.
Project Engineer II	\$170.00/hr.
Project Engineer I	\$160.00/hr.
Project Architect III	\$190.00/hr.
Project Architect II	\$175.00/hr.
Project Architect I	\$160.00/hr.
Engineer V	\$155.00/hr.
Engineer IV	\$145.00/hr.
Engineer III	\$135.00/hr.
Engineer II	\$120.00/hr.
Engineer I	\$110.00/hr.
Senior Designer III.....	\$160.00/hr.
Senior Designer II	\$150.00/hr.
Senior Designer I	\$140.00/hr.
Designer III	\$125.00/hr.
Designer II	\$120.00/hr.
Designer I	\$110.00/hr.
Senior CADD Technician III	\$115.00/hr.
Senior CADD Technician II.....	\$110.00/hr.
Senior CADD Technician I.....	\$105.00/hr.
CADD Technician IV	\$100.00/hr.
CADD Technician III	\$ 95.00/hr.
CADD Technician II	\$ 90.00/hr.



CADD Technician I	\$ 85.00/hr.
Professional Geoscientist.....	\$140.00/hr.
Safety/ Environmental Technician II	\$110.00/hr.
Safety/ Environmental Technician I	\$100.00/hr.
Environmental Scientist.....	\$125.00/hr.
Construction Observer IV	\$145.00/hr.
Construction Observer III	\$125.00/hr.
Construction Observer II	\$115.00/hr.
Construction Observer I	\$105.00/hr.
Clerical III	\$ 95.00/hr.
Clerical II	\$ 85.00/hr.
Clerical I	\$ 70.00/hr.

Survey :

Professional Surveyor II	\$210.00/hr.
Professional Surveyor I	\$185.00/hr.
Field Crew (2-Man)	\$190.00/hr.

Reproduction work - Prevailing commercial rates; Mileage - current IRS rate per mile; Per diem – current IRS rate;
Subcontractors, Consultants, etc. - Cost plus 10%; All other expenses - Cost plus 10%

Charges are due and payable within twenty (20) days after receipt of the invoice. Late payment may be charged an interest rate of 1.5% per month of the unpaid balance.



CITY COUNCIL AGENDA FORM

Meeting Date: December 16, 2019
Prepared by: Chaise Cary

Agenda item: 5j
Reviewed by: Charlene Warren
Charles Jackson

Department: Public Works

AGENDA ITEM DESCRIPTION: Consider recommendation to approve LNV, Inc. Task Order No. 2 for engineering services to rehabilitate the headworks and lift station pump improvements at the wastewater treatment plant as part of the Wastewater Treatment Plan expansion project

☒

ATTACHMENTS FOR REFERENCE

1. Task Order No. 2 - Headworks Lift Station Pump Improvements
2. Opinion of Probable Cost for Headworks - Lift Station Pump Improvements

STAFF BRIEFING:

- At the Headworks, the lift station pumps are at 20% capacity
- Two (2) of the five (5) pumps are operational; two (2) bypass pumps are plumbed into the wet well discharge pipes to keep up with peak flow hours
- The Headworks submersible pumps are as old as the Wastewater Treatment Facility and are located at the bottom of the wet well.
- As the wastewater levels rise, the float device triggers the submersible pumps
- Submersible pumps are difficult to maintain due to difficulty of accessibility
- The Headworks are one of the most critical aspects of the entire wastewater operation
- If the Headworks pumps are not operational, the entire sanitary system will begin to be charged and cause sanitary backups throughout the city
- The new design will include four (4) self-priming pumps that will be located at the top of the Headworks, not at the bottom of the wet well
- They will have a natural gas feed, in case of an emergency power outage
- Finance Director has reviewed

TARGET IMPLEMENTATION: April 2020



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other - Task Order No. 2 | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:

Budgeted	
Actual Bid	
Estimated Expenditure	\$1,077,000.00
Acct. Name(s)	
Line Item #	02-7112-24-00-HDWRKS
Other Funding	

STAFF'S RECOMMENDATION: Motion to approve LNV, Inc. Task Order No. 2 for engineering services to rehabilitate the headworks and lift station pump improvements at the wastewater treatment plant as part of the Wastewater Treatment Plan expansion project

FISCAL IMPACT: \$1,077,000.00

Engineering/Architectural Professional Consulting Services

TASK ORDER NO. 2

For Headworks – Lift Station Pump Improvements

City of La Marque, Texas

AND

LNV, Inc.

This Task Order is issued by the OWNER and accepted by the ENGINEER pursuant to the mutual promises, covenants and conditions contained in the Agreement between the above named parties dated the 21st day of October, 2019, in connection with City of La Marque, Texas, (OWNER) General Engineering Program.

PURPOSE

The purpose of this Task Order is to set forth the requirements, schedule, and payment associated with the ENGINEER's tasks in accordance with the Agreement between OWNER and ENGINEER.

ENGINEER'S SERVICES

General: ENGINEER's services to be provided under this Task Order include Basic and Additional Services outlined below:

Basic Services:

- **Design**
 1. Coordinate and attend meetings with the Client.
 2. Prepare opinion of probable cost.
 3. Coordinate any subsurface explorations.
 4. Prepare a set of drawings and specifications sealed by a Texas Registered Professional Engineer/Architect.
 5. Prepare bid packet, contract documents and advertisement for bids.
- **Bidding**
 1. Assist in bidding of the project. (Client to pay advertising cost)
 2. Conduct pre-bid meeting.
 3. Conduct bid opening.
 4. Review bids and provide recommendation of award.
- **Construction Administration**
 1. Conduct pre-construction conference.
 2. Issue Notice to Proceed to construction contractor.
 3. Prepare change orders, if required.

4. Review shop and working drawings furnished by the contractor.
5. Review contractor's application for payment and make recommendation of payment.
6. Prepare certificate of construction completion.
7. Revise contract drawings and furnish client with a set of "record drawing" plans.

Additional Services

- Construction Observation
 1. Provide detailed site visits to observe the progress and quality of the work, and to determine in general if the work is proceeding in accordance to the plans and specifications.
 2. Prepare inspection reports based on the findings per the individual site visits.
- TCEQ Permitting
 1. Obtain all necessary permit(s) and/or approvals from TCEQ.

TIME OF PERFORMANCE

Time is of the essence. All work in this Task Order shall be completed by the ENGINEER on or before the dates indicated in the following table.

Task	Completion Date
BASIC	April, 2020
ADDITIONAL	December, 2020
SPECIAL	N/A

PAYMENT

Payment to ENGINEER will be made in accordance with the following:

Payment for Basic Services: OWNER will pay ENGINEER a fee for providing for all "Basic Services" authorized, in accordance with the following table. The fees for Basic Services will not exceed those identified in the table below and will be full and total compensation for all services outlined in this Task Order under "Basic Services." ENGINEER invoicing shall comply with the provisions of the Agreement between OWNER and ENGINEER. The Basic Services shall be itemized in sufficient detail by line-item, category, services to be performed and cost. OWNER reserves the right to pay ENGINEER a fixed fee for Basic Services at OWNER'S discretion.

Fee for Additional Services: Fees for Additional Services shown in the following table are an **allowance** for potential services to be provided as part of the project, and are subject to modification by the OWNER based on the actual needs of the project. Work will not begin on any Additional Services until requested in writing by the ENGINEER, and until written authorization to proceed with the additional services is provided by the OWNER. Additional Services shall be itemized in sufficient detail by line-item, category, services to be performed and cost. OWNER reserves the right to pay ENGINEER a fixed fee for Additional Services at OWNER'S discretion.

FEE BREAKDOWN FOR SERVICES BY ENGINEER	
	FEE
BASIC SERVICES	
Design and Contract Administration	\$88,000.00
Bidding	\$5,000.00
Construction Administration	\$20,000.00
SUBTOTAL BASIC SERVICES:	\$113,000.00
ADDITIONAL SERVICES	
Construction Observation	\$15,000.00
TCEQ Permitting	\$2,000.00
SUBTOTAL ADDITIONAL SERVICES:	\$17,000.00
TOTAL FEE:	\$130,000.00

EFFECTIVE DATE

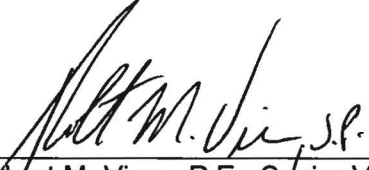
This Task Order No. 2 is effective as of the _____ day of _____, 2019.

IN WITNESS WHEREOF, duly authorized representatives of the OWNER and of the ENGINEER have executed this Task Order No. 2 evidencing its issuance by OWNER and acceptance by ENGINEER.

City of La Marque, Texas

LVN, Inc.

By: _____
 Bobby Hocking, Mayor
 City of La Marque
 1111 Bayou Road
 La Marque, Texas 77568

By:  _____
 Robert M. Viera, P.E., Senior Vice President
 LVN, Inc.
 801 Navigation, Suite 300
 Corpus Christi, Texas 78408



engineers | architects | surveyors

DATE: December 2, 2019

BY: RMV

PROJECT: City of La Marque - Headworks Lift Station Pump Improvements

PROJECT NO: 190217

Self Priming Pumps (4)

Preliminary Opinion of Probable Construction Cost

Item	Description	Qty	Unit	Unit Price	Total Price
1	Mobilization & Demobilization	1	LS	\$ 847,000	\$ 847,000
2	Demolition & Disposal	1	LS		
3	Self Priming Pumps (4)	4	LS		
4	Piping and Piping Supports	1	LS		
5	Valves	8	LS		
6	Control Panel	1	LS		
7	Site Work	1	LS		
8	VFDs	4	LS		
9	NG generators	2	LS		
10	Bypass Pumping	1	LS		\$ 100,000
SUB TOTAL					\$ 947,000
CONSTRUCTION SUB TOTAL (\$)					\$ 947,000
DESIGN - BASIC SERVICE & CONTRACT ADMINISTRATION (10.0%)					\$ 95,000
CONSTRUCTION INSPECTION & ADMINISTRATION (3.5%)					\$ 35,000
ADMINISTRATIVE SUB TOTAL					\$ 130,000
PROJECT TOTAL (\$)					\$ 1,077,000

NOTES:

THIS DOCUMENT IS RELEASED FOR INFORMATIONAL PURPOSES UNDER THE AUTHORITY OF ROBERT M. VIERA, P.E. #85616, TBPE FIRM NO. F-366, ON 09-02-19 IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.



CITY COUNCIL AGENDA FORM

Meeting Date: December 16, 2019
Prepared by: Chaise Cary

Agenda item: 5k
Reviewed by: Charlene Warren/
Charles Jackson

Department: Public Works

AGENDA ITEM DESCRIPTION: Consider recommendation to approve LNV, Inc. Task Order No. 3 for the design phase of the 2.25 MGD Wastewater Treatment Plant expansion and existing facility upgrades

X

ATTACHMENTS FOR REFERENCE

1. Task Order No. 3 - 2.25 MGD (million gallons/day) Wastewater Treatment Plant (WWTP) Expansion Design
2. Opinion of Probable Cost for 2.25 MGD Expansion Design
3. Notice of Enforcement (TCEQ) Letter

STAFF BRIEFING:

- Texas Commission on Environmental Quality (TCEQ) is the state's environmental enforcement agency
- The agency focuses mostly on promoting clean air and water, and the safe management of waste in Texas
- Texas Administrative Code: 30 TAC Chapter 305.126 (a) states "Whenever flow measurements for any sewage treatment plant facility in the state reaches 75% of the permitted average daily or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion and/or upgrading of the wastewater treatment and/or collection facilities. Whenever the average daily or annual average flow reaches 90% of the permitted average daily flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment and/or collection facilities"
- Notice of Enforcement for compliance evaluation investigation at the City of La Marque Wastewater Treatment Facility – Investigation No. 1541299, Track No. 699776 – Failure to initiate engineering and financial planning for the expansion/ upgrading where the daily average flow reaches 75% of the permitted limit
- Cost is for design phase only of the WWTP expansion
- This project will be part of the Reimbursement Resolution anticipating future debt issuance
- Finance Director has reviewed

HISTORY:

- Annual average flows from June-17 to Apr-18 was 75% of the permitted annual average flow
- For the months of Dec-17, Jan-18, and Feb-18, the daily average flow was 3.079 MGD, 3.139 MGD, 3.297 MGD, respectively



CITY COUNCIL AGENDA FORM

TARGET IMPLEMENTATION: December 16, 2019 (Design Phase)

SIGNIFICANT ACTION DATES:

March 18, 2019 - Notice of Enforcement for compliance evaluation investigation at the City of La Marque Wastewater Treatment Facility

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other - Task Order No. 3 | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:

Budgeted	
Actual Bid	
Estimated Expenditure	\$1,075,000
Acct. Name(s)	WWTP Expansion-Design
Line Item #	02-7112-24-00-WWTPXP-03
Other Funding	

STAFF'S RECOMMENDATION: Motion to approve LNV, Inc. Task Order No. 3, for the design phase of the 2.25 MGD WWTP expansion and existing facility upgrades

FISCAL IMPACT: \$1,075,000.00 for design phase of WWTP expansion

Engineering/Architectural Professional Consulting Services

TASK ORDER NO. 3

For 2.25 MGD WWTP Expansion and Existing Facility Upgrades

City of La Marque, Texas

AND

LNV, Inc.

This Task Order is issued by the OWNER and accepted by the ENGINEER pursuant to the mutual promises, covenants and conditions contained in the Agreement between the above named parties dated the 21st day of October, 2019, in connection with City of La Marque, Texas, (OWNER) General Engineering Program.

PURPOSE

The purpose of this Task Order is to set forth the requirements, schedule, and payment associated with the ENGINEER's tasks in accordance with the Agreement between OWNER and ENGINEER.

ENGINEER'S SERVICES

General: ENGINEER's services to be provided under this Task Order include Basic and Additional Services outlined below:

Basic Services:

- **Design**
 1. Coordinate and attend meetings with the Client.
 2. Prepare opinion of probable cost.
 3. Coordinate any subsurface explorations.
 4. Prepare a set of drawings and specifications sealed by a Texas Registered Professional Engineer/Architect.
- **Bidding (Not in This Task Order)**
 1. Prepare bid packet, contract documents and advertisement for bids.
 2. Assist in bidding of the project. (Client to pay advertising cost)
 3. Conduct pre-bid meeting.
 4. Conduct bid opening.
 5. Review bids and provide recommendation of award.
- **Construction Administration (Not in This Task Order)**
 1. Conduct pre-construction conference.
 2. Issue Notice to Proceed to construction contractor.
 3. Prepare change orders, if required.

4. Review shop and working drawings furnished by the contractor.
5. Review contractor's application for payment and make recommendation of payment.
6. Prepare certificate of construction completion.
7. Revise contract drawings and furnish client with a set of "record drawing" plans.

Additional Services

- Construction Observation (Not in this Task Order)
 1. Provide detailed site visits to observe the progress and quality of the work, and to determine in general if the work is proceeding in accordance to the plans and specifications.
 2. Prepare inspection reports based on the findings per the individual site visits.
- TCEQ Permit Amendment (Not in this Task Order)
 1. Obtain all necessary permit(s) and/or approvals from TCEQ for expansion to 5.25 MGD.

TIME OF PERFORMANCE

Time is of the essence. All work in this Task Order shall be completed by the ENGINEER on or before the dates indicated in the following table.

Task	Completion Date
BASIC	December, 2020
ADDITIONAL	TBD
SPECIAL	N/A

PAYMENT

Payment to ENGINEER will be made in accordance with the following:

Payment for Basic Services: OWNER will pay ENGINEER a fee for providing for all "Basic Services" authorized, in accordance with the following table. The fees for Basic Services will not exceed those identified in the table below and will be full and total compensation for all services outlined in this Task Order under "Basic Services." ENGINEER invoicing shall comply with the provisions of the Agreement between OWNER and ENGINEER. The Basic Services shall be itemized in sufficient detail by line-item, category, services to be performed and cost. OWNER reserves the right to pay ENGINEER a fixed fee for Basic Services at OWNER'S discretion.

Fee for Additional Services: Fees for Additional Services shown in the following table are an **allowance** for potential services to be provided as part of the project, and are subject to modification by the OWNER based on the actual needs of the project. Work will not begin on any Additional Services until requested in writing by the ENGINEER, and until written authorization to proceed with the additional services is provided by the OWNER. Additional Services shall be itemized in sufficient detail by line-item, category, services to be performed and cost. OWNER reserves the right to pay ENGINEER a fixed fee for Additional Services at OWNER'S discretion.

FEE BREAKDOWN FOR SERVICES BY ENGINEER	
	FEE
BASIC SERVICES	
Design	\$1,075,000.00
Bidding	TBD
Construction Administration	TBD
SUBTOTAL BASIC SERVICES:	\$1,075,000.00
ADDITIONAL SERVICES	
Construction Observation	TBD
TCEQ Permit Amendment	TBD
SUBTOTAL ADDITIONAL SERVICES:	TBD
TOTAL FEE:	\$1,075,000.00

EFFECTIVE DATE

This Task Order No. 3 is effective as of the _____ day of _____, 2019.

IN WITNESS WHEREOF, duly authorized representatives of the OWNER and of the ENGINEER have executed this Task Order No. 3 evidencing its issuance by OWNER and acceptance by ENGINEER.

City of La Marque, Texas

LVN, Inc.

By: _____

Bobby Hocking, Mayor
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

By: _____

Robert M. Viera, P.E., Senior Vice President
LVN, Inc.
801 Navigation, Suite 300
Corpus Christi, Texas 78408



engineers | architects | surveyors

DATE: December 2, 2019

BY: RMV

PROJECT: City of La Marque - 2.25 MGD WWTP Expansion and Existing Facility Upgrades

PROJECT NO: 190217

Design Flow 5.25 MGD

Preliminary Opinion of Probable Construction Cost

Item	Description	Qty	Unit	Unit Price	Total Price
Improvements to Existing Facility				\$ 1,500,000	\$ 1,500,000
1	Replace Headworks Influent Channel	1	LS		
2	Replace Treatment Train Air Piping & Electrical	1	LS		
3	Rehab RAS/WAS Pump Station	1	LS		
4	Replace Digester Blower and Electrical	1	LS		
5	Replace Chemical Storage Equipment	1	LS		
6	Electrical Improvements	1	LS		
SUB TOTAL				\$	1,500,000
2.25 MGD Expansion				\$ 15,500,000	\$ 15,500,000
1	Mobilization & Demobilization	1	LS		
2	Site Work and Yard Piping	1	LS		
3	Headworks	1	LS		
4	Aeration Basins	1	LS		
5	Clarifiers	1	LS		
6	RAS/WAS Pumps	1	LS		
7	Gas Chlorination/Dichlorination Disinfection	1	LS		
8	Digesters		LS		
9	Dewatering Equipment		LS		
10	Outfall		LS		
11	Electrical		LS		
SUB TOTAL				\$	15,500,000
CONSTRUCTION SUB TOTAL (\$)				\$	17,000,000
Design, Bidding, and Construction Administration (7.5%)				\$	1,275,000
Permit Amendment				\$	20,000
Geotechnical				\$	20,000
Construction Inspection (Part Time)				\$	200,000
Materials Testing Budget				\$	100,000
ENGINEERING AND ADMINISTRATIVE SUB TOTAL				\$	1,615,000
PROJECT TOTAL (\$)				\$	18,615,000

NOTES:

THIS DOCUMENT IS RELEASED FOR INFORMATIONAL PURPOSES UNDER THE AUTHORITY OF ROBERT M. VIERA, P.E. #85616, TBPE FIRM NO. F-366, ON 09-02-19 IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.

Summary of Investigation Findings

CITY OF LA MARQUE

Investigation #

1541299
Investigation Date: 02/01/2019

, GALVESTON COUNTY,

Additional ID(s): WQ0010410003
TX0114821

OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF ENFORCEMENT

Track No: 699776 Compliance Due Date: To Be Determined

30 TAC Chapter 305.126(a)

EPA ID TX0114821, WQ0010410003

Operational Requirements No. 8, Page 14

Alleged Violation:

Investigation: 1505601

Comment Date: 02/08/2019

Failure to initiate engineering and financial planning for expansion or obtain a waiver for expansion and/or upgrading of the wastewater treatment and/or collection facilities when the flow at the wastewater treatment plant (WWTP) reaches 75% of the permitted daily average or annual average flow for three consecutive months.

The daily average flow was at least 75% of the permitted flow limit for three consecutive months. For the months of December 2017, January 2018, and February 2018 the daily average flow was 3.079 MGD, 3.139 MGD, and 3.297 MGD, respectively. The annual average flow for June 2017, July 2017, August 2017, September 2017, October 2017, November 2017, December 2017, January 2018, February 2018, March 2018, and April 2018 was 2.399 million gallons per day (MGD), 2.434 MGD, 2.453 MGD, 2.3913 MGD, 2.393 MGD, 2.38 MGD, 2.378 MGD, 2.415 MGD, 2.43 MGD, 2.386 MGD, and 2.371 MGD, respectively. This is 75% of the permitted annual average flow.

Investigation: 1541299

Comment Date: 03/07/2019

Failure to initiate engineering and financial planning for expansion or obtain a waiver for expansion and/or upgrading of the wastewater treatment and/or collection facilities when the flow at the wastewater treatment plant (WWTP) reaches 75% of the permitted daily average or annual average flow for three consecutive months.

For the months of December 2017, January 2018, and February 2018 the daily average flow was 3.079 MGD, 3.139 MGD, and 3.297 MGD, respectively.

During the month of September 2018 and December 2018 the daily average flow was 5.08 MGD and 2.9 MGD.

The annual average flow was at least 75% of the permitted flow limit for three consecutive months. During the months of January 2018, February 2018, March 2018, April 2018, May 2018, September 2018, and October 2018 annual average flow was 2.415 MGD (80.5% of the annual average flow), 2.43 MGD (81% of the annual average flow), 2.386 MGD (79.5% of the annual average flow), 2.371 MGD (79.0% of the annual average flow), 2.298 MGD (76.6% of the annual average flow), 3.3 MGD (110% of the annual average flow), 2.4 MGD (80% of the annual average flow). From the months of March 2018 to May 2018, the annual average flows continued to be above 75% of the permitted annual average flow. In investigation 1505601 from July 26, 2018, the annual average flow had been 75% of 3 MGD for 11 consecutive months (June 2017 to April 2018). May 2018 continued this streak of 75% of the permitted annual average flow for a total of 12 months. During June, July and August 2018, the annual average flow was less than 75% of the permitted annual average. During the month of September 2018, the annual average flow was 110% of the permitted limit of 3 MGD causing a self-reported violation. The following month of October 2018 the annual average flow was 2.4 (80% of the annual average flow).

There is no backup for this
agenda item
6a.