



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-2020-0002

RESOLUTION NO. R-2020-0003

**CITY OF LA MARQUE
REGULAR CITY COUNCIL
AGENDA
of
FEBRUARY 10, 2020**

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Regular Meeting on Monday, February 10, 2020, 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 - Todd Weidman, David Merryman, Sloane Witter, Ira Yardley - Fire; Patty Rees - HR; and Kathleen Van Stavern - Code Enforcement
- b. Proclamation - Black History Month
- c. Presentation - Annual Juvenile Report - Chief Kirk Jackson, La Marque Police
- d. Presentation - Engineering Projects Update - Dinh Ho, ADICO, LLC

(4) MINUTES

- a. Public Hearing- Final CDBG
- b. Workshop City Council Minutes of January 13, 2020
- c. Regular City Council Minutes of January 13, 2020

(5) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2020-0001**, amending Chapter 23, Section 23 - 1 "Special expenses for issuance and service of warrants in certain cases" of the Code of Ordinances to collect a fine not to exceed \$25 for an offense under Section 38.10, Penal Code, or Section 543.009, of the Transportation Code

(6) OLD BUSINESS

- a. Consider recommendation to adopt Ordinance No. **O-2020-0001**, amending Chapter 23, Section 23 – 1 “Special expenses for issuance and service of warrants in certain cases” of the Code of Ordinances to collect a fine not to exceed \$25 for an offense under Section 38.10, Penal Code, or Section 543.009, of the Transportation Code – Court Administrator R. Bell **THIS IS THE SECOND AND FINAL READING.**
- b. Discussion/possible action regarding proposed municipal complex – City Manager C. Jackson

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

- a. Consider recommendation to adopt Ordinance No. **O-2020-0002** amending the fiscal year 2018-19 Budget for various funds’ expenditures by decreasing various funds’ fund balances and increasing certain expenditures to individual budget accounts in various funds and increasing certain revenues in various funds as set forth in Exhibit A – Finance Director S. Kou **THIS IS THE FIRST READING.**
- b. Consider recommendation to adopt Resolution No. **R-2020-0002**, a Resolution by the City Council of the City of La Marque, Texas, authorizing publication of Notice of Intention to issue Certificates of Obligation; approving the preparation of a Preliminary Official Statement; and approving other matters incidental thereto – Finance Director S. Kou
- c. Consider recommendation to adopt Resolution No. **R-2020-0003**, approving the aerial spraying of mosquitoes by Galveston County Mosquito Control District, as required on a yearly basis by the Federal Aviation Administration – Mayor B. Hocking
- d. Consider recommendation to accept the quarterly investment reports for Fourth Quarter 2019 – Finance Director S. Kou
- e. Consider recommendation to approve an agreement with Texas Department of Transportation (TxDOT) to design the relocation of City of La Marque water / sewer utilities that are in conflict with the IH-45 widening project from North of FM 519 to North of Texas City WYE and authorize the Mayor to execute agreement – Public Works Director C. Cary
- f. Consider recommendation to approve a Memorandum of Understanding (MOU) between the City of La Marque and the Texas City Independent School District

pursuant to SB 11 and authorizing the Mayor to execute the MOU – Police Chief K. Jackson

- g. Consider recommendation to adopt an updated procurement policy – City Manager C. Jackson
- h. Consider recommendation to approve a mutual aid agreement with the Texas City Police Department, including creation of a SWAT team, and authorizing the Mayor to execute the agreement – Police Chief K. Jackson
- i. Consider recommendation to ratify City Manager's non-binding agreement between the International Association of Fire Fighters Local 3282 and the City of La Marque creating and funding a new classification of Deputy Fire Chief – City Manager C. Jackson

(8) NEW BUSINESS

- a. Discussion/possible action regarding authorizing the City Manager to negotiate terms to obtain a grocery store – City Manager C. Jackson

(9) APPOINTMENTS

- a. Discussion/possible action regarding appointments and/or reappointments to fill various positions of the Boards and Commissions – Mayor B. Hocking

(10) 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 551.074 (Personnel Matters) – City Manager's Roles and Responsibilities
- b. Section 551.072 (Deliberations about Real Property)

(11) ACTION TAKEN FROM EXECUTIVE SESSION

- a. Discussion/possible action regarding City Manager's Roles and Responsibilities

(12) REQUESTS 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.

(13) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on or before **February 7, 2020**, before 5:30 p.m.

Robin Eldridge, TRMC
City Clerk

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● 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.
●
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La Marque Police Department 2019 Encounters with Minors Annual Report

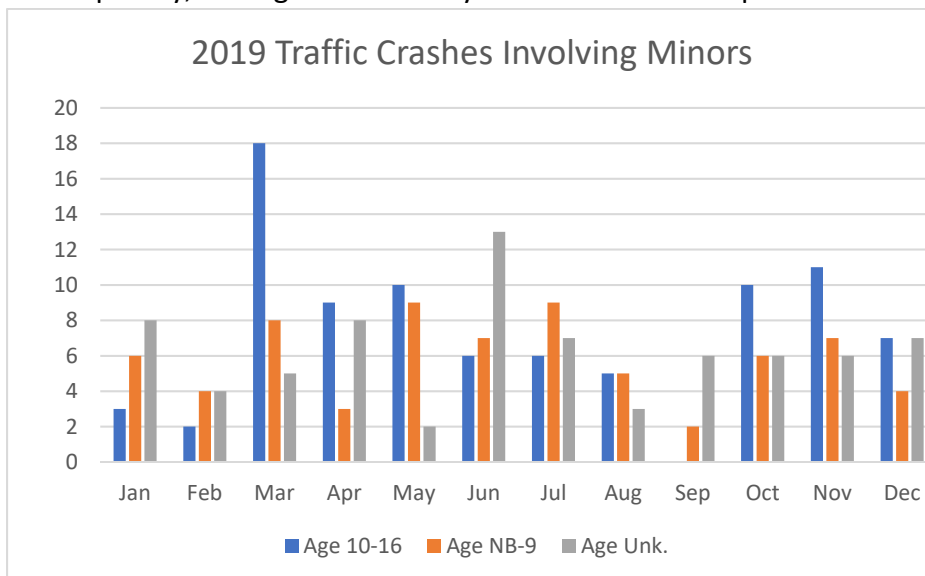
The La Marque Police Department's primary responsibility is ensuring the safety of the citizens and visitors of La Marque. When responding to calls for service as well as initiating contact with citizens, La Marque Police Officers have the responsibility of protecting the safety of the community while simultaneously protecting the constitutional rights of individuals.

We recognize that the youth of our community are the future leaders and professionals of our society, consequently, they are one of our most valuable resources. Protecting the physical and emotional health of our youth is the responsibility of the community as a whole. As members of the community, law enforcement officers have a responsibility to provide positive encounters when encountering the youth in our community.

Analysis of data collected by law enforcement can be used to identify trends as it applies to crimes, crashes, and incidents involving minors.

In 2019, the Police Department handled 19,552 self-initiated and citizen-generated service calls. To quantify the calls that resulted in an encounter with a minor, certain tracking information must be included in the call for service report. The La Marque Police Department is using the tracking information for calendar-year 2020, however, 2019 is not available. Data for police encounters with minors will be included in subsequent annual reports,

An analysis of crash records data for calendar-year 2019 shows that a total of 157 minors were involved in traffic collisions during the year. A further breakdown shows that 87 minors, ages 10 to 16, were involved in collisions and 70 minors, ages newborn to 9, were involved. However, as it relates to juvenile curfew violations, there were no known crashes involving minors that occurred between the hours of Midnight and six o'clock AM. There was a total of 75 crashes wherein at least one of the involved vehicles did not remain on the scene for the investigation. Consequently, the age and identity of the vehicle occupants in those collisions are unknown.



At the beginning of July 2019, the La Marque Police Department migrated from the Galveston County Sheriff's Office Records Management Consortium to the League City GRID Records Management Consortium. Due to slight variations in offense classifications between the two consortiums, data collection is more precise after the migration. This report includes crimes involving juveniles collected from both records-management consortiums.

During calendar year 2019, the La Marque Police Department generated approximately 2500 Offense and Incident Reports stemming from calls for service received and self-initiated contacts by La Marque Police Officers. Frequently an offense report will document more than one criminal offense, however, some reports do not document violations of criminal law. Examples include juvenile runaway reports, welfare concern reports, information only reports and reports documenting the La Marque Police Department assisting other law enforcement agencies.

An analysis of data from both records-management systems was conducted for calendar year 2019. Due to the differences in offense classification between the two records-management consortiums, it appears that the data from 2019 from the Galveston County Sheriff's Office Records Management Consortium is too broad to reliably capture crimes in which minors were involved. The data captured from the League City GRID records-management system accurately indicates that from the beginning of July 2019 through the end of December 2019 there were 96 reported crimes involving minors. Of those 96 crimes, minors were offenders in 36 and victims in 60. Included in the 96 reported "crimes" are juvenile runaway reports. While being a juvenile runaway is not a violation of Texas criminal statutes, it does require police involvement, investigation, and execution of law enforcement powers. For that reason, juvenile runaway reports should be included in the statistical data for this annual report. Data in subsequent annual reports will paint a clearer picture due to consistency in reporting classification.

In 2019 the La Marque Police Department partnered with an independent training provider certified to instruct law enforcement in de-escalation techniques. The training was administered at the beginning of 2020 to all members of the department. The training administered was formatted to be a "train the trainer" course. Consequently, the La Marque Police Department supervisors who are certified by the Texas Commission on Law Enforcement as Instructors may administer the de-escalation training in the future.

La Marque Police Department personnel attend regular training to stay informed of changes in law enforcement practices as well as changing trends in criminal justice. De-escalation and mental health training are included in the regular training administered through each year. As new training opportunities are identified, we will take advantage of them to bring new ideas and better ways to serve the public.

In 2019 the La Marque Police Department partnered with the La Marque High School's Theater Department to produce an informative video about traffic stops and what to expect if you were to be pulled over in your vehicle.

We are currently in the process of producing another video that is geared toward minors. The video will center around youth being out past nighttime curfew hours. In the video, we hope to

deliver the message that the police department is here to help, protect and serve and the video will encourage youth to seek our help instead of fearing a uniformed police officer. We hope to have production finished and the video published by Summer of 2020.

The La Marque Police Department has several events throughout the year designed to engage the youth of our community. We truly enjoy interacting with the youth through programs such as the Youth Citizens' Police Academy, our Movie Night events, career day events and meeting with youth groups. If you have a youth organization and would like to have a police officer visit, please reach out to us. The youth are our future. Our goal is to make tomorrow better than today.

LMPD JUVENILE CASES

Source:GCSO_RMS

<u>Offense Type</u>	<u>Offense count</u>
AGENCY ASSIST	9
12002061	
13002667	
14001036	
17000965	
18000248	
18000313	
18001108	
18001513	
19000758	
AGENCY ASSIST CPS	1
14000873	
ALL OTHER REPORTABLE OFFENSES	196
11000534	
11000733	
11000893	
11001214	
11001328	
11001707	
11001820	
11001901	
11002070	
11002070	
11002070	
12000492	
12000609	
12000767	
12000832	
12000953	
12000983	
12001292	
12001451	
12001976	
12002117	
12002250	
13000082	
13000302	
13000446	
13000468	
13000559	
13000604	
13000662	
13000848	
13001023	
13001144	
13001371	
13001667	
13001679	
13001679	
13001903	
13002039	
13002072	
13002072	
13002107	
13002127	
13002424	
13002424	

Offense Type**Offense count**

13002732
14000006
14000107
14000218
14000218
14000257
14000396
14000400
14000468
14000524
14000835
14000865
14000914
14000918
14000944
14001435
14001480
14001552
14001560
14001560
14001560
14001660
14001688
14001719
14001814
14001883
14001931
14002069
14002074
14002098
14002193
14002193
14002243
14002339
14002391
14002424
14002519
14002533
14002579
14002851
14002866
15000120
15000351
15000378
15000418
15000418
15000487
15000487
15000533
15000617
15000617
15000670
15000700
15000748
15000748
15000953
15000965
15000968
15001003
15001037

Offense Type**Offense count**

15001062
15001204
15001220
15001297
15001297
15001297
15001381
15001452
15001523
15001529
15001546
15001772
15001861
15002093
15002149
15002306
15002400
15002685
15002691
16000025
16000025
16000026
16000032
16000096
16000211
16000232
16000354
16000391
16000569
16000598
16000598
16000598
16000712
16000712
16000938
16000975
16000996
16001026
16001066
16001206
16001206
16001276
16001341
16001464
16001521
16001541
16001554
16001554
16001690
16001759
16001759
16001970
16001977
16002173
16002497
16002717
16002784
17000087
17000117
17000276

Offense Type**Offense count**

17000661
17000680
17000721
17000723
17000723
17001523
17001758
17001851
17001954
17002007
17002052
17002124
17002380
17002405
17002482
17002836
18000162
18000162
18000193
18000246
18000246
18000409
18000571
18000736
18000736
18000839
18000839
18000909
18001056
18001075
18001271
18001418
18001418
18001643
18001672
18001703
18001839
18002074
18002081
18002113
18002119
18002119
18002119
18002119
18002303
18002333
18002401
18002703
18002767
18003076
18003121
19000010
19000130
19000304
19000352
19000379
19000501
19000554
19000839
19000954
19000989

<u>Offense Type</u>	<u>Offense count</u>
19001080	
19001087	
ANIMAL AT LARGE	1
11002280	
ASSAULT - AGGRAVATED ASSAULT / HAN	2
13002805	
16000107	
ASSAULT - AGGRAVATED ASSAULT WITH	6
13000849	
13000908	
13001610	
13001610	
13001610	
13001610	
15000189	
15000557	
19000577	
ASSAULT - AGGRAVATED ASSAULT WITH	11
14000050	
14000050	
14000050	
14000050	
14000214	
14000419	
15000264	
15000264	
16000375	
16000375	
16000375	
16002065	
17001882	
17002914	
18001237	
18001249	
19000158	
19000158	
19000158	
19000158	
ASSAULT - AGGRAVATED ASSAULT WITH	6
12000500	
12000500	
14000596	
14002581	
16000113	
17000154	
17000154	
17000868	
17000868	
17000868	
ASSAULT - OTHER ASSAULT (NOT AGGR/	301
11000231	
11000262	
11000436	
11000554	
11000616	
11000636	
11000643	
11000724	
11000724	
11000783	

Offense Type**Offense count**

11000783
11000793
11001014
11001014
11001035
11001136
11001136
11001153
11001330
11001357
11001408
11001596
11001607
11001653
11001815
11001815
11001824
11001824
11001934
11001934
11002082
11002099
11002099
11002210
11002210
11002210
12000059
12000121
12000131
12000146
12000238
12000243
12000259
12000259
12000326
12000326
12000376
12000376
12000381
12000393
12000398
12000398
12000398
12000535
12000605
12000619
12000619
12000674
12000699
12000699
12000939
12000966
12000966
12001099
12001099
12001114
12001125
12001190
12001236
12001271
12001271

Offense Type**Offense count**

12001355
12001355
12001453
12001699
12001737
12001737
12001737
12001737
12001963
12001963
12001970
12001985
12002042
12002042
12002048
12002048
12002048
12002048
12002048
12002163
12002272
13000041
13000041
13000121
13000121
13000256
13000271
13000369
13000396
13000405
13000405
13000498
13000602
13000666
13000808
13000816
13001016
13001097
13001475
13001477
13001621
13001851
13001851
13001851
13001851
13001891
13002026
13002104
13002108
13002108
13002108
13002108
13002113
13002272
13002272
13002327
13002327
13002337
13002350
13002384
13002384

Offense Type**Offense count**

13002384
13002409
13002420
13002443
13002477
13002477
13002493
13002502
13002502
13002714
14000078
14000118
14000118
14000137
14000319
14000329
14000406
14000406
14000420
14000420
14000461
14000616
14000778
14000778
14000951
14000979
14001057
14001057
14001057
14001057
14001067
14001070
14001080
14001090
14001186
14001233
14001286
14001286
14001385
14001432
14001519
14001519
14001585
14001734
14001734
14001956
14001956
14002002
14002202
14002202
14002211
14002310
14002310
14002330
14002390
14002416
14002487
14002608
14002737
14002803

Offense Type**Offense count**

14002809
15000090
15000091
15000096
15000098
15000110
15000110
15000199
15000330
15000372
15000373
15000401
15000405
15000471
15000490
15000490
15000531
15000531
15000629
15000629
15000629
15000629
15000731
15000798
15000798
15000861
15000868
15000876
15000876
15000919
15000934
15000940
15001019
15001030
15001071
15001071
15001148
15001245
15001274
15001274
15001274
15001274
15001442
15001509
15001533
15001676
15001689
15001771
15001864
15002016
15002016
15002030
15002271
15002271
15002357
15002357
15002402
15002402
15002500
15002640

Offense Type**Offense count**

15002664
15002684
15002684
15002805
16000042
16000042
16000112
16000112
16000112
16000112
16000181
16000181
16000188
16000386
16000406
16000427
16000594
16000753
16000764
16000766
16000922
16000926
16001010
16001038
16001042
16001074
16001164
16001164
16001183
16001391
16001526
16001580
16001762
16001820
16001933
16002022
16002062
16002068
16002184
16002280
16002285
16002351
16002421
16002461
16002603
16002603
16002656
16002779
16002779
17000234
17000249
17000249
17000272
17000325
17000346
17000440
17000440
17000440
17000573
17000578

Offense Type**Offense count**

17000604
17000605
17000674
17000674
17000688
17000801
17000801
17000817
17000983
17000983
17000987
17001016
17001174
17001192
17001192
17001192
17001192
17001193
17001193
17001210
17001245
17001471
17001552
17001715
17001857
17001885
17002201
17002201
17002406
17002406
17002459
17002488
17002529
17002612
17002672
17002675
17002782
17002880
17002880
18000056
18000084
18000234
18000334
18000467
18000467
18000609
18000609
18000660
18000660
18000819
18000919
18000919
18001041
18001284
18001502
18001593
18001855
18001878
18001881
18001956

<u>Offense Type</u>	<u>Offense count</u>
18001956	
18002014	
18002050	
18002067	
18002126	
18002255	
18002255	
18002362	
18002385	
18002388	
18002621	
18002629	
18002667	
18002667	
18002742	
18002773	
18002805	
18002837	
18002890	
18003047	
18003047	
19000126	
19000134	
19000205	
19000214	
19000247	
19000375	
19000380	
19000380	
19000555	
19000782	
19000949	
19001050	
19001430	
19001430	
BURGLARY (FORCIBLE ENTRY)	10
11001594	
11001877	
12000001	
12000119	
12001016	
12001282	
14001890	
15000431	
16000088	
16000088	
18002600	
BURGLARY (NON-FORCE)	12
11000330	
12001049	
12001522	
13002602	
14001266	
16002083	
16002083	
16002083	
17000203	
17000203	
17000268	
17002431	

<u>Offense Type</u>	<u>Offense count</u>
18001456	
19000976	
19001020	
19001020	
19001020	
19001020	
CRIMINAL MISCHIEF	36
11000788	
12000561	
12001311	
12001945	
12002035	
13000506	
13000634	
13000926	
13001044	
13001336	
13001336	
13001336	
13001461	
13001461	
13001547	
14001206	
14001601	
14002053	
14002316	
15000231	
15001810	
15002409	
15002633	
15002633	
16000160	
16000636	
16001435	
16002027	
16002286	
16002311	
16002732	
16002732	
17001260	
17002638	
18001240	
18002251	
18002668	
18002668	
18002928	
18003023	
18003023	
19000503	
19000935	
D.O.C. DISPLAYING WEAPON	1
12000537	
D.O.C. INDECENT EXPOSURE	1
12000838	
12000838	
DISORDERLY CONDUCT	6
14000278	
14000278	
14000375	
14000375	

<u>Offense Type</u>	<u>Offense count</u>
14000375	
14000375	
14000375	
14000375	
14000375	
14000375	
14000886	
14000886	
14002634	
15002438	
15002438	
19001191	
19001191	
FIRE - NON ARSON	1
18000163	
18000163	
18000163	
FORGERY/COUNTERFEITING	1
12000784	
FRAUD	2
15001431	
19000755	
19000755	
HOMICIDE - MURDER & NON-NEGLIGENT I	3
11000892	
15002083	
19000694	
KIDNAPPING	2
13000130	
19001224	
MEDICAL ASSIST	1
14002780	
MHMR	9
12001761	
14002196	
15000759	
15001138	
15001293	
16000759	
17000517	
18000463	
18001932	
MISSING PERSON	21
11000603	
11000613	
11001012	
11001373	
12000486	
12001907	
13000483	
13002213	
13002395	
13002401	
14000473	
14000708	
15001130	
15001130	
15001554	
16000655	
16000736	

<u>Offense Type</u>	<u>Offense count</u>
16001438	
16001694	
17000218	
18001638	
97011408	
MISSING PERSON RECOVERED	1
17001498	
MOTOR VEHICLE ACCIDENT	7
11001755	
12001317	
12001317	
12002109	
14000694	
16001823	
18003028	
19001056	
MOTOR VEHICLE THEFT - AUTO	20
11000935	
12001086	
12001086	
12002016	
13001065	
13002370	
14001620	
14001680	
14001876	
15000089	
16000514	
16000558	
16001044	
16001044	
16001355	
16001875	
17000382	
17000583	
17000583	
17001130	
18001433	
18001433	
18001433	
18003100	
19000932	
NARCOTICS	23
12000468	
12000468	
12000470	
12000573	
12002205	
13002422	
13002629	
13002678	
14000510	
14000510	
14001457	
14001457	
15000883	
15002649	
15002649	
15002673	
15002673	

<u>Offense Type</u>	<u>Offense count</u>
15002673	
16000121	
16000523	
17001389	
17001874	
17002392	
18000600	
18001175	
18001445	
18001460	
19000156	
19000355	
19000355	
NARCOTICS PARAPHERNALIA	1
18003089	
18003089	
OFFENSES AGAINST FAMILY AND CHILD (	7
11001372	
11001372	
12000859	
13000020	
13001698	
14001271	
14002184	
18001136	
OPERATING WHILE INTOXICATED	3
16000931	
16000931	
16000931	
19000557	
19001141	
19001141	
RAPE BY FORCE	18
11000566	
11002205	
12001080	
12001639	
13001846	
15000311	
15000916	
15001721	
16001504	
17000097	
17000914	
17002120	
17002344	
17002446	
17002446	
18000129	
18002198	
19000897	
19000897	
19001024	
RECOVERED STOLEN M/V (OTHER AGENC	3
14001744	
14002848	
16000373	
16000373	
16000373	
ROBBERY - STRONG ARM	6

<u>Offense Type</u>	<u>Offense count</u>
12001376	
12002275	
14000693	
14000693	
17000576	
17002002	
19000101	
ROBBERY WITH FIREARM	8
11001579	
11001579	
12000471	
12001725	
13002047	
13002047	
14002291	
15001251	
15001373	
15001373	
17000920	
RUNAWAY	181
11000587	
11000587	
11000731	
11000785	
11000785	
11000993	
11001298	
11001426	
11001426	
11001453	
11001582	
11001597	
11002025	
11002025	
11002078	
11002293	
12000080	
12000084	
12000162	
12000237	
12000663	
12000710	
12001356	
12001609	
12001654	
12001781	
12001781	
12001822	
12001822	
13000201	
13000493	
13000500	
13000504	
13000514	
13000514	
13000930	
13000930	
13002188	
13002317	
13002400	

Offense Type**Offense count**

13002470
13002490
13002531
13002572
13002646
13002727
14000249
14000249
14000249
14000249
14000393
14000436
14000442
14000445
14000459
14000611
14000611
14000960
14001133
14001138
14001166
14001177
14001355
14001412
14001412
14001422
14001422
14001425
14001444
14001473
14001569
14001604
14001636
14001739
14001739
14001824
14001825
14001915
14001948
14001948
14001968
14001968
14002059
14002059
14002169
14002169
14002298
14002432
14002542
14002672
14002685
14002779
14002813
14002912
14002948
15000291
15000499
15000563
15000746
15000882

Offense Type**Offense count**

15000882
15000889
15001049
15001126
15002108
15002195
15002417
15002531
15002570
16000049
16000254
16000269
16000401
16000611
16000656
16000735
16000735
16000981
16001163
16001163
16001185
16001299
16001522
16001794
16001839
16002002
16002241
16002337
16002359
16002434
16002444
16002518
16002720
16002738
16002738
17000049
17000053
17000214
17000236
17000397
17000521
17000534
17000646
17000656
17000866
17000866
17000991
17001011
17001156
17001175
17001227
17001246
17001439
17001693
17001959
17002066
17002087
17002126
17002418
17002826

Offense Type**Offense count**

17002897
18000031
18000072
18000072
18000142
18000142
18000272
18000412
18000412
18000482
18000527
18000674
18000718
18000859
18000867
18000922
18001032
18001037
18001037
18001097
18001115
18001165
18001269
18001314
18001373
18001392
18001930
18002006
18002082
18002086
18002218
18002531
18002905
18003002
18003042
18003050
19000120
19000265
19000272
19000363
19000363
19000363
19000450
19000514
19000526
19000684
19000791
19000893
19001074
19001241
19001428

SEX OFFENSE (NOT FORCED RAPE)**96**

11000245
11000869
11001184
11001219
11001648
11001786
11001786
11002032

Offense Type**Offense count**

11002106
12000284
12000304
12000370
12000459
12000773
12001361
12001475
12001490
13000445
13000595
13000762
13001241
13001242
13001340
13001714
13001885
13002294
13002494
13002809
13002809
14000120
14000465
14000731
14000888
14000888
14001034
14002101
14002736
14002778
14002808
14002808
14002853
15000009
15000443
15000489
15000628
15000628
15000725
15000802
15000802
15000802
15000962
15000962
15001161
15001535
15001664
15001876
15001951
15001990
15001990
15001990
15002581
16000924
16001095
16001154
16001277
16001380
16001481
16001622

<u>Offense Type</u>	<u>Offense count</u>
16001684	
16001915	
16001962	
16002033	
16002433	
16002748	
17000076	
17000184	
17000355	
17000679	
17000766	
17001024	
17001024	
17001094	
17001099	
17001388	
17002191	
17002367	
18000370	
18000370	
18000422	
18000486	
18000978	
18001001	
18001002	
18001213	
18001375	
18001744	
18001744	
18002792	
18002792	
18002851	
18002897	
18003033	
18003097	
19000259	
19000259	
19000599	
19000885	
19001018	
19001034	
19001160	
19001414	
STOLEN PROPERTY - RECEIVE, POSSESS	1
13002471	
13002471	
SUICIDE ATTEMPTED	13
12000249	
12000251	
13000657	
15001357	
16000608	
16002282	
17001082	
17001711	
18000878	
18002882	
18003113	
19001325	
19001432	

Offense Type**Offense count****THEFT - OTHER****47**

11001480
11001480
11001522
11001571
11001700
11001700
11001726
11002155
11002155
11002155
12001186
12001749
12002015
13001356
13002059
13002291
13002291
13002513
13002628
13002637
14000097
14000124
14000124
14000286
14000808
14000825
14000929
14001058
14001156
14002259
14002381
14002563
14002601
14002601
14002601
14002601
14002659
15000355
15002247
15002345
16000065
16000467
16000841
16001771
16002200
16002731
16002731
16002731
17000308
17001112
17001112
17001691
17001691
18000116
18001621
18002379
19000263
19000374
19000521

<u>Offense Type</u>	<u>Offense count</u>
19001375	
THEFT - PICK POCKETING	1
15000348	
THEFT - SHOPLIFTING	154
11000280	
11000531	
11000889	
11001451	
11001867	
12000256	
12000484	
12000763	
12000794	
12001382	
12001433	
12001562	
12001664	
12001722	
12001748	
12002005	
12002116	
12002173	
12002225	
12002225	
13000571	
13000571	
13000633	
13000633	
13000685	
13001006	
13001006	
13001006	
13001331	
13001355	
13001443	
13001443	
13001459	
13001459	
13001459	
13001480	
13001560	
13001563	
13001564	
13001723	
13001734	
13001750	
13001784	
13001784	
13001866	
13001877	
13002007	
13002178	
13002285	
13002312	
13002326	
13002326	
13002332	
13002332	
13002348	
13002411	

Offense Type**Offense count**

13002419
13002419
13002465
13002465
13002472
13002567
13002567
13002567
13002567
13002742
13002779
13002802
13002814
14000091
14000091
14000129
14000177
14000177
14000177
14000287
14000308
14000395
14000395
14000486
14000486
14000534
14000537
14000537
14000609
14000636
14000636
14000877
14001027
14001029
14001056
14001113
14001143
14001239
14001309
14001526
14001588
14001588
14001658
14001669
14001702
14001838
14002406
14002413
14002422
14002604
14002609
14002614
14002614
14002614
14002651
14002810
14002879
15000116
15000116
15000116

Offense Type**Offense count**

15000823
15000823
15000998
15001102
15001102
15001319
15001414
15001782
15001782
15002243
15002276
15002276
15002721
16000212
16000212
16000212
16000241
16000444
16000534
16000534
16000534
16001032
16001209
16001233
16001314
16001336
16001447
16001447
16001658
16002149
16002313
16002313
16002384
16002480
16002480
16002506
16002506
17000194
17001090
17001441
17001441
17001441
17001532
17001532
17001727
17001928
17002504
17002759
17002759
17002766
17002860
17002907
18000059
18000059
18000320
18000339
18000339
18001057
18001076
18001076

<u>Offense Type</u>	<u>Offense count</u>
18001099	
18001180	
18001282	
18001367	
18001446	
18001446	
18001465	
18001533	
18001533	
18001533	
18001805	
18001805	
18001805	
18001903	
18001927	
18001927	
18002503	
18002682	
18002719	
18002838	
18002838	
18003103	
18003103	
19000030	
19000095	
19000096	
19000111	
19000111	
19000457	
19000505	
19000830	
19000830	
19000830	
19000842	
19000842	
19000842	
19000956	
19001150	
19001150	
THEFT FROM MOTOR VEHICLE PARTS/AC	2
14001521	
14001521	
14001521	
14001521	
14001521	
14001521	
16000144	
THEFT FROM MOTOR VEHICLES (EXCEPT	20
11001960	
12001916	
13000357	
13002300	
14001527	
14001527	
14001527	
14001528	
14001528	
14001528	
14001530	
14001530	

<u>Offense Type</u>	<u>Offense count</u>
14001530	
15001811	
15002539	
15002559	
15002560	
15002561	
15002562	
15002813	
15002813	
15002813	
17001477	
17001477	
17001484	
17001484	
17002543	
19000191	
19000507	
19000509	
THEFT OF BICYCLE	7
11001589	
12000277	
12000840	
13001982	
13002358	
13002363	
13002363	
13002363	
18001743	
TRAFFIC	1
12002147	
TRESSPASS	3
12001682	
14000891	
14000891	
14000891	
14000891	
16000126	
16000126	
16000126	
WEAPON VIOLATION	4
13002288	
14000138	
16000105	
33001223	

Offense Type**Offense count**

	Offender	Victim	Total
2	0	2	2
3	0	1	1
4	0	3	3
5	0	2	2
6	0	3	3
7	0	3	3
8	0	1	1
9	1	1	2
10	16	62	74
11	36	46	77
12	52	74	120
13	91	96	178
14	122	125	220
15	205	156	335
16	269	177	408
Total	710	701	1266

LMPD JUVENILE CASES

Source:GRID

<u>Offense Type</u>	<u>Offense count</u>
(NIBRS) ALL OTHER OFFENSES	1
1902740	
ABANDONING OR ENDANGERING CHILD	1
1901976	
ACCIDENT INVOLVING INJURY OR DEATH	1
1902662	
ANIMAL AT LARGE	1
1902418	
ASSAULT BY CONTACT	7
1901467	
1901467	
1901568	
1901909	
1901685	
1901685	
1901810	
1901943	
1902880	
1902880	
1901568	
1901685	
1901685	
ASSAULT BY CONTACT F/VIO	3
1901913	
1901913	
1902669	
1902645	
1902669	
1901913	
1901913	
ASSAULT CAUSES BODILY INJURY	2
1901732	
1901650	
ASSAULT CAUSES BODILY INJURY- (FAMI	5
1901797	
1902106	
1901616	
1901989	
2000042	
ASSAULT W/ OTHER WEAPON-AGGRAVA	1
1902609	
ASSAULT WITH KNIFE/CUTTING INSTRUM	2
1901969	
1901726	
ASSAULT/HANDS/FEET/FISTS-AGGRAVAT	1
1901896	
BURGLARY OF MOTOR VEHICLE	2
1901546	
1901549	
CRIMINAL MISCHIEF	1
1902549	
DEADLY CONDUCT	1
1902033	
ENGAGING IN ORGANIZED CRIMINAL ACT	1
1902625	
1902625	
EVADING ARREST OR DETENTION WITH V	1
1902745	

<u>Offense Type</u>	<u>Offense count</u>
1902745	
HINDERING APPREHENSION OR PROSECUTION	1
1902622	
1902622	
1902622	
INDECENCY WITH A CHILD - WITH CONTACT	2
1902787	
1901938	
INFORMATION REPORT	6
1902136	
1901594	
1902627	
2000081	
1902046	
1902354	
INJURY TO A CHILD/ELDERLY INDIVIDUAL	4
1901812	
1901759	
1901634	
2000132	
MISSING PERSON	3
1901561	
1902702	
1902807	
RECOVERED MISSING PERSON JUVENILE	3
1901619	
1902174	
2000137	
RECOVERED STOLEN VEHICLE	1
2000106	
RUNAWAY	24
1902424	
2000102	
1902809	
1902119	
1902218	
1901662	
2000145	
2000053	
1902068	
1902068	
1902151	
1902300	
1902571	
1902088	
1902521	
1901513	
1901487	
1902147	
1901771	
1902875	
1902875	
1902385	
1902451	
1902248	
1902243	
1902632	
SEX OFFENSES - OTHER	1
1902450	
SEXUAL ASSAULT - FORCIBLE RAPE	1

<u>Offense Type</u>	<u>Offense count</u>
1902832	
SEXUAL ASSAULT OF A CHILD (ATTEMPT	1
2000055	
SUICIDE - ATTEMPTED	1
1902860	
TERRORISTIC THREAT	3
1902440	
1902440	
1902440	
1902040	
1902555	
1902555	
THEFT	1
1901564	
THEFT - SHOPLIFTING	2
1902015	
1902331	
THEFT (STOLEN PROPERTY/RECEIVE,POS	1
1901475	
THEFT UNDER \$100.00	1
1902072	
1902072	
UNAUTHORIZED USE OF A VEHICLE (AUT	2
2000034	
1902580	

	Offender	Victim	Total
10	1	3	4
11	1	4	4
12	3	7	9
13	5	12	15
14	3	5	8
15	13	11	24
16	15	22	34
Total	36	60	89



1111 Bayou
La Marque, Texas 77568
409.938.9202

**CITY OF LA MARQUE
CITY COUNCIL
PUBLIC HEARING MINUTES
of
January 13, 2020**

Minutes of the Public Hearing held by the City Council of the City of La Marque on Monday, January 13, 2020 at 6:00 p.m. in the Council Chambers, at 1109-B Bayou Road, La Marque, Texas regarding the following agenda:

A Public Hearing to allow public comments on the City of La Marques' Texas Community Development Block Grant Program project that provided wastewater system improvements (Contract No. 7217250)

1. CALL TO ORDER

Mayor Hocking called the Public Hearing at 6:02 p.m.

2. ROLL CALL

Mayor Bobby Hocking
Mayor Pro-Tem Keith Bell
Councilmember Chris Lane
Councilmember Robert Michetich
Councilwoman Casey Mc Auliffe
City Manager Charles "Tink" Jackson
Deputy City Clerk Kierra Nance
Acting City Attorney Derra Purnell

AGENDA

1. Review of the TxCDBG Contract #7217250
2. Contract Performance Statement Revisions
3. Citizens' views, questions and comments

There were no public comments.

Mayor Hocking closed the Public Hearing at 6:03 p.m.

Councilmember Lane made a motion to adjourn the Public Hearing at 6:03 p.m.
Councilwoman Mc Auliffe seconded. **PUBLIC HEARING ADJOURNED.**



1111 Bayou
La Marque, Texas 77568
409.938.9202

Bobby Hocking, Mayor

ATTEST:

Kierra Nance, Deputy City Clerk

DRAFT



**CITY OF LA MARQUE
CITY COUNCIL WORKSHOP
MINUTES
of
JANUARY 13, 2020**

City Council Workshop Minutes of the City of La Marque City Council held on Monday, January 13, 2020, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Hocking called the Workshop to order at 6:00 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

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson

Kierra Nance

Derra Purnell

City Manager

Deputy City Clerk

Acting City Attorney

Taken off of the Regular City Council Agenda- Proclamation- Trysten Pearson and his mother, Shena Pearson both were present to receive a proclamation in reference to November being the National Epilepsy Month

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Hocking led the invocation and the Pledge of Allegiance

(4) CITIZENS PARTICIPATION

1. Geraldine Sam reported that she has been receiving several phone calls from citizens concerning the possibility of discrimination within the La Marque Fire Department.
2. Maria Garza addressed Council on the possibility of their neighbors are running a business out of their home and that they are being called racists. Reported that a video is being passed around town to promote these racism accusations.

3. Linda White brought pictures that shows standing water in her backyard and reported to Council that it is causing some flooding. There is high grass in back of her fence that belongs to the City.
4. Enrique Garza reported that within the last three years, when a certain neighbor moved on his street, he has had nothing but problems. He also reported that a city employee is passing around a video and is spreading rumors that his family is racist. This same neighbor has an illegal garage out of his home, and it bringing down the appreciation of his home. "I have pictures, videos and the Police Department has a folder on them showing them all working on cars."

Mayor Pro-Tem Bell asked the City Manager to find out which employee is allegedly passing around the video. He then added that he along with the previous City Manager came to his house and met with his wife and discussed this situation at length and it was found that there was no illegal mechanic shop being ran at the alleged neighbor's house.

Mr. Garza asked for a meeting with the City Manager.

(5) CONSENT

- a. Discussion relating to adopt Resolution No. R-2020-0001 calling for the General Election to be held May 2, 2020, to elect one (1) Councilmember for District "B" and one (1) Councilmember for District "D", each for a three (3) year term
There was no discussion.
- b. Discussion relating to adopt Resolution No. R-2020-0002, a Resolution by the City Council of the City of La Marque, Texas, authorizing publication of Notice of Intention to issue Certificates of Obligation; approving the preparation of a Preliminary Official Statement; and approving other matters incidental thereto

This item will be pulled off of the agenda until further information can be obtained.

- c. Discussion relating to adopt Ordinance No. O-2020-0001, amending Chapter 23, Section 23 - 1 "Special expenses for issuance and service of warrants in certain cases" of the Code of Ordinances to collect a fine not to exceed \$25 for an offense under Section 38.10, Penal Code, or Section 543.009, of the Transportation Code
THIS IS THE FIRST READING

City Manager "Tink" Jackson clarified that this will not impose an additional fee, but due to a change in legislature, changes the word "fee" to a "fine."

- d. Discussion relating to approve a Final Plat of La Marque 3 Addition being a subdivision establishing commercial restricted reserve "A", containing 1.275 acres, showing part of Block 51, Division K, of the Cook & Stewart Subdivision, John D. Moore Survey, Abstract No.150, City of La Marque, Galveston County, Texas (6th Avenue & Prune Street)

Councilwoman Mc Auliffe discussed her concerns on the building of another store of this nature, and whether it would fit into the future vision that Council had for the City. Further discussion continued which involved what steps can be taken to attract a grocery store chain here within the City.

- e. Discussion relating to approve the purchase of one Spartan 4-door mid-mounted fire pumper through H-GAC Buy in the amount of \$625,000.00
There was no discussion.
- f. Discussion relating to approve purchase of five (5) each complete LifePak-15 cardiac monitors through a lease purchase agreement of five (5) annual payments, pending Legal review of financing agreement
There was no discussion.
- g. Discussion relating to approve the renewal of contract to Advanced Data Processing, Inc. (ADPI), a subsidiary of R1 RCM Inc., and previously known as Intermedix, commencing 01-15-2020 through 01-15-2023 for Emergency Medical Service Billing and Collections
There was no discussion.
- h. Discussion relating to award **RFP #20-01** to Clark Condon, and authorize the City Manager to negotiate a contract for consulting services related to creation of a Parks Master Plan for the City of La Marque
There was no discussion.

(6) NEW BUSINESS

- a. Discussion relating to proposed municipal complex
 - b. Discussion relating to establishment of City of La Marque Teen Court
- **** These two items were diverted to be discussed at the Regular meeting following this workshop.

(7) ADJOURNMENT

The Workshop adjourned at 6:39 p.m.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Kierra Nance, Deputy City Clerk



**CITY OF LA MARQUE
CITY COUNCIL REGULAR
MINUTES
of
JANUARY 13, 2019**

City Council Regular Minutes of the City of La Marque City Council held on Monday, January 13, 2020, beginning immediately following the City Council Workshop that began at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Hocking called the Workshop to order at 6:00 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

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson

Kierra Nance

Derra Purnell

City Manager

Deputy City Clerk

Acting City Attorney

(3) PRESENTATIONS/ PROCLAMATIONS/INTRODUCTIONS

a. Excellent Employee Customer Service Awards

Mayor Hocking presented Ranisha Lee and Delicia Kingsbury, Utility Billing Customer Service Technician for their outstanding customer service

b. Proclamation - Martin Luther King, Jr.

Geraldine Sam was presented with a proclamation commemorating Martin Luther King, Jr. Day by Councilwoman Mc Auliffe

c. Presentation - Epilepsy Month (November)- this item was addressed during the Workshop earlier in the evening

(4) MINUTES

a. Workshop City Council Minutes of December 16, 2019

b. Special City Council Minutes of December 16, 2019

****** Councilmember Lane made a motion to approve the above described minutes.

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

(5) CONSENT AGENDA

- a. Consider recommendation to adopt Resolution No. **R-2020-0001** calling for the General Election to be held May 2, 2020, to elect one (1) Councilmember for District "B" and one (1) Councilmember for District "D", each for a three (3) year term
- b. Consider recommendation to adopt Resolution No. **R-2020-0002**, a Resolution by the City Council of the City of La Marque, Texas, authorizing publication of Notice of Intention to issue Certificates of Obligation; approving the preparation of a Preliminary Official Statement; and approving other matters incidental thereto
- c. Consider recommendation to adopt Ordinance No. **O-2020-0001**, amending Chapter 23, Section 23 – 1 "Special expenses for issuance and service of warrants in certain cases" of the Code of Ordinances to collect a fine not to exceed \$25 for an offense under Section 38.10, Penal Code, or Section 543.009, of the Transportation Code **THIS IS THE FIRST READING**
- d. Consider recommendation to approve a Final Plat of La Marque 3 Addition being a subdivision establishing commercial restricted reserve "A", containing 1.275 acres, showing part of Block 51, Division K, of the Cook & Stewart Subdivision, John D. Moore Survey, Abstract No.150, City of La Marque, Galveston County, Texas (6th Avenue & Prune Street)
- e. Consider recommendation to approve the purchase of one Spartan 4-door mid-mounted fire pumper through H-GAC Buy in the amount of \$625,000.00
- f. Consider recommendation to approve purchase of five (5) each complete LifePak-15 cardiac monitors through a lease purchase agreement of five (5) annual payments, pending Legal review of financing agreement
- g. Consider recommendation to approve the renewal of contract to Advanced Data Processing, Inc. (ADPI), a subsidiary of R1 RCM Inc., and previously known as Intermedix, commencing 01-15-2020 through 01-15-2023 for Emergency Medical Service Billing and Collections
- h. Consider recommendation to award **RFP #20-01** to Clark Condon, and authorize the City Manager to negotiate a contract for consulting services related to creation of a Parks Master Plan for the City of La Marque – with the exception of item B to be pulled for discussion,

** Councilmember Lane made a motion to approve the Consent Agenda, with the exception of item b., which was pulled.

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

(6) NEW BUSINESS

a. Discussion/possible action regarding proposed municipal complex

City Manager Jackson had been asked at the previous Council meeting to start look into the possibility of designing or coming up with some information for a Municipal Complex.

A beginning concept was discussed with a company since then and they should have a better plan before the next Council meeting, this being such a large project.

Councilmember Michetich began by stating that the most pressing item needed is a police station, and that if the City could afford a Municipal Complex, that would be great, but it doesn't all have to be in one complex. "I will not go for raising taxes for this at all."

Councilwoman Mc Auliffe stated that with Councilman Bell instigating this that it seemed to be for us to start to talk about our future, and to begin to build a master plan. "I just want to put out there that it shouldn't be seen as boy oh boy aren't we excited to build this big rotunda, but more of a building that will fit our needs for Police and Municipal Court.

City Manager Jackson reminded all that in the last budget year a capital improvement plan was started, and that this year would be a continuation of this plan.

Mayor Pro-Tem Bell being the longest standing one on Council at this time, said that he had seen the repairs that had been done to buildings and knows what it does to the self-esteem of a city. "I am just wondering why we can't dream, can't we just dream? Let's put together a dream, a vision, and let the people decide. Do you want to live in a city that has a municipal complex that you can be proud of, that will attract other citizens, that will be efficient and that will be economically sound, or do you want to continue to patch up what we have? That's part of this city's problem, we don't have dreams. We don't have visions and I am tired of it and so I am willing to put it before the people. So, thank you Tink for what you have done, and I would love to see a rendition of an entire complex and I would love to let the people decide."

Mayor Hocking continued, "I am willing to dream, but I would like to fast track especially the Police Department and the Court. I am going to dream with you on all three and look forward more for more discussion."

Further discussion included the need for a plan together and bring before the Council and have citizens come in and give feedback to see if this is something that they want to see within this city.

b. Discussion/possible action regarding establishment of City of La Marque Teen Court

City Manager Jackson stated this had been briefly discussed with Councilmember Lane. Approved in the budget was a position of the Youth Advocate person. This position hasn't been filled as of yet, but this person could direct and could encompass this Teen Court idea. Judge Stephen Baker added his input to this program. "During my tenure, we have held teen court twice, so, I am familiar with how we set it up. We, in the past have found participants within the school district to volunteer and help with the program, then you throw it out there to the juveniles who have the Class "C" misdemeanors that come before us and are given an option. I am certainly willing to work with you all to give this program a try again. With the new juvenile case manager that will come on board soon, we can have that individual reach out to the schools and participants train and work through a program. "

Councilmember Lane said that he has spoken to a few businesses who may be interested in volunteering in this program.

Further discussion involved the possibility of having someone appear before Council with their presentation or a skype meeting to answer any questions and or discuss any pros and cons to a program of this kind.

(7) APPOINTMENTS

a. Discussion/possible action regarding appointments and/or appointments to various of the Boards and Commissions

Councilwoman Mc Auliffe reappointed Lillian Petty to the Board of Adjustments.

Mayor Hocking asked to establish a link between the Keep La Marque Beautiful Commission and the Cemetery Board, "I would ask the Council for a special dispensation to appoint Alana Brown to the Cemetery Board. After speaking to the attorney, it was said that the ordinance be amended to include this type of appointment on a case by case basis." This was approved

Councilmember Michetich seconded.

Four positions on the TIRZ Board that needed to be reappointed. Mayor Hocking reappointed the four members to the TIRZ Board that were due: with Ernie Casmis as the Chair person for this Board.

(8) EXECUTIVE SESSION

There was no executive session

(9) REQUESTS AND ANNOUNCEMENTS

Councilmember Michetich acknowledged the drainage problems that a citizen brought up during the citizens participation and stated that those along with other infrastructure issues were being addressed. Added the need for new police station, and thanked Public Works for their continued work in correcting low water pressure and other issues.

City Manager further explained the water pressure issues, AND ALSO THANKED Public Works for their continued hard work.

Mayor Hocking thanked all for the phone calls, and of all the support for his wife Patti, that he really appreciated everyone

(10) ADJOURNMENT

** Councilmember Lane made a motion to adjourn the Regular meeting at 7:19 p.m.

** Councilwoman Mc Auliffe seconded. MEETING ADJOURNED

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Kierra Nance, Deputy City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: February 10, 2020

Prepared by: Rosemary Bell

Agenda item: 6a

Reviewed by: Charlene Warren

Charles Jackson

Department: Judicial

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Ordinance No. **O-2020-0001**, amending Chapter 23, Section 23 – 1 “Special expenses for issuance and service of warrants in certain cases” of the Code of Ordinances to collect a fine not to exceed \$25 for an offense under Section 38.10, Penal Code, or Section 543.009, of the Transportation Code **THIS IS THE SECOND AND FINAL READING.**

X

ATTACHMENTS FOR REFERENCE

1. Draft Ordinance

STAFF BRIEFING:

- Ordinance No. O-2015-0026, adopted October 26, 2015, amended § 23-1 and in doing so changed the title of said section from “Collection of special expense for services performed in certain dismissed cases” to “Collection of special expense for services performed in certain dismissed cases and issuance and service of warrants in certain cases.”
- Senate Bill 346, passed on June 15, 2019, effective January 1, 2020, amended Texas Code of Criminal Procedure Art. 45.203 (c). Texas Code of Criminal Procedure Art. 45.203(c) allowed a municipality to prescribe by ordinance the collection, after due notice, of a special expense, not to exceed \$25 for the issuance and service of a warrant of arrest for an offense under Section 38.10, Penal Code, or Section 543.009, Transportation Code.
- Senate Bill 346 allows a municipality to prescribe by ordinance the collection, after due notice, of a fine not to exceed \$25 for an offense under Section 38.10 (e), Penal Code, or Section 543.009, Transportation Code.
- In sum, Senate Bill 346 renamed the “special expense” a “fine”. Moreover, collection of the fine will be assessed for an offense under Section 38.10 (e), Penal Code, or Section 543.009, Transportation Code, instead of “on issuance and service of a warrant of arrest for an offense under Section 38.10, Penal Code, or Section 543.009, Transportation Code”, on or after January 1, 2020.
- Therefore, the City will need to amend the ordinance in place to comply with Senate Bill 346.

HISTORY:

October 26, 2015 – Ordinance No. O-2015-0026 amended title of § 23-1

June 15, 2019 – Senate Bill 346 amended Texas Code of Criminal Procedure Art. 45.203 (c)

January 1, 2020 – Texas Code of Criminal Procedure Art. 45.203(c) is effective

TARGET IMPLEMENTATION: January 1, 2020



CITY COUNCIL AGENDA FORM

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

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2020-0001** amending Chapter 23, Section 23 - 1 of the Code of Ordinances to collect a fine not to exceed \$25 for an offense under Section 38.10, Penal Code, or Section 543.009, of the Transportation Code **THIS IS THE SECOND AND FINAL READING.**

FISCAL IMPACT: No change in fiscal impact is anticipated

ORDINANCE NO. O-2020-0001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING CHAPTER 23, "COURTS," ARTICLE 1, SECTION 23-1, OF THE CODE OF ORDINANCES TO PROVIDE A FINE BE COLLECTED BY THE MUNICIPAL COURT FOR AN OFFENSE UNDER SECTION 38.10, PENAL CODE, OR SECTION 543.009, TRANSPORTATION CODE.

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

Section 1. That Chapter 23, "Courts," Article 1, Sec. 23-1, of the Code of Ordinances of the City of La Marque, Texas, is hereby amended as follows:

"Sec. 23-1. Collection of special expense for services performed in certain dismissed cases and ~~issuance and service of warrants in~~ collection of fine in certain cases.

(a) *Expense Authorized.* The city's municipal court is hereby authorized to collect a special expense for services performed in cases in which the laws of the state require that the case be dismissed because of actions by the defendant as described in this section after the date of the alleged offense.

(b) *Cases for which expense may be collected.* Such special expense as authorized by subsection (a) of this section shall be collected only in cases in which the defendant successfully completes a defensive driver's course and complies with the other requirements imposed by the municipal court as authorized by V. T. C. A., Transportation Code Sec. 543.102.

(c) *Amount.* Such special expense as authorized by subsection (a) of this section in cases described in subsection (b) of this section shall be \$10.00, which amount is hereby determined by the city council to be less than the actual expenses to be incurred for the municipal court's services.

(d) ~~Special expense for issuance and service of warrants in certain cases. Cases for which fine may be collected.~~ The city's municipal court is hereby authorized after due notice, to collect a fine ~~special expense~~, not to exceed \$25.00 ~~for the issuance and service of a warrant of arrest~~ for an offense under Section 38.10, Penal Code, or Section 543.009, of the Transportation Code. Money collected from the fine ~~special expense~~ shall be paid into the city's treasury for the use and benefit of the city."

PASSED AND APPROVED on first reading this ____ day of _____, 2020.

PASSED, APPROVED and ADOPTED on second and final reading this the ____ day of _____, 2020.

Bobby Hocking, Mayor
City of La Marque, Texas

ATTEST:

Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:

Derra Leigh Purnell, Acting City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: February 10, 2020

Prepared by: Charlene Warren/
Charles Jackson

Agenda item: **6b**

Reviewed by: *Charlene Warren/
Charles Jackson*

Department: Administration

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding proposed municipal complex



ATTACHMENTS FOR REFERENCE

STAFF BRIEFING:

- At the December 16, 2019 Special Called City Council meeting, Mayor Pro-Tem Bell requested discussions begin regarding a proposed municipal complex, to include a police department, municipal court, and city hall
- At the January 13, 2020 Regular City Council meeting, an update was provided by city manager, stating the engineering firm was working on an initial proposal

HISTORY: N/A

TARGET IMPLEMENTATION: To be determined based on Council's direction

SIGNIFICANT ACTION DATES: N/A

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other - Discussion | |
| ☒ 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: To be determined based on Council's direction

FISCAL IMPACT: Unknown at this time; discussion only



CITY COUNCIL AGENDA FORM

Meeting Date: February 10, 2020

Prepared by: Suzy Kou

Agenda item: 7a

Reviewed by: Charlene Warren/

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Ordinance No. **O-2020-0002** amending the fiscal year 2018-19 Budget for various funds' expenditures by decreasing various funds' fund balances and increasing certain expenditures to individual budget accounts in various funds and increasing certain revenues in various funds as set forth in Exhibit A **THIS IS THE FIRST READING.**

X

ATTACHMENTS FOR REFERENCE

- 1. Ordinance**
- 2. Exhibit A**

STAFF BRIEFING:

- August 25, 2017, due to hurricane Harvey, the City incurred unanticipated expenditure of damage repairs on equipment and facilities
- During the fiscal year, the City received and expended PID transactions which require appropriations before year end
- During the year, the City had a few unanticipated expenditures in special revenue funds which were not included in the budget at point of adoption
- Fund 65 - this is a correction to an automatic rollover feature within STW when we adopted the budget inside the system. It only occurs to accounts classified as Capital Project
- Fund 02 - this is the remainder of the lease proceeds from previous year to pay for AMI meters but did not "rollover" to the new budget year
- Fund 43 - this is new debt GCWA issued in 2016
- The ordinance is to amend the budget administratively and to match with actual approved expenditures
- All capital expenditures exceeding \$25,000 have been individually approved by Council during the fiscal year

HISTORY: N/A

TARGET IMPLEMENTATION: February 10, 2020

SIGNIFICANT ACTION DATES:

February 10, 2020 - First reading of the ordinance

March 9, 2020 - Second reading of the ordinance



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	-0-
Actual Bid	
Estimated Expenditure	See Exhibit A
Acct. Name(s)	See Exhibit A
Line Items #	See Exhibit A
Other Funding	

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2020-0002**, amending the fiscal year 2018-19 Budget for various funds' expenditures by decreasing various funds' fund balances and increasing certain expenditures to individual budget accounts in various funds and increasing certain revenues in various funds as set forth in Exhibit A **THIS IS THE FIRST READING.**

FISCAL IMPACT: See Exhibit A

ORDINANCE O-2020-00

AN ORDINANCE AMENDING THE CITY OF LA MARQUE 2018-2019 BUDGET FOR VARIOUS EXPENDITURES AT END OF FISCAL YEAR BY DECREASING VARIOUS FUNDS' FUND BALANCES AND INCREASING CERTAIN EXPENDITURES TO INDIVIDUAL BUDGET ACCOUNTS IN VARIOUS FUNDS AND INCREASING CERTAIN REVENUES IN VARIOUS FUNDS AS SET FORTH IN ATTACHED EXHIBIT "A"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS

Section 1. That the City La Marque 2018-2019 Fiscal Year Budget is hereby amended for various expenditures at end of fiscal year by decreasing various funds' fund balances and increasing certain expenditures to the individual budget accounts in various funds and increasing certain revenues in various funds as set forth in Exhibit "A" attached hereto and made a part hereof.

Section 2. Open Meetings Act. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Tex. Gov't Code*.

PASSED AND APPROVED by City Council of the City of La Marque, Texas, on this the first reading this the **10th** day of **February**, 2020.

PASSED, APPROVED and ADOPTED by City Council of the City of La Marque, Texas, on this the second and final reading this the ____ day of _____, 2020.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Derra Purnell, Acting City Attorney

EXHIBIT A

Fiscal Year 2018-19

Accounts		Expenditure	Revenue	Fund Balance	Reasons
22-4040-00-00	PID developers payments	30,000.00			PIDs payment to developers
23-4040-00-00	PID developers payments	100,000.00			PIDs payment to developers
25-4040-00-00	PID developers payments	950,000.00			PIDs payment to developers
22-2401-00-00	Fund Balance			-30,000.00	
23-2401-00-00	Fund Balance			-100,000.00	
25-2401-00-00	Fund Balance			-950,000.00	
63-6024-14-00	Sanitation expenditure	239,401.00			WM expenditure
63-6028-14-00	Sanitation expenditure	30,250.00			WM expenditure
63-6031-14-00	Sanitation expenditure	31,925.00			WM expenditure
63-2401-00-00	Sanitation Fund Balance			-301,576.00	
65-7001-12-00-BLGABC	Capital Project expenditure	1,769,749.28			Budget correction
65-2401-00-00	Fund Balance			-1,769,749.28	
70-3020-24-02	Harvey repairs expenditure	6,700.00			Harvey related expenditures
70-2401-00-00	Disaster Fund Fund Balance			-6,700.00	
02-7030-21-00	10-year life assets	411,000.00			AMI meters
02-2401-00-00	Fund Balance			-411,000.00	AMI meters
03-8002-00-00	Transfer out-Utility Fund	158,003.00			AMI meters
02-9003-00-00	Transfer in-Meters Replacement Fund		158,003.00		AMI meters
09-4072-00-00	Administrative cost Bayou Fest	56,841.00			Additional needed for budgeting purposes
09-3815-00-00	Contribution-Amoco		22,500.00		Additional needed for budgeting purposes
09-3817-00-00	Contribution-Praxair		10,000.00		Additional needed for budgeting purposes
09-2401-00-00	Fund Balance			-24,341.00	
15-4350-00-00	Bond CO's - Interest	125,301.00			Debts 2018 CO
15-2401-00-00	Fund Balance			-125,301.00	
39-7100-00-00	CDBG capital projects	254,000.00			CDBG grant
39-3015-00-00	CDBG grant proceeds		254,000.00		CDBG grant
43-4301-00-00	GCWA Debts	114,384.00			GCWA Series 2016 debts
43-8001-00-00	Transfer in		114,384.00		GCWA Series 2016 debts
02-8017-99-00	Transfer out- F.43	114,384.00			GCWA Series 2016 debts
02-2401-00-00	Fund Balance			-114,384.00	
47-7001-06-00	Fire Station	185,000.00			Fire Station project
47-2401-00-00	Fund Balance			-185,000.00	
51-6827-00-00	Youth activities	3,104.87			Donation fund expenditures
51-6828-00-00	Lemonade Day	767.32			Donation fund expenditures
51-6829-00-00	Football field	4,500.00			Donation fund expenditures
51-2401-00-00	Fund Balance			-8,372.19	
82-2017-04-00	Court technology expense	2,700.00			Computers for Court
82-2401-00-00	Fund balance			-2,700.00	
85-4065-04-00	LEOSE expense-Court	500.00			City Marshal training
85-4065-05-00	LEOSE expense-PD	2,700.00			Police training
85-2401-00-00	Fund balance			-3,200.00	



CITY COUNCIL AGENDA FORM

Meeting Date: February 10, 2020

Prepared by: Suzy Kou

Agenda item: 7b

Reviewed by: Charlene Warren/

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Resolution No. **R-2020-0002**, a Resolution by the City Council of the City of La Marque, Texas, authorizing publication of Notice of Intention to issue Certificates of Obligation; approving the preparation of a Preliminary Official Statement; and approving other matters incidental thereto

☒

ATTACHMENTS FOR REFERENCE

1. Resolution
2. Presentation by Stifel

STAFF BRIEFING:

- Proposed 2020 CO Notice of Intent includes utility projects of Wastewater Treatment Plant (WWTP) expansion design phase, plus first two years of construction phase, WWTP headworks, rehabilitation to Gulf Greyhound elevated storage per TCEQ requirement, TxDOT I-45 corridor, and utility lift station pumps

HISTORY:

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

TARGET IMPLEMENTATION: **February 10, 2020**

SIGNIFICANT ACTION DATES:

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

December 16, 2019 – Council approved reimbursement Resolution No. **R-2019-0041** for the WWTP headworks and WWTP expansion design phase

February 10, 2020 – Presentation to City Council for consideration



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:

Budgeted	
Actual Bid	
Estimated Expenditure	See Project List
Acct. Name(s)	N/A until ordinance is approved
Line Items #	N/A until ordinance is approved
Other Funding	Bonds issuance

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2020-0002** authorizing publication of Notice of Intention to issue Certificates of Obligation; approving the preparation of a Preliminary Official Statement; and approving other matters incidental thereto

FISCAL IMPACT: This is only for publication of Notice of Intent to issue debt.

RESOLUTION NO. R-2020-0002

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; APPROVING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT; AND APPROVING OTHER MATTERS INCIDENTAL THERETO

THE STATE OF TEXAS §
COUNTY OF GALVESTON §
CITY OF LA MARQUE §

WHEREAS, the City Council of the City of La Marque, Texas (the "City") deems it advisable to issue certificates of obligation (the "Certificates") in accordance with the notice hereinafter set forth; and

WHEREAS, the City desires to approve the preparation of a preliminary official statement ("Preliminary Official Statement") in anticipation of its issuance of the Certificates; and

WHEREAS, it is hereby found and determined that the meeting at which this resolution is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code; NOW, THEREFORE

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

Section 1. The findings, determinations, definitions and recitations set out in the preamble to this resolution are found to be true and correct and are hereby adopted by City Council and made a part hereof for all purposes.

Section 2. The City Clerk is hereby authorized and directed to cause to be published in the manner required by law and in substantially the form attached hereto as Exhibit A, a notice of the City's intention to issue the Certificates (the "Notice").

Section 3. The Notice shall be published once a week for two (2) consecutive weeks in a newspaper that is of general circulation in the City, the date of the first publication to be at least forty-six (46) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates. In addition, the Notice shall be posted continuously on the City's website for at least forty-five (45) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates.

Section 4. For the purposes of the Notice, the City hereby designates as self-supporting those public securities listed in the attached Exhibit B, the debt service on which the City currently pays from sources other than ad valorem tax collections. The

City plans to continue to pay these public securities based on this practice; however, there is no guarantee this practice will continue in future years.

Section 5. The City hereby authorizes the preparation and distribution of a Preliminary Official Statement relating to the Certificates, and authorizes the City Manager or Finance Director to deem final such Preliminary Official Statement within the meaning and for the purposes of paragraph (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934.

Section 6. The City's financial advisor, Stifel, Nicolaus & Company, Incorporated, and bond counsel, Bracewell LLP, are authorized and directed to proceed with the necessary arrangements for the sale of the Certificates in accordance with the aforesaid Preliminary Official Statement.

Section 7. The Mayor, City Manager, Finance Director, City Clerk, and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this resolution.

Section 8. This resolution shall take effect immediately upon its passage.

Section 9. The notice and agenda relating to this meeting and heretofore posted by the City Clerk, and the posting thereof, are hereby authorized, approved, and ratified.

[Execution Page to Follow]

PASSED AND APPROVED on this the 10th day of February, 2020.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor
City of La Marque, Texas

ATTEST:

Robin Eldridge, TRMC, City Clerk
City of La Marque, Texas

[SEAL]

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of La Marque, Texas (the "City"), will meet at 1109-B Bayou Road, La Marque, Texas, 77568 at 6:00 p.m. on the 5th day of May, 2020, which is the time and place tentatively set for a public hearing on and the final passage on first and final reading of an Ordinance Authorizing the Issuance and Sale of the City of La Marque, Texas, Tax and Revenue Certificates of Obligation, Series 2020; Levying a Tax and Providing for the Security and Payment Thereof; and Enacting Other Provisions Relating Thereto (the "Ordinance") and such other action as may be deemed necessary to authorize the issuance of the City's certificates of obligation, in the maximum aggregate principal amount not to exceed \$13,000,000 payable from ad valorem taxes and from a limited pledge of a subordinate lien on the net revenues of the City's water, sewer and wastewater system, bearing interest at any rate or rates not to exceed the maximum interest rate authorized by law, as shall be determined within the discretion of the City Council of the City at the time of issuance of the Certificates, and maturing over a period not to exceed forty (40) years from the date of issuance, for the purposes of evidencing the indebtedness of the City for all or any part of the costs associated with the (i) rehabilitation of, construction of improvements to, and the equipment of the City's water and sewer system, including lift stations, elevated storage tanks, wastewater treatment plant head works, and the expansion of the wastewater treatment plant, (ii) the construction of improvements to roads and related rights of way, including lighting, signals, signage, drainage, and landscaping, and (iii) cost of professional services incurred in connection therewith. The estimated combined principal and interest required to pay the Certificates on time and in full is approximately \$19,372,000. Such estimate is provided for illustrative purposes only, and is based on an assumed interest rate of 4.00%. Market conditions affecting interest rates vary based on a number of factors beyond the control of the City, and the City cannot and does not guarantee a particular interest rate associated with the Certificates. As of the date of this notice, the aggregate principal amount outstanding of tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting in Resolution No. R-2020-0002, dated February 10, 2020, which resolution is available from the City upon request) is \$14,033,140, and based on the City's expectations, as of the date of this notice the combined principal and interest required to pay all of the outstanding tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting) on time and in full is \$20,472,120.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this 10th day of February, 2020.

Robin Eldridge
City Clerk
City of La Marque, Texas

EXHIBIT B

SELF-SUPPORTING DEBT

Principal Amount Designated as Self Supporting	Series Designation
\$5,356,860	Tax & Revenue Certificates of Obligation, Series 2016
\$3,045,000	Public Property Finance Contractual Obligations, Series 2018
\$8,401,860	Total Principal Amount Designated as Self-Supporting

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 10th day of February, 2020, 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-2020-0002

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS,
AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE
CERTIFICATES OF OBLIGATION; APPROVING THE PREPARATION OF THE
PRELIMINARY OFFICIAL STATEMENT; AND APPROVING OTHER MATTERS
INCIDENTAL THERETO

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 10th day of February, 2020.

Robin Eldridge, TRMC, City Clerk
City of La Marque, Texas

[SEAL]

STIFEL

Presentation to La Marque, Texas City Council

David Webb
Director
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webbd@stifel.com

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Director
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angstb@stifel.com

Thiiri Kimathi
Asst. Vice President
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Section		Page Number
Section I:	La Marque's Plan of Finance Scenario and Existing Debt Profile	2

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:

La Marque's Plan of Finance Scenario and Existing Debt Profile

La Marque Upcoming Projects and Estimated Costs

Series 2020 Certificates of Obligation Projects	Estimated Costs
Lift Stations	\$1,000,000
Rehabilitation to Gulf Greyhound elevated storage	\$500,000
WWTP Headworks	\$1,100,000
WWTP expansion design phase – year 1	\$1,100,000
WWTP expansion construction phase – year 2	\$5,686,845
TxDOT I-45 Corridor	\$300,000
Total Projects Cost	\$9,686,845

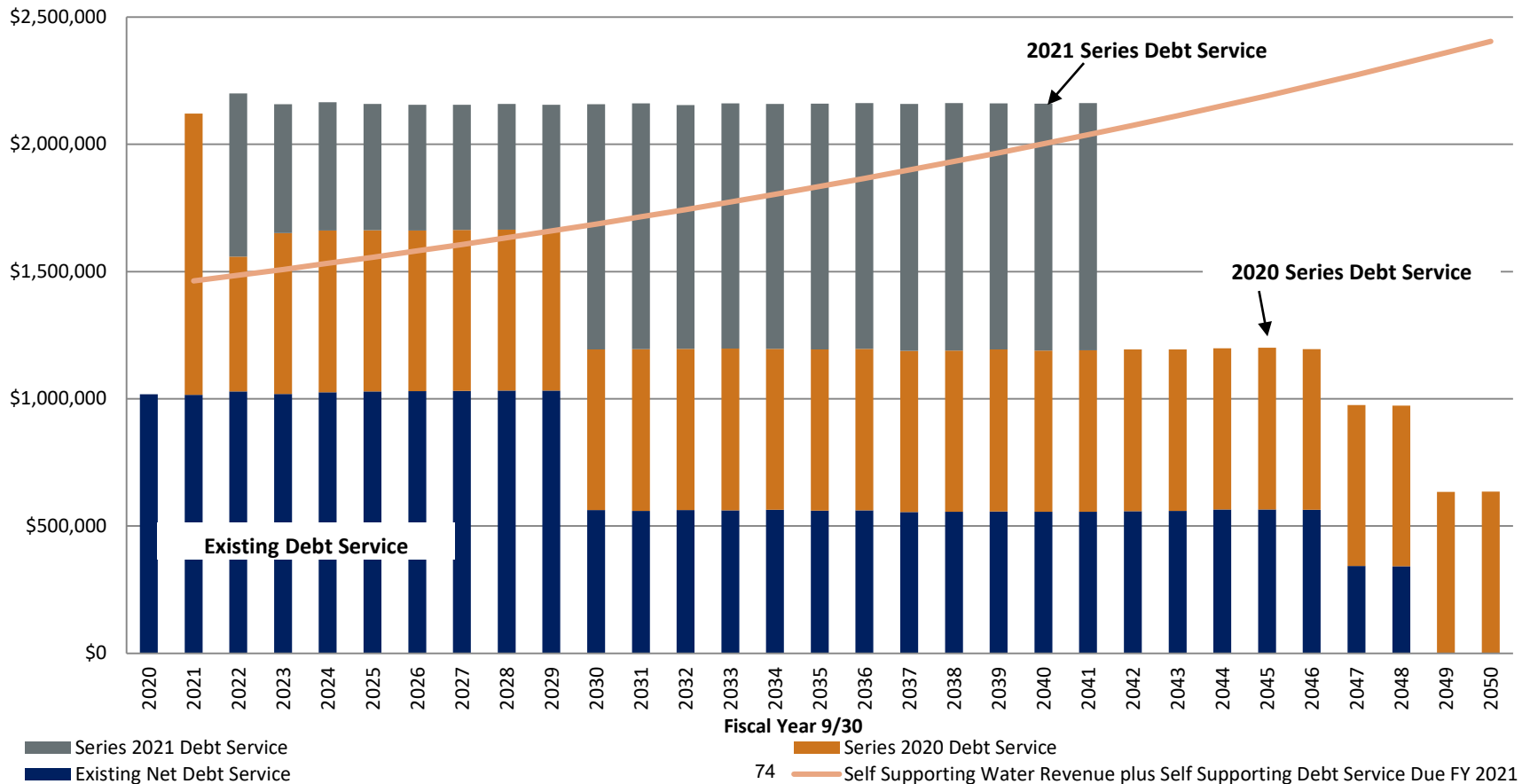
Series 2021 Certificates of Obligation Projects	Estimated Costs
WWTP expansion construction phase – year 3	\$7,649,740
TxDOT I-45 Corridor	\$1,100,000
Total Projects Cost	\$8,749,740

Plan of Finance for Task Orders

Financing Assumptions:

- Assumes issuing \$9.995 Million in May 2020, and \$8.965 Million in Spring 2021
- Assumes repayment from self supporting **water revenues of \$900,000** growing at 2.5% annually
- Assumes **3.0 cents of property tax** for repayment

City of La Marque, Texas
Net Annual Debt Service by Series



Bond Cycle Program Detail

1	2	3	4	5	6	7	8	9
FYE	Taxable	Growth	Existing	LESS:	Est.	Certificates of Obligation		
30-Sep	Valuation ⁽¹⁾	Rate	Debt Service	Self-Supporting Debt Service	Existing Net Debt Service	\$9.995 Million Par Series 2020 Debt Service ⁽²⁾	\$8.965 Million Par Series 2021 Debt Service ⁽³⁾	Total New Additional Debt Service
2020	\$985,000,033		\$ 1,582,117	\$ 564,080	\$ 1,018,037	\$ -	\$ -	\$ -
2021	1,034,250,035	5.00%	1,577,972	562,780	1,015,192	1,105,388	-	1,105,388
2022	1,085,962,537	5.00%	1,592,877	564,041	1,028,836	529,450	641,673	1,171,123
2023	1,140,260,664	5.00%	1,581,231	562,237	1,018,994	632,050	505,950	1,138,000
2024	1,197,273,697	5.00%	1,588,834	562,993	1,025,841	635,450	503,550	1,139,000
2025	1,227,205,539	2.50%	1,597,762	568,456	1,029,306	633,450	496,150	1,129,600
2026	1,257,885,677	2.50%	1,595,564	565,728	1,029,836	631,250	493,950	1,125,200
2027	1,289,332,819	2.50%	1,597,741	566,390	1,031,351	632,000	491,750	1,123,750
2028	1,321,566,139	2.50%	1,596,867	564,832	1,032,035	632,250	494,000	1,126,250
2029	1,354,605,292	2.50%	1,594,736	562,878	1,031,858	632,000	491,000	1,123,000
2030	1,388,470,424	2.50%	1,130,842	568,083	562,759	631,250	963,000	1,594,250
2031	1,423,182,185	2.50%	1,124,579	564,905	559,674	635,000	966,250	1,601,250
2032	1,458,761,740	2.50%	1,127,390	564,076	563,314	633,000	958,000	1,591,000
2033	1,495,230,784	2.50%	849,000	287,741	561,259	635,500	963,750	1,599,250
2034	1,532,611,554	2.50%	851,475	287,784	563,691	632,250	962,750	1,595,000
2035	1,532,611,554	0.00%	847,825	287,418	560,407	633,500	965,250	1,598,750
2036	1,532,611,554	0.00%	848,675	286,884	561,791	634,000	966,000	1,600,000
2037	1,532,611,554	0.00%	843,750	288,951	554,799	633,750	970,000	1,603,750
2038	1,532,611,554	0.00%	844,525	287,995	556,530	632,750	972,000	1,604,750
2039	1,532,611,554	0.00%	844,650	286,870	557,780	636,000	967,000	1,603,000
2040	1,532,611,554	0.00%	844,050	288,346	555,704	633,250	970,250	1,603,500
2041	1,532,611,554	0.00%	842,900	286,799	556,101	634,750	971,250	1,606,000
2042	1,532,611,554	0.00%	846,025	287,854	558,171	635,250	-	635,250
2043	1,532,611,554	0.00%	848,063	288,494	559,569	634,750	-	634,750
2044	1,532,611,554	0.00%	854,003	288,713	565,290	633,250	-	633,250
2045	1,532,611,554	0.00%	853,594	288,669	564,925	635,750	-	635,750
2046	1,532,611,554	0.00%	851,338	287,791	563,547	632,000	-	632,000
2047	1,532,611,554	0.00%	343,563	-	343,563	632,250	-	632,250
2048	1,532,611,554	0.00%	341,963	-	341,963	631,250	-	631,250
2049	1,532,611,554	0.00%	-	-	-	634,000	-	634,000
2050	1,532,611,554	0.00%	-	-	-	635,250	-	635,250
			\$ 31,843,906	\$ 11,371,788	\$ 20,472,118	\$ 19,372,038	\$ 15,713,523	\$ 35,085,560

PRELIMINARY: FOR DISCUSSION PURPOSE ONLY

(1) Assessed Valuation provided by City.

(2) Series 2020: \$9.7 Million Project Fund for Lift Stations (\$1.000mm), Rehab to Gulf Greyhound (\$500,000), WWTP headworks (\$1.100mm), WWTP design phase-yr 1(\$1.100mm), WWTP construction-yr 2 (\$5.686mm), TxDOT I-45 Corridor (\$300,000)

(3) Series 2021: \$8.7 Million Project Fund for WWTP expansion construction phase-year 3 (\$7.650mm), TxDOT I-45 Corridor (\$1.100mm)

Bond Cycle Program Detail (cont'd)

<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>14</u>	<u>15</u>	<u>16</u>	<u>17</u>
User Account	Rate Increase	New			Calculated		
Water Rev	Water Rev	Self Supporting	New Additional	Net Total	I&S Tax Rate	Additional	FYE
Growth	Growth	Water Rev	Debt Covered By	Projected	95%	Tax Rate	
Factor	Factor	\$900k Max	Property Tax	Debt Service	Collection Rate		30-Sep
			\$ -	\$ 1,018,037	\$0.0942		2020
		\$ 900,000	205,388	1,220,580	0.1242	0.0300	2021
1.50%	1.00%	922,500	248,623	1,277,458	0.1238		2022
1.50%	1.00%	945,563	192,438	1,211,431	0.1118		2023
1.50%	1.00%	969,202	169,798	1,195,639	0.1051		2024
1.50%	1.00%	993,432	136,168	1,165,474	0.1000		2025
1.50%	1.00%	1,018,267	106,933	1,136,769	0.0951		2026
1.50%	1.00%	1,043,724	80,026	1,111,376	0.0907		2027
1.50%	1.00%	1,069,817	56,433	1,088,467	0.0867		2028
1.50%	1.00%	1,096,563	26,437	1,058,295	0.0822		2029
1.50%	1.00%	1,123,977	470,273	1,033,032	0.0783		2030
1.50%	1.00%	1,152,076	449,174	1,008,847	0.0746		2031
1.50%	1.00%	1,180,878	410,122	973,436	0.0702		2032
1.50%	1.00%	1,210,400	388,850	950,109	0.0669		2033
1.50%	1.00%	1,240,660	354,340	918,031	0.0631		2034
1.50%	1.00%	1,271,676	327,074	887,481	0.0610		2035
1.50%	1.00%	1,303,468	296,532	858,323	0.0590		2036
1.50%	1.00%	1,336,055	267,695	822,494	0.0565		2037
1.50%	1.00%	1,369,456	235,294	791,824	0.0544		2038
1.50%	1.00%	1,403,693	199,307	757,087	0.0520		2039
1.50%	1.00%	1,438,785	164,715	720,419	0.0495		2040
1.50%	1.00%	1,474,755	131,245	687,346	0.0472		2041
1.50%	1.00%	1,511,624	-	-	-		2042
1.50%	1.00%	1,549,414	-	-	-		2043
1.50%	1.00%	1,588,150	-	-	-		2044
1.50%	1.00%	1,627,853	-	-	-		2045
1.50%	1.00%	1,668,550	-	-	-		2046
1.50%	1.00%	1,710,263	-	-	-		2047
1.50%	1.00%	1,753,020	-	-	-		2048
1.50%	1.00%	1,796,846	-	-	-		2049
1.50%	1.00%	1,841,767	-	-	-		2050
		\$ 39,512,433	\$ 4,916,864	\$ 21,891,956			

PRELIMINARY: FOR DISCUSSION PURPOSE ONLY

(1) Assessed Valuation provided by City.

(2) Series 2020: \$9.7 Million Project Fund for Lift Stations (\$1.000mm), Rehab to Gulf Greyhound (\$500,000), WWTP headworks (\$1.100mm), WWTP design phase-yr 1(\$1.100mm), WWTP construction-yr 2 (\$5.686mm), TxDOT 1-45 Corridor (\$300,000)

(3) Series 2021: \$8.7 Million Project Fund for WWTP expansion construction phase-year 3 (\$7.650mm), TxDOT I-45 Corridor (\$1.100mm)

Series 2020 Certificates of Obligation Recommendation

Sources and Uses*

Sources

Par Amount	\$9,995,000.00
Bond Premium	--
Total Sources	\$9,995,000.00

Uses

Project Fund Deposits:	
Lift stations	\$1,000,000.00
Rehabilitation to Gulf Greyhound elevated storage	500,000.00
WWTP headworks	1,100,000.00
WWTP expansion design phase-year 1	1,100,000.00
WWTP expansion construction phase-year 2	5,686,845.00
TxDOT I-45 Corridor	300,000.00
	\$9,686,845.00
Delivery Date Expenses:	308,155.00
Total Uses	\$9,995,000.00

Financing Assumptions*

- **Water Revenues:** \$900,000 starting in 2021. 1.5% growth factor for user accounts and 1.0% growth for annual rate increase, totaling 2.5% annual growth rate. (note: approximately \$900k is available annually starting 2021. \$500k from water purchase, \$300k from WWTP and TCEQ requirements, and \$100k of lower maintenance costs)
- **Property Tax Revenues:** Uses 3.0 cents of the I&S rate to make up the difference in debt service and water revenues available
- **Current AV:** \$985,000,033 AV growth factor of 5.0% used for 2021 – 2024, 2.5% for 2025 – 2034, and 0% for the remainder

Financing Statistics*

- **Issue Date:** 5/2020
- **Final Maturity:** September 2050
- **Average Life:** 18.82 years
- **All-In TIC:** 5.25%
- **Average Annual Debt Service:** \$640,222

Financing Timetable – Series 2020 Certificates of Obligation

DATE	ACTION	RESPONSIBLE PARTIES
February 10 th , 2020	City Council Work Session: Plan of Finance Discussion	City/Stifel/BC
February 10 th , 2020	City Council Meeting: Consideration of Notice of Intent and Publication Notice	City/Stifel/BC
February 24 th , 2020	Publish First Notice of Intent in the Local Paper (46 Day Wait Period Begins)	City/BC
February 24 th , 2020	Post Notice of Intent on the City's website (must remain posted until the sale date)	City/BC
February 27 th , 2020	Draft Bond Docs and POS Distributed	Bond Counsel
March 2 nd , 2020	Publish Second Notice of Intent in local paper	City/BC
March 12 th , 2020	Draft Bond Docs and POS Distributed	Bond Counsel
March 27 th , 2020	Draft Rating Presentation Distributed	Stifel
Wk of April 6 th , 2020	Rating Presentation(s) (S&P)	City/Stifel
April 10 th , 2020	Notify and Engage Underwriter(s)	City/Stifel
Wk of April 20 th , 2020	Receive Ratings	TBD (S&P)
Wk of April 20 th , 2020	Due Diligence Call with Underwriter(s)	City/UW/UWC/BC/FA
Wk of April 27 th , 2020	Post POS	UW/City
May 5th, 2020	Bond Pricing and Sale (will require a special meeting)	All Parties
May 8 th , 2020	Transcript to AG	BC
Wk of May 11 th , 2020	Closing Memorandum Distributed	Stifel
May 27 th , 2020	Pre-Closing	BC/UWC
May 28 th , 2020	Closing and Funding	All Parties

- A bond election could be held in November 2020
- The charts to the right illustrates the impact of a successful bond election based on current data
 - ✓ \$20 Million Bond Package:
 - 20 year final maturity increase the I&S tax rate by 16.3 cents
 - 30 year final maturity increase the I&S tax rate by 14.3 cents
 - ✓ \$15 Million Bond Package:
 - 20 year final maturity increase the I&S tax rate by 12.4 cents
 - 30 year final maturity increase the I&S tax rate by 10.9 cents
 - ✓ \$10 Million Bond Package:
 - 20 year final maturity increase the I&S tax rate by 8.5 cents
 - 30 year final maturity increase the I&S tax rate by 7.4 cents

20 Year Final Maturity					
Tax Rate Impact on City of La Marque Homeowners (Monthly)*					
Bond Size	Amortization	I&S Tax Rate	Home Values		
			\$50,000	\$100,000	\$150,000
\$ 20,000,000	20 Years	16.3 cent Increase	\$ 3.41	\$ 10.22	\$ 17.03
\$ 15,000,000	20 Years	12.4 cent Increase	\$ 2.58	\$ 7.74	\$ 12.90
\$ 10,000,000	20 Years	8.5 cent Increase	\$ 1.77	\$ 5.30	\$ 8.83

30 Year Final Maturity					
Tax Rate Impact on City of La Marque Homeowners (Monthly)*					
Bond Size	Amortization	I&S Tax Rate	Home Values		
			\$50,000	\$100,000	\$150,000
\$ 20,000,000	30 Years	14.3 cent Increase	\$ 2.98	\$ 8.94	\$ 14.90
\$ 15,000,000	30 Years	10.9 cent Increase	\$ 2.26	\$ 6.79	\$ 11.32
\$ 10,000,000	30 Years	7.4 cent Increase	\$ 1.55	\$ 4.64	\$ 7.74

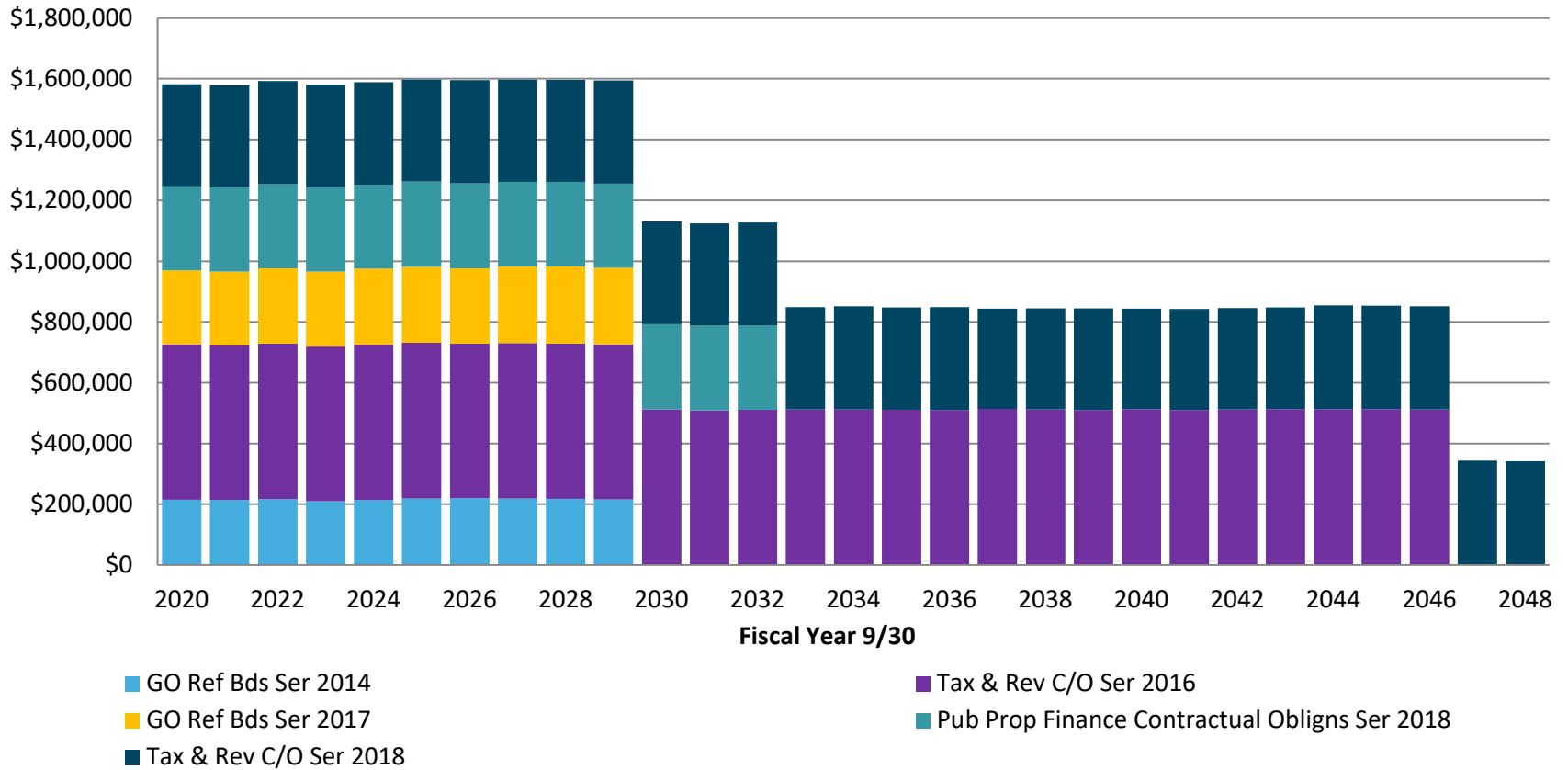
Existing Debt Profile

Type: Series: Dated Date Original Par: Current Par: Call Provisions: Due:	Tax & Revenue Certificates of Obligation Series 2018 8/1/2018 \$6,000,000 \$5,910,000 9/1/2026 @ Par 9/1				Public Property Finance Contractual Obligations Series 2018 1/1/2018 \$3,305,000 \$3,045,000 inversely callable on any date @ par 9/1					General Obligation Refunding Bonds Series 2017 9/1/2017 \$2,470,000 \$2,120,000 9/1/2026 @ Par 9/1			
FYE 9/30	Principal	Coupon	Interest	Annual DS	Principal	Coupon	Interest	Annual DS	Water & Sewer	Principal	Coupon	Interest	Annual DS
2020	\$105,000	5.000%	\$230,869	\$335,869	\$200,000	2.510%	\$76,430	\$276,430	100.00%	\$180,000	3.000%	\$63,600	\$243,600
2021	\$110,000	5.000%	\$225,619	\$335,619	\$205,000	2.510%	\$71,410	\$276,410	\$276,410	\$185,000	3.000%	\$58,200	\$243,200
2022	\$120,000	5.000%	\$220,119	\$340,119	\$210,000	2.510%	\$66,264	\$276,264	\$276,264	\$195,000	3.000%	\$52,650	\$247,650
2023	\$125,000	5.000%	\$214,119	\$339,119	\$215,000	2.510%	\$60,993	\$275,993	\$275,993	\$200,000	3.000%	\$46,800	\$246,800
2024	\$130,000	5.000%	\$207,869	\$337,869	\$220,000	2.510%	\$55,597	\$275,597	\$275,597	\$210,000	3.000%	\$40,800	\$250,800
2025	\$135,000	5.000%	\$201,369	\$336,369	\$230,000	2.510%	\$50,075	\$280,075	\$280,075	\$215,000	3.000%	\$34,500	\$249,500
2026	\$145,000	5.000%	\$194,619	\$339,619	\$235,000	2.510%	\$44,302	\$279,302	\$279,302	\$220,000	3.000%	\$28,050	\$248,050
2027	\$150,000	4.000%	\$187,369	\$337,369	\$240,000	2.510%	\$38,403	\$278,403	\$278,403	\$230,000	3.000%	\$21,450	\$251,450
2028	\$155,000	4.000%	\$181,369	\$336,369	\$245,000	2.510%	\$32,379	\$277,379	\$277,379	\$240,000	3.000%	\$14,550	\$254,550
2029	\$165,000	4.000%	\$175,169	\$340,169	\$250,000	2.510%	\$26,230	\$276,230	\$276,230	\$245,000	3.000%	\$7,350	\$252,350
2030	\$170,000	4.000%	\$168,569	\$338,569	\$260,000	2.510%	\$19,955	\$279,955	\$279,955				
2031	\$175,000	4.000%	\$161,769	\$336,769	\$265,000	2.510%	\$13,429	\$278,429	\$278,429				
2032	\$185,000	4.000%	\$154,769	\$339,769	\$270,000	2.510%	\$6,777	\$276,777	\$276,777				
2033	\$190,000	4.000%	\$147,369	\$337,369									
2034	\$200,000	4.000%	\$139,769	\$339,769									
2035	\$205,000	4.000%	\$131,769	\$336,769									
2036	\$215,000	4.000%	\$123,569	\$338,569									
2037	\$215,000	3.500%	\$114,969	\$329,969									
2038	\$225,000	3.500%	\$107,444	\$332,444									
2039	\$235,000	3.500%	\$99,569	\$334,569									
2040	\$240,000	3.500%	\$91,344	\$331,344									
2041	\$250,000	3.500%	\$82,944	\$332,944									
2042	\$260,000	3.500%	\$74,194	\$334,194									
2043	\$270,000	3.500%	\$65,094	\$335,094									
2044	\$285,000	3.625%	\$55,644	\$340,644									
2045	\$295,000	3.625%	\$45,313	\$340,313									
2046	\$305,000	3.625%	\$34,619	\$339,619									
2047	\$320,000	3.625%	\$23,563	\$343,563									
2048	\$330,000	3.625%	\$11,963	\$341,963									
Total:	\$5,910,000		\$3,872,725	\$9,782,725	\$3,045,000		\$562,240	\$3,607,240	\$3,607,240	\$2,120,000.00		\$367,950	\$2,487,950

Existing Debt Profile (cont'd)

Type: Series: Dated Date Original Par: Current Par: Call Provisions: Due:	Tax & Revenue Certificates of Obligation Series 2016 6/1/2016 \$9,760,000 \$9,525,000 12/1/2025 @ Par 12/1						General Obligation Refunding Bonds Series 2014 12/15/2014 \$2,520,000 \$1,835,000 9/1/2024 @ Par 9/1					
FYE 9/30	Principal	Coupon	Interest	Annual DS	General Fund	Water & Sewer	Principal	Coupon	Interest	Annual DS	Annual DS	Water & Sewer
					43.76%	56.24%						
2020	\$240,000	3.000%	\$271,469	\$511,469	\$223,819	\$287,650	\$155,000	4.000%	\$59,750	\$214,750	\$1,582,117	\$564,080
2021	\$245,000	3.000%	\$264,194	\$509,194	\$222,823	\$286,371	\$160,000	4.000%	\$53,550	\$213,550	\$1,577,972	\$562,780
2022	\$255,000	3.000%	\$256,694	\$511,694	\$223,917	\$287,777	\$170,000	4.000%	\$47,150	\$217,150	\$1,592,877	\$564,041
2023	\$260,000	3.000%	\$248,969	\$508,969	\$222,725	\$286,244	\$170,000	4.000%	\$40,350	\$210,350	\$1,581,231	\$562,237
2024	\$270,000	3.000%	\$241,019	\$511,019	\$223,622	\$287,397	\$180,000	2.500%	\$33,550	\$213,550	\$1,588,834	\$562,993
2025	\$280,000	3.000%	\$232,769	\$512,769	\$224,388	\$288,381	\$190,000	2.500%	\$29,050	\$219,050	\$1,597,762	\$568,456
2026	\$285,000	2.000%	\$224,294	\$509,294	\$222,867	\$286,427	\$195,000	3.000%	\$24,300	\$219,300	\$1,595,564	\$565,728
2027	\$295,000	2.000%	\$217,069	\$512,069	\$224,081	\$287,987	\$200,000	3.000%	\$18,450	\$218,450	\$1,597,741	\$566,390
2028	\$300,000	2.250%	\$211,119	\$511,119	\$223,666	\$287,453	\$205,000	3.000%	\$12,450	\$217,450	\$1,596,867	\$564,832
2029	\$305,000	2.500%	\$204,688	\$509,688	\$223,039	\$286,648	\$210,000	3.000%	\$6,300	\$216,300	\$1,594,736	\$562,878
2030	\$315,000	2.500%	\$197,319	\$512,319	\$224,191	\$288,128					\$1,130,842	\$568,083
2031	\$320,000	2.750%	\$189,381	\$509,381	\$222,905	\$286,476					\$1,124,579	\$564,905
2032	\$330,000	2.750%	\$180,844	\$510,844	\$223,545	\$287,299					\$1,127,390	\$564,076
2033	\$340,000	3.000%	\$171,631	\$511,631	\$223,890	\$287,741					\$849,000	\$287,741
2034	\$350,000	3.000%	\$161,706	\$511,706	\$223,923	\$287,784					\$851,475	\$287,784
2035	\$360,000	3.000%	\$151,056	\$511,056	\$223,638	\$287,418					\$847,825	\$287,418
2036	\$370,000	3.000%	\$140,106	\$510,106	\$223,222	\$286,884					\$848,675	\$286,884
2037	\$385,000	3.000%	\$128,781	\$513,781	\$224,831	\$288,951					\$843,750	\$288,951
2038	\$395,000	3.000%	\$117,081	\$512,081	\$224,087	\$287,994					\$844,525	\$287,994
2039	\$405,000	3.000%	\$105,081	\$510,081	\$223,212	\$286,870					\$844,650	\$286,870
2040	\$420,000	3.000%	\$92,706	\$512,706	\$224,360	\$288,346					\$844,050	\$288,346
2041	\$430,000	3.000%	\$79,956	\$509,956	\$223,157	\$286,799					\$842,900	\$286,799
2042	\$445,000	3.125%	\$66,831	\$511,831	\$223,977	\$287,854					\$846,025	\$287,854
2043	\$460,000	3.125%	\$52,969	\$512,969	\$224,475	\$288,494					\$848,063	\$288,494
2044	\$475,000	3.125%	\$38,359	\$513,359	\$224,646	\$288,713					\$854,003	\$288,713
2045	\$490,000	3.125%	\$23,281	\$513,281	\$224,612	\$288,669					\$853,594	\$288,669
2046	\$500,000	3.125%	\$11,719	\$511,719	\$223,928	\$287,791					\$851,338	\$287,791
2047											\$343,563	\$0
2048											\$341,963	\$0
Total:	\$9,525,000		\$4,281,091	\$13,806,091	\$6,041,546	7,764,546	\$1,835,000		\$324,900	\$2,159,900	\$31,843,906	\$11,371,785

City of La Marque, Texas Annual Debt Service by Series





CITY COUNCIL AGENDA FORM

Meeting Date: February 10, 2020

Prepared by: Robin Eldridge

Agenda item: 7c

Reviewed by: Charlene Warren

Charles Jackson

Department: City Clerk

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Resolution No. **R-2020-0003**, approving the aerial spraying of mosquitoes by Galveston County Mosquito Control District, as required on a yearly basis by the Federal Aviation Administration

X

ATTACHMENTS FOR REFERENCE

1. Resolution

2. Letter from Galveston County Mosquito Control District

STAFF BRIEFING:

- This time, each year, before the beginning of “mosquito” season, a resolution is requested from each city within Galveston County approving the aerial spraying for mosquitoes within each individual city
- This program is County-funded and has no financial impact on the City of La Marque
- The Federal Aviation Administration requires the County make these requests on a yearly basis
- This is a Resolution and wording is the same annually, just date changes (no need for City Attorney to review)

HISTORY: For several years, the City of La Marque has been providing a resolution authorizing Galveston County Mosquito Control District to provide aerial spraying over the territory for the abatement or control of mosquitoes.

TARGET IMPLEMENTATION: **February 10, 2020**

SIGNIFICANT ACTION DATES:

April 8, 2019; March 12, 2018; March 12, 2017; March 14, 2016; February 9, 2015; February 13, 2014; February 11, 2013 - Resolutions adopted

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	



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2020-0003**, approving the aerial spraying of mosquitoes by Galveston County Mosquito Control District, as required on a yearly basis by the Federal Aviation Administration

FISCAL IMPACT: N/A

RESOLUTION NO. R-2020-0003

A RESOLUTION OF THE CITY OF LA MARQUE AUTHORIZING THE GALVESTON COUNTY MOSQUITO CONTROL DISTRICT AERIAL SPRAYING FOR MOSQUITOES THAT THE FEDERAL AVIATION ADMINISTRATION REQUIRES APPROVAL FOR ON A YEARLY BASIS;

WHEREAS, the Galveston County Mosquito Control District is responsible for the operation of the county-wide Mosquito Control Program, and

WHEREAS, the Federal Aviation Administration has indicated that governmental approval is necessary to provide aerial spraying services over the territories of general-purpose governments, and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of La Marque approves the aerial spraying over its territory for the abatement of mosquitoes providing such spraying is conducted within the regulations and constraints of the Federal Aviation Administration, the Environmental Protection Agency, and other authoritative federal and state agencies.

PASSED, APPROVED AND ADOPTED by City Council of the City of La Marque on this the **10th** day of **February**, 2020.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor
City of La Marque

ATTEST:

Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Derra Purnell, Acting City Attorney



2020
JAN 22 AM *pe*

GALVESTON COUNTY MOSQUITO CONTROL DISTRICT

5115 HWY 3
DICKINSON, TEXAS 77539

JOHN G. MARSHALL, JR
DIRECTOR
281-337-4289

ADVISORY BOARD
Jerry Valentine, Chairman
James Frederickson, Vice Chairman
Barbara Hutchinson, Secretary
Leo Bookman
Keith A. Dill

January 13, 2020

Robin Eldridge, City Clerk
City of La Marque
1111 Bayou
La Marque, TX 77568

Dear Ms. Eldridge:

As providers of the county funded Mosquito Control Program, we are requesting your approval of the enclosed resolution authorizing the aerial spraying for mosquitoes. The Federal Aviation Administration requires us to make a request on a yearly basis. This request does not imply any change in our operations.

I would appreciate it if you would send us a copy of the resolution after it has been approved. You may mail it to 5115 Hwy. 3, Dickinson, TX 77539 or fax it to (409)-621-7973 and you can also e-mail it to gerrie.elmore@co.galveston.tx.us.

If you have any questions or concerns please do not hesitate to contact my office at (281) 337-4289.

Sincerely,

A handwritten signature in blue ink that reads "Gerrie Elmore".

Gerrie Elmore, Administrative Assistant
Galveston County Mosquito Control

Enclosure



CITY COUNCIL AGENDA FORM

Meeting Date: February 10, 2020

Prepared by: Suzy Kou

Agenda item: 7d

Reviewed by: Charlene Warren/

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Consider recommendation to accept the quarterly investment reports for Fourth Quarter 2019

☒

ATTACHMENTS FOR REFERENCE

1. Investment Report-Fourth Quarter 2019

STAFF BRIEFING:

- Per Public Funds Investment Act, we are required to submit quarterly investment reports to Council for acknowledgement purposes.

HISTORY: N/A

TARGET IMPLEMENTATION: February 10, 2020

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 accept the quarterly investment report for Fourth Quarter 2019

FISCAL IMPACT: N/A



City of La Marque, Texas

Quarter Ended **12/31/2019**

Detailed Holdings

TexPool Rate: 1.6226

Logic Rate: 1.8173

DWS 1.5000

Fund	Fund Categories	Description	CUSIP	Coupon	Settlement Date	Maturity Date	Par Value	Purch Price	Purch Cost	Book Value	Mkt Price	Mkt Value	Days to Mat	YTM
General Fund	General Fund	Logic		1.8173			4,431,722.90	100.000	4,431,722.90	4,431,722.90	100.000	4,431,722.90	1	1.8173
General Fund	General Fund	TexPool		1.6226			498,231.50	100.000	498,231.50	498,231.50	100.000	498,231.50	1	1.6226
General Fund	General Fund	DWS		1.5000			257,632.62	101.000	257,632.62	257,632.62	100.000	257,632.62	1	1.5000
Utility Fund	Utility Fund	Logic		1.8173			4,331,579.27	100.000	4,331,579.27	4,331,579.27	100.000	4,331,579.27	1	1.8173
Utility Fund	Utility Fund	TexPool		1.6226			486,972.96	100.000	486,972.96	486,972.96	100.000	486,972.96	1	1.6226
Utility Fund	Utility Fund	DWS		1.5000			251,810.89	100.000	251,810.89	251,810.89	100.000	251,810.89	1	1.5000
Utility Fund	Utility Fund (Restricted)	Logic		1.8173			78,221.52	100.000	78,221.52	78,221.52	100.000	78,221.52	1	1.8173
Utility Fund	Utility Fund (Restricted)	TexPool		1.6226			8,793.97	100.000	8,793.97	8,793.97	100.000	8,793.97	1	1.6226
Utility Fund	Utility Fund (Restricted)	DWS		1.5000			4,547.31	100.000	4,547.31	4,547.31	100.000	4,547.31	1	1.5000
Replacement Fund	Replacement Fund	Logic		1.8173			330,291.98	100.000	330,291.98	330,291.98	100.000	330,291.98	1	1.8173
Replacement Fund	Replacement Fund	TexPool		1.6226			37,132.71	100.000	37,132.71	37,132.71	100.000	37,132.71	1	1.6226
Replacement Fund	Replacement Fund	DWS		1.5000			19,201.11	100.000	19,201.11	19,201.11	100.000	19,201.11	1	1.5000
Hotel Motel Fund	Hotel Motel Fund	Logic		1.8173			474,422.74	100.000	474,422.74	474,422.74	100.000	474,422.74	1	1.8173
Hotel Motel Fund	Hotel Motel Fund	TexPool		1.6226			53,336.45	100.000	53,336.45	53,336.45	100.000	53,336.45	1	1.6226
Hotel Motel Fund	Hotel Motel Fund	DWS		1.5000			27,579.97	100.000	27,579.97	27,579.97	100.000	27,579.97	1	1.5000
Debt Service	Debt Service Fund	Logic		1.8173			433,435.57	100.000	433,435.57	433,435.57	100.000	433,435.57	1	1.8173
Debt Service	Debt Service Fund	TexPool		1.6226			48,728.51	100.000	48,728.51	48,728.51	100.000	48,728.51	1	1.6226
Debt Service	Debt Service Fund	DWS		1.5000			25,197.23	100.000	25,197.23	25,197.23	100.000	25,197.23	1	1.5000
LM EDC Operating	LM EDC	Logic		1.8173			3,753,593.81	100.000	3,753,593.81	3,753,593.81	100.000	3,753,593.81	1	1.8173
LM EDC Operating	LM EDC	TexPool		1.6226			1,234,912.55	100.000	1,234,912.55	1,234,912.55	100.000	1,234,912.55	1	1.6226
LM EDC Operating	LM EDC	DWS		1.5000			653.36	100.000	653.36	653.36	100.000	653.36	1	1.5000
LM EDC Operating	LM EDC	Money Market		0.1500			35,815.22	100.000	35,815.22	35,815.22	100.000	35,815.22	1	0.1500
LM EDC Operating	LM EDC	Texas First	5177	1.3100	11/27/2019	11/27/2020	200,801.22	100.000	200,801.22	200,801.22	100.000	200,801.22	331	0.6000
LM EDC Operating	LM EDC	Amoco CD		2.1000	8/30/2019	8/30/2020	103,516.37	100.000	103,516.37	103,516.37	100.000	103,516.37	242	0.8000
LM EDC Operating	LM EDC	ACU CD		2.1780	8/31/2019	8/31/2020	100,000.00	100.000	100,000.00	100,000.00	100.000	100,000.00	243	1.0000
1998 TWDB Sewer Rehab	Capital Projects Fund	DWS		1.5000			163,302.36	100.000	163,302.36	163,302.36	100.000	163,302.36	1	1.5000
2005 CO	Capital Projects Fund	TexPool		1.6226			124,148.40	100.000	124,148.40	124,148.40	100.000	124,148.40	1	1.6226
2007 CO	Capital Projects Fund	TexPool		1.6226			389,374.10	100.000	389,374.10	389,374.10	100.000	389,374.10	1	1.6226
2016 CO	Capital Projects Fund	Logic		1.8173			484,452.69	100.000	484,452.69	484,452.69	100.000	484,452.69	1	1.8173
2018 CO	Capital Projects Fund	Logic		1.8173			2,404,665.03	100.000	2,404,665.03	2,404,665.03	100.000	2,404,665.03	1	1.8173
Special Revenue Funds	Special Revenue Fund	DWS		1.5000			16,177.27	100.000	16,177.27	16,177.27	100.000	16,177.27	1	1.5000
Special Revenue Funds	Special Revenue Fund	TexPool		1.6226			31,284.95	100.000	31,284.95	31,284.95	100.000	31,284.95	1	1.6226
Special Revenue Funds	Special Revenue Fund	Logic		1.8173			278,276.72	100.000	278,276.72	278,276.72	100.000	278,276.72	1	1.8173
Library Memorial	Fiduciary Fund	Logic		1.8173			2,868.73	100.000	2,868.73	2,868.73	100.000	2,868.73	1	1.8173
Drug Seizure	Fiduciary Fund	Logic		1.8173			-	100.000	-	-	100.000	-	1	1.8173
							21,122,681.97		21,122,681.97	21,122,681.97		21,122,681.97	5	1.7557

I certified that the Quarterly Investment Report represents the investment position of City of La Marque as of December 31, 2019 to the best of my knowledge and all investments under the City's control have been and are in compliance with the Texas Public Funds Investment Act and the City's Investment Policy as adopted by City Council.

Suzanne Kan

Investment Officer, CPFIM



City of La Marque, Texas

Quarter ended 12/31/19

Summary Data

Type Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
LGIP	19,916,447.05	94.29%	1	1.789
MMKT	801,917.33	3.80%	1	1.440
CD	404,317.59	1.91%	198	0.750
	21,122,681.97	100.00%	5	1.756

Issuer Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
Texas First	200,801.22	0.95%	58	0.600
ACU CD	100,000.00	0.47%	336	1.000
Amoco CD	103,516.37	0.49%	335	0.800
Money Market	35,815.22	0.17%	1	0.150
DWS	766,102.11	3.63%	1	1.500
Logic	17,003,530.96	80.50%	1	1.817
TexPool	2,912,916.09	13.79%	1	1.623
	21,122,681.97	100.00%	5	1.756

Fund Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
General Fund	5,187,587.02	24.56%	1	1.783
Utility Fund	5,070,363.13	24.00%	1	1.783
Utility Fund (Restricted)	91,562.79	0.43%	1	1.783
Replacement Fund	386,625.80	1.83%	1	1.783
Capital Projects Fund	3,565,942.58	16.88%	1	1.775
Hotel Motel Fund	555,339.15	2.63%	1	1.783
Debt Service Fund	507,361.31	2.40%	1	1.783
LM EDC	5,429,292.53	25.70%	16	1.683
Special Revenue Fund	325,738.94	1.54%	1	1.783
Fiduciary Fund	2,868.73	0.01%	1	1.817
	21,122,681.97	100.00%	5	1.756

Maturity Breakdown:	Book Value	Percent
Less Than 90 Days	20,919,165.60	99.04%
90 to 180 Days	-	0.00%
181 to 365 Days	203,516.37	0.96%
More Than 365 Days	-	0.00%
	21,122,681.97	100.00%



City of La Marque, Texas

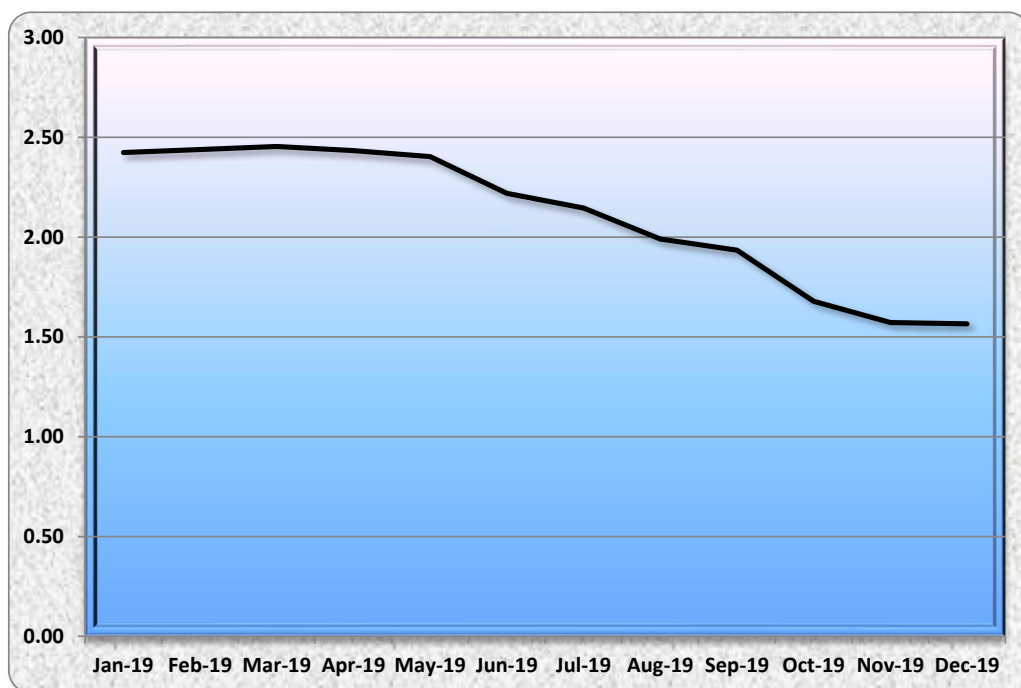
Summary Investment Report

For Period Ended 12/31/2019

Total Portfolio Summary			
	Current Quarter 12/31/2019	Prior Quarter 9/30/2018	Change From Prior
Book Value	21,122,682	22,273,231	-2,666,797
Market Value	21,122,682	22,273,231	-2,666,797
Market Value%	100.00%	100.00%	0.00%
Weighted Average Maturity - Days	5 days	5 days	2 days
Weighted Average Yield	1.76%	2.13%	-0.68%

Portfolio Performance Summary	
Beginning Book Value	23,789,479
Beginning Market Value	23,789,479
Beginning WAM	3 days <i>Liquidity measurement</i>
Ending Book Value	21,122,682
Ending Market Value	21,122,682
Change in market value	-2,666,797 <i>Volatility measurement</i>
Ending WAM	5 days <i>Liquidity measurement</i>
Period Average Yield	1.76%
Period Average Benchmark	2.02%

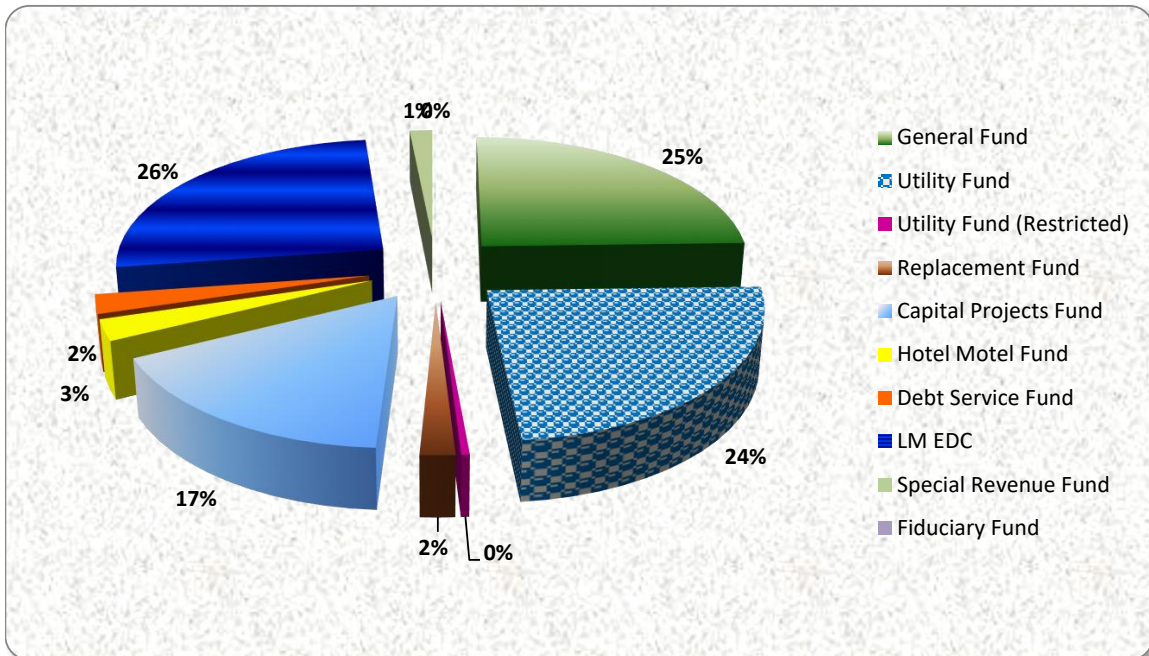
6-Month T-Bill Historical Trend





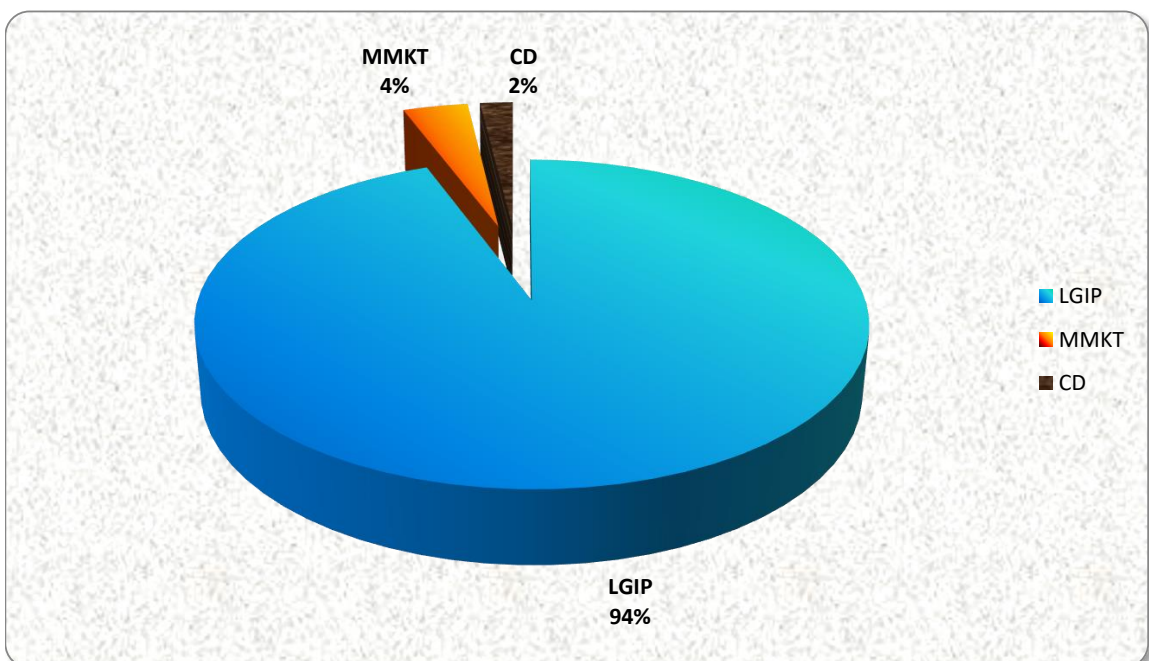
Investment Portfolio by Funds

As of 12/31/2019



Investment Portfolio by Types

As of 12/31/2019





CITY COUNCIL AGENDA FORM

Meeting Date: February 10, 2020

Prepared by: Chaise Cary

Agenda item: 7e

Reviewed by: Charlene Warren

Charles Jackson

Department: Public Works

AGENDA ITEM DESCRIPTION: Consider recommendation to approve an agreement with Texas Department of Transportation (TxDOT) to design the relocation of City of La Marque water / sewer utilities that are in conflict with the IH-45 widening project from North of FM 519 to North of Texas City WYE and authorize the Mayor to execute agreement

☒

ATTACHMENTS FOR REFERENCE

1. I-45 TxDot Letter of Concurrence for utility adjustment

STAFF BRIEFING:

- The Texas Department of Transportation (TxDOT) is in the process of finalizing plans for the subject project on the IH-45 in Galveston County
- The adjustment of conflicting utilities on this project is fully reimbursable for like-kind relocations using Federal funds
- The City of La Marque (Local Government) has various conflicting utility lines which need to be adjusted
- The Local Government has indicated they would like CONSOR to design the utility and include the adjustment work in the plans for the roadway projects
- ADICO, LLC, City Consulting Engineer, has been working with TxDOT consultants to identify the water and sanitary sewer conflicts within TxDOT ROW
- In lieu of the City contracting these services out and seeking reimbursements from TxDOT, staff has recommended the option for the TxDOT to design and construct the facilities, with the City approval, to meet TxDOT target deadline
- TxDOT has prepared the attached Letter of Concurrence for City execution

HISTORY:

- TxDOT is currently in the design phase of the IH-45 Widening project from North of FM 519 to North of Texas City WYE. (IH 45 CSJ 0500-04-104)
- Relocation of all utilities within the ROW is required for the expansion
- Adico has identified 6 conflicts that will require relocation
- Costs for engineering, design and inspection will be paid by TxDOT

TARGET IMPLEMENTATION: February 10, 2020

SIGNIFICANT ACTION DATES:

02/10/2020 - TxDOT letter of concurrence agreement taken to Council for discussion/ possible action



CITY COUNCIL AGENDA FORM

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	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 an agreement with Texas Department of Transportation (TxDOT) to design the relocation of City of La Marque water / sewer utilities that are in conflict with the IH-45 widening project from North of FM 519 to North of Texas City WYE and authorize the Mayor to execute agreement

FISCAL IMPACT: Estimated cost for relocation is to be determined. No fiscal impact to the City. All cost associated will be the expense of TxDOT.

LETTER OF CONCURRENCE FOR UTILITY ADJUSTMENT

DATE: January 10, 2020

PROJECT: IH-45: From North of FM 519 to N of Texas City WYE
Galveston County
CSJ 0500-04-104

The Texas Department of Transportation (TxDOT) is in the process of finalizing plans for the subject project on the IH-45 in Galveston County. The adjustment of conflicting utilities on this project is fully reimbursable for like-kind relocations using Federal funds. The City of La Marque (Local Government) has various conflicting utility lines which need to be adjusted. The Local Government has indicated they would like CONSOR to design the utility and include the adjustment work in the plans for the roadway projects. Per September 15, 2010 revisions to the Texas Administrative Code (TAC) Rule §21.37, TxDOT is required to seek the official concurrence from the Local Government to pursue this course of action. We propose to handle the utility adjustments per the following procedure:

1. The State will use an engineering consultant, approved by the Local Government, to design the utility facility adjustments and/or relocations. An employee of the State will not be used to provide engineering services under the agreement. The Local Government approves CONSOR Engineers, LLC to design the utility facility adjustments and/or relocations for CSJ 0500-04-104. The State will be responsible for hiring the consultant, entering into a contract with the consultant, paying the consultant, and reviewing the consultant's work.
2. The Local Government agrees to approve the resulting plan for the adjustment and/or relocation before inclusion of the plan in the construction contract. The Local Government will provide review and approval to the Utility Adjustment plans at 60%, 90% and 100%. The Local Government will be responsible for ensuring the design and construction meet all regulatory and environmental compliance requirements, to the extent permitted by law.
3. The Local Government agrees to provide concurrent construction inspection during construction of the utility facility adjustments and/or relocations. The State agrees to advertise for the construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of the project including the utility adjustment work for the Local Government.
4. The Local Government agrees to provide final acceptance of the design and construction after the construction is completed.
5. During the relocation or adjustment construction work under this agreement, the Local Government will remain liable under any certificate of service, to the extent permitted by law. The State will not be responsible nor held liable by the Local Government, its assigns or successors, for any issue related to the design or construction of the adjustments and/or relocations of the utility facilities after final acceptance by the Local Government of the adjustments and/or relocations.
6. After the completion of the construction work under this agreement, and to the extent permitted by law, the Local Government will be solely responsible for any ongoing maintenance, including compliance with TAC Rule §21.38 relating to Construction and Maintenance.

7. All provisions of 43 TAC Chapter 21, Subchapter B and C that apply to the design, estimates, and scope of the adjustments and/or relocations will apply to the Project as carried out under this agreement.

Your concurrence is respectfully requested.

James M. Bass,
Executive Director, TxDOT

Concur: _____
Bobby Hockings
Mayor
City of La Marque



CITY COUNCIL AGENDA FORM

Meeting Date: February 10, 2020

Prepared by: Chief Kirk Jackson

Agenda item: 7f

Reviewed by: Charlene Warren/

Charles Jackson

Department: Police

AGENDA ITEM DESCRIPTION: Consider recommendation to approve a Memorandum of Understanding (MOU) between the City of La Marque and the Texas City Independent School District pursuant to SB 11 and authorizing the Mayor to execute the MOU

X

ATTACHMENTS FOR REFERENCE

- 1. Memorandum of Understanding between the Texas City Independent School District and the City of La Marque**
- 2. Texas Senate Bill No. 11**

STAFF BRIEFING:

- Texas Senate Bill No. 11, signed by the Governor on June 6, 2019, requires School Districts to enter into Memorandums of Understanding with responding agencies within their jurisdiction
- Texas City Independent School District currently has two campuses within the City of La Marque
- The La Marque Police Department and the Texas City Independent School District jointly train for emergency events on or near school campuses and additionally share information regarding potential public safety concerns
- This memorandum is a written agreement between the two entities that will specify each agency's responsibilities and limitations
- This Memorandum is valid for a period of five years from the date of signature by the authorized parties and will be reviewed by both agencies before renewal
- The City Attorney has reviewed and approved the agreement

HISTORY

- This is the first time this Memorandum of Understanding has been presented to City Council for consideration

TARGET IMPLEMENTATION: February 10, 2020

SIGNIFICANT ACTION DATES: N/A



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other - MOU | |
| ☒ 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 a Memorandum of Understanding (MOU) between the City of La Marque and the Texas City Independent School District pursuant to SB 11 and authorizing the Mayor to execute the MOU

FISCAL IMPACT: This item has no associated costs aside from standard operational costs during emergency response.



MEMORANDUM OF UNDERSTANDING

This Agreement is made and entered into by and between **Texas City Independent School District** and the **City of La Marque**, to wit: **La Marque Police Department**.

R E C I T A L S

Texas City Independent School District (“Texas City ISD”) desires to enter into a Memorandum of Understanding with the **City of La Marque in its capacity as a law enforcement agency** (“**La Marque Police Department**”).

Texas City ISD and **La Marque Police Department** desire to enter into a memorandum of understanding to provide mutual aid and assistance both on a day to day basis and during times of crisis.

Texas City ISD finds that entering in to such a memorandum of understanding with **La Marque Police Department** serves a public purpose and provides the citizens of the City of Texas City and Texas City ISD students, staff and parents a holistic and comprehensive multi-hazard emergency response capability.

Texas City ISD and **La Marque Police Department**, in consideration of the mutual covenants and agreements herein contained, do mutually agree as follows:

T E R M S:

I. Organization

Texas City ISD designates La Marque Police Department as a **Primary Law Enforcement Response Agency** during the event of a crisis, to include but not limited to: active shootings, mass shootings, industrial incidents, emergency management scenarios, severe weather, bomb threats, stadium evacuations, pipeline emergencies, train derailment, civil disorder, power outages, traffic control, mass gathering events, search and rescue and re-unification efforts.

II. Recognition:

Texas City ISD recognizes La Marque Police Department is first and foremost a law enforcement agency whose primary goal is to serve and protect the citizens of the City of La Marque. Texas City ISD understands La Marque Police Department's primary function is not to serve the needs of Texas City ISD and therefore any assistance provided by La Marque Police Department is voluntary and must be requested by the Executive Director of Security and School Safety, Michael A. Matranga or his designee.

La Marque Police Department recognizes Texas City ISD contracts their law enforcement duties to the Galveston County Sheriff's Office, therefore making Galveston County Sheriff's Office the Lead Agency regarding Texas City ISD's duty to prepare, safeguard, and protect the students and staff of Texas City ISD.

III. Principles of Cooperation

So that communications resources of Emergency Assets and Emergency Operations may be coordinated and utilized to the fullest advantage during disasters, emergencies, and public-service related situations, and to the extent permitted or required by law and regulation, La Marque Police Department and Texas City ISD have agreed that each organization will:

1. Encourage assignment of liaison personnel with the other, urging members of both organizations to develop increasingly effective communications and cooperation;
2. Work with each other for developing emergency plans, training exercises, and a heightened state of preparedness;
3. Work with each other in times of disaster or emergency to meet the needs of the district and City of La Marque and Texas City ISD;
4. Work within its own lines of authority and respect the lines of authority of the other. (Each will follow their own respective chain of command, Incident Commanders will be the Chief of Police, Executive Director of Security and School Safety or their designee);
5. Each entity will distribute copies of this agreement through the appropriate chain of command to its command staff and other public and private organizations that have an active interest in disaster relief;
6. Work with other local law enforcement agencies to establish a mutually acceptable means of identification for volunteers providing services when applicable with the goal of developing an identification that local law enforcement agencies will honor during disasters and emergencies;
7. Recognize this Agreement is not exclusive and any Party to this document may enter into similar local agreements with other disaster assistance-related agencies/organizations;
8. Not incur or reimburse any expenses pertaining to this Agreement or the parties involved unless otherwise discussed and agreed upon in writing;

9. Acknowledge each Party intends that transportation, food, housing, and any expense incurred by either Party shall be the responsibility of the Party that incurs the expense, unless otherwise discussed and agreed upon in writing; and
10. Acknowledge that each Party intends to supply the best-that-can-be-applied accommodations and necessities during activation but agree that such may not be the priority during activation and such cannot be assured.

IV. Implementation

1. Each Party agrees to allow the other Party, its employees and any City of La Marque or Texas City ISD personnel deemed to be Emergency or Essential Personnel the use of its facilities for emergency housing, emergency management or distribution of emergency supplies during a crisis event or natural disaster.
2. Texas City ISD agrees to allow La Marque Police Department free access to its facilities during non-peak hours for training purposes, campus familiarization, situational awareness and physical fitness needs. La Marque Police Department agrees to the following requirements:
 - Notification of the use of facilities must occur at a minimum of 48 hours in advance. There is no guarantee of the use of facilities.
 - Signed Waiver of Liability in the event any La Marque Police Department employee becomes injured, sustains an injury resulting in death, paralyzed or unable to work causing physical or financial loss.
 - Texas City ISD reserves the right to revoke this courtesy at any time.
3. Each Party agrees to appoint a day to day point of contact for non-emergency functions such as event planning and Public Relations purposes.
4. Both Parties agree during any crisis event involving a Texas City ISD facility, whether it be man made, natural disaster or state of emergency, a Unified Command will be established. La Marque Police Department may request, verbally or in the form of ICS 213 RR, personnel or equipment from Texas City ISD to assist in non-Texas City ISD business or crisis events such as the following:
 - Investigative Assistance
 - Drone Operations
 - Search and Rescue
 - Emergency Operations or Emergency Management Functions
 - **Note:** In accordance with the Family Educational Rights and Privacy Act or FERPA, a district official ***can*** disclose Personal Identifying Information to a Law Enforcement Unit, when “reasonable”, 20 U.S.C. 1232g; 34 CFR Part 99.
5. Texas City ISD authorizes the La Marque Police Department as an authority to enforce Trespass Warnings to any individual found unlawfully found on Texas City ISD property.
6. Texas City ISD authorizes the La Marque Police Department as an authority to tow any unauthorized vehicles found on Texas City ISD property. Texas City ISD requests La Marque Police Department attempt to contact the Executive

- Director of Security and School Safety or the Texas City ISD School Liaison Commander for verification prior to any tow.
7. Texas City ISD requests La Marque Police Department enforce all City of La Marque ordinances on Texas City ISD property to include Fire Lane parking violations to the extent allowed by law.
 8. La Marque Police Department agrees to cooperate with Texas City ISD to install a monitor or software in the La Marque Police Department Dispatch Center which will allow better situational awareness during a disaster or crisis event. The systems Texas City ISD requests to provide to the La Marque Police Department are Mutualink, an interoperable radio communications platform and Share911, Texas City ISD's Mass Notification and Emergency Operations system. The City of La Marque is not responsible for maintenance, training or troubleshooting of said systems. La Marque Police Department may request in writing that the system be removed at any time. Texas City ISD does not expect La Marque Police Department to rely on this equipment for day to day operations nor does Texas City ISD intend that La Marque Police Department replace any existing law enforcement communications systems or software. The Parties agree to cooperate in establishing the ability for Texas City ISD to push emergency notifications to La Marque Police Department essential personnel, command staff or individuals of their choosing.

This Agreement shall take effect upon its approval by the Parties' governing bodies and signing by authorized representatives of La Marque Police Department and representatives of Texas City ISD and continue in effect for a period of five years.

This Agreement may be amended by mutual agreement of both Parties. This Agreement may be terminated by 15 day advance written notification from either Party to the other Party at any time and for any reason.

Six months prior to the end of the five year period, the Parties shall meet to review the progress and success of the Agreement and consider extension for an additional five years, subject to approval as required by law.

V. Miscellaneous

1. **Relationship of the Parties** — This Agreement does not create a partnership or a joint venture, and neither Party has the authority to bind the other. Both Parties agree to operate in "Good Faith", defined as: To operate with intent to act without taking an unfair advantage over one another or to fulfill a promise to act, even when some legal technicality is not fulfilled. Neither Party shall be considered the agent, partner, fiduciary or employee of any other party, in its performance of any and all duties under any transactions contemplated by this Agreement. No Party shall be deemed to have any fiduciary relationship to any other party.
2. **Limitation of Liability: No Waiver of Immunity** – The Parties understand and agree that neither Party has certified or appropriated funds under this Agreement, and neither Party shall have a cause of action whatsoever for money damages against the

other Party under this Agreement irrespective of the nature thereof. Each Party's sole remedy for breach of any provision of this Agreement is termination. Both Parties agree that, to the extent each is entitled to the protection afforded to governmental units under the Texas Tort Claims Act, Chapter 271 Texas Local Government Code, or under other applicable law, each may take all such actions as necessary to avail each of the maximum protection legally available in order to minimize or eliminate any potential loss or liability with respect to this Agreement.

3. **Parties in Interest** - This Agreement shall be for the sole and exclusive benefit of the City of La Marque and Texas City ISD, and shall not be construed to confer any benefit or right upon any third party. This Agreement is for the sole benefit of, and may be enforced only by, the Parties to this Agreement. No other third party shall have standing to enforce any provision of this Agreement.
4. **Severability** - The provisions of this Agreement are severable, and if any word, phrase, clause, sentence, paragraph, section or other part of this Agreement or the application thereof to any person or circumstance shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Agreement and the application of such word, phrase, clause, sentence, paragraph, section or other part of this Agreement to other persons or circumstances shall not be affected thereby. The Parties shall endeavor to substitute a provision which as nearly as possible carries out the intent of the invalid clause, but in a manner that complies with applicable law.
5. **Merger** - This Agreement, together with the exhibits attached hereto, constitutes the entire agreement between the parties relative to the subject matter hereof.
6. **Venue** - Mandatory and exclusive venue of any dispute between the Parties to this Agreement shall be in Galveston County, Texas.

IN WITNESS WHEREOF, this instrument has been executed on behalf of Mayor Bobby Hocking, a duly authorized representative of the City of La Marque, and on behalf of Executive Director of Security and School Safety, Michael A. Matranga, a duly authorized representative of Texas City ISD.

TEXAS CITY ISD

CITY OF LA MARQUE

By: _____
Print Name

Signature

Title: _____

Date signed: _____

By: _____
Print Name

Signature

Title: _____

Date signed: _____

AN ACT

relating to policies, procedures, and measures for school safety and mental health promotion in public schools and the creation of the Texas Child Mental Health Care Consortium.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter C, Chapter 7, Education Code, is amended by adding Section 7.061 to read as follows:

Sec. 7.061. FACILITIES STANDARDS. (a) In this section, "instructional facility" has the meaning assigned by Section 46.001.

(b) The commissioner shall adopt or amend rules as necessary to ensure that building standards for instructional facilities and other school district and open-enrollment charter school facilities provide a secure and safe environment. In adopting or amending rules under this section, the commissioner shall include the use of best practices for:

(1) the design and construction of new facilities; and
(2) the improvement, renovation, and retrofitting of existing facilities.

(c) Not later than September 1 of each even-numbered year, the commissioner shall review all rules adopted or amended under this section and amend the rules as necessary to ensure that building standards for school district and open-enrollment charter school facilities continue to provide a secure and safe

1 environment.

2 SECTION 2. Section 11.252(a), Education Code, is amended to
3 read as follows:

4 (a) Each school district shall have a district improvement
5 plan that is developed, evaluated, and revised annually, in
6 accordance with district policy, by the superintendent with the
7 assistance of the district-level committee established under
8 Section 11.251. The purpose of the district improvement plan is to
9 guide district and campus staff in the improvement of student
10 performance for all student groups in order to attain state
11 standards in respect to the achievement indicators adopted under
12 Section 39.053(c). The district improvement plan must include
13 provisions for:

14 (1) a comprehensive needs assessment addressing
15 district student performance on the achievement indicators, and
16 other appropriate measures of performance, that are disaggregated
17 by all student groups served by the district, including categories
18 of ethnicity, socioeconomic status, sex, and populations served by
19 special programs, including students in special education programs
20 under Subchapter A, Chapter 29;

21 (2) measurable district performance objectives for
22 all appropriate achievement indicators for all student
23 populations, including students in special education programs
24 under Subchapter A, Chapter 29, and other measures of student
25 performance that may be identified through the comprehensive needs
26 assessment;

27 (3) strategies for improvement of student performance

that include:

(A) instructional methods for addressing the needs of student groups not achieving their full potential;

(B) methods for addressing the needs of students for special programs, including:

(i) suicide prevention programs, in accordance with Subchapter O-1, Chapter 161, Health and Safety Code, which includes a parental or guardian notification procedure;

(ii) conflict resolution programs;

(iii) violence prevention programs; and

(iv) dyslexia treatment programs;

(C) dropout reduction;

(D) integration of technology in instructional and administrative programs;

(E) discipline management;

(F) staff development for professional staff of the district;

(G) career education to assist students in developing the knowledge, skills, and competencies necessary for a broad range of career opportunities; and

(H) accelerated education;

(4) strategies for providing to middle school, junior high school, and high school students, those students' teachers and school counselors, and those students' parents information about:

(A) higher education admissions and financial aid opportunities;

(B) the TEXAS grant program and the Teach for

1 Texas grant program established under Chapter 56;

2 (C) the need for students to make informed
3 curriculum choices to be prepared for success beyond high school;
4 and

5 (D) sources of information on higher education
6 admissions and financial aid;

7 (5) resources needed to implement identified
8 strategies;

9 (6) staff responsible for ensuring the accomplishment
10 of each strategy;

11 (7) timelines for ongoing monitoring of the
12 implementation of each improvement strategy;

13 (8) formative evaluation criteria for determining
14 periodically whether strategies are resulting in intended
15 improvement of student performance; ~~and~~

16 (9) the policy under Section 38.0041 addressing sexual
17 abuse and other maltreatment of children; and

18 (10) the trauma-informed care policy required under
19 Section 38.036.

20 SECTION 3. Section 12.104(b), Education Code, as amended by
21 Chapters 324 (S.B. 1488), 522 (S.B. 179), and 735 (S.B. 1153), Acts
22 of the 85th Legislature, Regular Session, 2017, is reenacted and
23 amended to read as follows:

24 (b) An open-enrollment charter school is subject to:

25 (1) a provision of this title establishing a criminal
26 offense; and

27 (2) a prohibition, restriction, or requirement, as

1 applicable, imposed by this title or a rule adopted under this
2 title, relating to:

3 (A) the Public Education Information Management
4 System (PEIMS) to the extent necessary to monitor compliance with
5 this subchapter as determined by the commissioner;

6 (B) criminal history records under Subchapter C,
7 Chapter 22;

8 (C) reading instruments and accelerated reading
9 instruction programs under Section 28.006;

10 (D) accelerated instruction under Section
11 28.0211;

12 (E) high school graduation requirements under
13 Section 28.025;

14 (F) special education programs under Subchapter
15 A, Chapter 29;

16 (G) bilingual education under Subchapter B,
17 Chapter 29;

18 (H) prekindergarten programs under Subchapter E
19 or E-1, Chapter 29;

20 (I) extracurricular activities under Section
21 33.081;

22 (J) discipline management practices or behavior
23 management techniques under Section 37.0021;

24 (K) health and safety under Chapter 38;

25 (L) public school accountability under
26 Subchapters B, C, D, F, G, and J, Chapter 39, and Chapter 39A;

27 (M) the requirement under Section 21.006 to

1 report an educator's misconduct;

2 (N) intensive programs of instruction under
3 Section 28.0213;

4 (O) the right of a school employee to report a
5 crime, as provided by Section 37.148; ~~and~~

6 (P) bullying prevention policies and procedures
7 under Section 37.0832;

8 (Q) the right of a school under Section 37.0052
9 to place a student who has engaged in certain bullying behavior in a
10 disciplinary alternative education program or to expel the student;
11 ~~and~~

12 (R) the right under Section 37.0151 to report to
13 local law enforcement certain conduct constituting assault or
14 harassment;

15 (S) ~~(P)~~ a parent's right to information
16 regarding the provision of assistance for learning difficulties to
17 the parent's child as provided by Sections 26.004(b)(11) and
18 26.0081(c) and (d); and

19 (T) school safety requirements under Sections
20 37.108, 37.1081, 37.1082, 37.109, 37.113, 37.114, 37.115, 37.207,
21 and 37.2071.

22 SECTION 4. Sections 21.054(d) and (d-2), Education Code,
23 are amended to read as follows:

24 (d) Continuing education requirements for a classroom
25 teacher must provide that not more than 25 percent of the training
26 required every five years include instruction regarding:

27 (1) collecting and analyzing information that will

1 improve effectiveness in the classroom;

2 (2) recognizing early warning indicators that a
3 student may be at risk of dropping out of school;

4 (3) digital learning, digital teaching, and
5 integrating technology into classroom instruction;

6 (4) educating diverse student populations, including:

7 (A) students with disabilities, including mental
8 health disorders;

9 (B) students who are educationally
10 disadvantaged;

11 (C) students of limited English proficiency; and

12 (D) students at risk of dropping out of school;

13 ~~[and]~~

14 (5) understanding appropriate relationships,
15 boundaries, and communications between educators and students;
16 and ~~[and]~~

17 (6) ~~[(d-2) Continuing education requirements for a~~
18 ~~classroom teacher may include instruction regarding]~~ how grief and
19 trauma affect student learning and behavior and how evidence-based,
20 grief-informed, and trauma-informed strategies support the
21 academic success of students affected by grief and trauma.

22 (d-2) The instruction required under Subsection (d)(6)
23 must:

24 (1) comply with the training required by Section
25 38.036(c)(1); and

26 (2) be approved by the commissioner.

27 SECTION 5. Section 25.081(a), Education Code, is amended to

1 read as follows:

2 (a) Except as authorized under Subsection (b) of this
3 section, Section 25.0815, Section 25.084, or Section 29.0821, for
4 each school year each school district must operate for at least
5 75,600 minutes, including time allocated for instruction,
6 intermissions, and recesses for students.

7 SECTION 6. Subchapter C, Chapter 25, Education Code, is
8 amended by adding Section 25.0815 to read as follows:

9 Sec. 25.0815. OPERATION AND INSTRUCTIONAL TIME WAIVERS FOR
10 SCHOOL SAFETY TRAINING. (a) The commissioner shall provide a
11 waiver allowing for fewer minutes of operation and instructional
12 time than required under Section 25.081(a) for a school district
13 that requires each educator employed by the district to attend an
14 approved school safety training course.

15 (b) A waiver under this section:

16 (1) must allow sufficient time for the school
17 district's educators to attend the school safety training course;
18 and

19 (2) may not:

20 (A) result in an inadequate number of minutes of
21 instructional time for students; or

22 (B) reduce the number of minutes of operation and
23 instructional time by more than 420 minutes.

24 (c) To be approved under this section, a school safety
25 training course must apply to the Texas School Safety Center. The
26 Texas School Safety Center may approve a training course if the
27 course satisfies the training requirements as determined by the

1 center.

2 (d) The commissioner may adopt rules to implement this
3 section.

4 SECTION 7. Section 28.002, Education Code, is amended by
5 amending Subsection (a) and adding Subsection (z) to read as
6 follows:

7 (a) Each school district that offers kindergarten through
8 grade 12 shall offer, as a required curriculum:

9 (1) a foundation curriculum that includes:

10 (A) English language arts;

11 (B) mathematics;

12 (C) science; and

13 (D) social studies, consisting of Texas, United
14 States, and world history, government, economics, with emphasis on
15 the free enterprise system and its benefits, and geography; and

16 (2) an enrichment curriculum that includes:

17 (A) to the extent possible, languages other than
18 English;

19 (B) health, with emphasis on:

20 (i) physical health, including the
21 importance of proper nutrition and exercise;

22 (ii) mental health, including instruction
23 about mental health conditions, substance abuse, skills to manage
24 emotions, establishing and maintaining positive relationships, and
25 responsible decision-making; and

26 (iii) suicide prevention, including
27 recognizing suicide-related risk factors and warning signs;

- (C) physical education;
- (D) fine arts;
- (E) career and technology education;
- (F) technology applications;
- (G) religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature; and
- (H) personal financial literacy.

(z) The State Board of Education by rule shall require each school district to incorporate instruction in digital citizenship into the district's curriculum, including information regarding the potential criminal consequences of cyberbullying. In this subsection:

(1) "Cyberbullying" has the meaning assigned by Section 37.0832.

(2) "Digital citizenship" means the standards of appropriate, responsible, and healthy online behavior, including the ability to access, analyze, evaluate, create, and act on all forms of digital communication.

SECTION 8. Section 28.004, Education Code, is amended by amending Subsection (c) and adding Subsection (o) to read as follows:

(c) The local school health advisory council's duties include recommending:

- (1) the number of hours of instruction to be provided in health education;
- (2) policies, procedures, strategies, and curriculum

1 appropriate for specific grade levels designed to prevent obesity,
2 cardiovascular disease, Type 2 diabetes, and mental health
3 concerns, including suicide, through coordination of:

4 (A) health education;

5 (B) physical education and physical activity;

6 (C) nutrition services;

7 (D) parental involvement;

8 (E) instruction to prevent the use of
9 e-cigarettes, as defined by Section 161.081, Health and Safety
10 Code, and tobacco;

11 (F) school health services;

12 (G) counseling and guidance services;

13 (H) a safe and healthy school environment; and

14 (I) school employee wellness;

15 (3) appropriate grade levels and methods of
16 instruction for human sexuality instruction;

17 (4) strategies for integrating the curriculum
18 components specified by Subdivision (2) with the following elements
19 in a coordinated school health program for the district:

20 (A) school health services;

21 (B) counseling and guidance services;

22 (C) a safe and healthy school environment; and

23 (D) school employee wellness; ~~and~~

24 (5) if feasible, joint use agreements or strategies
25 for collaboration between the school district and community
26 organizations or agencies; and

27 (6) strategies to increase parental awareness

1 regarding:

2 (A) risky behaviors and early warning signs of
3 suicide risks and behavioral health concerns, including mental
4 health disorders and substance use disorders; and

5 (B) available community programs and services
6 that address risky behaviors, suicide risks, and behavioral health
7 concerns.

8 (o) The local school health advisory council shall make
9 policy recommendations to the district to increase parental
10 awareness of suicide-related risk factors and warning signs and
11 available community suicide prevention services.

12 SECTION 9. Section 37.0812, Education Code, is amended to
13 read as follows:

14 Sec. 37.0812. TRAINING POLICY: SCHOOL DISTRICT PEACE
15 OFFICERS AND SCHOOL RESOURCE OFFICERS. A school district [~~with an~~
16 ~~enrollment of 30,000 or more students~~] that commissions a school
17 district peace officer or at which a school resource officer
18 provides law enforcement shall adopt a policy requiring the officer
19 to complete the education and training program required by Section
20 1701.263, Occupations Code.

21 SECTION 10. Section 37.108, Education Code, is amended by
22 amending Subsections (a), (b), and (c) and adding Subsections (b-1)
23 and (f) to read as follows:

24 (a) Each school district or public junior college district
25 shall adopt and implement a multihazard emergency operations plan
26 for use in the district's facilities. The plan must address
27 prevention, mitigation, preparedness, response, and recovery as

defined by the Texas School Safety Center in conjunction with the governor's office of homeland security and the commissioner of education or commissioner of higher education, as applicable ~~[in conjunction with the governor's office of homeland security]~~. The plan must provide for:

(1) ~~[district employee]~~ training in responding to an emergency for district employees, including substitute teachers;

(2) measures to ensure district employees, including substitute teachers, have classroom access to a telephone, including a cellular telephone, or another electronic communication device allowing for immediate contact with district emergency services or emergency services agencies, law enforcement agencies, health departments, and fire departments;

(3) measures to ensure district communications technology and infrastructure are adequate to allow for communication during an emergency;

(4) if the plan applies to a school district, mandatory school drills and exercises, including drills required under Section 37.114, to prepare district students and employees for responding to an emergency;

(5) ~~[(3)]~~ measures to ensure coordination with the Department of State Health Services and local emergency management agencies, law enforcement, health departments, and fire departments in the event of an emergency; and

(6) ~~[(4)]~~ the implementation of a safety and security audit as required by Subsection (b).

(b) At least once every three years, each school district or

1 public junior college district shall conduct a safety and security
2 audit of the district's facilities. To the extent possible, a
3 district shall follow safety and security audit procedures
4 developed by the Texas School Safety Center or a person included in
5 the registry established by the Texas School Safety Center under
6 Section 37.2091 [~~comparable public or private entity~~].

7 **(b-1) In a school district's safety and security audit**
8 **required under Subsection (b), the district must certify that the**
9 **district used the funds provided to the district through the school**
10 **safety allotment under Section 42.168 only for the purposes**
11 **provided by that section.**

12 (c) A school district or public junior college district
13 shall report the results of the safety and security audit conducted
14 under Subsection (b) to the district's board of trustees and, in the
15 manner required by the Texas School Safety Center, to the Texas
16 School Safety Center. The report provided to the Texas School
17 Safety Center under this subsection must be signed by:

18 **(1) for a school district, the district's board of**
19 **trustees and superintendent; or**

20 **(2) for a public junior college district, the**
21 **president of the junior college district.**

22 **(f) A school district shall include in its multihazard**
23 **emergency operations plan:**

24 **(1) a chain of command that designates the individual**
25 **responsible for making final decisions during a disaster or**
26 **emergency situation and identifies other individuals responsible**
27 **for making those decisions if the designated person is unavailable;**

1 (2) provisions that address physical and
2 psychological safety for responding to a natural disaster, active
3 shooter, and any other dangerous scenario identified for purposes
4 of this section by the agency or the Texas School Safety Center;

5 (3) provisions for ensuring the safety of students in
6 portable buildings;

7 (4) provisions for ensuring that students and district
8 personnel with disabilities are provided equal access to safety
9 during a disaster or emergency situation;

10 (5) provisions for providing immediate notification
11 to parents, guardians, and other persons standing in parental
12 relation in circumstances involving a significant threat to the
13 health or safety of students, including identification of the
14 individual with responsibility for overseeing the notification;

15 (6) provisions for supporting the psychological
16 safety of students, district personnel, and the community during
17 the response and recovery phase following a disaster or emergency
18 situation that:

19 (A) are aligned with best practice-based
20 programs and research-based practices recommended under Section
21 [161.325](#), Health and Safety Code;

22 (B) include strategies for ensuring any required
23 professional development training for suicide prevention and
24 grief-informed and trauma-informed care is provided to appropriate
25 school personnel;

26 (C) include training on integrating
27 psychological safety and suicide prevention strategies into the

district's plan, such as psychological first aid for schools training, from an approved list of recommended training established by the commissioner and Texas School Safety Center for:

(i) members of the district's school safety and security committee under Section 37.109;

(ii) district school counselors and mental health professionals; and

(iii) educators and other district personnel as determined by the district;

(D) include strategies and procedures for integrating and supporting physical and psychological safety that align with the provisions described by Subdivision (2); and

(E) implement trauma-informed policies;

(7) a policy for providing a substitute teacher access to school campus buildings and materials necessary for the substitute teacher to carry out the duties of a district employee during an emergency or a mandatory emergency drill; and

(8) the name of each individual on the district's school safety and security committee established under Section 37.109 and the date of each committee meeting during the preceding year.

SECTION 11. Subchapter D, Chapter 37, Education Code, is amended by adding Sections 37.1081 and 37.1082 to read as follows:

Sec. 37.1081. PUBLIC HEARING ON MULTHAZARD EMERGENCY OPERATIONS PLAN NONCOMPLIANCE. (a) If the board of trustees of a school district receives notice of noncompliance under Section 37.207(e) or 37.2071(g), the board shall hold a public hearing to

1 notify the public of:

2 (1) the district's failure to:

3 (A) submit or correct deficiencies in a
4 multihazard emergency operations plan; or

5 (B) report the results of a safety and security
6 audit to the Texas School Safety Center as required by law;

7 (2) the dates during which the district has not been in
8 compliance; and

9 (3) the names of each member of the board of trustees
10 and the superintendent serving in that capacity during the dates
11 the district was not in compliance.

12 (b) The school district shall provide the information
13 required under Subsection (a)(3) in writing to each person in
14 attendance at the hearing.

15 (c) The board shall give members of the public a reasonable
16 opportunity to appear before the board and to speak on the issue of
17 the district's failure to submit or correct deficiencies in a
18 multihazard emergency operations plan or report the results of a
19 safety and security audit during a hearing held under this section.

20 (d) A school district required to hold a public hearing
21 under Subsection (a) shall provide written confirmation to the
22 Texas School Safety Center that the district held the hearing.

23 Sec. 37.1082. MULTHAZARD EMERGENCY OPERATIONS PLAN
24 NONCOMPLIANCE; APPOINTMENT OF CONSERVATOR OR BOARD OF MANAGERS.

25 (a) If the agency receives notice from the Texas School Safety
26 Center of a school district's failure to submit a multihazard
27 emergency operations plan, the commissioner may appoint a

1 conservator for the district under Chapter 39A. The conservator
2 may order the district to adopt, implement, and submit a
3 multihazard emergency operations plan.

4 (b) If a district fails to comply with a conservator's order
5 to adopt, implement, and submit a multihazard emergency operations
6 plan within the time frame imposed by the commissioner, the
7 commissioner may appoint a board of managers under Chapter 39A to
8 oversee the operations of the district.

9 (c) The commissioner may adopt rules as necessary to
10 administer this section.

11 SECTION 12. Section 37.109, Education Code, is amended by
12 adding Subsections (a-1), (c), and (d) and amending Subsection (b)
13 to read as follows:

14 (a-1) The committee, to the greatest extent practicable,
15 must include:

16 (1) one or more representatives of an office of
17 emergency management of a county or city in which the district is
18 located;

19 (2) one or more representatives of the local police
20 department or sheriff's office;

21 (3) one or more representatives of the district's
22 police department, if applicable;

23 (4) the president of the district's board of trustees;

24 (5) a member of the district's board of trustees other
25 than the president;

26 (6) the district's superintendent;

27 (7) one or more designees of the district's

1 superintendent, one of whom must be a classroom teacher in the
2 district;

3 (8) if the district partners with an open-enrollment
4 charter school to provide instruction to students, a member of the
5 open-enrollment charter school's governing body or a designee of
6 the governing body; and

7 (9) two parents or guardians of students enrolled in
8 the district.

9 (b) The committee shall:

10 (1) participate on behalf of the district in
11 developing and implementing emergency plans consistent with the
12 district multihazard emergency operations plan required by Section
13 37.108(a) to ensure that the plans reflect specific campus,
14 facility, or support services needs;

15 (2) periodically provide recommendations to the
16 district's board of trustees and district administrators regarding
17 updating the district multihazard emergency operations plan
18 required by Section 37.108(a) in accordance with best practices
19 identified by the agency, the Texas School Safety Center, or a
20 person included in the registry established by the Texas School
21 Safety Center under Section 37.2091;

22 (3) provide the district with any campus, facility, or
23 support services information required in connection with a safety
24 and security audit required by Section 37.108(b), a safety and
25 security audit report required by Section 37.108(c), or another
26 report required to be submitted by the district to the Texas School
27 Safety Center; ~~and~~

1 (4) [~~(3)~~] review each report required to be submitted
2 by the district to the Texas School Safety Center to ensure that the
3 report contains accurate and complete information regarding each
4 campus, facility, or support service in accordance with criteria
5 established by the center; and

6 (5) consult with local law enforcement agencies on
7 methods to increase law enforcement presence near district
8 campuses.

9 (c) Except as otherwise provided by this subsection, the
10 committee shall meet at least once during each academic semester
11 and at least once during the summer. A committee established by a
12 school district that operates schools on a year-round system or in
13 accordance with another alternative schedule shall meet at least
14 three times during each calendar year, with an interval of at least
15 two months between each meeting.

16 (d) The committee is subject to Chapter 551, Government
17 Code, and may meet in executive session as provided by that chapter.
18 Notice of a committee meeting must be posted in the same manner as
19 notice of a meeting of the district's board of trustees.

20 SECTION 13. Subchapter D, Chapter 37, Education Code, is
21 amended by adding Sections 37.113, 37.114, and 37.115 to read as
22 follows:

23 Sec. 37.113. NOTIFICATION REGARDING BOMB THREAT OR
24 TERRORISTIC THREAT. A school district that receives a bomb threat
25 or terroristic threat relating to a campus or other district
26 facility at which students are present shall provide notification
27 of the threat as soon as possible to the parent or guardian of or

other person standing in parental relation to each student who is assigned to the campus or who regularly uses the facility, as applicable.

Sec. 37.114. EMERGENCY EVACUATIONS; MANDATORY SCHOOL DRILLS. The commissioner, in consultation with the Texas School Safety Center and the state fire marshal, shall adopt rules:

(1) providing procedures for evacuating and securing school property during an emergency; and

(2) designating the number of mandatory school drills to be conducted each semester of the school year, not to exceed eight drills, including designating the number of:

(A) evacuation fire exit drills; and

(B) lockdown, lockout, shelter-in-place, and evacuation drills.

Sec. 37.115. THREAT ASSESSMENT AND SAFE AND SUPPORTIVE SCHOOL PROGRAM AND TEAM. (a) In this section:

(1) "Harmful, threatening, or violent behavior" includes behaviors, such as verbal threats, threats of self harm, bullying, cyberbullying, fighting, the use or possession of a weapon, sexual assault, sexual harassment, dating violence, stalking, or assault, by a student that could result in:

(A) specific interventions, including mental health or behavioral supports;

(B) in-school suspension;

(C) out-of-school suspension; or

(D) the student's expulsion or removal to a disciplinary alternative education program or a juvenile justice

1 alternative education program.

2 (2) "Team" means a threat assessment and safe and
3 supportive school team established by the board of trustees of a
4 school district under this section.

5 (b) The agency, in coordination with the Texas School Safety
6 Center, shall adopt rules to establish a safe and supportive school
7 program. The rules shall incorporate research-based best practices
8 for school safety, including providing for:

9 (1) physical and psychological safety;

10 (2) a multiphase and multihazard approach to
11 prevention, mitigation, preparedness, response, and recovery in a
12 crisis situation;

13 (3) a systemic and coordinated multitiered support
14 system that addresses school climate, the social and emotional
15 domain, and behavioral and mental health; and

16 (4) multidisciplinary and multiagency collaboration
17 to assess risks and threats in schools and provide appropriate
18 interventions, including rules for the establishment and operation
19 of teams.

20 (c) The board of trustees of each school district shall
21 establish a threat assessment and safe and supportive school team
22 to serve at each campus of the district and shall adopt policies and
23 procedures for the teams. The team is responsible for developing
24 and implementing the safe and supportive school program under
25 Subsection (b) at the district campus served by the team. The
26 policies and procedures adopted under this section must:

27 (1) be consistent with the model policies and

1 procedures developed by the Texas School Safety Center;

2 (2) require each team to complete training provided by
3 the Texas School Safety Center or a regional education service
4 center regarding evidence-based threat assessment programs; and

5 (3) require each team established under this section
6 to report the information required under Subsection (k) regarding
7 the team's activities to the agency.

8 (d) The superintendent of the district shall ensure that the
9 members appointed to each team have expertise in counseling,
10 behavior management, mental health and substance use, classroom
11 instruction, special education, school administration, school
12 safety and security, emergency management, and law enforcement. A
13 team may serve more than one campus of a school district, provided
14 that each district campus is assigned a team.

15 (e) The superintendent of a school district may establish a
16 committee, or assign to an existing committee established by the
17 district, the duty to oversee the operations of teams established
18 for the district. A committee with oversight responsibility under
19 this subsection must include members with expertise in human
20 resources, education, special education, counseling, behavior
21 management, school administration, mental health and substance
22 use, school safety and security, emergency management, and law
23 enforcement.

24 (f) Each team shall:

25 (1) conduct a threat assessment that includes:

26 (A) assessing and reporting individuals who make
27 threats of violence or exhibit harmful, threatening, or violent

behavior in accordance with the policies and procedures adopted under Subsection (c); and

(B) gathering and analyzing data to determine the level of risk and appropriate intervention, including:

(i) referring a student for mental health assessment; and

(ii) implementing an escalation procedure, if appropriate based on the team's assessment, in accordance with district policy;

(2) provide guidance to students and school employees on recognizing harmful, threatening, or violent behavior that may pose a threat to the community, school, or individual; and

(3) support the district in implementing the district's multihazard emergency operations plan.

(g) A team may not provide a mental health care service to a student who is under 18 years of age unless the team obtains written consent from the parent of or person standing in parental relation to the student before providing the mental health care service. The consent required by this subsection must be submitted on a form developed by the school district that complies with all applicable state and federal law. The student's parent or person standing in parental relation to the student may give consent for a student to receive ongoing services or may limit consent to one or more services provided on a single occasion.

(h) On a determination that a student or other individual poses a serious risk of violence to self or others, a team shall immediately report the team's determination to the superintendent.

1 If the individual is a student, the superintendent shall
2 immediately attempt to inform the parent or person standing in
3 parental relation to the student. The requirements of this
4 subsection do not prevent an employee of the school from acting
5 immediately to prevent an imminent threat or respond to an
6 emergency.

7 (i) A team identifying a student at risk of suicide shall
8 act in accordance with the district's suicide prevention program.
9 If the student at risk of suicide also makes a threat of violence to
10 others, the team shall conduct a threat assessment in addition to
11 actions taken in accordance with the district's suicide prevention
12 program.

13 (j) A team identifying a student using or possessing
14 tobacco, drugs, or alcohol shall act in accordance with district
15 policies and procedures related to substance use prevention and
16 intervention.

17 (k) A team must report to the agency in accordance with
18 guidelines developed by the agency the following information
19 regarding the team's activities and other information for each
20 school district campus the team serves:

21 (1) the occupation of each person appointed to the
22 team;

23 (2) the number of threats and a description of the type
24 of the threats reported to the team;

25 (3) the outcome of each assessment made by the team,
26 including:

27 (A) any disciplinary action taken, including a

1 change in school placement;
2 (B) any action taken by law enforcement; or
3 (C) a referral to or change in counseling, mental
4 health, special education, or other services;
5 (4) the total number, disaggregated by student gender,
6 race, and status as receiving special education services, being at
7 risk of dropping out of school, being in foster care, experiencing
8 homelessness, being a dependent of military personnel, being
9 pregnant or a parent, having limited English proficiency, or being
10 a migratory child, of, in connection with an assessment or reported
11 threat by the team:
12 (A) citations issued for Class C misdemeanor
13 offenses;
14 (B) arrests;
15 (C) incidents of uses of restraint;
16 (D) changes in school placement, including
17 placement in a juvenile justice alternative education program or
18 disciplinary alternative education program;
19 (E) referrals to or changes in counseling, mental
20 health, special education, or other services;
21 (F) placements in in-school suspension or
22 out-of-school suspension and incidents of expulsion;
23 (G) unexcused absences of 15 or more days during
24 the school year; and
25 (H) referrals to juvenile court for truancy; and
26 (5) the number and percentage of school personnel
27 trained in:

1 (A) a best-practices program or research-based
2 practice under Section 161.325, Health and Safety Code, including
3 the number and percentage of school personnel trained in:

4 (i) suicide prevention; or

5 (ii) grief and trauma-informed practices;

6 (B) mental health or psychological first aid for
7 schools;

8 (C) training relating to the safe and supportive
9 school program established under Subsection (b); or

10 (D) any other program relating to safety
11 identified by the commissioner.

12 (1) The commissioner may adopt rules to implement this
13 section.

14 SECTION 14. Section 37.207, Education Code, is amended by
15 adding Subsections (c), (d), and (e) to read as follows:

16 (c) In addition to a review of a district's multihazard
17 emergency operations plan under Section 37.2071, the center may
18 require a district to submit its plan for immediate review if the
19 district's audit results indicate that the district is not
20 complying with applicable standards.

21 (d) If a district fails to report the results of its audit as
22 required under Subsection (b), the center shall provide the
23 district with written notice that the district has failed to report
24 its audit results and must immediately report the results to the
25 center.

26 (e) If six months after the date of the initial notification
27 required by Subsection (d) the district has still not reported the

1 results of its audit to the center, the center shall notify the
2 agency and the district of the district's requirement to conduct a
3 public hearing under Section 37.1081. This subsection applies only
4 to a school district.

5 SECTION 15. Subchapter G, Chapter 37, Education Code, is
6 amended by adding Section 37.2071 to read as follows:

7 Sec. 37.2071. DISTRICT MULTIHAZARD EMERGENCY OPERATIONS
8 PLAN REVIEW AND VERIFICATION. (a) The center shall establish a
9 random or need-based cycle for the center's review and verification
10 of school district and public junior college district multihazard
11 emergency operations plans adopted under Section 37.108. The cycle
12 must provide for each district's plan to be reviewed at regular
13 intervals as determined by the center.

14 (b) A school district or public junior college district
15 shall submit its multihazard emergency operations plan to the
16 center on request of the center and in accordance with the center's
17 review cycle developed under Subsection (a).

18 (c) The center shall review each district's multihazard
19 emergency operations plan submitted under Subsection (b) and:

20 (1) verify the plan meets the requirements of Section
21 37.108; or

22 (2) provide the district with written notice:

23 (A) describing the plan's deficiencies; and

24 (B) stating that the district must correct the
25 deficiencies in its plan and resubmit the revised plan to the
26 center.

27 (d) If a district fails to submit its multihazard emergency

1 operations plan to the center for review, the center shall provide
2 the district with written notice stating that the district:

3 (1) has failed to submit a plan; and

4 (2) must submit a plan to the center for review and
5 verification.

6 (e) The center may approve a district multihazard emergency
7 operations plan that has deficiencies if the district submits a
8 revised plan that the center determines will correct the
9 deficiencies.

10 (f) If three months after the date of initial notification
11 of a plan's deficiencies under Subsection (c)(2) or failure to
12 submit a plan under Subsection (d) a district has not corrected the
13 plan deficiencies or has failed to submit a plan, the center shall
14 provide written notice to the district and agency that the district
15 has not complied with the requirements of this section and must
16 comply immediately.

17 (g) If a school district still has not corrected the plan
18 deficiencies or has failed to submit a plan six months after the
19 date of initial notification under Subsection (c)(2) or (d), the
20 center shall provide written notice to the school district stating
21 that the district must hold a public hearing under Section 37.1081.

22 (h) If a school district has failed to submit a plan, the
23 notice required by Subsection (g) must state that the commissioner
24 is authorized to appoint a conservator under Section 37.1082.

25 (i) Any document or information collected, developed, or
26 produced during the review and verification of multihazard
27 emergency operations plans under this section is not subject to

1 disclosure under Chapter 552, Government Code.

2 SECTION 16. Section 37.2091(d), Education Code, is amended
3 to read as follows:

4 (d) The center shall verify the information provided by a
5 person under Subsection (c) to confirm ~~[registry is intended to~~
6 ~~serve only as an informational resource for school districts and~~
7 ~~institutions of higher education. The inclusion of a person in the~~
8 ~~registry is not an indication of]~~ the person's qualifications and
9 ~~[or]~~ ability to provide school safety or security consulting
10 services before adding the person to the registry ~~[or that the~~
11 ~~center endorses the person's school safety or security consulting~~
12 ~~services]~~.

13 SECTION 17. Subchapter G, Chapter 37, Education Code, is
14 amended by adding Section 37.220 to read as follows:

15 Sec. 37.220. MODEL THREAT ASSESSMENT TEAM POLICIES AND
16 PROCEDURES. (a) The center, in coordination with the agency,
17 shall develop model policies and procedures to assist school
18 districts in establishing and training threat assessment teams.

19 (b) The model policies and procedures developed under
20 Subsection (a) must include procedures, when appropriate, for:

21 (1) the referral of a student to a local mental health
22 authority or health care provider for evaluation or treatment;

23 (2) the referral of a student for a full individual and
24 initial evaluation for special education services under Section
25 29.004; and

26 (3) a student or school personnel to anonymously
27 report dangerous, violent, or unlawful activity that occurs or is

threatened to occur on school property or that relates to a student or school personnel.

SECTION 18. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.036 to read as follows:

Sec. 38.036. TRAUMA-INFORMED CARE POLICY. (a) Each school district shall adopt and implement a policy requiring the integration of trauma-informed practices in each school environment. A district must include the policy in the district improvement plan required under Section 11.252.

(b) A policy required by this section must address:

(1) using resources developed by the agency, methods for:

(A) increasing staff and parent awareness of trauma-informed care; and

(B) implementation of trauma-informed practices and care by district and campus staff; and

(2) available counseling options for students affected by trauma or grief.

(c) The methods under Subsection (b)(1) for increasing awareness and implementation of trauma-informed care must include training as provided by this subsection. The training must be provided:

(1) through a program selected from the list of recommended best practice-based programs and research-based practices established under Section 161.325, Health and Safety Code;

(2) as part of any new employee orientation for all new

1 school district educators; and

2 (3) to existing school district educators on a
3 schedule adopted by the agency by rule that requires educators to be
4 trained at intervals necessary to keep educators informed of
5 developments in the field.

6 (d) For any training under Subsection (c), each school
7 district shall maintain records that include the name of each
8 district staff member who participated in the training.

9 (e) Each school district shall report annually to the agency
10 the following information for the district as a whole and for each
11 school campus:

12 (1) the number of teachers, principals, and counselors
13 employed by the district who have completed training under this
14 section; and

15 (2) the total number of teachers, principals, and
16 counselors employed by the district.

17 (f) If a school district determines that the district does
18 not have sufficient resources to provide the training required
19 under Subsection (c), the district may partner with a community
20 mental health organization to provide training that meets the
21 requirements of Subsection (c) at no cost to the district.

22 (g) The commissioner shall adopt rules as necessary to
23 administer this section.

24 SECTION 19. Chapter 38, Education Code, is amended by
25 adding Subchapter F to read as follows:

26 SUBCHAPTER F. MENTAL HEALTH RESOURCES

27 Sec. 38.251. RUBRIC TO IDENTIFY RESOURCES. (a) The agency

1 shall develop a rubric for use by regional education service
2 centers in identifying resources related to student mental health
3 that are available to schools in their respective regions. The
4 agency shall develop the rubric in conjunction with:

- 5 (1) the Health and Human Services Commission;
- 6 (2) the Department of Family and Protective Services;
- 7 (3) the Texas Juvenile Justice Department;
- 8 (4) the Texas Higher Education Coordinating Board;
- 9 (5) the Texas Child Mental Health Care Consortium;
- 10 (6) the Texas Workforce Commission; and
- 11 (7) any other state agency the agency considers
12 appropriate.

13 (b) The rubric developed by the agency must provide for the
14 identification of resources relating to:

- 15 (1) training and technical assistance on practices
16 that support the mental health of students;
- 17 (2) school-based programs that provide prevention or
18 intervention services to students;
- 19 (3) community-based programs that provide
20 school-based or school-connected prevention or intervention
21 services to students;
- 22 (4) Communities In Schools programs described by
23 Subchapter E, Chapter 33;
- 24 (5) school-based mental health providers; and
- 25 (6) public and private funding sources available to
26 address the mental health of students.

27 (c) Not later than December 1 of each odd-numbered year, the

1 agency shall revise the rubric as necessary to reflect changes in
2 resources that may be available to schools and provide the rubric to
3 each regional education service center.

4 Sec. 38.252. REGIONAL INVENTORY OF MENTAL HEALTH RESOURCES.

5 (a) Each regional education service center shall use the rubric
6 developed under Section 38.251 to identify resources related to
7 student mental health available to schools in the center's region,
8 including evidence-based and promising programs and best
9 practices, that:

10 (1) create school environments that support the
11 social, emotional, and academic development of students;

12 (2) identify students who may need additional
13 behavioral or mental health support before issues arise;

14 (3) provide early, effective interventions to
15 students in need of additional support;

16 (4) connect students and their families to specialized
17 services in the school or community when needed; and

18 (5) assist schools in aligning resources necessary to
19 address the mental health of students.

20 (b) A regional education service center may consult with any
21 entity the center considers necessary in identifying resources
22 under Subsection (a), including:

23 (1) school districts;

24 (2) local mental health authorities;

25 (3) community mental health services providers;

26 (4) education groups;

27 (5) hospitals; and

1 (6) institutions of higher education.

2 (c) Not later than March 1 of each even-numbered year, each
3 regional education service center shall:

4 (1) use the revised rubric received from the agency
5 under Section 38.251 to identify, in the manner provided by this
6 section, any additional resources that may be available to schools
7 in the center's region; and

8 (2) submit to the agency a report on resources
9 identified through the process, including any additional resources
10 identified under Subdivision (1).

11 Sec. 38.253. STATEWIDE INVENTORY OF MENTAL HEALTH
12 RESOURCES. (a) The agency shall develop a list of statewide
13 resources available to school districts to address the mental
14 health of students, including:

15 (1) training and technical assistance on practices
16 that support the mental health of students;

17 (2) school-based programs that provide prevention or
18 intervention services to students;

19 (3) community-based programs that provide
20 school-based or school-connected prevention or intervention
21 services to students;

22 (4) school-based mental health providers; and

23 (5) public and private funding sources available to
24 address the mental health of students.

25 (b) In developing the list required under Subsection (a),
26 the agency shall collaborate with:

27 (1) the Health and Human Services Commission;

1 (2) the Department of Family and Protective Services;
2 (3) the Texas Juvenile Justice Department;
3 (4) the Texas Higher Education Coordinating Board;
4 (5) the Texas Child Mental Health Care Consortium;
5 (6) the Texas Workforce Commission;
6 (7) one or more representatives of Communities In
7 Schools programs described by Subchapter E, Chapter 33, who are
8 designated by the Communities In Schools State Office;
9 (8) hospitals or other health care providers;
10 (9) community service providers;
11 (10) parent, educator, and advocacy groups; and
12 (11) any entity the agency determines can assist the
13 agency in compiling the list.

14 (c) The agency shall include on the list any resource
15 available through an entity identified as a resource under
16 Subsection (b), including an entity described by Subsection (b),
17 that provides evidence-based and promising programs and best
18 practices that:

19 (1) create school environments that support the
20 social, emotional, and academic development of students;
21 (2) identify students who may need additional
22 behavioral or mental health support before issues arise;
23 (3) provide early, effective interventions to
24 students in need of additional support; and
25 (4) connect students and their families to specialized
26 services in the school or community when needed.

27 (d) The agency shall revise the list not later than March 1

of each even-numbered year.

Sec. 38.254. STATEWIDE PLAN FOR STUDENT MENTAL HEALTH.

(a) The agency shall develop a statewide plan to ensure all students have access to adequate mental health resources. The agency shall include in the plan:

(1) a description of any revisions made to the rubric required by Section 38.251;

(2) the results of the most recent regional inventory of mental health resources required by Section 38.252, including any additional resources identified;

(3) the results of the most recent statewide inventory of mental health resources required by Section 38.253, including any additional resources identified;

(4) the agency's goals for student mental health access to be applied across the state, including goals relating to:

(A) methods to objectively measure positive school climate;

(B) increasing the availability of early, effective school-based or school-connected mental health interventions and resources for students in need of additional support; and

(C) increasing the availability of referrals for students and families to specialized services for students in need of additional support outside the school;

(5) a list of actions the commissioner may take without legislative action to help all districts reach the agency's goals described by the plan; and

1 (6) recommendations to the legislature on methods to
2 ensure that all districts can meet the agency's goals described in
3 the plan through legislative appropriations or other action by the
4 legislature.

5 (b) In developing the agency's goals under Subsection
6 (a)(4), the agency shall consult with any person the agency
7 believes is necessary to the development of the goals, including:

8 (1) educators;

9 (2) mental health practitioners;

10 (3) advocacy groups; and

11 (4) parents.

12 (c) The agency shall revise the plan not later than April 1
13 of each even-numbered year.

14 (d) As soon as practicable after completing or revising the
15 plan, the agency shall:

16 (1) submit an electronic copy of the plan to the
17 legislature;

18 (2) post the plan on the agency's Internet website; and

19 (3) hold public meetings in each regional education
20 service center's region to present the statewide plan and shall
21 provide an opportunity for public comment at each meeting.

22 Sec. 38.255. AGENCY USE OF STATEWIDE PLAN. (a) The agency
23 shall use the statewide plan for student mental health required by
24 Section 38.254 to develop and revise the agency's long-term
25 strategic plan.

26 (b) The agency shall use the recommendations to the
27 legislature required by Section 38.254(a)(6) to develop each agency

legislative appropriations request.

Sec. 38.256. REPORTS TO LEGISLATURE. In addition to any other information required to be provided to the legislature under this chapter, not later than November 1 of each even-numbered year the agency shall provide to the legislature:

(1) a description of any changes the agency has made to the rubric required by Section 38.251; and

(2) an analysis of each region's progress toward meeting the agency's goals developed under Section 38.254.

SECTION 20. Subchapter C, Chapter 42, Education Code, is amended by adding Section 42.168 to read as follows:

Sec. 42.168. SCHOOL SAFETY ALLOTMENT. (a) From funds appropriated for that purpose, the commissioner shall provide to a school district an annual allotment in the amount provided by appropriation for each student in average daily attendance.

(b) Funds allocated under this section must be used to improve school safety and security, including costs associated with:

(1) securing school facilities, including:

(A) improvements to school infrastructure;

(B) the use or installation of physical barriers;

and

(C) the purchase and maintenance of:

(i) security cameras or other security equipment; and

(ii) technology, including communications systems or devices, that facilitates communication and information

sharing between students, school personnel, and first responders in an emergency;

(2) providing security for the district, including:

(A) employing school district peace officers, private security officers, and school marshals; and

(B) collaborating with local law enforcement agencies, such as entering into a memorandum of understanding for the assignment of school resource officers to schools in the district;

(3) school safety and security training and planning, including:

(A) active shooter and emergency response training;

(B) prevention and treatment programs relating to addressing adverse childhood experiences; and

(C) the prevention, identification, and management of emergencies and threats, including:

(i) providing mental health personnel and support;

(ii) providing behavioral health services; and

(iii) establishing threat reporting systems; and

(4) providing programs related to suicide prevention, intervention, and postvention.

(c) A school district may use funds allocated under this section for equipment or software that is used for a school safety

1 and security purpose and an instructional purpose, provided that
2 the instructional use does not compromise the safety and security
3 purpose of the equipment or software.

4 (d) A school district that is required to take action under
5 Chapter 41 to reduce its wealth per student to the equalized wealth
6 level is entitled to a credit, in the amount of the allotments to
7 which the district is to receive as provided by appropriation,
8 against the total amount required under Section 41.093 for the
9 district to purchase attendance credits.

10 (e) The commissioner may adopt rules to implement this
11 section.

12 SECTION 21. Section 45.001(a), Education Code, is amended
13 to read as follows:

14 (a) The governing board of an independent school district,
15 including the city council or commission that has jurisdiction over
16 a municipally controlled independent school district, the
17 governing board of a rural high school district, and the
18 commissioners court of a county, on behalf of each common school
19 district under its jurisdiction, may:

20 (1) issue bonds for:

21 (A) the construction, acquisition, and equipment
22 of school buildings in the district;

23 (B) the acquisition of property or the
24 refinancing of property financed under a contract entered under
25 Subchapter A, Chapter 271, Local Government Code, regardless of
26 whether payment obligations under the contract are due in the
27 current year or a future year;

(C) the purchase of the necessary sites for school buildings; ~~and~~

(D) the purchase of new school buses;

(E) the retrofitting of school buses with emergency, safety, or security equipment; and

(F) the purchase or retrofitting of vehicles to be used for emergency, safety, or security purposes; and

(2) ~~may~~ levy, pledge, assess, and collect annual ad valorem taxes sufficient to pay the principal of and interest on the bonds as or before the principal and interest become due, subject to Section 45.003.

SECTION 22. Subtitle E, Title 2, Health and Safety Code, is amended by adding Chapter 113 to read as follows:

CHAPTER 113. TEXAS CHILD MENTAL HEALTH CARE CONSORTIUM

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 113.0001. DEFINITIONS. In this chapter:

(1) "Community mental health provider" means an entity that provides mental health care services at a local level, including a local mental health authority.

(2) "Consortium" means the Texas Child Mental Health Care Consortium.

(3) "Executive committee" means the executive committee of the consortium.

SUBCHAPTER B. CONSORTIUM

Sec. 113.0051. ESTABLISHMENT; PURPOSE. The Texas Child Mental Health Care Consortium is established to:

(1) leverage the expertise and capacity of the

health-related institutions of higher education listed in Section 113.0052(1) to address urgent mental health challenges and improve the mental health care system in this state in relation to children and adolescents; and

(2) enhance the state's ability to address mental health care needs of children and adolescents through collaboration of the health-related institutions of higher education listed in Section 113.0052(1).

Sec. 113.0052. COMPOSITION. The consortium is composed of:

(1) the following health-related institutions of higher education:

(A) Baylor College of Medicine;

(B) Texas A&M University System Health Science Center;

(C) Texas Tech University Health Sciences Center;

(D) Texas Tech University Health Sciences Center at El Paso;

(E) University of North Texas Health Science Center at Fort Worth;

(F) The Dell Medical School at The University of Texas at Austin;

(G) The University of Texas M.D. Anderson Cancer Center;

(H) The University of Texas Medical Branch at Galveston;

(I) The University of Texas Health Science Center

1 at Houston;

2 (J) The University of Texas Health Science Center

3 at San Antonio;

4 (K) The University of Texas Rio Grande Valley

5 School of Medicine;

6 (L) The University of Texas Health Science Center

7 at Tyler; and

8 (M) The University of Texas Southwestern Medical

9 Center;

10 (2) the commission;

11 (3) the Texas Higher Education Coordinating Board;

12 (4) three nonprofit organizations that focus on mental

13 health care, designated by a majority of the members described by

14 Subdivision (1); and

15 (5) any other entity that the executive committee

16 considers necessary.

17 Sec. 113.0053. ADMINISTRATIVE ATTACHMENT. The consortium

18 is administratively attached to the Texas Higher Education

19 Coordinating Board for the purpose of receiving and administering

20 appropriations and other funds under this chapter. The board is not

21 responsible for providing to the consortium staff, human resources,

22 contract monitoring, purchasing, or any other administrative

23 support services.

24 SUBCHAPTER C. EXECUTIVE COMMITTEE

25 Sec. 113.0101. EXECUTIVE COMMITTEE COMPOSITION. (a) The

26 consortium is governed by an executive committee composed of the

27 following members:

1 (1) the chair of the academic department of psychiatry
2 of each of the health-related institutions of higher education
3 listed in Section 113.0052(1) or a licensed psychiatrist, including
4 a child-adolescent psychiatrist, designated by the chair to serve
5 in the chair's place;

6 (2) a representative of the commission with expertise
7 in the delivery of mental health care services, appointed by the
8 executive commissioner;

9 (3) a representative of the commission with expertise
10 in mental health facilities, appointed by the executive
11 commissioner;

12 (4) a representative of the Texas Higher Education
13 Coordinating Board, appointed by the commissioner of the
14 coordinating board;

15 (5) a representative of each nonprofit organization
16 described by Section 113.0052(4) that is part of the consortium,
17 designated by a majority of the members described by Subdivision
18 (1);

19 (6) a representative of a hospital system in this
20 state, designated by a majority of the members described by
21 Subdivision (1); and

22 (7) any other representative designated:

23 (A) under Subsection (b); or

24 (B) by a majority of the members described by
25 Subdivision (1) at the request of the executive committee.

26 (b) The president of each of the health-related
27 institutions of higher education listed in Section 113.0052(1) may

1 designate a representative to serve on the executive committee.

2 Sec. 113.0102. VACANCY. A vacancy on the executive
3 committee shall be filled in the same manner as the original
4 appointment.

5 Sec. 113.0103. PRESIDING OFFICER. The executive committee
6 shall elect a presiding officer from among the membership of the
7 executive committee.

8 Sec. 113.0104. STATEWIDE BEHAVIORAL HEALTH COORDINATING
9 COUNCIL. The consortium shall designate a member of the executive
10 committee to represent the consortium on the statewide behavioral
11 health coordinating council.

12 Sec. 113.0105. GENERAL DUTIES. The executive committee
13 shall:

14 (1) coordinate the provision of funding to the
15 health-related institutions of higher education listed in Section
16 113.0052(1) to carry out the purposes of this chapter;

17 (2) establish procedures and policies for the
18 administration of funds under this chapter;

19 (3) monitor funding and agreements entered into under
20 this chapter to ensure recipients of funding comply with the terms
21 and conditions of the funding and agreements; and

22 (4) establish procedures to document compliance by
23 executive committee members and staff with applicable laws
24 governing conflicts of interest.

25 SUBCHAPTER D. ACCESS TO CARE

26 Sec. 113.0151. CHILD PSYCHIATRY ACCESS NETWORK AND
27 TELEMEDICINE AND TELEHEALTH PROGRAMS. (a) The consortium shall

1 establish a network of comprehensive child psychiatry access
2 centers. A center established under this section shall:

3 (1) be located at a health-related institution of
4 higher education listed in Section 113.0052(1); and

5 (2) provide consultation services and training
6 opportunities for pediatricians and primary care providers
7 operating in the center's geographic region to better care for
8 children and youth with behavioral health needs.

9 (b) The consortium shall establish or expand telemedicine
10 or telehealth programs for identifying and assessing behavioral
11 health needs and providing access to mental health care services.
12 The consortium shall implement this subsection with a focus on the
13 behavioral health needs of at-risk children and adolescents.

14 (c) A health-related institution of higher education listed
15 in Section 113.0052(1) may enter into a memorandum of understanding
16 with a community mental health provider to:

17 (1) establish a center under Subsection (a); or
18 (2) establish or expand a program under Subsection
19 (b).

20 (d) The consortium shall leverage the resources of a
21 hospital system under Subsection (a) or (b) if the hospital system:

22 (1) provides consultation services and training
23 opportunities for pediatricians and primary care providers that are
24 consistent with those described by Subsection (a); and

25 (2) has an existing telemedicine or telehealth program
26 for identifying and assessing the behavioral health needs of and
27 providing access to mental health care services for children and

adolescents.

Sec. 113.0152. CONSENT REQUIRED FOR SERVICES TO MINOR.

(a) A person may provide mental health care services to a child younger than 18 years of age through a program established under this subchapter only if the person obtains the written consent of the parent or legal guardian of the child.

(b) The consortium shall develop and post on its Internet website a model form for a parent or legal guardian to provide consent under this section.

(c) This section does not apply to services provided by a school counselor in accordance with Section 33.005, 33.006, or 33.007, Education Code.

Sec. 113.0153. REIMBURSEMENT FOR SERVICES. A child psychiatry access center established under Section 113.0151(a) may not submit an insurance claim or charge a pediatrician or primary care provider a fee for providing consultation services or training opportunities under this section.

SUBCHAPTER E. CHILD MENTAL HEALTH WORKFORCE

Sec. 113.0201. CHILD PSYCHIATRY WORKFORCE EXPANSION.

(a) The executive committee may provide funding to a health-related institution of higher education listed in Section 113.0052(1) for the purpose of funding:

(1) two full-time psychiatrists who treat children and adolescents to serve as academic medical director at a facility operated by a community mental health provider; and

(2) two new resident rotation positions.

(b) An academic medical director described by Subsection

1 (a) shall collaborate and coordinate with a community mental health
2 provider to expand the amount and availability of mental health
3 care resources by developing training opportunities for residents
4 and supervising residents at a facility operated by the community
5 mental health provider.

6 (c) An institution of higher education that receives
7 funding under Subsection (a) shall require that psychiatric
8 residents participate in rotations through the facility operated by
9 the community mental health provider in accordance with Subsection
10 (b).

11 Sec. 113.0202. CHILD AND ADOLESCENT PSYCHIATRY FELLOWSHIP.

12 (a) The executive committee may provide funding to a
13 health-related institution of higher education listed in Section
14 113.0052(1) for the purpose of funding a physician fellowship
15 position that will lead to a medical specialty in the diagnosis and
16 treatment of psychiatric and associated behavioral health issues
17 affecting children and adolescents.

18 (b) The funding provided to a health-related institution of
19 higher education under this section must be used to increase the
20 number of fellowship positions at the institution and may not be
21 used to replace existing funding for the institution.

22 SUBCHAPTER F. MISCELLANEOUS PROVISIONS

23 Sec. 113.0251. BIENNIAL REPORT. Not later than December 1
24 of each even-numbered year, the consortium shall prepare and submit
25 to the governor, the lieutenant governor, the speaker of the house
26 of representatives, and the standing committee of each house of the
27 legislature with primary jurisdiction over behavioral health

1 issues and post on its Internet website a written report that
2 outlines:

- 3 (1) the activities and objectives of the consortium;
4 (2) the health-related institutions of higher
5 education listed in Section 113.0052(1) that receive funding by the
6 executive committee; and
7 (3) any legislative recommendations based on the
8 activities and objectives described by Subdivision (1).

9 Sec. 113.0252. APPROPRIATION CONTINGENCY. The consortium
10 is required to implement a provision of this chapter only if the
11 legislature appropriates money specifically for that purpose. If
12 the legislature does not appropriate money specifically for that
13 purpose, the consortium may, but is not required to, implement a
14 provision of this chapter.

15 SECTION 23. Section 161.325(d), Health and Safety Code, is
16 amended to read as follows:

17 (d) A school district may develop practices and procedures
18 concerning each area listed in Subsection (a-1), including mental
19 health promotion and intervention, substance abuse prevention and
20 intervention, and suicide prevention, that:

21 (1) include a procedure for providing educational
22 material to all parents and families in the district that contains
23 information on identifying risk factors, accessing resources for
24 treatment or support provided on and off campus, and accessing
25 available student accommodations provided on campus;

26 (2) include a procedure for providing notice of a
27 recommendation for early mental health or substance abuse

1 intervention regarding a student to a parent or guardian of the
2 student within a reasonable amount of time after the identification
3 of early warning signs as described by Subsection (b)(2);

4 (3) [~~(2)~~] include a procedure for providing notice of
5 a student identified as at risk of committing suicide to a parent or
6 guardian of the student within a reasonable amount of time after the
7 identification of early warning signs as described by Subsection
8 (b)(2);

9 (4) [~~(3)~~] establish that the district may develop a
10 reporting mechanism and may designate at least one person to act as
11 a liaison officer in the district for the purposes of identifying
12 students in need of early mental health or substance abuse
13 intervention or suicide prevention; and

14 (5) [~~(4)~~] set out available counseling alternatives
15 for a parent or guardian to consider when their child is identified
16 as possibly being in need of early mental health or substance abuse
17 intervention or suicide prevention.

18 SECTION 24. Section 1701.263(b), Occupations Code, is
19 amended to read as follows:

20 (b) The commission by rule shall require a school district
21 peace officer or a school resource officer who is commissioned by or
22 who provides law enforcement at a school district [~~with an~~
23 ~~enrollment of 30,000 or more students~~] to successfully complete an
24 education and training program described by this section before or
25 within 180 [~~120~~] days of the officer's commission by or placement in
26 the district or a campus of the district. The program must:

27 (1) consist of at least 16 hours of training;

1 (2) be approved by the commission; and

2 (3) provide training in accordance with the curriculum
3 developed under Section 1701.262 in each subject area listed in
4 Subsection (c) of that section.

5 SECTION 25. From funds appropriated for that purpose, the
6 commissioner of education shall establish and administer a grant
7 program to award grants to local education agencies to improve and
8 maintain student and school safety.

9 SECTION 26. Not later than January 1, 2020:

10 (1) the Texas School Safety Center shall:

11 (A) develop a list of best practices for ensuring
12 the safety of public school students receiving instruction in
13 portable buildings; and

14 (B) provide information regarding the list of
15 best practices to school districts using portable buildings for
16 student instruction;

17 (2) the commissioner of education shall adopt or amend
18 rules as required by Section 7.061, Education Code, as added by this
19 Act; and

20 (3) the commissioner of education, in consultation
21 with the Texas School Safety Center and the state fire marshal,
22 shall adopt rules as required by Section 37.114, Education Code, as
23 added by this Act.

24 SECTION 27. (a) Not later than December 1, 2019, the Texas
25 Education Agency shall develop and distribute to each regional
26 education service center the rubric required by Section 38.251,
27 Education Code, as added by this Act.

1 (b) Not later than March 1, 2020:

2 (1) each regional education service center shall
3 complete the regional inventory of mental health resources required
4 by Section 38.252, Education Code, as added by this Act, and report
5 to the Texas Education Agency on the resources identified through
6 the inventory; and

7 (2) the Texas Education Agency shall complete the
8 statewide inventory of mental health resources required by Section
9 38.253, Education Code, as added by this Act, and develop a list of
10 resources available to school districts statewide to address the
11 mental health of students.

12 (c) Not later than April 1, 2020, the Texas Education Agency
13 shall develop the statewide plan for student mental health required
14 by Section 38.254, Education Code, as added by this Act, submit an
15 electronic copy of the plan to the legislature, and post the plan on
16 the agency's Internet website.

17 SECTION 28. As soon as practicable after the effective date
18 of this Act, the executive commissioner of the Health and Human
19 Services Commission, the commissioner of the Texas Higher Education
20 Coordinating Board, and the members of the executive committee
21 described by Section 113.0101(a)(1), Health and Safety Code, as
22 added by this Act, shall make the appointments and designations
23 required by Section 113.0101, Health and Safety Code, as added by
24 this Act.

25 SECTION 29. (a) Notwithstanding Section [1701.263\(b\)](#),
26 Occupations Code, as amended by this Act, a school district peace
27 officer or school resource officer who commences employment with or

1 commences providing law enforcement at a school district with an
2 enrollment of fewer than 30,000 students on a date occurring before
3 September 1, 2019, shall complete the training required by Section
4 1701.263, Occupations Code, as amended by this Act, as soon as
5 practicable and not later than August 31, 2020. This subsection
6 does not apply to an officer who is exempt from the training
7 established under Section 1701.263, Occupations Code, as amended by
8 this Act, because the officer has completed the training described
9 by Subsection (b-1) of that section.

10 (b) Not later than October 1, 2019, a school district with
11 an enrollment of fewer than 30,000 students shall adopt the
12 training policy for school district peace officers and school
13 resource officers required by Section 37.0812, Education Code, as
14 amended by this Act.

15 SECTION 30. Sections 28.002 and 28.004(c), Education Code,
16 as amended by this Act, apply beginning with the 2019-2020 school
17 year.

18 SECTION 31. The Texas Education Agency and the Texas School
19 Safety Center are required to implement a provision of this Act only
20 if the legislature appropriates money specifically for that
21 purpose. If the legislature does not appropriate money
22 specifically for that purpose, the Texas Education Agency or the
23 Texas School Safety Center may, but is not required to, implement a
24 provision of this Act using other appropriations available for that
25 purpose.

26 SECTION 32. To the extent of any conflict, this Act prevails
27 over another Act of the 86th Legislature, Regular Session, 2019,

1 relating to nonsubstantive additions to and corrections in enacted
2 codes.

3 SECTION 33. This Act takes effect immediately if it
4 receives a vote of two-thirds of all the members elected to each
5 house, as provided by Section 39, Article III, Texas Constitution.
6 If this Act does not receive the vote necessary for immediate
7 effect, this Act takes effect September 1, 2019.

President of the Senate	Speaker of the House
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I hereby certify that S.B. No. 11 passed the Senate on April 29, 2019, by the following vote: Yeas 29, Nays 2; May 23, 2019, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 23, 2019, House granted request of the Senate; May 26, 2019, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

I hereby certify that S.B. No. 11 passed the House, with amendments, on May 22, 2019, by the following vote: Yeas 135, Nays 7, three present not voting; May 23, 2019, House granted request of the Senate for appointment of Conference Committee; May 26, 2019, House adopted Conference Committee Report by the following vote: Yeas 137, Nays 8, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor



CITY COUNCIL AGENDA FORM

Meeting Date: February 10, 2020

Prepared by: Charlene Warren/
Charles Jackson

Agenda item: 7g

Reviewed by: Charlene Warren/
Charles Jackson

Department: Administration

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt an updated procurement policy

☒

ATTACHMENTS FOR REFERENCE

1. Proposed procurement policy

STAFF BRIEFING:

- Adoption of an updated procurement policy is required by the Texas General Land Office (GLO) for receipt of grant funds
- City Attorney will provide more a robust version, if necessary

HISTORY: N/A

TARGET IMPLEMENTATION: February 10, 2020

SIGNIFICANT ACTION DATES: N/A

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other – Procurement Policy | |
| ☒ 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 an updated procurement policy

FISCAL IMPACT: Updated procurement policy will allow for receipt of grant funding, upon award

**CITY OF LA MARQUE
FEDERAL PROCUREMENT POLICY**

Adopted _____, 20__

PURPOSE. The purpose of this Purchasing Policy is to obtain the highest quality goods and services for the City of La Marque at the lowest possible price, to exercise financial control over the purchasing process, to clearly define authority for the purchasing function, to allow fair and equal opportunity among qualified suppliers, and to provide for increased public confidence in the procedures followed in public purchasing.

AFFIRMATIVE ACTION: Whenever possible, qualified small, minority and women-owned businesses shall be included in the solicitation lists for bids or non-bid purchases. If the purchase is federally funded in whole or in part, minority and women-owned businesses must be included in the solicitation lists and all other affirmative action requirements outlined in the grant provisions must be followed. *The City may exercise a preference for local businesses for purchases funded exclusively by the City but only if such a preference does not result in unreasonable prices or rates due to a lack of competition.* For purchases funded in whole or in part with federal funding, the City may not exercise a preference for local businesses.

CODE OF CONDUCT. Employees, officers, and agents of the City who are involved in the procurement and selection of bids and purchases shall make reasonable efforts to avoid real, apparent, or potential conflicts of interest. No employee, officer or agent of the City shall participate in the selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- the employee, officer or agent,
- any member of his or her immediate family,
- his or her partner, or
- an organization that employs, or is about to employ, any of the above, has a financial or personal interest in the firm/vendor selected for an award.

An employee, officer or agent of the City who is involved in the procurement and selection of a bid or purchase and who has a real or apparent conflict of interest must disclose that conflict of interest within the context of a duly-warned City Council meeting that occurs before the bid selection or purchase takes place. *Such disclosure must be documented in the minutes for that meeting which shall be retained as part of the official record surrounding the bid or purchase.*

Officers, employees, and agents of the City will not solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.

Officers, employees, and agents who fail to follow the above Code of Conduct may be sanctioned or disciplined, to the extent permitted by law, for violations of the above standards.

DOCUMENTATION. Records documenting the procurement process for any Minor or Major purchases, as those terms are defined below, including the reason for the specific procurement method chosen, the basis for the award and contract pricing (showing evidence that the process was fair and equitable), as well as any other significant decisions that were part of the procurement process shall be maintained for a period of at least three years from the date of the submission to the Federal government of the final expenditure report if the purchase or project was funded with federal grants, or until the completion of any litigation, claim negotiation, audit, or other action involving the records, whichever is longer. Otherwise, records shall be maintained by the City in accordance with the retention and disposition schedules as set by Texas.

AUTHORIZED AUTHORITY.

Authorized Agents: Authorized Agents are responsible for ensuring that the best possible price and quality are obtained with each purchase and shall review all proposed procurements to avoid unnecessary or duplicative purchases of equipment, supplies, and services. Agents shall also ensure that competition is not restricted with limits on the geographic location of vendors, with unreasonable requirements or qualifications placed on vendors, or by allowing vendors to be selected who have engaged in noncompetitive pricing practices.

Incidental Purchases. Department Directors who have been designated to make purchases of up to \$999.99 without prior approval, provided those purchases are limited to the amount of the budget authorized by the City.

Minor Purchases. The City Manager may make purchases with a value between \$1,000 and \$24,999 without prior approval from the City Council and are limited to the amount of the budget authorized by the City. Although not required, competitive quotes from at least three vendors should be obtained whenever possible.

Major Purchases. All purchases over \$25,000 require prior approval of the City Council. The City Manager shall review all proposed procurements to avoid unnecessary or duplicative purchases of equipment, supplies, and services. The City shall also ensure that competition is not restricted with limits on the geographic location of vendors, with unreasonable requirements or qualifications placed on vendors or bidders, or by allowing vendors to be selected who have engaged in noncompetitive pricing practices.

If federal funding is used for purchases between \$3,000 (\$2,000 in the case of construction projects subject to Davis Bacon requirements) and \$150,000, price or rate quotes must be obtained from two or more qualified sources following the affirmative action provision of this policy and all provisions regarding the fair and unrestricted competition.

For all major purchases, price and rate quotations shall be obtained from at least three qualified vendors to ensure that the City has received a fair and reasonable price. Vendors will be selected based on cost, the quality of the goods and services offered, and the ability, capacity, and skill of the vendor demonstrated under prior contracts with the City.

Large purchases with a value of \$149,999, which is the large purchase or simplified acquisition threshold under federal regulations or more must follow a sealed bid process as outlined below.

Purchases at or exceeding \$150,000 or construction projects of any value that is funded with federal dollars must follow a sealed bid process as outlined per 2 CFR 200.318-326 (see Appendix A). As well, follow any procurement guidance as outlined in the grant agreement. In addition, a pricing analysis must be completed by a qualified consultant prior to issuing the request for proposal to ensure that there is a reasonable estimate against which to compare bid proposal pricing.

SEALED BID PROCESS. The sealed bid process shall be initiated by the issuance of a Request for Bids prepared by the City Manager's office or its designee. Notice of the Request for Proposal/Qualifications shall be made by letters to known providers soliciting bid responses, advertisements posted in three public locations within the City, and advertisements placed in a newspaper of general circulation in the region.

BID SPECIFICATIONS. A list of bid specifications shall be prepared for each purchase and shall be available for inspection at City Hall. Bid specifications shall include:

1. Bid name.
2. Bid submission deadline.
3. Date, location, and time of bid opening.
4. Specifications for the project or services including quantity, design, and performance features.
5. Bond and/or insurance requirements.
6. A copy of the proposed contract.
7. Any special requirements that are unique to the project or purchase.
8. Delivery or completion date.
9. For construction projects, the language that sets a requirement for a bid guarantee in the amount of 5% of the bid price from all bidders, as well as performance and payment bonds in the amount of 100% of the contract price from the contractor awarded the bid. If federally grant-funded, the bidders must also include costs for Davis Bacon compliance if that is a requirement of the federal agency providing the funding.
10. For construction projects over \$2,000, a statement that contractors will be provided with a copy of the most current wage determination (from the DOL website at <http://www.wdol.gov/dba.aspx>) and must comply with the Davis Bacon Act.
11. Language that reserves for the selection committee the right at its sole discretion to reject any and all bids, wholly or in part, to waive any informalities or any irregularities therein, to accept any bid even though it may not be the lowest bid, to call for rebids, to negotiate with any bidder, and to make an award which in its sole and absolute judgment will best serve the City's interest. The selection committee reserves the right to investigate the financial condition of any bidder to determine his or her ability to assure service throughout the term of the contract. Once a Request for Bids has been issued, the bid specifications will be available for inspection at City Hall.

BID SUBMISSION. All bids must be submitted in sealed envelopes, addressed to the City in care of the City Clerk, and plainly marked with the name of the bid and the time of the bid opening. Bid proposals will be date stamped on the outside of the envelope immediately upon receipt. Any bid may be withdrawn in writing prior to the scheduled time for the opening of bids. Any bids received after the time and date specified shall not be considered and shall be returned to the bidder unopened.

Bidders shall bid to specifications and any exceptions must be noted by the bidder. A bidder submitting a bid thereby certifies that the bid is made in good faith without fraud, collusion, or connection of any kind with any other bidder for the same work and that the bidder is competing solely on his/her behalf without connection with or obligation to any undisclosed person or firm.

BID OPENING. Every bid received prior to the bid submission deadline will be publicly opened and read aloud by the City Clerk. The bid opening will include the name and address of bidder; for lump-sum contracts, the lump sum base bid and the bid for each alternate; for unit price contracts, the unit price for each item and the total, if stated; and the nature and the amount of security furnished with the bid if required.

CRITERIA FOR BID SELECTION. In evaluating bids, the selection committee will consider the following criteria:

1. Price.
2. Bidder's ability to perform within the specified time limits.
3. Bidder's experience and reputation, including a past performance for the City.
4. Quality of the materials and services specified in the bid.
5. Bidder's ability to meet other terms and conditions, including insurance and bond requirements.
6. Bidder's financial responsibility.
7. Bidder's availability to provide future service, maintenance, and support.
8. Nature and size of the bidder.
9. Contract provisions that are acceptable to the City.
10. For construction projects over \$2,000, the contractor's indication of acceptance of wages in the current wage determination provided as part of the Request for Bids.
11. Any other factors that the selection committee determines are relevant and appropriate in connection with a given project or service.

In addition to the above, in the case of a contract supported by federal funds, the additional criteria shall apply:

12. There shall be no preference exercised for local contractors or suppliers.
13. Minority and women-owned businesses must be included in the solicitation list for the request for proposal.
13. The City will not select a bidder who is listed on the Excluded Parties List System website (<https://www.sam.gov>).

CHANGE ORDERS. If specification changes are made prior to the close of the bid process, the Request for Bids will be amended and notice shall be sent to any bidder who already submitted a bid and a new bid process will be initiated. Once a bid has been accepted, if changes to the specifications become necessary, a change order specifying the scope of the change. Once approved, the contractor and an authorized agent of the City must sign the change order.

EXCEPTIONS. The following exceptions may apply, however, there must be written documentation created and maintained that outlines the process and rationale for such exceptions:

Competitive Proposals. If time does not permit the use of sealed bids, or the award will be made on the basis of non-price related factors, a competitive proposal process shall be initiated by the issuance of a Request for Proposal (RFP) or Request for Qualifications (RFQ) prepared shall include the factors that will be used to evaluate and compare the proposals. Bids or qualifications shall be obtained from an adequate number of qualified sources (at least three vendors) to ensure that the City has received a fair and reasonable price and all notification and record-keeping requirements of the sealed bid process shall be followed. If architectural or engineering services are being solicited, this process should be used with the most qualified firm or individual awarded the bid and price or fees negotiated after the award. If competitive proposals are used, all of the above steps in the sealed bid process should be followed except that: 1) the bid submission need not be sealed, and 2) price will not be the primary factor in the proposal selection.

Sole Source Purchases. If it is determined that there is only one possible source for a proposed purchase, it may waive the bid process and authorize the purchase from the sole source.

Recurring Purchases. If the total value of a recurring purchase of a good or service is anticipated to exceed **[\$insert dollar amount]** during any fiscal year, the bid process shall be utilized and shall specify the recurring nature of the purchase. Once a bid has been accepted, all future purchases shall be made from that bidder without the necessity of additional bids, until such time as the City Council votes to initiate a new bid process.

Emergency Purchases. The City Council may award contracts and make purchases for the purpose of meeting the public emergency without complying with the bid process. Emergency expenditures may include immediate repair or maintenance of City property, vehicles, or equipment if the delay in such repair or maintenance would endanger persons or property or result in substantial impairment of the delivery of important City services.

Professional Services. The bid process shall not apply to the selection of providers for services that are characterized by a high degree of professional judgment and discretion including legal, financial, auditing, risk management, and insurance services.

Federally funded non-competitive purchases for \$150,000 or more require a cost analysis to determine the reasonableness of the proposed pricing and should be completed in accordance with the requirements of the federal or state agency issuing the grant funding.

Attachment A:

All departments shall follow the established CFR 200 Uniform Administrative Guidance Procurement Standards sections 200.317 through 200.326 and will work in conjunction with the local, state, and federal entities to ensure compliance.

During and or after an emergency/disaster, the City will follow policy in accordance with CFR 200 Uniform Administrative Guidance Procurement Standards sections 200.317 through 200.326.

§200.318 General procurement standards.

(a) The non-Federal entity must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this part.

(b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(c)(1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

(2) If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

(d) The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

(e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.

(f) The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

(g) The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

(h) The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also §200.213 Suspension and debarment.

(i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(j)(1) The non-Federal entity may use a time and materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to a non-Federal entity is the sum of:

(i) The actual cost of materials; and

(ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

(2) Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

(k) The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014; 80 FR 43309, July 22, 2015]

§200.319 Competition.

(a) All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

(1) Placing unreasonable requirements on firms in order for them to qualify to do business;

(2) Requiring unnecessary experience and excessive bonding;

(3) Noncompetitive pricing practices between firms or between affiliated companies;

(4) Noncompetitive contracts to consultants that are on retainer contracts;

(5) Organizational conflicts of interest;

(6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and

(7) Any arbitrary action in the procurement process.

(b) The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(c) The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

(1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and

(2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(d) The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014]

§200.320 Methods of procurement to be followed.

The non-Federal entity must use one of the following methods of procurement.

(a) Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (§200.67 Micro-purchase). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

(b) Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.

(c) Procurement by sealed bids (formal advertising). Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the conditions in paragraph (c)(1) of this section apply.

(1) In order for sealed bidding to be feasible, the following conditions should be present:

(i) A complete, adequate, and realistic specification or purchase description is available;

(ii) Two or more responsible bidders are willing and able to compete effectively for the business; and

(iii) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

(2) If sealed bids are used, the following requirements apply:

(i) Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;

(ii) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

(iii) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;

(iv) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

(v) Any or all bids may be rejected if there is a sound documented reason.

(d) Procurement by competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

(1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;

(2) Proposals must be solicited from an adequate number of qualified sources;

(3) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;

(4) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and

(5) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

(e) [Reserved]

(f) Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

(1) The item is available only from a single source;

(2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;

(3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or

(4) After solicitation of a number of sources, competition is determined inadequate.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014; 80 FR 54409, Sept. 10, 2015]

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

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

(b) Affirmative steps must include:

(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

(2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

(3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

§200.322 Procurement of recovered materials.

A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

[78 FR 78608, Dec. 26, 2013, as amended at 79 FR 75885, Dec. 19, 2014]

§200.323 Contract cost and price.

(a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.

(b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

(c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under Subpart E—Cost Principles of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.

(d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

§200.324 Federal awarding agency or pass-through entity review.

(a) The non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

(b) The non-Federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

(1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part;

(2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;

(3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;

(4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or

(5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

(c) The non-Federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.

(1) The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third party contracts are awarded on a regular basis;

(2) The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

§200.325 Bonding requirements.

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor’s obligations under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

§200.326 Contract provisions.

The non-Federal entity’s contracts must contain the applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.



CITY COUNCIL AGENDA FORM

Meeting Date: February 10, 2020

Prepared by: Chief Kirk Jackson

Agenda item: 7h

Reviewed by: Charlene Warren

Charles Jackson

Department: Police

AGENDA ITEM DESCRIPTION: Consider recommendation to approve a mutual aid agreement with Texas City Police Department, including creation of a SWAT team, and authorizing the Mayor to execute the agreement

X

ATTACHMENTS FOR REFERENCE

1. Mutual Aid Law Enforcement Agreement between the City of La Marque and the City of Texas City

STAFF BRIEFING:

- The jurisdictional boundaries between La Marque and Texas City are virtually indistinguishable by the members of our community
- Thusly, the La Marque Police Department and the Texas City Police Department share a mutual responsibility to the citizens of our community to work as cooperative law enforcement agencies when providing public safety to the citizens
- Chapter 362 of the Local Government Code authorizes municipalities, upon resolution or order of its governing body, to enter into a cooperative working agreement to form a mutual aid law enforcement task force
- The La Marque Police Department and the Texas City Police Department have a long history of cooperative assistance when public safety needs arise
- The City Attorney has reviewed the Agreement

HISTORY: N/A

TARGET IMPLEMENTATION: Upon authorization by the La Marque City Council and the Texas City Commission

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	



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to approve a mutual aid agreement with Texas City Police Department, including creation of a SWAT team, and authorizing the Mayor to execute the agreement

FISCAL IMPACT: This agreement bears no fiscal impact aside from normal police department operational costs.

MUTUAL AID LAW ENFORCEMENT AGREEMENT

THE STATE OF TEXAS

§

COUNTY OF GALVESTON

§

THIS MUTAL AID LAW ENFORCEMENT AGREEMENT (the Agreement”) is made and entered into by and between the City of La Marque and the City of Texas City and includes any city or other government or law enforcement agency which shall hereafter by and through their respective Mayors or other duly authorized officials enter into this Agreement:

WITNESSETH:

WHEREAS, Chapter 362, sec 362.001 et seq, Texas Local Government Code, authorizes a county or municipality by resolution of its governing body to enter into an agreement with any neighboring municipality or contiguous county for the formation of a Mutual Aid Law Enforcement Task Force to cooperate in the investigation of criminal activity and enforcement of laws of this state; and

WHEREAS, the Cities of La Marque and Texas City and other cities and agencies which may hereafter become parties hereto, desire to form a Mutual Aid Law Enforcement Task Force wherein the specialized equipment, facilities and trained personnel of their respective police departments or law enforcement agencies are available to each other as requested and required; additionally a joint tactical or S.W.A.T. (Special Weapons and Tactics) team(s) shall be created under this Agreement.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS: That in consideration of the mutual covenants, agreements and benefits to the parties, it is AGREED as follows:

Article I

During the term of this Agreement, the parties agree to provide upon request of one party (“requesting party”) to the other (“providing party”) such law enforcement personnel, including available equipment and facilities, as may be requested for the

investigation or suppression of crime within the jurisdictional area of the requesting party; provided that the personnel, equipment, and facilities requested are not otherwise required by the providing party as determined by the Chief Law Enforcement Officer of the providing agency, or designee. Requests for mutual aid made pursuant to this Agreement shall be made by and to the respective Chief Law Enforcement Officer or their designated representatives.

Article II

While any Peace Officer regularly employed by the providing party is in the service of a requesting party pursuant to this Agreement, the Peace Officer shall be under the command of the requesting party's Chief Law Enforcement Officer who is in charge, and said Peace Officer shall have all powers of a regular police officer of the requesting party as though the Peace Officer were within the jurisdiction where the officer is regularly employed; and this qualification for the office with the providing party shall constitute the officer's qualification for the office with the requesting party; and no other oath, bond or compensation need be made.

In the performance of work or services hereunder, each peace officer is deemed solely as an employee of the hiring agency, which shall assume sole and exclusive responsibility for the payment of wages to the employee for services performed under this Agreement.

Article III

A Peace Officer employed by a providing party covered by this Agreement may make arrests outside the jurisdiction in which the officer is employed, but within the area covered by this Agreement; provided, however, that the law enforcement agency within the requesting jurisdiction shall be notified of such arrest without delay. The notified agency shall make available the notice of such arrest in the same manner as if said arrest were made by a member of the law enforcement agency of said requesting jurisdiction.

Article IV

Peace Officers employed by the parties to this Agreement shall have such investigative and other law enforcement authority within the jurisdiction encompassed by this Agreement as reasonable and proper to accomplish the purpose for which a request for mutual aid assistance is requested.

Article V

The Combined Agency Response Team is hereby created pursuant to this Agreement as an emergency response team comprised of Peace Officers from the agencies that are parties to this Agreement. The command structure of the team will be defined and agreed to by the Chief Law Enforcement Officer of each agency represented under this Agreement. In appointing personnel to the Combined Agency Response Team, each agency represented by this Agreement shall be subject to the foregoing articles and further subject to the following specific criteria:

- (a) Each party to this Agreement shall use the same selection, training, uniform, fitness, and firearms standards to ensure the availability of not less than four (4) Peace Officers specifically trained in responses to and management of critical incidents involving substantial risk of death or serious injury to persons.
- (b) Each party to this Agreement shall provide on a monthly basis a minimum of not less than eight (8) hours of duty time for the joint training of Peace Officers from both cities.
- (c) Each city shall also designate a Peace Officer to coordinate its participation in both training and call out incidents.

ARTICLE VI

All Peace Officers designated by each city as qualified to be appointed to the Combined Agency Response Team shall meet the following criteria as minimum: 1.) not less than one (1) year of full time service; 2.) demonstrates ability to meet or surpass the fitness requirements established for team members; 3.) successful completion of a minimum forty (40) hours of S.W.A.T. school in special tactics; and 4.) a minimum of ninety percent (90.0%) acceptable score on the firearms qualification course established for these officers. Further, officers assigned by each city are subject to reassignment from the response team at the discretion of the employing agency or command staff of the team.

Article VII

The Chief Law Enforcement Officer of the requesting agency or designee shall be the final authority in deciding whether deadly force is required to bring a critical incident to an end; provided, however, that this authority shall not limit the authority of a Peace Officer, confronted with an immediate threat and no alternative, to use such force as may be required to preserve the officer's life or the life of another. To the maximum feasible extent, time and negotiation shall be used to bring a critical incident to a close without loss of life or injury.

Article VIII

To the extent permitted by law, each party agrees to indemnify the remaining parties against all demands, suits, actions, legal or administrative proceedings, claims, damages and reasonable attorney's fees relating to the performance of this Agreement and arising directly or indirectly from those matters to which is finally adjudged that that party is solely guilty of negligence or misconduct.

Article IX

The term of this Agreement shall commence on the date the last party signs this Agreement and shall continue for one (1) year. This Agreement will automatically renew annually unless a party to this Agreement provided thirty (30) days written notice of its intent to terminate or withdraw from this Agreement to the remaining parties in the Agreement.

Article X

The parties shall observe and comply with all Federal, State, County, and City laws, rules, ordinances, and regulations in any manner affecting the conduct of services herein provided and performance of all obligations undertaken by this Agreement.

Article XI

The parties agree that any other law enforcement agency acting by and through its duly constituted governing body may become a party to this Agreement by executing an appropriate amendment to this Agreement signifying its agreement to all of the terms and provisions hereof, executed by all of the then existing parties hereto.

FOR THE CITY OF LA MARQUE, TEXAS

ATTEST:

X

Robin Eldridge, City Clerk

X

Bobby Hocking, Mayor

X

DATE

FOR THE CITY OF TEXAS CITY, TEXAS

ATTEST:

X

Nicholas Finan, City Secretary

X

Matthew T. Doyle, Mayor

X

DATE



CITY COUNCIL AGENDA FORM

Meeting Date: February 10, 2020

Prepared by: Charlene Warren/
Charles Jackson

Agenda item: 7i

Reviewed by: Charlene Warren/
Charles Jackson

Department: Administration

AGENDA ITEM DESCRIPTION: Consider recommendation to ratify City Manager's non-binding agreement between the International Association of Fire Fighters Local 3282 and the City of La Marque creating and funding a new classification of Deputy Fire Chief

X

ATTACHMENTS FOR REFERENCE

1. IAFF Local 3282 Collective Bargaining Agreement, Attachment 3, Article 33
2. La Marque Fire Department Organizational Chart
3. Proposed Job Description – Deputy Fire Chief

STAFF BRIEFING:

- At the February 11, 2019 Council meeting, City Council approved the Collective Bargaining Agreement between the City and IAFF Local 3282
- In this agreement, Article 33 stated that the City and the Union agreed to re-open non-binding negotiations to discuss and consider creation and funding for a new classification of Assistant Chief
- After discussion with Union representatives, it was agreed by both parties to change the name to Deputy Fire Chief and to create the position as administrative exempt and not cover under the Collective Bargaining Agreement
- Deputy Fire Chief position will be funded from salary savings for FY 20 and will be neutral to the current budget
- Future expenses will be factored into salaries for future fiscal years
- Finance Director was included in the negotiation

HISTORY: N/A

TARGET IMPLEMENTATION: February 10, 2020

SIGNIFICANT ACTION DATES:

February 11, 2019 – Collective Bargaining Agreement approved by City Council



CITY COUNCIL AGENDA FORM

ACTION:

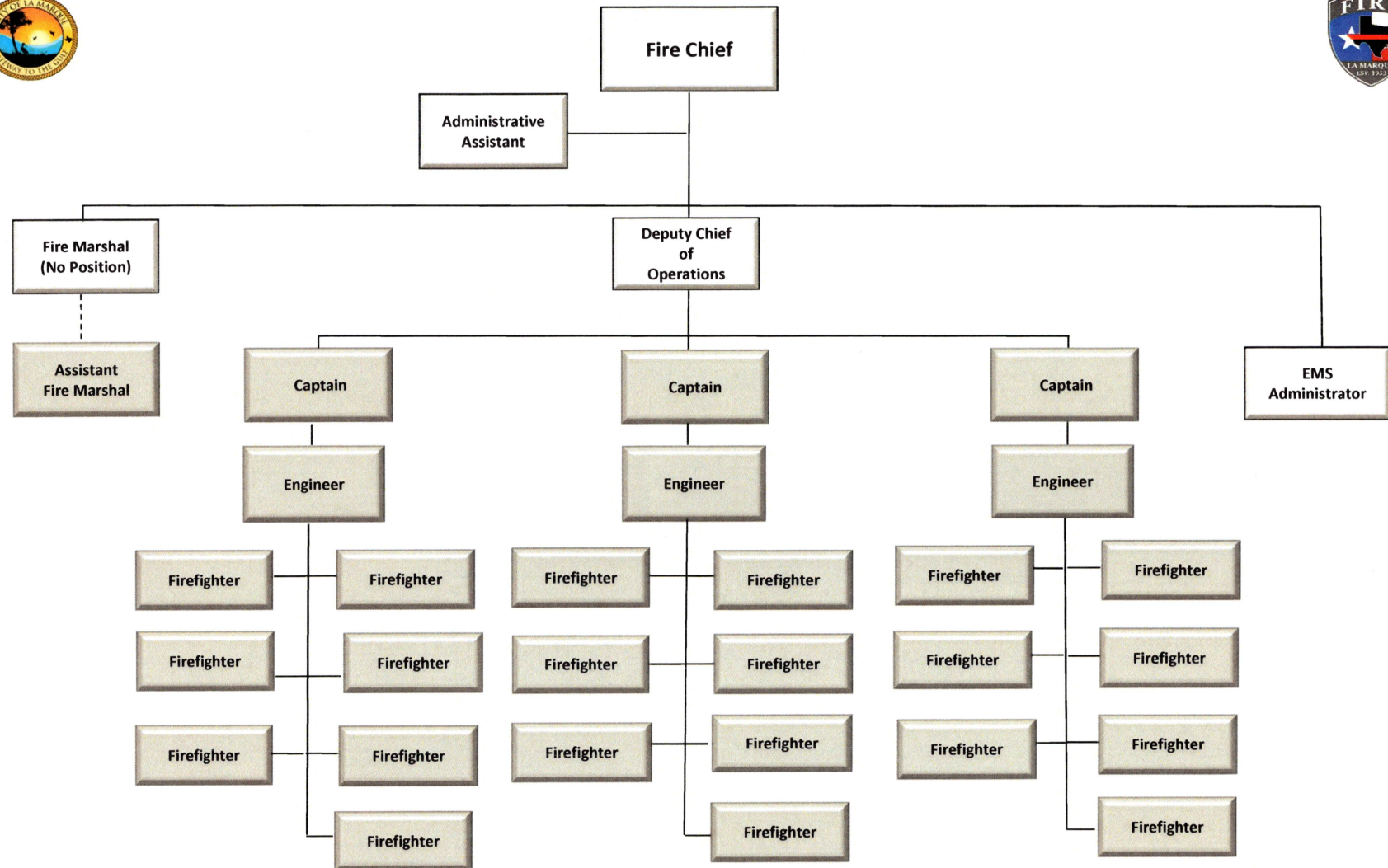
- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other - Position Creation | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:

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

STAFF'S RECOMMENDATION: Motion to ratify City Manager's non-binding agreement between the International Association of Fire Fighters Local 3282 and the City of La Marque creating and funding a new classification of Deputy Fire Chief

FISCAL IMPACT: Position to be funded through salary savings for FY 20; future salary expenses will be built into budgets.



Effective 3/1/2020

White boxes represent employees not covered under the CBA



City of La Marque Position Description Deputy Fire Chief Fire Department

Title: Deputy Fire Chief

Grade Level:

FLSA Status: Exempt

Department: Fire Department

Reports To: Fire Chief

Job Summary

The Deputy Fire Chief performs various responsible fire service duties for the City of La Marque Fire Department; supervises Captains under their command. The Deputy Fire Chief will participate in planning, developing policy, and resolving departmental problems and issues within the department as a whole and their area of assignment; are responsible for fiscal management; and represent the Fire Chief and the department in various situations. The Deputy Fire Chief will assist in planning, directing and reviewing the activities and operations of the Fire Department. The Deputy Fire Chief will assist in coordinating assigned activities with other City Departments and outside agencies and provide highly responsible and complex administrative support to the Fire Chief. This position may exercise direct supervision over sworn, technical and clerical staff. Work also involves operating emergency apparatus and tools, preparing preliminary fire plans for the City, educating the public about fire prevention, and educating newly hired personnel about the policies, procedures, and rules involved with firefighting and emergency medical services. The Deputy Fire Chief may serve as acting Fire Chief in the absence of the Chief. This class performs related duties as required.

Essential Job Functions

- Adhere to all City policies and procedures as outlined in the Employee Handbook, in particular:
 - o Attendance Policy
 - o All Safety Policies and Procedures
 - o Appropriate business casual attire for office personnel and proper uniform attire for those departments that are so designated
- Supervises and trains personnel in emergency medical services and the proper operations of fire apparatus, equipment, tools, etc;
- Takes command of fire ground operations and follows them through completion;
- Supervises personnel in completing daily duties and equipment repair to maintain operational readiness;
- Responsible for the timely completion and submission of all daily paperwork pertaining to but not limited to run reports, equipment repair, station supplies, etc;
- Supervises and may perform fire suppression and fire rescue activities;
- Ensures required water source established to meet the required flow for extinguishment of fire;
- Required to drive a fire fighting and/or emergency response vehicle in responding to fire and emergency medical alarms;
- Assumes command of incidents until properly relieved by the Fire Chief;
- Through appropriate oversight and supervision ensures the maintenance and operational readiness of departmental vehicles and equipment;
- Organizes preventive maintenance tasks, cleaning and scheduled testing of fire fighting apparatus; makes repairs to equipment when necessary;
- Upholds State and federal standards and regulations;
- May make oral presentations before business, civic, school, church and/or other groups on topics pertaining to fire prevention and emergency medical education, as required and appropriate;
- Maintains up-to-date knowledge regarding City buildings, streets, hydrant locations, etc., to ensure expediency of emergency response; maintains up-to-date knowledge of all built-in fire suppression systems within the City;
- Prepares and maintains incident records and reports, and vehicle and equipment maintenance records;



*City of La Marque Position Description
Deputy Fire Chief
Fire / Rescue Department*

- Meets with Fire Department and City officials to discuss Department procedures, strategies, and structures; as necessary;
- Attends seminars, conferences, workshops, classes, lectures, etc., as appropriate, to enhance and maintain knowledge of trends and developments in the field of fire fighting, fire prevention, and emergency medical services;
- Performs other related work as required.

Education, Training, and Experience

- High School Diploma or GED;
- Basic Firefighter;
- EMT-Basic;
- Possession of a valid Class "B" driver's license issued by the State of Texas; and,
- All certifications and licenses must be maintained as a condition of continued employment.

Minimum Qualifications/Standards Required

Physical Requirements:

- Must be physically fit and able to operate a variety of machinery and equipment including operating such fire fighting equipment as pumps, ladders, air compressors, self-contained breathing apparatus, "Jaws of Life," various hand and power tools, two-way radios, etc;
- Ability to exert up to 150 pounds of force occasionally, and/or up to 50 pounds of force frequently, and/or up to 10 pounds of force constantly to move objects;
- Requires ability to ascend and descend ladders, stairs, scaffolding, ramps, poles, etc., using feet or hands and arms;
- Requires ability to maintain body equilibrium to prevent falling when walking, standing, bending, stooping, crouching, or running on narrow, slippery, or erratically moving surfaces. Physical demand requirements are for very heavy work.

EMERGENCY OPERATIONS CLASSIFICATION, TIER 1: Employees with specific responsibilities who remain in the City, on the job, and/or at a designated location during an emergency.



CITY COUNCIL AGENDA FORM

Meeting Date: February 10, 2020

Prepared by: Charlene Warren

Agenda item: 8a

Reviewed by: Charlene Warren/

Charles Jackson

Department: Administration

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding authorizing the City Manager to negotiate terms to obtain a grocery store



ATTACHMENTS FOR REFERENCE

STAFF BRIEFING:

- Securing a local grocery store has evolved from a hoped-for outcome to a pressing public service need
- City Manager is requesting policy position from Council relating to the recruitment of a grocery store

HISTORY: N/A

TARGET IMPLEMENTATION: To be determined based upon Council's direction

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 authorize the City Manager to negotiate terms to obtain a grocery store

FISCAL IMPACT: To be determined based upon Council's direction



CITY COUNCIL AGENDA FORM

Meeting Date: February 10, 2020

Agenda item: **9a**

Prepared by: Robin Eldridge

Reviewed by: *Charlene Warren*

Charles Jackson

Department: Mayor & City Council

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding appointments and/or reappointments to fill various positions of the Boards and Commissions

X

ATTACHMENTS FOR REFERENCE

1. Current vacancies on Boards and Commissions
2. Current applications on file

STAFF BRIEFING:

- There have been a few changes since the last time appointments and reappointments have been on the City Council agenda and a few vacancies have occurred within this time period that are critical to have full boards / commissions present to conduct business.
- There are a few vacant positions still available for appointment or reappointment.
- Highlighted names and terms have expired or will be expiring at the end of this year.
- **BOARD OF ADJUSTMENTS-** District "C" and "D" both have one alternate appointments each; District "C" also has an appointment/or reappointment
- **BUILDING STANDARDS-** District "D" has one appointment
- **KEEP LA MARQUE BEAUTIFUL COMMISSION-** District "A" and District "C" both have one appointment each
- **PARKS BOARD** - District "A" has an appointment/reappointment
- **PLANNING & ZONING COMMISSION** - District "B" has one alternate position appointment
- **TIRZ BOARD** - Various appointees

HISTORY:

- Historically, appointments are made as vacancies occur (if possible) and as members reach the end of their terms, based on applications on file, and in accordance with Resolution 1032.
- The ordinance that establishes each Board and Commission requires that the positions be staggered; this is the reason that there are different years for terms ending.



CITY COUNCIL AGENDA FORM

TARGET IMPLEMENTATION: As soon as possible, as to fill each Board or Commission with the number of members required to conduct City business.

SIGNIFICANT ACTION DATES:

Some appointments and reappointments have been made throughout the year, as vacancies have occurred.

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other-appointments/or reappointments to Boards & Commissions | |
| ☒ 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 appointments and/or reappointments to fill various positions of the Boards and Commissions

FISCAL IMPACT: N/A (Boards and Commission members serve without pay)

BOARD OF ADJUSTMENT

BOARD OF ADJUSTMENT- ORD. 953		Appointed	Expires	Appoints
1. Lillian Petty	#11 N. Skimmer	19	21	D
2. David Pennington-Exp.	924 Cypress	18	19	C
3. Herman Harper	102 Union	19	21	A
4. Harold Augustus	1030 Laurel	18	20	M
5. Lois M. Jones	2602 Meadow Lane	19	21	B
ALTERNATES				
1. Helen Kee	3103 Mc Arthur	16	18	D
2. VACANT		17	19	C
Ex-officio- Open				

The Board shall consist of five (5) members who are residents of the City, each to be appointed by the City Council for a term of two years and removable for cause by the appointing authority upon written charges and after public hearing.

The City Council may appoint two (2) alternate members of the Board who shall serve in the absence of one (1) or more of the regular members.

These alternate members, when appointed, shall serve for the same period as the regular members, which are for a term of two (2) years, and any vacancy shall be filled in the same manner, and they shall be subject to removal the same as the regular members.

Each position on the Board shall be given a numerical designation with the designations beginning with the number 1 and ending with the number 5.

The terms of the odd-numbered positions (1, 3 & 5) will expire in odd-numbered years and the terms of even-numbered years (2 & 4) shall expire in even-numbered years. Board members may be appointed to successive terms.

KEEP LA MARQUE BEAUTIFUL COMMISSION

<i>KLMBC- ORDINANCE # O-2017-0021</i>		Appointed	Expires	Appoints
1. Kimberley Yancy	2602 Meadow Lane	19	21	B
2. Alanah Brown	716 Amato St.	19	21	D
3. Joe A. Compian	1020 Duroux	17	19	A
4. Terry Pettijohn	41 Borondo Pines	18	20	M
5. Kathy Herrin	56 Borondo Pines	19	21	B
6. Tracie Steans	2101 Jeridona	19	21	M
7. VACANT		17	19	C
Ex-officio- District D				

All seven (7) Commissioners appointed by the City Council serve two (2) year staggered terms, except that appointment to vacancies shall be for the unexpired term of the position to which the appointment is made.

PARKS BOARD

PARKS BOARD ORD. #758		Appointed	Expires	Appointment
1. Al Reida	2621 Meadow Lane	19	21	C
2. Tamara Williams	614 Benson	18	20	B
3. Michael Bock	106 Longridge	19	21	M
4. Bo Hunter	2613 Lake Park Drive	18	20	A
5. Louis McGaffey	2314 Downey	19	21	M
6. Larry Walker	P.O. Box 1785	18	20	D
7. Herbert Franklin	8017 Big Oak Dr. - TX City	17	19	A
8. C.J. Leggett	1225 Kirsten	18	20	M
Ex-officio- District B				

There is hereby established a Parks Board to consist of eight (8) members who shall be appointed by the City Council and shall serve for two year terms.

The members shall serve staggered terms, that is, four (4) members' terms shall expire on odd numbered years and four members' terms shall expire on even number years.

TIRZ BOARD

TIRZ BOARD ORD. # 2019-002		Appointed	Expires	Appointment
1. Yolanda Waters		2019		State Senator
2. Patty Shippley		2019		State Representative
3. Ernie Cassimus- Chair		2019	2021	Mayor
4. Darlene Barnes		2019	2021	Mayor
5. Doug Boudoin		2019	2021	Mayor
6. Cheryl Farrell		2019	2019	Mayor
7. Kim Cavarretta		2019	2019	Mayor
8. Al Horcica		2019	2019	Mayor
9. Vacant		2019	2019	Mayor

The Board of Directors for the Zone, shall consist of nine (9) members. Position One on the Board of Directors shall be filled by the State Senator representing the area included within the Zone or his or her designee. Position Two on the Board shall be filled by the State Representative representing the area included within the Zone or his or her designee. The Mayor is hereby authorized to nominate and appoint the remaining seven (7) members of the Board to Positions Three through Nine, subject to the consent and approval of the City Council; provided, however, that Galveston County shall be entitled to appoint a director to Position Nine if Galveston County approves the payment of all or part of the tax increment attributable to Galveston County. Failure of Galveston County to appoint a director by December 31, 2019 shall be deemed a waiver of that taxing unit's right to appoint a director, and the Mayor shall be entitled to nominate and appoint persons to such positions, subject to the consent and approval of City Council.

The directors or their designees in Position One and Position Two shall be members of the board by operation of law pursuant to Section 311.09(b), Texas Tax Code. The initial directors appointed to Positions Three, Four and Five shall be appointed for two-year terms, beginning January 1, 2019, while the directors appointed to Positions Six, Seven, Eight and Nine shall be appointed to one-year terms, beginning January 1, 2019. All subsequent appointments shall be for two-year terms. The member of the Board of Directors appointed to Position Three is hereby designated to serve as the chair of the Board of Directors for a term beginning January 1, 2019, and ending December 31, 2019. Thereafter, the Mayor shall annually nominate and appoint, subject to City Council approval, a member to serve as chair for a term of one year beginning January 1, of the following year. The City Council authorizes the Board of Directors to elect from its members a vice chairman and such other officers as the Board of Directors sees fit.

**CANDIDATE APPLICATION FORM
FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS
OF
THE CITY OF LA MARQUE**



City Council will review applicants interested in serving on a City Board and/or City Commission. Information disclosed on this application or any other attached documents may be disclosed in public meetings.

Please type or print information

Board Preference 1: Board of Adjustments ←

Board Preference 2: Planning and Zoning ←

Name: Stephanie Gordon

Home Address: 105 Lake Road

City: La Marque Zip: 77568 La Marque Resident: 30 yrs

Home Telephone: 4094436711 Home E-mail: gordons765@gmail.com

Profession: Realtor

Special Knowledge or Experience applicable to City Board/Commission function:

Resident for over 30 years in TC/LM
Graduate of LMISD (1989) Real Estate Professional
AKO former employee of LMISD 2009-2015
Other Information (Civic Activities):
Galveston County Democrats / Former Precinct
331 Chair

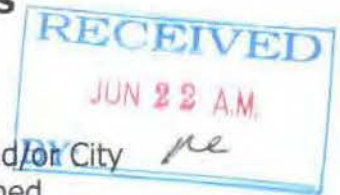
I verify that the information I have provided on this application to be true and correct.
I also acknowledge that this information may be made available to the public.

Signature: Stephanie Gordon

Date: Aug 27, 2018

PLEASE RETURN COMPLETED APPLICATION TO THE CITY CLERK'S OFFICE, 1111 BAYOU RD,
LA MARQUE, TEXAS 77568. APPLICATIONS WILL REMAIN ON FILE FOR TWO YEARS.

**CANDIDATE APPLICATION FORM
FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS
OF
THE CITY OF LA MARQUE**



City Council will review applicants interested in serving on a City Board and/or City Commission. Information disclosed on this application or any other attached documents may be disclosed in public meetings.

Please type or print information

Board Preference 1: Board of Adjustment

Board Preference 2: _____

Name: Charlotte O. Westlake

Home Address: 825 Shady Lane

City: La Marque Zip: 77548 La Marque Resident: ☒ yrs

Home Telephone: 409-935-5167 Home E-mail: _____

Profession: Retired

Special Knowledge or Experience applicable to City Board/Commission function: Length of Time I have been on Board; zoning Committee

Other Information (Civic Activities):

I verify that the information I have provided on this application to be true and correct.
I also acknowledge that this information may be made available to the public.

Signature: Charlotte O. Westlake

Date: 6-22-2018

PLEASE RETURN COMPLETED APPLICATION TO THE CITY CLERK'S OFFICE, 1111 BAYOU RD,
LA MARQUE, TEXAS 77568. APPLICATIONS WILL REMAIN ON FILE FOR TWO YEARS.