

**NOTICE OF LA MARQUE
CITY COUNCIL
BY TELEPHONE CONFERENCE**

In accordance with order of the Office of the Governor issued March 16, 2020, the La Marque City Council will conduct a Special meeting on **Monday, May 11, 2020 at 6:00 PM by telephone and video conference** in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus/COVID-19. This Notice, the meeting agenda, and the agenda packet can be found online at:

<https://ci.la-marque.tx.us/AgendaCenter>

THERE WILL BE NO PUBLIC ACCESS TO CITY HALL DURING THE MEETING.

The public will be permitted to offer public comments telephonically as provided below and as permitted by the Chairman during the meeting. A recording of the telephonic meeting will be made, and will be available to the public in accordance with the Open Meetings Act upon written request.

THE PUBLIC TOLL-FREE DIAL-IN NUMBER TO PARTICIPATE IN THE MEETING IS:

1 (346) 248-7799

ONCE YOU ARE CONNECTED, YOU MUST ENTER THE FOLLOWING:

Meeting ID: 984 0440 5675

Press *6 to mute or unmute your phone line. You may also connect to the meeting on your smartphone, tablet or computer by going to the following internet address:

<https://zoom.us/j/98404405675>

Once you are on the website, you may need to enter the following:

Meeting ID: 984 0440 5675

If you require accommodation to participate in this meeting, contact the City Clerk at 409-938-9259 or cityclerk@cityoflamarque.org at least 48 hours prior to the meeting start time.



**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-2020-0003

RESOLUTION NO. R-2020-0006

**CITY OF LA MARQUE
CITY COUNCIL
AGENDA
of
MAY 11, 2020**

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Regular Meeting **via teleconference (ZOOM)** on Monday, May 11, 2020, beginning immediately after the City Council Workshop that begins at 6:00 p.m.; but 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) MINUTES

- a. Workshop Minutes of March 9, 2020
- b. Regular Meeting Minutes of March 9, 2020
- c. Emergency Meeting Minutes of March 13, 2020

(4) CONSENT

- a. Consider recommendation to accept the Quarterly Investment Report for First Quarter 2020 – Finance Director S. Kou
- b. Consider recommendation to adopt Resolution No. **R-2020-0005**, to deny Texas-New Mexico Power's electric rate increase request for the maximum period allowed by law – City Clerk R. Eldridge
- c. Consider recommendation to approve a Final Plat of Landing at Delany Cove Section 12, a subdivision of 16.368 acres located in S.F. Austin League No. 4 Survey, A-2, City of La Marque, Galveston County, Texas – Development Services Coordinator S. Sutton

- d. Consider recommendation relating to accept the City of La Marque Audited Comprehensive Annual Financial Report as of fiscal year ended September 30, 2019 – Finance Director S. Kou
- e. Consider recommendation to approve agreement with MVBA LLC dba Accounts Receivable Collections Group to assist with EMS delinquent collection services – Finance Director S. Kou
- f. Consider recommendation to approve agreement with MVBA LLC dba Accounts Receivable Collections Group to assist with utility delinquent collection services – Finance Director S. Kou
- g. Consider recommendation to adopt Resolution No. **R-2020-0006**, consenting to the inclusion of land into Galveston County Municipal Utility District No. 68 – City Manager C. Jackson

(5) NEW BUSINESS

- a. Consider recommendation to adopt Ordinance No. **O-2020-0003**, amending the fiscal year 2019-20 Budget Disaster Fund for COVID-19 crisis by increasing various accounts' expenditures as set forth in Exhibit "A" - Finance Director S. Kou **THIS IS THE FIRST READING**
- b. Consider recommendation for current and future use for the ABC Buildings and property located at 4916 FM 1765 – Councilwoman C. Mc Auliffe
- c. Consider recommendation relating to job description for proposed in-house City Attorney position – City Manager C. Jackson
- d. Consider recommendation relating to creation/adoption of an Ethics Ordinance for the City of La Marque – Councilmember C. Lane
- e. Discussion/possible action relating to formalizing a letter to the Governor and/or others requesting property tax valuations be maintained at 2019 values – City Manager C. Jackson
- f. Consider recommendation relating to ratify Emergency Business Retention Program expenditures – EDC Executive Director A. Getty
- g. Discussion relating to additional funding opportunities under the Emergency Business Retention Program – EDC Executive Director A. Getty

(6) APPOINTMENTS

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

(7) 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;*



**CITY OF LA MARQUE
CITY COUNCIL WORKSHOP
MINUTES
of
March 9, 2020**

City Council Workshop Minutes of the City of La Marque City Council held on Monday, March 9, 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 (arrived at 6:02)

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson

Robin Eldridge

Kierra Nance

Derra Purnell

City Manager

City Clerk

Deputy City Clerk

Acting City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIENCE

Mayor Pro-Tem Bell led the invocation and the Pledge of Allegiance

(4) PRESENTATION

- a.** Discussion of results and recommendations regarding investigation of alleged discrimination and retaliation within or related to the fire department

- Council reserves the right to convene in closed executive session for consultation with attorney to obtain legal advice related to this item, as permitted under Section 551.071 of the Texas Government Code.

Art Pertile (head of the Municipal Unit) and Jay Zhang (employment unit) of Olson & Olson, a Municipal Law Firm, provided an executive summary to City

Council showing results after their firm conducted an investigation concerning indifference, bias, retaliation and harassment allegations brought to the City Council's attention in the previous Council meeting, from a female firefighter (Ashley Robinson) with the La Marque Fire Department. Mr. Pertile continued and said that he was asked to investigate the following: 1) to determine if Ms. Robinson was denied training opportunities and subsequently passed over for promotions on the basis of her race; 2) if she was improperly reprimanded by raising complaints about the department (City Manager and a few employees). The investigation consisted of over fifteen hours of interviews with firefighters and City Staff. "The Fire Department has four African American firefighters and seven Hispanic firefighters on its force, half of the senior positions are filled by minorities." While serving in an interim engineer position for a short time last year, Ms. Robinson received specialized, individualized training, no one else they found received this training. "We did not receive, nor did we find that Firefighter Robinson had requested or been denied any additional training which would have enabled her to transition from the interim engineer position up to the permanent engineer position. What we found in that is that she didn't go through the normal process that you would for promotion." Mr. Pertile further explained that while two other individuals who were along with Ms. Robinson were promoted, we found that they possess superior experience and credentials to Firefighter Robinson. We could not find evidence that would indicate that race was a motivating factor why they were promoted to their positions and Ms. Robinson was not." Further reported was that the firm didn't find that any indication that that would show that her disciplinary action was in retaliation for her raising those allegations, it was found to be consistent with others within that department. So, in conclusion, there was no evidence to support Firefighter Robinson's complaints of unequal treatment or discrimination based on race or any other protected characteristics.

What they did find after speaking with Firefighter Robinson and a few others in the department was that there is a perception of favoritism within the department.

Mr. Pertile continued and referred to the Executive Summary (Exhibit "A"). Then focused on proposed recommendations or guidelines (10) that resulted from the firm's investigation, that are outlined in this summary.

Discussion continued with questions and clarifications regarding: "Working up" and being qualified to "work up"; identifying clearer expectations and making all of the department feel like a team; clarification was given to whether there is a conflict of interest between the firm that conducted this investigation and the City's current acting City Attorney; whether all public allegations that were given by Ms. Robinson were addressed in the investigation; after answering and clarifying some of the areas brought up by Council, Mr. Pertile said that the complete investigation will clear up any other questions that may have arisen from this summary provided.

(5) CITIZENS PARTICIPATION

- a. Geraldine Sam expressed her disappointment about a few things that were said at the previous Council Meeting. Asked if the City could do anything to rush the building of the school across from City Hall, which might include working on Sundays. Also asked if there was a program that roosters, chickens, and they City had him remove them, they are back now. They are 103 feet away from. Revising the ordinance and ask that it be changed to 150 feet. Under the public nuisance ordinance.

Richard Loftis reported that a few years back a neighbor was raising roosters and chickens, and they City had him remove them, but they are back now. According to our ordinance, they are allowed if they are 100 feet from another property line. They are 103 feet away, so he is asking that the ordinance to be revised and the distance be changed to 150 feet. The noises that these birds are making are causing his own dogs to bark, and this has resulted in a complaint being filed against him for his dogs barking. "I have had to put them in the garage, which I shouldn't have to do." He asked Council to please do something about this. It was asked that this item be placed on the next agenda.

Gayla Davis reported that she had a home invasion (one male and one female) recently when she was staying overnight with her cousin which is also her patient, and both were assaulted during this home invasion. She said she was not given the right to file charges on the two individuals. The male left before the police arrived, the police officer interviewed the female.

Acting City Attorney Derra Purnell explained that the charges would have to be filed through the District Attorney's office, and it is more than likely in this process. She recommended for her to call and find out whether charges have been filed and if the charges have been accepted. "The Police Department most often does not file charges and the victim does not file charges directly, it has to go through the District Attorney's office especially if it is going to be a higher charge than our Municipal Court handles."

Laurie Chenn introduced herself as a Social Justice Advocate and reported that she has taken Ms. Davis's and her aunt's case and has been in contact with the District Attorney's Office and the Officers from the La Marque Police Department. "I would like to see some type of ordinance to have an avenue to get justice. I feel there is nothing in place and why would it take six months?" She also asked for some type of a follow-up process.

Ms. Purnell offered to see if a neighboring city would have some sample ordinances that reference what Ms. Chenn is speaking of, then reminded Council

that the City can't touch the State criminal laws, or make that process happen faster.

Marvin Johnson asked what could be done about the day that his house was "swatted". "What kind of laws can we put in place f to keep this kind of things from happening, on that day, I could have lost my life." He then began to complain about some of the police officers and how to change the hiring process for La Marque police officers.

Ms. Purnell said that this could be done through the Collective Bargaining Agreement and City Manager's role for personnel, but they would keep this in mind for the next Collective Bargaining meeting.

Tarina Johnson reported her concerns with the problems her family has been having with their neighbors. Referred to a time when her neighbors called her children SOB's. She also reported that a few times she and her family have been followed by LMPD officers. "I teach my kids not to be racists. We just want to live in peach, there are two sides to every story. I have never had to go through this, and it hurts that my kids and my grandkids have to go through this."

Evelyn Merz, Program Director for University of Houston Coastal Center, (FM 2004) expressed her appreciation to the City of La Marque, especially the Fire Department for their help and work for the conduction of a prescribed burn as part of the restoration of the coastal prairie. (referring to an organized burn that took place on February 27th) "We are making a lot of progress and making this a place that the City of La Marque and the region can be proud of." Thanked Fire Captain Brennan Briggs, Chief Todd Weidman, along with Colleen Merritt.

(6) CONSENT

- a. Discussion relating to adopt Resolution No. **R-2020-0004**, amending Resolution No. R-2020-001, and ordering the City of La Marque General Election to be held on May 2, 2020

City Manager gave a correction to the date that early voting begins as April 20, not April 22, in which the backup reflected.

- b. Discussion relating to approve a Final Plat of Dovetail Shadow Lane Street Dedication, a subdivision of 0.334 acres located in S. F. Austin League No. 4 Survey, A-2, City of La Marque, Galveston County, Texas

No discussion.

- c. Discussion relating to approve a Final Plat of Landing at Delany Cove Section 11, a subdivision of 12.328 acres located in S. F. Austin League No. 4 Survey, A-2, City of La Marque, Galveston County, Texas

No discussion.

- d. Discussion relating to approve the Precision Pumps System's quote for renovations of the headworks/lift station pump improvements at the wastewater treatment plant

No discussion.

- e. Discussion relating to approve Precision Pumps System's quote for renovations and pump improvements to Lift Station (LS) #4, located at the 6th Street lift station (LS #4)

No discussion.

- f. Discussion relating to approve purchase of fifteen (15) complete sets of structural firefighting gear

No discussion.

- g. Discussion relating to approve LNV, Inc. Task Order No. 4 for services related to creation of a Parks Master Plan in the amount of \$50,000.00, with \$20,000.00 to be taken from monies collected under the Park User Fee ordinance

** Mayor Pro-Tem Bell had a few questions on the amount and how this amount was so under budgeted. Clarified where the \$20,000.00 was actually being taken from.

** Councilwoman Mc Auliffe complimented the work put into this process and asked if they could make sure that in this process, that the City be involved with Texas City ISD and the playground plans for the Haley Elementary; planning opportunity to create more pocket parks; and help preservation of the existing green space within the City.

- h. Discussion relating to approve up to \$500.00 expenditure from the Youth Program Fund to support Earth Day Fest at the Library

City Manager informed Council of the committee that consisted of someone from each department to help plan youth-based activities throughout the year, as like the Kids Fish event.

(7) ADJOURNMENT

The Council Workshop adjourned at 6:47 p.m.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk

DRAFT



**CITY OF LA MARQUE
CITY COUNCIL REGULAR MINUTES
of
MARCH 9, 2020**

City Council Regular Minutes of the City of La Marque City Council held on Monday, March 9, 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 Regular Meeting to order at 6:47 p.m.

(2) ROLL CALL

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

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson	City Manager
Robin Eldridge	City Clerk
Kierra Nance	Deputy City Clerk
Derra Purnell	Acting City Attorney

(3) PRESENTATIONS/ PROCLAMATIONS/INTRODUCTIONS

- a.** Employee Customer Service Excellence Awards – Ernest Dickey

(4) MINUTES

- a.** Workshop City Council Minutes of February 10, 2020
b. Regular City Council Minutes of February 10, 2020
** Councilmember Lane made a motion to approve the minutes listed above.
** Mayor Pro-Tem Bell seconded.

Councilwoman Mc Auliffe asked if the following addition could be made to the Workshop minutes of February 10, 2020, "During the workshop, Ms. Tarina Johnson came up and shared her perspective of what had been happening with her neighbors and she included very specific derogatory terms that she and her husband and her family had been called, and I feel like due to the nature of that

discussion, could we have more of the full discussion in the minutes?" **MOTION CARRIED UNANIMOUSLY**

(5) PUBLIC HEARING

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

Mayor Hocking closed the regular meeting and opened the Public Hearing at 7:49 p.m.

No one spoke.

Mayor Hocking closed the Public Hearing at 6:50 p.m.

(6) OLD BUSINESS

- 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"

** Councilmember Michetich made a motion to adopt Ordinance O-2020-0002 on the Second and Final reading.

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

(7) CONSENT AGENDA

- a. Consider recommendation to adopt Resolution No. **R-2020-0004**, amending Resolution No. R-2020-0001, and ordering the City of La Marque General Election to be held on May 2, 2020

City Manager brought attention to a typo that was included in their original packet, that had the wrong date for Early voting to begin, it should read the beginning date of April 20, 2020. (The packet reflected April 22, 2020)

- b. Consider recommendation to approve a Final Plat of Dovetail Shadow Lane Street Dedication, a subdivision of 0.334 acres located in S. F. Austin League No. 4 Survey, A-2, City of La Marque, Galveston County, Texas
- c. Consider recommendation to approve a Final Plat of Landing at Delany Cove Section 11, a subdivision of 12.328 acres located in S. F. Austin League No. 4 Survey, A-2, City of La Marque, Galveston County, Texas

- d. Consider recommendation to approve the Precision Pumps System's quote for renovations of the headworks/lift station pump improvements at the wastewater treatment plant
- e. Consider recommendation to approve Precision Pumps System's quote for renovations and pump improvements to Lift Station (LS) #4, located at the 6th Street lift station (LS #4)
- f. Consider recommendation to approve purchase of fifteen (15) complete sets of structural firefighting gear
- g. Consider recommendation to approve LNV, Inc. Task Order No. 4 for services related to creation of a Parks Master Plan in the amount of \$50,000.00, with \$20,000.00 to be taken from monies collected under the Park User Fee ordinance
- h. Consider recommendation to approve up to \$500.00 expenditure from the Youth Program Fund to support Earth Day Fest at the Library
- ** Councilmember Michetich made a motion to approve the Consent Agenda as submitted with the one correction in item a.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(8) APPOINTMENTS

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

Mayor Pro-Tem Bell appointed Stephanie Gordon to the Alternate position on the Planning and Zoning Commission. He also reappointed Herbert Franklin to the Parks Board

(9) EXECUTIVE SESSION

- a. Section 551.071 (Consultation with Attorney) – Joint with Economic Development Corporation Concerning Texas City Terminal
- b. Section 551.072 of the Government Code - deliberations about real property - and acquisition and or sale
- c. Section 551.074 (Personnel Matters) – City Manager's Roles and Responsibilities

** Mayor Hocking closed the regular meeting and convened into the Executive Session at 7:53 p.m.

** Mayor Hocking resumed the Regular Meeting at 10:03 p.m.

(10) ACTION TAKEN FROM EXECUTIVE SESSION

- a. Discussion/possible action regarding Texas City Terminal
No action was taken on this item
- b. Discussion/possible action regarding deliberations about real property
No action was needed on this item
- c. Discussion/possible action regarding City Manager's Roles and Responsibilities
No action was taken on this item

(11) REQUESTS AND ANNOUNCEMENTS- There were none

(12) ADJOURNMENT

** Councilmember Lane made a motion to adjourn the Regular meeting at 10:04 p.m.

** Mayor Pro-Tem Bell seconded. **MEETING ADJOURNED.**

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk



**CITY OF LA MARQUE
CITY COUNCIL EMERGENCY
MINUTES
of
MARCH 13, 2020**

Emergency Meeting Minutes of the City of La Marque City Council held on Friday, March 13, 2020, beginning at 4:30 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Hocking called the Emergency Meeting to order at 4:32 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 (via telephone)

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson

Charlene Warren

City Manager

Assistant to City Manager

(3) Discussion/possible action regarding Declaration of Local State of Disaster for the City of La Marque, Texas - including an Emergency Ordinance prepared by Derra Purnell- Acting City Attorney (E-2020-0001)

A brief discussion was led by City Manager Jackson concerning the rapidly changing conditions that the nation is facing due to the spread of the COVID-19 (corona virus). Galveston County has reported having their first confirmed case of the virus in the County. The Federal Government as well as the Governor of Texas have declared a State of Disaster as well as a disaster for all fifty states. Most cities have followed by declaring each of their city's local disasters, and many of the cities have taken some serious actions to limit interactions, that will hopefully slow down the spread of this virus. Further discussion included that grocery stores are in short supply of some of the basic needs, the time frame that a person could be carrying the virus before actually showing sign that he or she actually has the virus (14 days). He reported that the city's emergency

responders taking necessary precautions in their interactions with citizens to make sure they are kept healthy and that the library will be closing down this afternoon, to limit interactions with citizens, closing exposure of citizens allowing them to Boards and Commissions meetings being canceled until further notice, canceling out of town training, limiting interactions with citizens during the permitting process.

Councilmember Michetich asked whether there was a designated hospital, for those who may have the virus (there was none at this time); they are limiting number of medics on each emergency vehicles, requiring face masks, gloves, and disinfecting everything. Other questions involved what the city's stance would be if a developer tried to push something through during this time, that required the thirty-day approval process.

Mayor Pro-Tem Bell asked for clarification under Section 1- he asked who would determine who is under investigation and under management... (the County Health Department). Also asked for clarification on the part under the severability clause; Section 3- asked how it will be known if portions of the ordinances have been violated and what considerations will be given – to those who are found in violation (this to be taken on a case by case basis). If a person living alone was quarantined, the City would work hand in hand with the Health District to make sure those citizens received their necessities, whether it be medicine, food or other. “I am going to go ahead and go along with this, but there is absolutely no reason for us to be fining people that are quarantined or under investigation for corona virus infection, that is silly to me, but I am going to go ahead because I realize you didn't put it in the ordinance.” But it was assured that this would not be a problem in La Marque.

Councilmember Michetich made a motion to adopt the ordinance and authorize the signing of the declaration for the initial seven days with the extension of an additional forty-five days as per our Attorney

Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**

(4) ADJOURNMENT

****** Councilmember Michetich made a motion to adjourn the Regular meeting at 4:52 p.m.

****** Councilmember Lane seconded. **EMERGENCY MEETING ADJOURNED.**

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: May 11, 2020

Prepared by: Suzy Kou

Agenda item: 4a

Reviewed by: Charlene Warren/

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Consider recommendation to accept the Quarterly Investment Report for First Quarter 2020

☒ X

ATTACHMENTS FOR REFERENCE

1. Investment Report - First Quarter 2020

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: May 11, 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 First Quarter 2020

FISCAL IMPACT: N/A



City of La Marque, Texas

Quarter Ended **3/31/2020**
Detailed Holdings

TexPool Rate: 1.0034
Logic Rate: 1.4261
DWS 0.7900

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		1.4261			8,144,656.74	100.000	8,144,656.74	8,144,656.74	100.000	8,144,656.74	1	1.4261
General Fund	General Fund	TexPool		1.0034			675,811.64	100.000	675,811.64	675,811.64	100.000	675,811.64	1	1.0034
General Fund	General Fund	DWS		0.7900			349,348.47	101.000	349,348.47	349,348.47	100.000	349,348.47	1	0.7900
Utility Fund	Utility Fund	Logic		1.4261			4,419,762.79	100.000	4,419,762.79	4,419,762.79	100.000	4,419,762.79	1	1.4261
Utility Fund	Utility Fund	TexPool		1.0034			366,734.56	100.000	366,734.56	366,734.56	100.000	366,734.56	1	1.0034
Utility Fund	Utility Fund	DWS		0.7900			189,576.73	100.000	189,576.73	189,576.73	100.000	189,576.73	1	0.7900
Utility Fund	Utility Fund (Restricted)	Logic		1.4261			74,474.01	100.000	74,474.01	74,474.01	100.000	74,474.01	1	1.4261
Utility Fund	Utility Fund (Restricted)	TexPool		1.0034			6,179.56	100.000	6,179.56	6,179.56	100.000	6,179.56	1	1.0034
Utility Fund	Utility Fund (Restricted)	DWS		0.7900			3,194.41	100.000	3,194.41	3,194.41	100.000	3,194.41	1	0.7900
Replacement Fund	Replacement Fund	Logic		1.4261			314,468.05	100.000	314,468.05	314,468.05	100.000	314,468.05	1	1.4261
Replacement Fund	Replacement Fund	TexPool		1.0034			26,093.32	100.000	26,093.32	26,093.32	100.000	26,093.32	1	1.0034
Replacement Fund	Replacement Fund	DWS		0.7900			13,488.47	100.000	13,488.47	13,488.47	100.000	13,488.47	1	0.7900
Hotel Motel Fund	Hotel Motel Fund	Logic		1.4261			451,693.65	100.000	451,693.65	451,693.65	100.000	451,693.65	1	1.4261
Hotel Motel Fund	Hotel Motel Fund	TexPool		1.0034			37,479.77	100.000	37,479.77	37,479.77	100.000	37,479.77	1	1.0034
Hotel Motel Fund	Hotel Motel Fund	DWS		0.7900			19,374.48	100.000	19,374.48	19,374.48	100.000	19,374.48	1	0.7900
Debt Service	Debt Service Fund	Logic		1.4261			412,670.14	100.000	412,670.14	412,670.14	100.000	412,670.14	1	1.4261
Debt Service	Debt Service Fund	TexPool		1.0034			34,241.75	100.000	34,241.75	34,241.75	100.000	34,241.75	1	1.0034
Debt Service	Debt Service Fund	DWS		0.7900			17,700.65	100.000	17,700.65	17,700.65	100.000	17,700.65	1	0.7900
LM EDC Operating	LM EDC	Logic		1.4261			3,919,208.81	100.000	3,919,208.81	3,919,208.81	100.000	3,919,208.81	1	1.4261
LM EDC Operating	LM EDC	TexPool		1.0034			1,239,200.76	100.000	1,239,200.76	1,239,200.76	100.000	1,239,200.76	1	1.0034
LM EDC Operating	LM EDC	DWS		0.7900			653.36	100.000	653.36	653.36	100.000	653.36	1	0.7900
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	241	0.6000
LM EDC Operating	LM EDC	Amoco CD		2.1000	8/30/2019	8/30/2020	104,060.13	100.000	104,060.13	104,060.13	100.000	104,060.13	152	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	153	1.0000
1998 TWDB Sewer Rehab	Capital Projects Fund	DWS		0.7900			163,817.37	100.000	163,817.37	163,817.37	100.000	163,817.37	1	0.7900
2005 CO	Capital Projects Fund	TexPool		1.0034			124,579.52	100.000	124,579.52	124,579.52	100.000	124,579.52	1	1.0034
2007 CO	Capital Projects Fund	TexPool		1.0034			390,726.14	100.000	390,726.14	390,726.14	100.000	390,726.14	1	1.0034
2016 CO	Capital Projects Fund	Logic		1.4261			486,459.95	100.000	486,459.95	486,459.95	100.000	486,459.95	1	1.4261
2018 CO	Capital Projects Fund	Logic		1.4261			2,414,628.30	100.000	2,414,628.30	2,414,628.30	100.000	2,414,628.30	1	1.4261
Special Revenue Funds	Special Revenue Fund	DWS		0.7900			11,364.27	100.000	11,364.27	11,364.27	100.000	11,364.27	1	0.7900
Special Revenue Funds	Special Revenue Fund	TexPool		1.0034			21,984.08	100.000	21,984.08	21,984.08	100.000	21,984.08	1	1.0034
Special Revenue Funds	Special Revenue Fund	Logic		1.4261			264,944.78	100.000	264,944.78	264,944.78	100.000	264,944.78	1	1.4261
Library Memorial	Fiduciary Fund	Logic		1.4261			2,880.62	100.000	2,880.62	2,880.62	100.000	2,880.62	1	1.4261
Drug Seizure	Fiduciary Fund	Logic		1.4261			1,279,710.91	100.000	1,279,710.91	1,279,710.91	100.000	1,279,710.91	1	1.4261
							26,317,784.62	26,317,784.62	26,317,784.62	26,317,784.62	26,317,784.62	26,317,784.62	4	1.3484

I certified that the Quarterly Investment Report represents the investment position of City of La Marque as of March 31, 2020 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 3/31/2020

Summary Data

Type Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
LGIP	25,108,589.85	95.41%	1	1.377
MMKT	804,333.42	3.06%	1	0.762
CD	404,861.35	1.54%	196	0.750
	26,317,784.62	100.00%	4	1.348

Issuer Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
Texas First	200,801.22	0.76%	241	0.600
ACU CD	100,000.00	0.38%	153	1.000
Amoco CD	104,060.13	0.40%	152	0.800
Money Market	35,815.22	0.14%	1	0.150
DWS	768,518.20	2.92%	1	0.790
Logic	22,185,558.75	84.30%	1	1.426
TexPool	2,923,031.10	11.11%	1	1.003
	26,317,784.62	100.00%	4	1.348

Fund Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
General Fund	9,169,816.85	34.84%	1	1.371
Utility Fund	4,976,074.08	18.91%	1	1.371
Utility Fund (Restricted)	83,847.98	0.32%	1	1.371
Replacement Fund	354,049.85	1.35%	1	1.371
Capital Projects Fund	3,580,211.28	13.60%	1	1.336
Hotel Motel Fund	508,547.89	1.93%	1	1.371
Debt Service Fund	464,612.54	1.77%	1	1.371
LM EDC	5,599,739.50	21.28%	15	1.275
Special Revenue Fund	298,293.13	1.13%	1	1.371
Fiduciary Fund	1,282,591.53	4.87%	1	1.426
	26,317,784.62	100.00%	4	1.348

Maturity Breakdown:	Book Value	Percent
Less Than 90 Days	25,912,923.27	98.46%
90 to 180 Days	204,060.13	0.78%
181 to 365 Days	200,801.22	0.76%
More Than 365 Days	-	0.00%
	26,317,784.62	100.00%



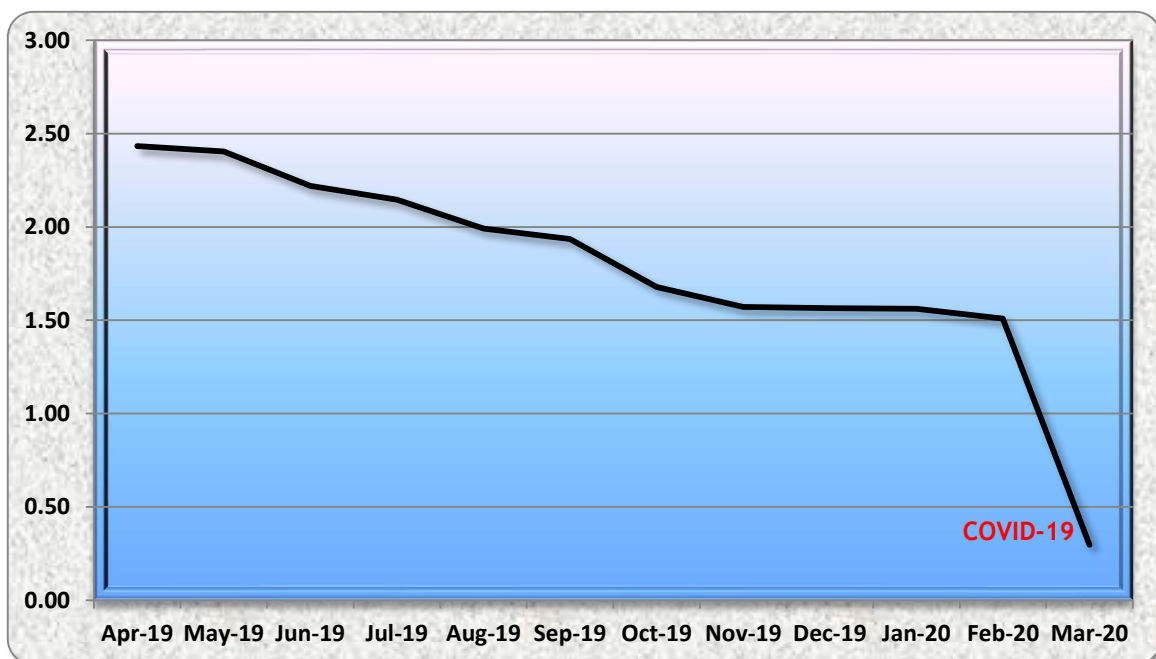
City of La Marque, Texas

Summary Investment Report For Period Ended 3/31/2020

Total Portfolio Summary			
	Current Quarter 3/31/2020	Prior Quarter 12/31/2019	Change From Prior
Book Value	26,317,785	21,122,682	5,195,103
Market Value	26,317,785	21,122,682	5,195,103
Market Value%	100.00%	100.00%	0.00%
Weighted Average Maturity - Days	4 days	6 days	-2 days
Weighted Average Yield	1.35%	1.76%	-0.41%

Portfolio Performance Summary	
Beginning Book Value	21,122,682
Beginning Market Value	21,122,682
Beginning WAM	6 days <i>Liquidity measurement</i>
Ending Book Value	26,317,785
Ending Market Value	26,317,785
Change in market value	5,195,103 <i>Volatility measurement</i>
Ending WAM	4 days <i>Liquidity measurement</i>
Period Average Yield	1.35%
Period Average Benchmark	1.12%

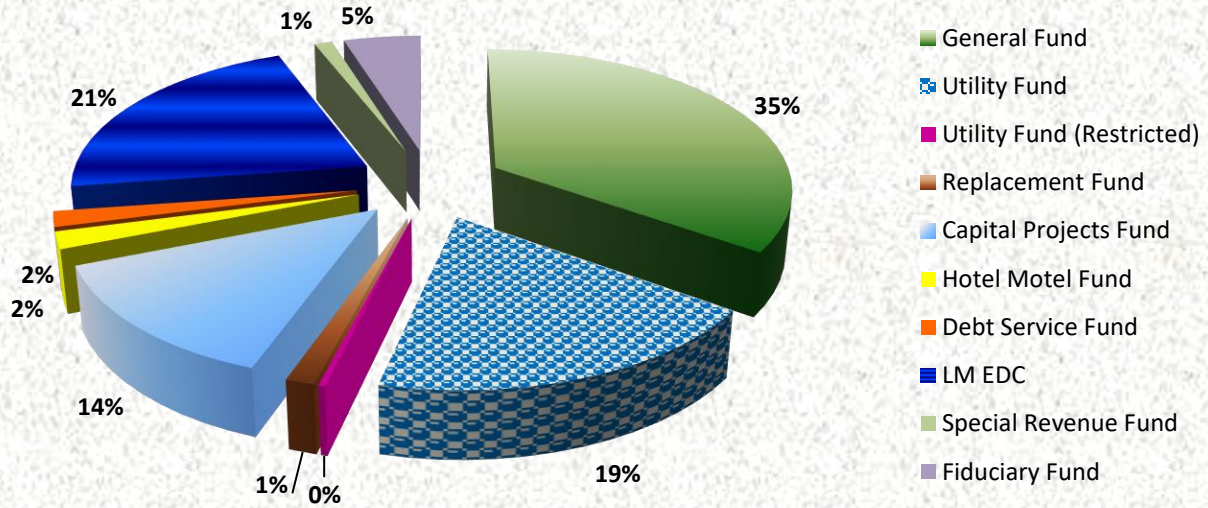
6-Month T-Bill Historical Trend





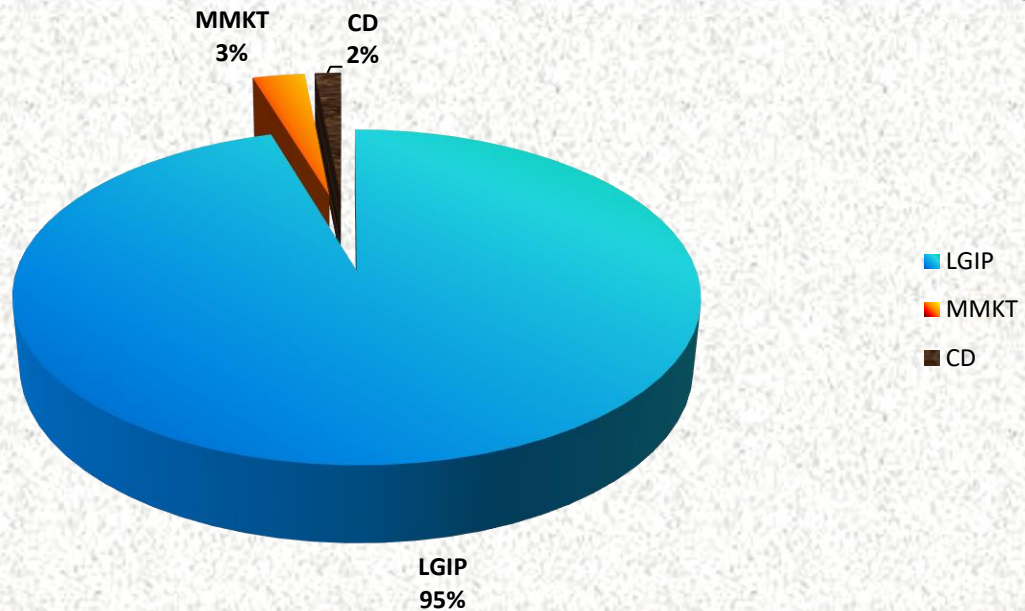
Investment Portfolio by Funds

As of 3/31/2020



Investment Portfolio by Types

As of 3/31/2020





CITY COUNCIL AGENDA FORM

Meeting Date: May 11, 2020
Prepared by: Robin Eldridge

Agenda item: 4b
Reviewed by: Charlene Warren
Charles Jackson

Department: City Clerk

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Resolution No. **R-2020-0005** to deny Texas-New Mexico Power's electric rate increase request for the maximum period allowed by law

☒

ATTACHMENTS FOR REFERENCE

1. Resolution
2. Texas-New Mexico Memo dated

STAFF BRIEFING:

- On April 6, 2020, Texas New-Mexico Power (TNMP) filed a Distribution Cost Recovery Factor ("DCRF") seeking to increase distribution rates by \$14.7 million annually (an approximately \$2.79 increase to the average residential customers bill)
- The City is a member of a Coalition of Cities known alternatively as Cities served by TNMP (Texas-New Mexico Power), whose primary focus is to advocate for the public interest before the Public Utility Commission (PUC)
- Cities Served by TNMP is working together to review TNMP's application and, through legal counsel (Lloyd Gosselink), prepare a common response and negotiate with TNMP
- Adoption of the resolution allows time to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement
- Resolution also authorizes the hiring of Lloyd Gosselink and consultants to represent the City in this matter, and to negotiate on our behalf in settlement discussions, etc.
- If the City fails to act before the effective date, TNMP's rate request is deemed approved
- TNMP will reimburse the cities for their reasonable rate case expenses

HISTORY:

TARGET IMPLEMENTATION: May 11, 2020

SIGNIFICANT ACTION DATES:

6.5.2020 - Due date for Resolution to be adopted



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:

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

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2020-0005** to deny Texas-New Mexico Power's electric rate increase request for the maximum review period allowed by law

FISCAL IMPACT: Dependent upon outcome

RESOLUTION NO. R-2020-0005

A RESOLUTION OF THE CITY OF LA MARQUE, TEXAS FINDING THAT TEXAS-NEW MEXICO POWER COMPANY'S APPLICATION FOR A DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH TNMP CITIES; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of La Marque, Texas ("City") is an electric utility customer of Texas-New Mexico Power Company ("TNMP" or "Company") with an interest in the rates and charges of TNMP; and

WHEREAS, the Cities Served by Texas-New Mexico Power Company ("TNMP Cities") is a coalition of similarly situated cities served by TNMP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in TNMP's service area in matters before the Public Utility Commission ("Commission") and the courts; and

WHEREAS, on or about April 6, 2020, TNMP filed with the Commission an Application for Approval of a Distribution Cost Recovery Factor ("DCRF"), Commission Docket No. 50731, seeking to increase distribution rates by \$14.7 million annually (an approximately \$2.79 increase to the average residential customer's bill from the rates approved in the Company's most recent rate case); and

WHEREAS, the City of _____ will cooperate with TNMP Cities in coordinating their review of TNMP's DCRF filing with designated attorneys and consultants, prepare a common response, negotiate with the Company, and direct any necessary litigation, to resolve issues in the Company's filing; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if TNMP's Application is granted; and

WHEREAS, working with the TNMP Cities to review the rates charged by TNMP allows members to accomplish more collectively than each city could do acting alone; and

WHEREAS, TNMP Cities' members and attorneys recommend that members who have retained original jurisdiction over electric utility rates deny TNMP's DCRF.

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

SECTION 1. That the City is authorized to participate with TNMP Cities in Commission Docket No. 50731.

SECTION 2. That, subject to the right to terminate employment at any time, the City of La Marque hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal TNMP's DCRF application.

SECTION 3. That the rates proposed by TNMP to be recovered through its DCRF charged to customers located within the City limits should be denied.

SECTION 4. That the Company should continue to charge its existing rates to customers within the City.

SECTION 5. That the City's reasonable rate case expenses shall be reimbursed in full by TNMP within 30 days of the adoption of this Resolution, and within 30 days of presenting monthly bills to TNMP thereafter.

SECTION 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 7. That a copy of this Resolution shall be sent to Scott Seamster, Associate General Counsel, Texas-New Mexico Power Company, 577 N. Garden Ridge Blvd., Lewisville, Texas 75067, and to Chris Brewster, General Counsel to TNMP Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, TX 78767-1725, or cbrewster@lglawfirm.com.

PASSED, APPROVED AND ADOPTED on this _____ day of _____, 2020.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:

City Attorney

MODEL STAFF REPORT REGARDING TNMP'S APPLICATION FOR A DISTRIBUTION COST RECOVERY FACTOR

The City is an electric utility customer and local regulator of Texas-New Mexico Power Company ("TNMP" or "Company"). The Cities Served by TNMP ("TNMP Cities") is a coalition of similarly situated cities served by TNMP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in TNMP's service area in matters before the Public Utility Commission ("PUC" or "Commission") and the courts.

On April 6, 2020, TNMP filed an application for a Distribution Cost Recovery Factor ("DCRF") with each of the cities retaining original jurisdiction and with the Commission in Docket No. 50731. In the filing, the Company sought to increase distribution rates by \$14.7 million annually (an approximately \$2.79 increase to the average residential customer's bill from the Company's most recent rate case).

The resolution authorizes the City to join with TNMP Cities to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

Purpose of the Resolution:

The purpose of the Resolution is to deny the DCRF proposed by TNMP.

Explanation of "Be It Ordained" Sections:

1. This section authorizes the city to participate with TNMP Cities as a party in the Company's DCRF filing in PUC Docket No. 50731.
2. This section authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates. It also authorizes TNMP Cities to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the Commission.
3. This paragraph finds that the Company's application is unreasonable and should be denied.
4. This section states that the Company's current rates should not be changed.
5. The Company will reimburse TNMP Cities for their reasonable rate case expenses. Legal counsel and consultants approved by TNMP Cities will submit monthly invoices that will be forwarded to TNMP for reimbursement.

6. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

7. This section provides TNMP and counsel for TNMP Cities will be notified of the City's action by sending a copy of the approved and signed resolution to counsel.



CITY COUNCIL AGENDA FORM

Meeting Date: May 11, 2020

Prepared by: Sussie Sutton

Agenda item: 4c

Reviewed by: Charlene Warren

Charles Jackson

Department: Development Services

AGENDA ITEM DESCRIPTION: Consider recommendation to approve a Final Plat of Landing at Delany Cove Section 12, a subdivision of 16.368 acres located in S.F. Austin League No. 4 Survey, A-2, City of La Marque, Galveston County, Texas

X

ATTACHMENTS FOR REFERENCE

1. Planning & Zoning Letter of Recommendation
2. Adico Letter of No Objection & Final Plat
3. City Planning Letter
4. Application

STAFF BRIEFING:

- On November 13, 2018, the Preliminary Plat of Landing at Delany Cove Section 12 was considered by Planning and Zoning Commission (P&Z) and received a favorable recommendation
- Preliminary Plats are approved on a six-month basis; this preliminary plat expired and had to go through the process again
- On March 10, 2020, the Preliminary Plat of Landing at Delany Cove Section 12 was considered by Planning and Zoning Commission with a favorable recommendation
- On April 28, 2020, the Final Plat of Landing at Delany Cove Section 12 was considered by Planning and Zoning Commission with a favorable recommendation

HISTORY: N/A

TARGET IMPLEMENTATION: May 11, 2020

SIGNIFICANT ACTION DATES:

11-13-2018 - Preliminary Plat considered by P&Z

05-13-2019 - Preliminary Plat expired

03-10-2020 - Expired Resubmitted Preliminary Plat considered by P&Z

04-28-2020 - Final Plat considered by P&Z



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other - Final Plat | |
| ☒ 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 #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to approve a Final Plat of Landing at Delany Cove Section 12, a subdivision of 16.368 acres located in S.F. Austin League No. 4 Survey, A-2, City of La Marque, Galveston County, Texas

FISCAL IMPACT: N/A



May 4, 2020

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

Dear Mayor and City Council:

On April 28, 2020, the Planning and Zoning Commission considered a Final Plat of Landing at Delany Cove Section 12. A subdivision of 16.368 acres located in S.F. Austin League No. 4 Survey, A-2, City of La Marque, Galveston County, Texas.

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

Thank you,



Greg Cornett, Vice Chair
Planning and Zoning Commission

Monday, March 23, 2020

Kayla Williams
IDS Engineering Group
13430 Northwest Freeway, Suite 700
Houston, TX 77040

Re: Landing at Delany Cove, Section 12 Final Plat
Letter of Recommendation
Adico, LLC Project No. 18100-2-044

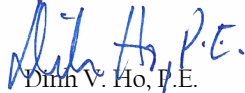
Dear Ms. Williams;

On behalf of the City of La Marque, Adico, LLC has reviewed the second submittal for Landing at Delany Cove Section 12 Final Plat received on or about February 20, 2020.

Based on our review, we have no objections to the final plat as resubmitted on March 20, 2020. Please deliver two (2) sets of mylars and ten (10) prints of the plat to Sussie Sutton, Development Coordinator.

Should you have any questions, please do not hesitate to call our office.

Sincerely,
Adico, LLC


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

Cc: Sussie Sutton, City of La Marque, s.sutton@cityoflamarque.org
File: 18100-2-044

STATE OF TEXAS

COUNTY OF GALVESTON

We, Lennar Homes of Texas Land and Construction, Ltd, a Texas limited partnership, d/b/a Friendswood Development Company, acting by and through Michael Johnson, Vice President of U.S. Home Corporation, a Delaware corporation, General Partner of Lennar Homes of Texas Land and Construction, Ltd, a Texas limited partnership, d/b/a Friendswood Development Company, owners of the property in the above and foregoing map of LANDING AT DELANY COVE SEC 12, do hereby make subdivision on said property according to the lines, streets, alleys, parks, building lines, and easements therein shown, and designate said subdivision as LANDING AT DELANY COVE SEC 12 in the S.F. AUSTIN LEAGUE NO. 4, ABSTRACT 2, in Galveston County, Texas; and dedicate the streets, and easements shown thereon forever.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11'6") for ten feet (10'0") perimeter ground easements or seven feet, six inches (7'6") for fourteen feet (14'0") perimeter ground easements or five feet, six inches (5'6") for sixteen feet (16'0") perimeter ground easements, from a plane sixteen feet (16'0") above ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. & A.E.) as indicated and depicted, hereon, whereby the aerial easement totals twenty one feet, six inches (21'6") in width.

FURTHER, Owners have dedicated and by these presents do dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10'0") for ten feet (10'0") back-to-back ground easements or eight feet (8'0") for fourteen feet (14'0") back-to-back ground easements or seven feet (7'0") for sixteen feet (16'0") back-to-back ground easements, from a plane sixteen feet (16'0") above ground level upward, located adjacent to both sides and adjoining said public utility easements that are designated with aerial easements (U.E. & A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30'0") in width.

FURTHER, Owners do hereby certify that we are the owners of all property immediately adjacent to the boundaries of the above and foregoing plat of LANDING AT DELANY COVE SEC 12 where building setback lines or public easements are to be established outside the boundaries of the above and foregoing plat and do hereby make and establish all building setback lines and dedicate to the use of the public forever all public easements shown in said adjacent acreage.

This is to certify that we, LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD, a Texas limited partnership, d/b/a Friendswood Development Company, by U.S. Home Corporation, a Delaware corporation, its General Partner, have complied with or will comply with the existing regulations heretofore on file and adopted by the City of La Marque in Galveston County, Texas.

IN TESTIMONY WHEREOF, LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD, a Texas Limited Partnership, d/b/a Friendswood Development Company, has caused these presents to be signed by Michael W. Johnson, Vice President of U.S. HOME CORPORATION, a Delaware Corporation, its General Partner, this _____ day of _____, 2020.

LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD,
a Texas Limited Partnership,
d/b/a Friendswood Development Company

By: U.S. Home Corporation,
a Delaware Corporation,
its General Partner

By: _____
Michael W. Johnson, Vice President

BEFORE ME, the undersigned authority, on this day personally appeared Michael W. Johnson, Vice President, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein set forth.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2020.

Notary public in and for the
State of Texas

My Commission Expires _____

I, Michael L. Swan, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet.

"PRELIMINARY, THIS
DOCUMENT SHALL NOT BE
RECORDED FOR ANY PURPOSE
AND SHALL NOT BE USED,
VIEWED OR RELIED UPON AS A
FINAL SURVEY DOCUMENT."

Michael L. Swan, R.P.L.S.,
Registered Professional Land Surveyor
Texas Registration No. 5551

We hereby certify that the above and foregoing Plat of LANDING AT DELANY COVE SEC 12 Subdivision, was approved by the planning commission of the City of La Marque, Texas, on the _____ day of _____, A. D., 2020, and by the city council of the City of La Marque, Texas, on the _____ day of _____, A.D., 2020.

Hugh Cash
Chairperson, Planning Commission

Bobby Hocking
Mayor of the City of La Marque, Texas.

I, Dwight D. Sullivan, County Clerk, Galveston County, Texas, do hereby certify that the written instrument was filed for record in my office on _____, 2020, at _____ o'clock, ____M., and duly recorded on _____, 2020, at _____ o'clock, ____M. Instrument no. _____, Galveston County Records.

Witness my hand and seal of office, at Galveston, Texas, the day and date last above written.

Dwight D. Sullivan, County Clerk
Galveston County, Texas

By: _____
Deputy

LANDING AT DELANY COVE SEC 12

METES AND BOUNDS DESCRIPTION
OF 16.368 ACRES OF LAND
IN THE S. F. AUSTIN LEAGUE NO. 4, SURVEY A-2
GALVESTON COUNTY, TEXAS

Being 16.368 acres of land in the S. F. Austin League No. 4, Survey A-2, Galveston County, Texas, and being a portion of the 217.0 acre tract described as Tract 1 in the deed from HLL Land Acquisitions of Texas, L.P. and HLL II Land Acquisitions of Texas, L.P. to Lennar Homes of Texas Land and Construction, Ltd. recorded under File No. 2008-033075 in the Official Public Records of Real Property of Galveston County, Texas, and more particularly described by metes and bounds as follows with bearings based on the Texas Coordinate System of 1983, South Central Zone:

BEGINNING at a 5/8-inch iron rod with cap stamped "IDS" found for the northwest corner of Reserve "B" of LANDING AT DELANY COVE SEC 10, according to the plat thereof recorded in Film Code Number 2019055271 of the Official Public Records of Real Property of Galveston County, Texas, being on the east right-of-way line of Harbor Colony Lane (60-feet wide), and being at the beginning of a non-tangent curve to the right;

THENCE in a northerly direction, continuing with the east right-of-way line of Harbor Colony Lane and said curve to the right, having a radius of 330.00 feet, a central angle of 13° 46' 11", a chord bearing and distance of North 10° 09' 31" East - 79.12 feet, and an arc distance of 79.31 feet, to a 5/8-inch iron rod with cap stamped "IDS" found for a northerly corner of said LANDING AT DELANY COVE SEC 10 and being a point of compound curvature;

THENCE across said 217.0 acre tract the following courses and distances:

in a northeasterly direction, with said curve to the right, having a radius of 270.00 feet, a central angle of 10° 23' 05", a chord bearing and distance of North 23° 46' 33" East - 48.87 feet, and an arc distance of 48.94 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for a point of compound curvature;

in an easterly direction, with said curve to the right, having a radius of 25.00 feet, a central angle of 83° 29' 13", a chord bearing and distance of North 70° 42' 43" East - 33.29 feet, and an arc distance of 36.43 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for the end of curve;

North 22° 27' 19" East - 60.00 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the beginning of a non-tangent curve to the left;

in an easterly direction, with said curve to the left, having a radius of 170.00 feet, a central angle of 08° 04' 15", a chord bearing and distance of South 71° 34' 48" East - 23.93 feet, and an arc distance of 23.95 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for the end of curve;

North 02° 43' 12" West - 578.85 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

North 01° 49' 59" West - 46.35 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

North 15° 05' 31" East - 42.88 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

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North 63° 29' 59" East - 42.16 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

North 76° 37' 24" East - 42.60 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

North 87° 21' 29" East - 616.00 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the northeast corner the herein described tract;

South 02° 38' 31" East - 180.00 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

South 87° 21' 29" West - 18.25 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

South 02° 38' 31" East - 431.10 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

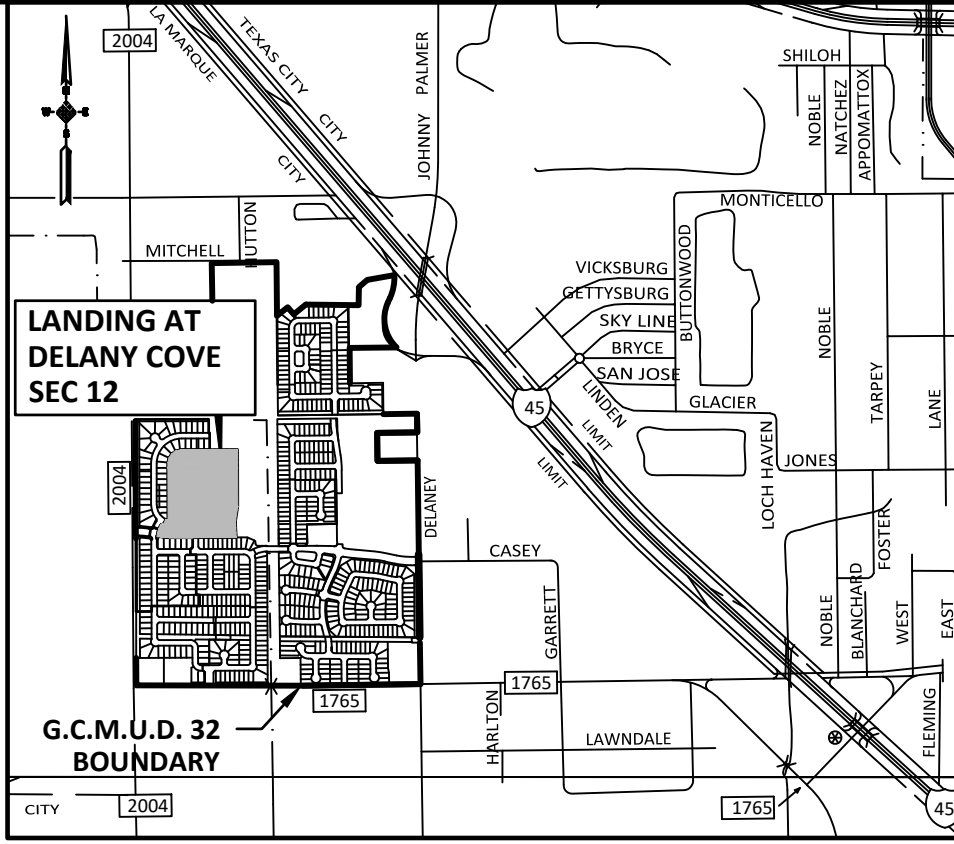
South 06° 30' 38" West - 156.08 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

South 04° 16' 48" East - 69.09 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;
South 06° 08' 35" East - 107.45 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the southeast corner the herein described tract and being on the north line of LANDING AT DELANY COVE SEC 7, according to the plat thereof recorded in Film Code Number 2018001017 of the Official Public Records of Real Property of Galveston County, Texas;

THENCE South 87° 16' 48" West - 712.98 feet, with the north line of said LANDING AT DELANY COVE SEC 7 and subsequently the north line of said LANDING AT DELANY COVE SEC 10, to a 5/8-inch iron rod with cap stamped "IDS" found for an angle corner;

THENCE North 86° 43' 52" West - 105.61 feet, continuing with the north line of said LANDING AT DELANY COVE SEC 10, to a 5/8-inch iron rod with cap stamped "IDS" found for an angle corner the herein described tract;

THENCE North 88° 34' 07" West - 32.53 feet, continuing with the north line of said LANDING AT DELANY COVE SEC 10, to the POINT OF BEGINNING and containing 16.368 acres of land.



VICINITY MAP

N.T.S.

NOTES:

- B.L. indicates a building line
UE indicates a utility easement
STM S.E. indicates a storm sewer easement
W.L.E. indicates a water line easement
S.S.E. indicates a sanitary sewer easement
VOL., PG. Indicates Volume, Page
G.C.M.R. indicates Galveston County Map Records
D.R.G.C. indicates Deed Records of Galveston County
O.P.R.R.P. indicates Official Public Records of Real Property
G.C.O.P.R.R.P. indicates Galveston County Official Public Records of Real Property
Esm. indicates Easement
H.L. & P. indicates Houston Lighting and Power
F.H.E. indicates a fire hydrant easement
RB indicates radial bearing
D.E. indicates a drainage easement
I.R. indicates a iron rod
Fnd. indicates found
U.V.E. indicates unobstructed visibility easement
W.M.E. indicates water meter easement
● indicates found 5/8" iron rod (Unless otherwise noted)
○ indicates set 5/8" iron rod with plastic cap stamped "IDS" (Unless otherwise noted)

505 indicates street address
- All non-perimeter easements on property lines are centered unless otherwise noted.
- All bearings are based on the Texas Coordinate System of 1983, South Central Zone.
- Unless otherwise indicated, the building lines [B.L.], whether one or more, shown on this subdivision plat are established to evidence compliance with the applicable provisions of Subdivision Ordinance No. 139, City of La Marque, Texas, in effect at the time this plat was approved, which may be amended from time to time.
- All of the property subdivided in the foregoing plat is within the incorporated boundaries of the City of La Marque, Texas.
- A 5-foot side lot building line is hereby dedicated on all common lot lines.
- Reserves A-F shall be maintained by the property owner's association.
- According to Flood Insurance Rate Map No. 48167C0245 G, published by the Federal Emergency Management Agency, dated August 15, 2019, the property shown hereon lies within the area designated as "Shaded Zone X", defined as areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile.
- Minimum slab elevations are established as follows:
A. 24 inches above the highest elevation of curb adjacent to the lot.
B. EL. 17.50 (NAVD 88)
- Sidewalks and pedestrian trails within reserves shall be maintained by the H.O.A.
- This plat is located within the Delany Cove Phase II PDD and subject to the requirements of the District per Ordinance No. O-2019-0026.

FINAL PLAT LANDING AT DELANY COVE SEC 12

A SUBDIVISION OF
16.368 ACRES

LOCATED IN
S.F. AUSTIN LEAGUE NO. 4 SURVEY, A-2
CITY OF LA MARQUE, GALVESTON COUNTY, TEXAS
42 LOTS 3 BLOCKS 5 RESERVES

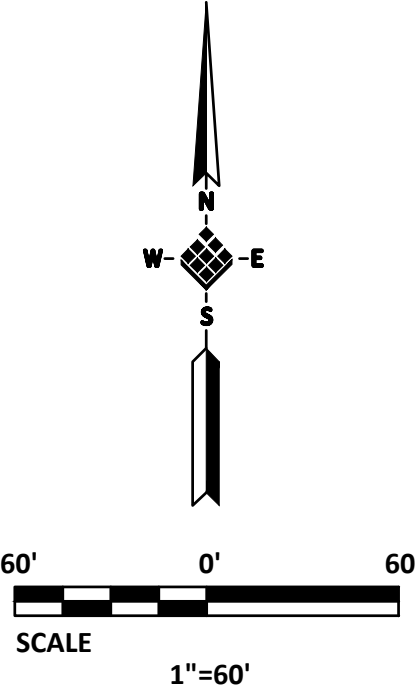
OWNER: **LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.**

A TEXAS LIMITED PARTNERSHIP
ONE FRIENDSWOOD DEVELOPMENT COMPANY
681 GREENS PARKWAY, SUITE 220 • HOUSTON, TEXAS 77067 • PHONE: 281-975-1000

ENGINEER: **IDS Engineering Group**

13430 NW. Freeway,
Suite 700
Houston, Tx. 77040
713.462.3178
TBP# F-002726
TBP# 10110700

March 19, 2020 IDS JOB NO. 0371-181-00 SHEET 1 OF 2



LINE TABLE			CURVE TABLE					
LINE	BEARING	LENGTH	CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BEARING
L1	N01°49'59"W	46.35'	C1	13°46'11"	330.00'	79.31'	39.85'	N10°09'31"E
L2	N15°05'31"E	42.88'	C2	10°23'05"	270.00'	48.94'	24.54'	N23°46'33"E
L3	N31°54'44"E	42.59'	C3	83°29'13"	25.00'	36.43'	22.31'	N70°42'43"E
L4	N47°42'11"E	42.31'	C4	8°04'15"	170.00'	23.95'	11.99'	S71°34'48"E
L5	N63°29'59"E	42.16'	C5	25°10'32"	200.00'	87.88'	44.66'	N80°07'56"W
L6	N76°37'24"E	42.60'	C6	90°00'00"	55.00'	86.39'	55.00'	N47°43'12"W
L7	S87°21'29"W	18.25'	C7	45°02'21"	55.00'	43.23'	22.80'	S19°47'58"W
L8	N88°34'07"W	32.53'	C8	45°02'21"	55.00'	43.23'	22.80'	S64°50'19"W
L9	N22°27'19"E	60.00'	C9	17°06'16"	170.00'	50.75'	25.57'	S84°10'04"E
L10	S87°16'48"W	100.00'	C10	90°00'00"	25.00'	39.27'	25.00'	N42°16'48"E
L11	S87°16'48"W	88.29'	C11	24°57'06"	25.00'	10.89'	5.53'	N15°11'44"W
L12	N02°43'12"W	96.88'	C12	139°58'51"	50.00'	122.16'	137.30'	N42°19'09"E
L13	S02°43'12"E	585.34'	C13	24°57'05"	25.00'	10.89'	5.53'	S80°09'58"E
L14	N47°40'51"W	2.36'	C14	90°04'41"	25.00'	39.30'	25.03'	S42°19'09"W
L15	S87°21'29"W	561.81'	C15	90°00'00"	25.00'	39.27'	25.00'	S47°43'12"E
L16	N87°16'48"E	45.00'	C16	90°00'00"	85.00'	133.52'	85.00'	S47°43'12"E
L17	N87°16'48"E	33.29'	C17	90°00'00"	25.00'	39.27'	25.00'	N47°43'12"W
L18	N02°23'13"E	26.04'	C18	25°10'32"	230.00'	101.06'	51.36'	N80°07'56"W
L19	N47°43'12"W	21.21'						

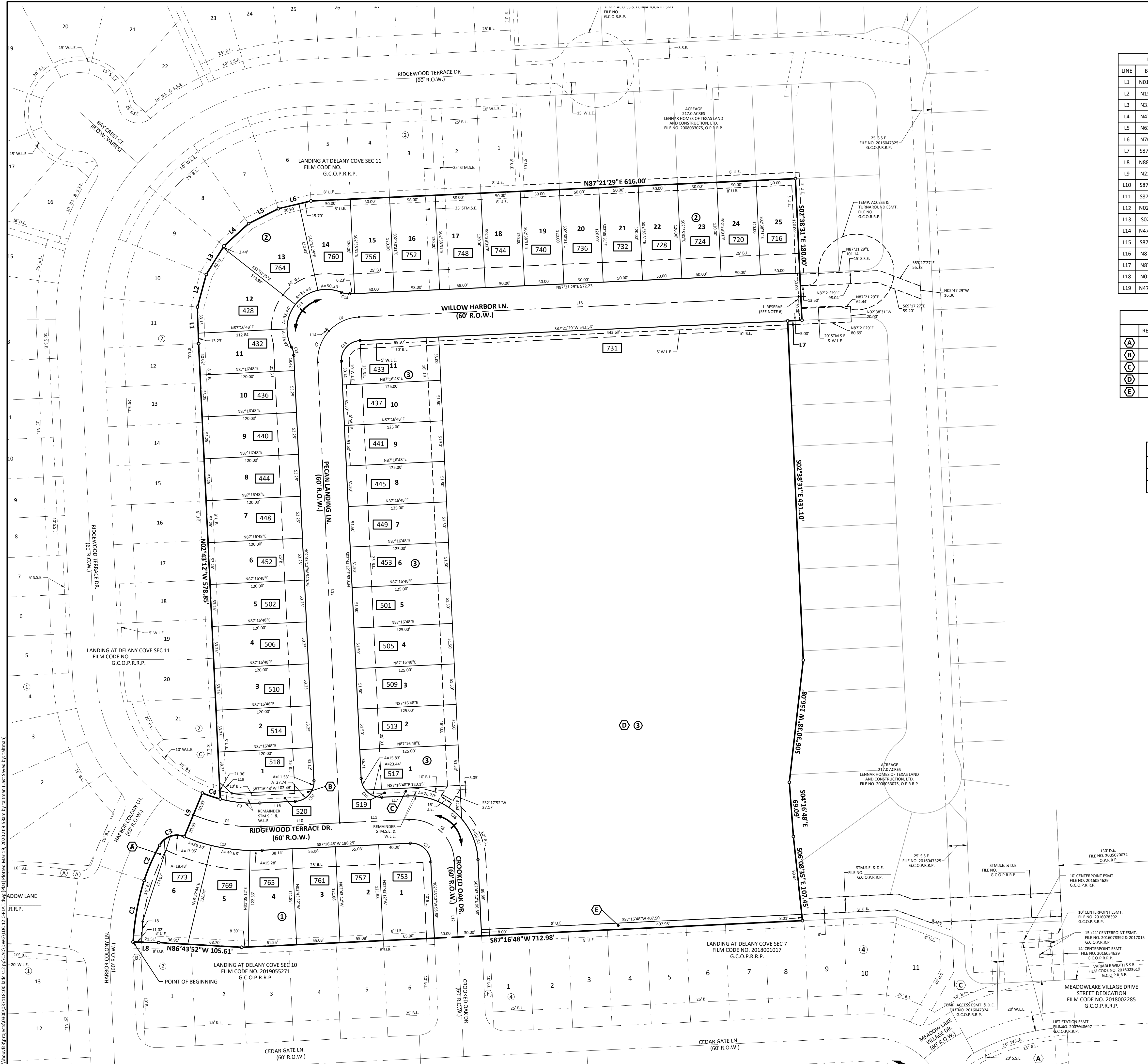
RESERVE TABLE			
	RESERVE NAME	RESTRICTION	SQ. FT. ACRES
(A)	A	LANDSCAPING AND OPEN SPACE	1,636 0.038
(B)	B	LANDSCAPING, OPEN SPACE, STORM SEWER AND WATER LINE	1,529 0.035
(C)	C	LANDSCAPING, OPEN SPACE, STORM SEWER AND WATER LINE	1,818 0.042
(D)	D	LAKE, DRAINAGE, DETENTION, LANDSCAPING AND OPEN SPACE	326,182 7.488
(E)	E	LANDSCAPING, OPEN SPACE AND DRY UTILITIES	3,262 0.075

OPEN SPACE TABLE		
SECTION	PLAT ACREAGE	OPEN SPACE ACREAGE
LANDING AT DELANY COVE SEC. 11	12.328	1.308
LANDING AT DELANY COVE SEC. 12	16.368	7.678
TOTAL	28.696	8.986
TOTAL OPEN SPACE FOR SECTIONS 11 AND 12 = 30%		

FINAL PLAT
LANDING AT DELANY COVE SEC 12
A SUBDIVISION OF
16.368 ACRES
LOCATED IN
S.F. AUSTIN LEAGUE NO. 4 SURVEY, A-2
CITY OF LA MARQUE, GALVESTON COUNTY, TEXAS
42 LOTS 3 BLOCKS 5 RESERVES

OWNER: LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.
A TEXAS LIMITED PARTNERSHIP
ONE FRIENDWOOD DEVELOPMENT COMPANY
681 GREENS PARKWAY, SUITE 220 • HOUSTON, TEXAS 77067 • PHONE: 281-975-1000

ENGINEER: **IDS** Engineering Group
13430 NW. Freeway,
Suite 700
Houston, Tx. 77040
713.462.3178
TIRE F-002726
TIRE S-1010700



\\s0463\projects\0303037118100\lndc-12-plat.dwg [Plat] Plotted Mar 19, 2020 at 5:38am by tallman (Last Saved by tallman)



Kelly Ford
Escrow Officer

Stewart Title Company
10720 W. Sam Houston Pkwy N., Suite
200
Houston, TX 77064
(713) 625-8672 Phone
Fax
kelly.ford@stewart.com

March 12, 2020

File No.: 18167040820

To Whom It May Concern:

This company certifies that a diligent search of the Real Property Records of Stewart Title Company's abstract plant has been made, as to the herein described property, and as of 8:00 A.M. on the 6th day of March, 2020, the last Deed that we find, of record, reflects the record owner to be:

LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.

Legal Description:

LANDING AT DELANY COVE SEC 12
METES AND BOUNDS DESCRIPTION
OF 16.368 ACRES OF LAND
IN THE S. F. AUSTIN LEAGUE NO. 4, SURVEY A-2
GALVESTON COUNTY, TEXAS

Being 16.368 acres of land in the S. F. Austin League No. 4, Survey A-2, Galveston County, Texas, and being a portion of the 217.0 acre tract described as Tract 1 in the deed from HLL Land Acquisitions of Texas, L.P. and HLL II Land Acquisitions of Texas, L.P. to Lennar Homes of Texas Land and Construction, Ltd. recorded under File No. 2008-033075 in the Official Public Records of Real Property of Galveston County, Texas, and more particularly described by metes and bounds as follows with bearings based on the Texas Coordinate System of 1983, South Central Zone:

BEGINNING at a 5/8-inch iron rod with cap stamped "IDS" found for the northwest corner of Reserve "B" of LANDING AT DELANY COVE SEC 10, according to the plat thereof recorded in Film Code Number 2019055271 of the Official Public Records of Real Property of Galveston County, Texas, being on the east right-of-way line of Harbor Colony Lane (60-feet wide), and being at the beginning of a non-tangent curve to the right;

THENCE in a northerly direction, continuing with the east right-of-way line of Harbor Colony Lane and said curve to the right, having a radius of 330.00 feet, a central angle of 13° 46' 11", a chord bearing and distance of North 10° 09' 31" East - 79.12 feet, and an arc distance of 79.31 feet, to a 5/8-inch iron rod with cap stamped "IDS" found for a northerly corner of said LANDING AT DELANY COVE SEC 10 and being a point of compound curvature;

THENCE across said 217.0 acre tract the following courses and distances:

in a northeasterly direction, with said curve to the right, having a radius of 270.00 feet, a central angle of 10° 23' 05", a chord bearing and distance of North 23° 46' 33" East - 48.87 feet, and an arc distance of 48.94 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for a point of compound curvature;

in an easterly direction, with said curve to the right, having a radius of 25.00 feet, a central angle of 83° 29'

13", a chord bearing and distance of North 70° 42' 43" East - 33.29 feet, and an arc distance of 36.43 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for the end of curve;

North 22° 27' 19" East - 60.00 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the beginning of a non-tangent curve to the left;

in an easterly direction, with said curve to the left, having a radius of 170.00 feet, a central angle of 08° 04' 15", a chord bearing and distance of South 71° 34' 48" East - 23.93 feet, and an arc distance of 23.95 feet, to a 5/8-inch iron rod with cap stamped "IDS" set for the end of curve;

North 02° 43' 12" West - 578.85 feet to a 5/8-inch iron rod with cap stamped "IDS" set for an angle corner the herein described tract;

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South 06° 08' 35" East - 107.45 feet to a 5/8-inch iron rod with cap stamped "IDS" set for the southeast corner the herein described tract and being on the north line of LANDING AT DELANY COVE SEC 7, according to the plat thereof recorded in Film Code Number 2018001017 of the Official Public Records of Real Property of Galveston County, Texas;

THENCE South 87° 16' 48" West - 712.98 feet, with the north line of said LANDING AT DELANY COVE SEC 7 and subsequently the north line of said LANDING AT DELANY COVE SEC 10, to a 5/8-inch iron rod with cap stamped "IDS" found for an angle corner;

THENCE North 86° 43' 52" West - 105.61 feet, continuing with the north line of said LANDING AT DELANY COVE SEC 10, to a 5/8-inch iron rod with cap stamped "IDS" found for an angle corner the herein described

tract;

THENCE North 88° 34' 07" West - 32.53 feet, continuing with the north line of said LANDING AT DELANY COVE SEC 10, to the POINT OF BEGINNING and containing 16.368 acres of land, more or less.

Subject to the following:

1. Restrictions:

(NONE FOUND OF RECORD)

2. Easements/Other Exceptions:

An easement for purposes of a right-of-way located on subject property granted to the State of Texas by instrument recorded in/under [Volume 1091, Page 2](#), in the Office of the County Clerk of Galveston County, Texas.

A 15' wide water line easement affecting a portion of Crooked Oak Dr. as reflected on the plat of Landing at Delany Cove Sec 7 recorded in/under County Clerk's File No. [2018001017](#) of the Map Records of Galveston County, Texas.

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

All terms, conditions, and provisions of that certain Waiver of Special Appraisal for the Benefit of Galveston County Municipal Utility District No. 32, recorded in/under County Clerk's File No. [2015059038](#) of the Official Public Records of Galveston County, Texas.

Rights of tenants, and assigns, as tenants only, under currently effective lease agreements.

3. Liens/Misc:

(NO LIENS FOUND OF RECORD)

We require a copy of the limited partnership agreement from LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., and all amendments thereto, in order to determine who is authorized to execute documents in connection with the closing of this transaction. We require satisfactory evidence that said limited partnership is registered with the Secretary of State and is in good standing. The Company requires the joinder of all general partners and evidence of the consent of all of the limited partners to the closing of this transaction, where appropriate.

Subject property is located in the Galveston County Municipal Utility District No. 32. This district may issue an unlimited amount of bonds, levy an unlimited rate of tax in payment of such bonds, and impose a standby fee on property in the district that has water or sewer facilities available but not connected. The most recent rate of taxes levied by the district on real property is \$0.75 on each \$100.00 of assessed valuation. The total amount of voter approved bonds is \$38,680,000.00 and the aggregate principal amount of all bonds issued for specific facilities is \$N/A. The amount of the standby fee is \$N/A. Prior to the issuance of any policy, Seller is to furnish a properly executed and acknowledged Notice in compliance with the provisions set forth in Section 49.452 of the Texas Water Code, which Notice must be signed and acknowledged by the Purchaser and subsequently filed in the property records.

No examination has been made as to Abstracts of Judgments, State or Federal Tax Liens, the status of taxes, tax suits or paving assessments.

This letter is issued for platting purposes only. Liability of Stewart Title Company for mistakes or errors in this letter is hereby limited to the cost of said letter.

The letter is issued with the express understanding, evidenced by the acceptance thereof, that Stewart Title Company does not undertake to give or express any opinion as to the validity or effect of the instruments listed, and this letter is neither a guaranty or warranty of title.

Liability hereunder is limited to the amount paid for same. This report is furnished solely as an accommodation to the party requesting same and should not be relied upon, as a warranty or representation as to the title to the property described herein and may not be given to or used by any third party. Stewart Title Company assumes no liability whatsoever for the accuracy of this report, nor for any omission or error with respect hereto. **You agree to release, indemnify and hold harmless Stewart Title Company because of any negligence by Stewart Title Company (whether sole, joint or otherwise) for any claim, loss, liability or damages arising out of this report.** This report is not title insurance. If a policy of title insurance is purchased, any liability thereunder shall be determined solely by the terms of such policy.

Sincerely,
Stewart Title Company

A handwritten signature in black ink, reading "Quinn A. Tuma". The signature is written in a cursive, flowing style.

Quinn A. Tuma
Sr. Title Examiner



LA MARQUE DEPARTMENT OF BUILDING AND INSPECTIONS

1111 Bayou Road
La Marque, Texas 77568
O. 409.938.9204
F. 409.908.0549

CITY OF LAMARQUE
Plat Application

DATE OF APPLICATION 03/10/2020 FEE RECEIVED _____

NAME OF AGENT Kayla Williams PHONE 832-590-7185

ADDRESS 13430 Northwest Freeway, Suite 700, Houston, TX 77040

NAME OF OWNER Lennar Homes of Texas PHONE 281-874-8581

ADDRESS 681 Greens Parkway, Suite 220, Houston, TX 77067

PROPERTY DESCRIPTION:

ADDRESS unaddressed Landing at Delany Cove Section 12 - East of FM 2004 & North of FM 1765 *Final Plat*

PLOT OF AREA ATTACHED ☒ METES AND BOUNDS ATTACHED ☒

PRESENT ZONE R-1, Residential Single Family, Delany Cove PDD

APPLICATION CHECKLIST

- [] SITE PLAN (TO SCALE) WITH EXISTING IMPROVEMENTS, DEVELOPMENTS, AND PROPERTY LINES [8-1/2X11] IF LARGER THAN 8-1/2X11, PLEASE FOLD TO APPROPRIATE SIZE
- [] SURVEY (TO SCALE) (2 COPIES)
- [] CURRENT TAX RECEIPTS-COUNT TAX OFFICE, 722 MOODY (766-2481)
- [] TITLE REPORT (IF LAND WAS PURCHASED WITHIN THE LAST 60 DAYS)

SUBMITTED TO THE PLANNING AND ZONING COMMISSION

DATE: _____

APPROVED _____ DENIED _____ OTHER _____

COMMENTS _____

APPLICANT'S CERTIFICATE

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

SIGNED Kayla Williams 3/10/2020



CITY COUNCIL AGENDA FORM

Meeting Date: May 11, 2020

Prepared by: Suzy Kou

Agenda item: 4d

Reviewed by: Charlene Warren/

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Consider recommendation to accept the City of La Marque Audited Comprehensive Annual Financial Report as of fiscal year ended September 30, 2019

☒

ATTACHMENTS FOR REFERENCE

1. City financial report- distributed at meeting
2. Management letter- distributed at meeting

STAFF BRIEFING:

- It is a required procedure to have the City's financials audited by independent auditors and present to Council each fiscal year

HISTORY: N/A

TARGET IMPLEMENTATION: June 10, 2019

SIGNIFICANT ACTION DATES:

June 10, 2019 - City Council accepts fiscal year 2017-18 financial report.

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 City of La Marque Audited Comprehensive Annual Financial Report as of fiscal year ended September 30, 2019

FISCAL IMPACT: N/A



CITY COUNCIL AGENDA FORM

Meeting Date: May 11, 2020

Prepared by: Suzy Kou

Agenda item: 4e

Reviewed by: Charlene Warren

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Consider recommendation to approve agreement with MVBA LLC dba Accounts Receivable Collections Group to assist with EMS delinquent collection services

X

ATTACHMENTS FOR REFERENCE

1. Proposed EMS collection services agreement

STAFF BRIEFING:

- The City currently contracts with R1 RCM Inc for EMS billing and collection
- R1 RCM Inc currently contracts with MVBA for outstanding delinquent accounts collection services
- MVBA already has access to R1 RCM Inc database which allows for smooth collection process
- Proposed collection fee is 20% of amount collected
- Contract proposal is initial one-year term with two-year renewal option
- Minimum sixty days written notice of termination required and allowing MVBA continued collection following six months after receipt of termination notice

TARGET IMPLEMENTATION: June 1, 2020

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 agreement with MVBA LLC dba Accounts Receivable Collections Group to assist with EMS delinquent collection services

FISCAL IMPACT: Additional revenues from outstanding delinquent accounts net of 20% collection fee

**CONTRACT FOR THE COLLECTION
OF
DELINQUENT ACCOUNTS RECEIVABLE**

STATE OF TEXAS

§
§
§

COUNTY OF GALVESTON

THIS CONTRACT is made and entered into by and between the **CITY OF LA MARQUE, TEXAS**, acting herein by and through its governing body, hereinafter styled, "**City**", and **MVBA, LLC dba ACCOUNTS RECEIVABLE COLLECTIONS GROUP**.

I.

The City agrees to retain and does hereby retain **MVBA, LLC dba ACCOUNTS RECEIVABLE COLLECTIONS GROUP** to provide services related to the collection of delinquent accounts receivable, delinquent emergency medical services bills ("Delinquent Accounts Receivable") pursuant to the terms and conditions described herein. MVBA, LLC may use its dba, Accounts Receivable Collections Group, on collection notices and telephone communications with debtors. The City authorizes MVBA, LLC to execute all documents that are reasonably necessary to pursue collection of the City's claims in connection with the collection of delinquent accounts receivable that are subject to this contract. This contract supersedes all prior oral and written contracts between the parties regarding delinquent accounts receivable and can only be amended if done so in writing and signed by all parties. Furthermore, this contract cannot be transferred or assigned by either party without the written consent of all parties.

II.

For purposes of this contract Delinquent Accounts Receivable shall be considered delinquent and referred to MVBA, LLC when not timely paid in accordance with any applicable contract, ordinance or statute providing for the payment of the underlying debt.

At least once each month on a date or dates agreed upon by the parties, the City will provide MVBA, LLC with copies of, or access to, the information and documentation necessary to collect the Delinquent Accounts Receivable that are subject to this contract. The City shall furnish the information to MVBA, LLC by electronic transmission through R1RCM.

III.

MVBA, LLC shall forward to the City copies of any correspondence regarding a disputed debt received from a debtor and the request for verification of the debt. The City will provide to MVBA, LLC within ten (10) days of the receipt for the request for verification of the debt, copies of all records which will verify the debt which in turn will be forwarded to the debtor by MVBA, LLC. All collection activity will be suspended on any disputed debt until the appropriate verification of the debt is delivered to the debtor.

IV.

Upon consultation and agreement by both parties hereto, MVBA, LLC may employ an attorney, at its expense, to make a recommendation to the City to take legal action to collect a Delinquent Accounts Receivable or represent the City in any dispute or challenge of its collection authority. Upon consultation and agreement by both parties hereto, MVBA, LLC may employ an attorney, at its expense, to institute civil legal proceedings on behalf of the City, including seeking writs of execution to collect Delinquent Accounts Receivable. The City shall pay in advance of the initiation of any writ of execution or collection lawsuit any filing fees charged by the Court or Clerk of the Court in which the writ of execution is to be issued or the collection lawsuit is to be filed including the costs for service of citation. MVBA, LLC may also, after consultation and agreement by both parties, employ an attorney, at its expense, file proofs of claims in the United States Bankruptcy Court on behalf of the City for Delinquent Accounts Receivable.

V.

MVBA, LLC shall forward all cashier checks or money order payments made payable to the City and any correspondence from debtor directly to the City. Cashier checks or money order payments made payable to MVBA, LLC will be deposited daily into the MVBA, LLC Trust Account. MVBA, LLC may also collect the amount due from the debtor by credit card or electronic draft which is deposited directly into the MVBA, LLC Trust Account. MVBA, LLC may set up payment arrangements and accept partial payments on any delinquent accounts receivable. MVBA, LLC shall remit to the City all payments in full received into the MVBA, LLC Trust Account weekly, along with an invoice detailing the account number, name of debtor, amount paid to MVBA, LLC or City, MVBA, LLC fee percentage and fees earned for each account.

VI.

MVBA, LLC shall indemnify and hold the City harmless from and against all liabilities, losses and/or costs arising from claims for damages, or suits for losses or damages, including reasonable costs and attorney's fees, which may arise as a result of MVBA, LLC's performance of the services described in this Contract. The indemnity provision of this Contract shall have no application to any claim or demand which results from the sole negligence or fault of the City, its officers, agents, employees or contractors. And furthermore, in the event of joint and/or shared negligence or fault of the City and MVBA, LLC, responsibility and indemnity, if any, shall be apportioned in accordance with Texas law and without waiving any defenses of either party. The provisions of this paragraph are intended for the sole benefit of the parties hereto and are not intended to create or grant any right, contractual or otherwise, to any other persons or entities.

VII.

For the collection of Delinquent Accounts Receivable in which the data files are transmitted to MVBA, LLC by electronic media, the City agrees to pay to MVBA, LLC as compensation for services provided, pursuant to this contract, a fee of twenty percent (20%) of the amount of fees collected on the Delinquent Accounts Receivable.

All compensation shall become the property of MVBA, LLC at the time of payment by the City to MVBA, LLC. The City shall pay to MVBA, LLC said compensation on a monthly basis by check upon receipt of an invoice from MVBA, LLC for the amount due in accordance with Chapter 2251, Texas Government Code (Texas Prompt Payment Act).

VIII.

The City recognizes and acknowledges that MVBA, LLC owns all right, title and interest in certain proprietary software that MVBA, LLC may utilize in conjunction with performing the services provided in the contract. The City agrees and hereby grants to MVBA, LLC the right to use and incorporate any information provided by the City (“account or debtor information”) to update the databases in this proprietary software, and, notwithstanding that the case or defendant information has been or shall be used to update the databases in this proprietary software, further stipulates and agrees that the City shall have no rights or ownership whatsoever in and to the software or the data contained therein, except that the City shall be entitled to obtain a copy of such data that directly relates to the City’s accounts at any time.

MVBA, LLC agrees that it will not share or disclose any specific confidential account or debtor information with any other company, individual, organization or agency, without the prior written consent of the City, except as may be required by law or where such information is otherwise publicly available. It is agreed that MVBA, LLC shall have the right to use account or debtor information for internal analysis, improving the proprietary software and database, and generating aggregate data and statistics that may inherently contain account or debtor information. These aggregate statistics are owned solely by MVBA, LLC and will generally be used internally, but may be shared with MVBA, LLC’s affiliates, partners or other third parties for purposes of improving MVBA, LLC’s software and services. MVBA, LLC acknowledges that it may have access to certain of City’s computer and communications systems, networks, databases and information, whether directly or through a third-party vendor of the City, for the purposes set forth in this Agreement. If any data is made available or accessible to MVBA, LLC, its employees, agents or contractors, pertaining to City’s business or financial affairs, or to City’s projects, transactions, clients or customers, MVBA, LLC will not store, copy, analyze, monitor or otherwise use that data except for the purposes set forth in this Agreement. MVBA, LLC will comply fully with all applicable laws, regulations, and government orders relating to personally identifiable information (“PII”) and data privacy with respect to any such data that MVBA, LLC receives or has access to under this Agreement or in connection with the performance of any services for the City, including but not limited to HIPAA. MVBA, LLC will otherwise protect PII and will not disclose such PII except as necessary to perform under this Agreement or as authorized by the data subject or in accordance with applicable law. To the extent that MVBA, LLC receives PII related to the performance of this Agreement, MVBA, LLC will protect the privacy and legal rights of City’s personnel, clients, customers and contractors.

MVBA, LLC further agrees that it will monitor and test its Data Safeguards from time to time, and agrees to adjust its Data Safeguards from time to time in light of relevant circumstances or the results of any relevant testing or monitoring. If MVBA, LLC suspects or becomes aware of any unauthorized access, use or disclosure of any PII or City data, or becomes aware of any other security breach relating to data held or stored by MVBA, LLC under this Agreement or in connection with the performance of services under this Agreement, MVBA, LLC shall immediately notify the City in writing and shall fully cooperate with the City at MVBA, LLC’s expense to prevent or stop such data breach. Data delivered to MVBA, LLC in connection with services performed under this Agreement shall be stored in the United States or other jurisdictions approved by the City in writing and shall not be transferred to any other countries or jurisdictions without the prior written consent of the City.

MVBA, LLC and the City agrees that collection activity will not continue or commence on any accounts that are time-barred by the four-year statute of limitations in accordance with Section 16.004(a)(3) of the Texas Civil Practice and Remedies Code. MVBA, LLC and the City agree that the time-barred accounts will be returned to the City. Upon return of these accounts, neither party will have any obligation to the other party to this contract.

MVBA, LLC reserves the right to return to the City all accounts not collected within one (1) year of referral by the City or identified as being in bankruptcy. Upon written notice to the City of return of these accounts, neither party will have any obligation to the other party to this contract.

IX.

The initial term of this contract is **one year, beginning on the first day of the month following the execution of this contract by both parties**, and may be renewed upon mutual written agreement of the Parties for an additional two year term on the same terms and conditions. Either Party may terminate this contract for any reason if such Party delivers written "Notice of Termination of Contract" to the other party of its intent to terminate this contract at least sixty (60) days prior to the requested termination date.

In the event that the City terminates this contract, MVBA, LLC shall be entitled to continue its collection activity on all accounts previously referred to MVBA, LLC for six (6) months from the date of receipt of the "Notice of Termination of Contract" and to payment of its fee, pursuant to Paragraph VII of this contract for all amounts collected on accounts referred to MVBA, LLC. The City may, at its discretion, refer additional accounts to MVBA, LLC after notice of termination has been received by MVBA, LLC. At the end of the six (6) month period, all accounts shall be returned to the City by MVBA, LLC.

X.

For purposes of sending notice under the term of this contract, all notices from the City shall be sent to MVBA, LLC by certified United States mail to the following address:

MVBA, LLC, dba Accounts Receivable Collections Group.
Attention: Harvey M. Allen
P.O. Box 849
Round Rock, Texas 78680

or delivered by hand or by courier, and addressed to 700 Jeffrey Way, Suite 100, Round Rock, Texas 78664-2425. All notices to the City shall be sent by certified United States mail or delivered by hand or courier to the following address:

City of La Marque, Texas
Attention: City Manager
1111 Bayou Road
La Marque, Texas 77568

XI.

This contract is made and is to be interpreted under the laws of the State of Texas. Exclusive venue for any action, lawsuit, claim, dispute or another legal proceeding concerning or arising out of this contract shall be in Galveston County, Texas.

In the event that any provision(s) of this contract shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of that provision(s) shall not affect any other provision(s) of this contract, and it shall further be construed as if the invalid or unenforceable provision(s) had never been a part of this contract.

Every provision of this Contract is intended to be severable. If any term or provision of this Contract is deemed to be invalid, void, or unenforceable for any reason by a District Court, to the extent possible such invalidity or unenforceability shall not affect the validity of the remainder of this Contract, it being intended that such remaining provisions shall be construed in a manner most closely approximating the intention of the Parties with respect to the invalid, void, or unenforceable provision or part thereof. In accordance with the requirements of Chapter 2271, Texas Government Code, the signatory executing this Contract on behalf of MVBA, LLC does hereby verify that MVBA, LLC does not boycott Israel and will not boycott Israel during the term of this Contract.

XII.

In consideration of the terms and compensation herein stated, MVBA, LLC hereby agrees to undertake performance of said contract as set forth above.

The City has authorized by order heretofore passed and duly recorded in its minutes the chief executive officer to execute this contract.

This contract may be executed in any number of counterparts, and each counterpart shall be deemed an original for all purposes. Signed facsimiles or scanned copies shall be binding and enforceable.

WITNESS the signatures of all parties hereto this, the ____ day of _____, A.D. 2020.

CITY OF LA MARQUE, TEXAS

_____,
Bobby Hocking,
Mayor

ATTEST:

_____,
Robin Eldridge
City Secretary

APPROVED AS TO FORM:

_____,
Derra Purnell
Acting City Attorney

MVBA, LLC dba ACCOUNTS RECEIVABLE COLLECTIONS GROUP

Harvey M. Allen
Manager



CITY COUNCIL AGENDA FORM

Meeting Date: May 11, 2020

Prepared by: Suzy Kou

Agenda item: 4f

Reviewed by: Charlene Warren/

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Consider recommendation to approve agreement with MVBA LLC dba Accounts Receivable Collections Group to assist with utility delinquent collection services

☒

ATTACHMENTS FOR REFERENCE

1. Proposed utility collection services agreement

STAFF BRIEFING:

- The City currently does not use any third-party collection agency for delinquent utility collection
- Proposed collection fee is 20% of amount collected
- Contract proposal is initial one-year term with automatic renewal every year
- Minimum sixty days written notice of termination required and allowing MVBA continued collection following six months after receipt of termination notice

TARGET IMPLEMENTATION: June 1, 2020

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 approve agreement with MVBA LLC dba Accounts Receivable Collections Group to assist with utility delinquent collection services

FISCAL IMPACT: Additional revenues from outstanding delinquent accounts net of 20% collection fee

**CONTRACT FOR THE COLLECTION
OF
DELINQUENT ACCOUNTS RECEIVABLE**

STATE OF TEXAS

§
§
§

COUNTY OF GALVESTON

THIS CONTRACT is made and entered into by and between the **CITY OF LA MARQUE, TEXAS**, acting herein by and through its governing body, hereinafter styled, "**City**", and **MVBA, LLC dba ACCOUNTS RECEIVABLE COLLECTIONS GROUP**.

I.

The City agrees to retain and does hereby retain **MVBA, LLC dba ACCOUNTS RECEIVABLE COLLECTIONS GROUP** to provide services related to the collection of delinquent utility bills ("Delinquent Accounts Receivable") pursuant to the terms and conditions described herein. MVBA, LLC may use its dba, Accounts Receivable Collections Group, on collection notices and telephone communications with debtors. The City authorizes MVBA, LLC to execute all documents that are reasonably necessary to pursue collection of the City's claims in connection with the collection of delinquent accounts receivable that are subject to this contract. This contract supersedes all prior oral and written contracts between the parties regarding delinquent accounts receivable and can only be amended if done so in writing and signed by all parties. Furthermore, this contract cannot be transferred or assigned by either party without the written consent of all parties.

II.

For purposes of this contract Delinquent Accounts Receivable shall be considered delinquent and referred to MVBA, LLC when not timely paid in accordance with any applicable contract, ordinance or statute providing for the payment of the underlying debt.

At least once each month on a date or dates agreed upon by the parties, the City will provide MVBA, LLC with copies of, or access to, the information and documentation necessary to collect the Delinquent Accounts Receivable that are subject to this contract. The City shall furnish the information to MVBA, LLC by electronic transmission, magnetic medium.

III.

MVBA, LLC shall forward to the City copies of any correspondence regarding a disputed debt received from a debtor and the request for verification of the debt. The City will provide to MVBA, LLC within ten (10) days of the receipt for the request for verification of the debt, copies of all records which will verify the debt which in turn will be forwarded to the debtor by MVBA, LLC. All collection activity will be suspended on any disputed debt until the appropriate verification of the debt is delivered to the debtor.

IV.

Upon consultation and agreement by both parties hereto, MVBA, LLC may employ an attorney, at its expense, to make a recommendation to the City to take legal action to collect a Delinquent Accounts Receivable or represent the City in any dispute or challenge of its collection authority. Upon consultation and agreement by both parties hereto, MVBA, LLC may employ an attorney, at its expense, to institute civil legal proceedings on behalf of the City, including seeking writs of execution to collect Delinquent Accounts Receivable. The City shall pay in advance of the initiation of any writ of execution or collection lawsuit any filing fees charged by the Court or Clerk of the Court in which the writ of execution is to be issued or the collection lawsuit is to be filed including the costs for service of citation. MVBA, LLC may also, after consultation and agreement by both parties, employ an attorney, at its expense, file proofs of claims in the United States Bankruptcy Court on behalf of the City for Delinquent Accounts Receivable.

V.

MVBA, LLC shall forward all cashier checks or money order payments made payable to the City and any correspondence from debtor directly to the City. Cashier checks or money order payments made payable to MVBA, LLC will be deposited daily into the MVBA, LLC Trust Account. MVBA, LLC may also collect the amount due from the debtor by credit card or electronic draft which is deposited directly into the MVBA, LLC Trust Account. MVBA, LLC may set up payment arrangements and accept partial payments on any delinquent accounts receivable. MVBA, LLC shall remit to the City all payments in full received into the MVBA, LLC Trust Account weekly, along with an invoice detailing the account number, name of debtor, amount paid to MVBA, LLC or City, MVBA, LLC fee percentage and fees earned for each account.

VI.

MVBA, LLC shall indemnify and hold the City harmless from and against all liabilities, losses and/or costs arising from claims for damages, or suits for losses or damages, including reasonable costs and attorney's fees, which may arise as a result of MVBA, LLC's performance of the services described in this Contract. The indemnity provision of this Contract shall have no application to any claim or demand which results from the sole negligence or fault of the City, its officers, agents, employees or contractors. And furthermore, in the event of joint and/or shared negligence or fault of the City and MVBA, LLC, responsibility and indemnity, if any, shall be apportioned in accordance with Texas law and without waiving any defenses of either party. The provisions of this paragraph are intended for the sole benefit of the parties hereto and are not intended to create or grant any right, contractual or otherwise, to any other persons or entities.

VII.

For the collection of Delinquent Accounts Receivable in which the data files are transmitted to MVBA, LLC by electronic media, the City agrees to pay to MVBA, LLC as compensation for services provided, pursuant to this contract, a fee of twenty percent (20%) of the amount of the Delinquent Accounts Receivable collected.

All compensation shall become the property of MVBA, LLC at the time of payment. The City shall pay to MVBA, LLC said compensation on a monthly basis by check.

VIII.

The City recognizes and acknowledges that MVBA, LLC owns all right, title and interest in certain proprietary software that MVBA, LLC may utilize in conjunction with performing the services provided in the contract. The City agrees and hereby grants to MVBA, LLC the right to use and incorporate any information provided by the City (“account or debtor information”) to update the databases in this proprietary software, and, notwithstanding that the case or defendant information has been or shall be used to update the databases in this proprietary software, further stipulates and agrees that the City shall have no rights or ownership whatsoever in and to the software or the data contained therein, except that the City shall be entitled to obtain a copy of such data that directly relates to the City’s accounts at any time.

MVBA, LLC agrees that it will not share or disclose any specific confidential account or debtor information with any other company, individual, organization or agency, without the prior written consent of the City, except as may be required by law or where such information is otherwise publicly available. It is agreed that MVBA, LLC shall have the right to use account or debtor information for internal analysis, improving the proprietary software and database, and generating aggregate data and statistics that may inherently contain account or debtor information. These aggregate statistics are owned solely by MVBA, LLC and will generally be used internally, but may be shared with MVBA, LLC’s affiliates, partners or other third parties for purposes of improving MVBA, LLC’s software and services.

MVBA, LLC and the City agrees that collection activity will not continue or commence on any accounts that are time-barred by the four-year statute of limitations in accordance with Section 16.004(a)(3) of the Texas Civil Practice and Remedies Code. MVBA, LLC and the City agree that the time-barred accounts will be returned to the City. Upon return of these accounts, neither party will have any obligation to the other party to this contract.

MVBA, LLC reserves the right to return to the City all accounts not collected within one (1) year of referral by the City or identified as being in bankruptcy. Upon return of these accounts, neither party will have any obligation to the other party to this contract.

IX.

The initial term of this contract is **one year, beginning on the first day of the month following the execution of this contract by both parties**, and shall automatically renew on the anniversary date and continue in full force and effect thereafter from year to year for additional twelve month periods on the same terms and conditions unless either party delivers written “Notice of Termination of Contract” to the other party of its intent to terminate this contract at least sixty (60) days prior to each anniversary date of this contract.

In the event that the City terminates this contract, MVBA, LLC shall be entitled to continue its collection activity on all accounts previously referred to MVBA, LLC for six (6) months from the date of receipt of the “Notice of Termination of Contract” and to payment of its fee, pursuant to Paragraph VII of this contract for all amounts collected on accounts referred to MVBA, LLC. The City may, at its discretion, refer additional accounts to MVBA, LLC after notice of termination has been received by MVBA, LLC. At the end of the six (6) month period, all accounts shall be returned to the City by MVBA, LLC.

X.

For purposes of sending notice under the term of this contract, all notices from the City shall be sent to MVBA, LLC by certified United States mail to the following address:

Contract for the Collection of Delinquent Accounts Receivable - Page 3 of 5

MVBA, LLC, dba Accounts Receivable Collections Group.
Attention: Harvey M. Allen
P.O. Box 849
Round Rock, Texas 78680

or delivered by hand or by courier, and addressed to 700 Jeffrey Way, Suite 100, Round Rock, Texas 78664-2425. All notices to the City shall be sent by certified United States mail or delivered by hand or courier to the following address:

City of La Marque, Texas
Attention: City Manager
1111 Bayou Road
La Marque, Texas 77568

XI.

This contract is made and is to be interpreted under the laws of the State of Texas. Exclusive venue for any action, lawsuit, claim, dispute or another legal proceeding concerning or arising out of this contract shall be in Galveston County, Texas.

In the event that any provision(s) of this contract shall for any reason be held invalid or unenforceable, the invalidity or unenforceability of that provision(s) shall not affect any other provision(s) of this contract, and it shall further be construed as if the invalid or unenforceable provision(s) had never been a part of this contract.

Every provision of this Contract is intended to be severable. If any term or provision of this Contract is deemed to be invalid, void, or unenforceable for any reason by a District Court, to the extent possible such invalidity or unenforceability shall not affect the validity of the remainder of this Contract, it being intended that such remaining provisions shall be construed in a manner most closely approximating the intention of the Parties with respect to the invalid, void, or unenforceable provision or part thereof. In accordance with the requirements of Chapter 2271, Texas Government Code, the signatory executing this Contract on behalf of MVBA, LLC does hereby verify that MVBA, LLC does not boycott Israel and will not boycott Israel during the term of this Contract.

XII.

In consideration of the terms and compensation herein stated, MVBA, LLC hereby agrees to undertake performance of said contract as set forth above.

The City has authorized by order heretofore passed and duly recorded in its minutes the chief executive officer to execute this contract.

This contract may be executed in any number of counterparts, and each counterpart shall be deemed an original for all purposes. Signed facsimiles shall be binding and enforceable.

WITNESS the signatures of all parties hereto this, the ____ day of _____, A.D. 2020.

CITY OF LA MARQUE, TEXAS

_____,
Bobby Hocking,
Mayor

ATTEST:

_____,
Robin Eldridge
City Secretary

APPROVED AS TO FORM:

_____,
Derra Purnell
Acting City Attorney

MVBA, LLC dba ACCOUNTS RECEIVABLE COLLECTIONS GROUP

Harvey M. Allen
Manager



CITY COUNCIL AGENDA FORM

Meeting Date: May 11, 2020
 Prepared by: Charlene Warren

Agenda item: 4g
 Reviewed by: Charlene Warren
Charles Jackson

Department: Administration

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Resolution No. **R-2020-0006**, consenting to the inclusion of land into Galveston County Municipal Utility District No. 68

☒ X

ATTACHMENTS FOR REFERENCE

1. Resolution
2. Petition for Consent to Annex Land into M.U.D. 68 and supporting documents

STAFF BRIEFING:

- Galveston County Municipal Utility District No. 68 (MUD 68) has petitioned the city for consent to annex 67.4042 acres of land into their district
- These 67.4042 acres, a development known as Trails at Woodhaven Lakes, is located near F.M. 1765 and Delany Road
- Acting City Attorney has reviewed
- These conditions match the ones Council approved the last time an annexation to MUD 68 was requested (as amended by Council during that meeting)

HISTORY: N/A

TARGET IMPLEMENTATION: May 11, 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	N/A
Actual Bid	N/A
Estimated Expenditure	N/A
Acct. Name(s)	N/A
Line Item #	N/A
Other Funding	N/A

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2020-0006**, consenting to the inclusion of land into Galveston County Municipal Utility District No. 68



CITY COUNCIL AGENDA FORM

FISCAL IMPACT: N/A

RESOLUTION NO. R-2020-0006

A RESOLUTION OF THE CITY OF LA MARQUE CONSENTING TO THE INCLUSION OF LAND INTO GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 68

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of La Marque, Texas:

SECTION 1. The City Council hereby grants its written consent to the petition for inclusion of the land described in **Exhibit “A”** into **GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 68**, subject to the terms and conditions contained in **Exhibit “B”**.

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

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

PASSED, APPROVED AND ADOPTED by City Council of the City of La Marque on this the 11th day of May, 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

ALLEN BOONE HUMPHRIES ROBINSON LLP

ATTORNEYS AT LAW

PHOENIX TOWER
3200 SOUTHWEST FREEWAY
SUITE 2600
HOUSTON, TEXAS 77027
TEL (713) 860-6400
FAX (713) 860-6401
abhr.com

Direct Line: (713) 860-6412
Direct Fax: (713) 860-6612

taustin@abhr.com

Timothy Austin
Partner

March 30, 2020

Mr. Charles "Tink" Jackson
City of La Marque
1111 Bayou Road
La Marque, TX 77568

Re: Proposed Annexation into Galveston County Municipal Utility District
No. 68

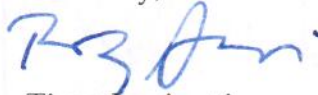
Dear Mr. Jackson:

Please find attached documents requesting City consent to the annexation of 14.61 acres to MUD 68. This land will continue the successful building program in the District. Enclosed are the following:

- (1) Petition for Consent to Annex Land into the District; and
- (2) Form of City consent resolution.

Please present the petition to City Council for consideration and approval at the next Council meeting. If you have any questions regarding the petition or if you need additional information, please let me know. Thank you for your assistance in this matter.

Sincerely,



Timothy Austin
Attorney for the District

Enclosures

cc: Kathryn Easey (Firm)
Merry Heyne (Firm)

PETITION FOR CONSENT TO ANNEX LAND INTO
GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 68

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF LA MARQUE,
TEXAS:

The undersigned, Galveston County Municipal Utility District No. 68 (the "District"), and TRAILS AT WOODHAVEN LAKES, LTD., a Texas Limited Partnership (the "Petitioner"), acting pursuant to the provisions of Chapter 49, Texas Water Code, particularly Section 49.301 of that Code, together with all amendments and additions thereto, respectfully petition the City Council of the City of La Marque, Texas (the "City"), for its written consent to the annexation by the District of the 67.4042-acre tract of land described by metes and bounds in **Exhibit A** (the "Land"), which is attached hereto and incorporated herein for all purposes. In support of this petition, the undersigned would show the following:

I.

The District is a municipal utility district duly created under the laws of the State of Texas on August 23, 2006. The District was created and organized under the terms and provisions of Article XVI, Section 59, of the Constitution of Texas, and is governed by the provisions of Chapters 49 and 54, Texas Water Code.

II.

The Petitioner holds fee simple title to the Land, as indicated by the certificate of ownership provided by the Galveston Central Appraisal District. The Petitioner represents that there are no lienholders on the Land except City Bank.

III.

The Land is situated wholly within Galveston County, Texas. All of the Land is within the corporate limits of the City. All of the Land may properly be annexed into the District.

IV.

The general nature of the work to be done within the Land is the construction, acquisition, maintenance and operation of a waterworks and sanitary sewer system, and a drainage and storm sewer system, road facilities, and parks and recreational facilities.

V.

There is, for the following reasons, a necessity for the above-described work. The Land, which will be developed for commercial and/or residential purposes, is urban in nature, is within the growing environs of the City, is in close proximity to populous and developed sections of Galveston County, and within the immediate future will experience a substantial and sustained residential and commercial growth. There is not now available within the Land an adequate waterworks and sanitary sewer system nor an adequate drainage system, nor road facilities, nor parks or recreational facilities, and it is not presently economically feasible for the Land to provide for such systems and facilities itself. Because the health and welfare of the present and future inhabitants of the Land and of lands adjacent thereto require the construction, acquisition, maintenance and operation of an adequate waterworks and sanitary sewer system and a drainage and storm sewer system, road facilities, and parks and recreational facilities, a public necessity exists for the annexation of the Land into the District, to provide for the purchase, construction, extension, improvement, maintenance and operation of such waterworks and sanitary sewer system and such drainage and storm sewer system, such road facilities, and such parks and recreational facilities, so as to promote the purity and sanitary condition of the State's waters and the public health and welfare of the community.

VI.

The undersigned estimate, from such information as they have at this time, that the cost of extending the District's facilities to serve the Land is \$5,858,000.

WHEREFORE, the undersigned respectfully pray that this petition be heard and granted in all respects and that the City give its written consent to the annexation of the Land into the District.

[EXECUTION PAGES FOLLOW]

RESPECTFULLY SUBMITTED on March 17, 2020.

GALVESTON COUNTY MUNICIPAL
UTILITY DISTRICT NO. 68

By: Robert M Eaton VP

Name: ROBERT M EATON

Title: VICE PRESIDENT

ATTEST:

(SEAL)

By: Suzanne Ross

Name: Suzanne Ross

Title: Asst. Secretary



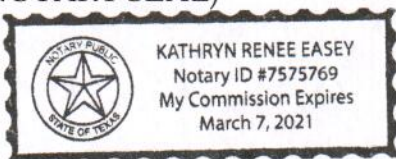
THE STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on March 18, 2020, by Robert M. Eaton as Vice President, and Suzanne Ross, as Asst. Secretary, of the Board of Directors of GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 68, a political subdivision of the State of Texas, on behalf of said political subdivision.

Kathryn Renee' Easley
Notary Public, State of Texas

(NOTARY SEAL)



TRAILS AT WOODHAVEN LAKES, LTD., a Texas limited partnership

By: INMOBILIA 2000 OF TEXAS, INC., a Texas corporation, its general partner

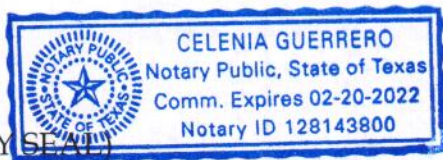
By: [Signature]

Name: FRANCISCO PADUA

Title: President

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This instrument was acknowledged before me on JANUARY 21, 2020, by FRANCISCO PADUA, PRESIDENT of INMOBILIA 2000 OF TEXAS, INC., a Texas corporation, general partner of TRAILS AT WOODHAVEN LAKES, LTD., a Texas limited partnership, on behalf of said corporation and said limited partnership.



(NOTARY SEAL)

[Signature]
Notary Public, State of Texas

Attachments:

Exhibit A: Description of the Land

Exhibit B: Conditions of the City

EXHIBIT A

METES AND BOUNDS DESCRIPTION
67.4042 ACRES
LOCATED IN THE
STEPHEN F. AUSTIN LEAGUE, A-297,
GALVESTON COUNTY, TEXAS

Being a tract or parcel of land containing 67.4042 acres of land or 2,936,126 square feet, located in the Stephen F. Austin League, Abstract 297, Galveston County, Texas, Said 67.4042 acre tract being out of and a part of a 42.2590 acre tract of record in the name of Trails at Woodhaven Lakes, Ltd. in Galveston County Clerk's File (G.C.C.F.) Number 2017062418 and all of a 33.3575 acre tract of record in the name of Trails at Woodhaven Lakes, Ltd. in G.C.C.F. No. 2018054049, Said 67.4042 acre tract being more particularly described as follows (bearings based on G.C.C.F. Number 2015015436):

COMMENCING at a 5/8 inch iron rod with "Gruller" cap set for the northwest corner of a 7.8800 acre tract of record in the name of Trails Land Holdings, Ltd. in G.C.C.F. No. 2019097347, being the northeast corner of a called 11.3826 acre tract of record in the name of Galveston County Drainage District No. 2 in Film Code (F.C.) Number 015-20-1178 Galveston County Plat Records (G.C.P.R.) and being the south Right-of-Way (R.O.W.) line of Texas Avenue (F.M. 1765)(100 feet wide);

THENCE, coincident the east line of aforesaid 11.3826 acre tract, South 02 degrees 53 minutes 45 seconds East, a distance of 289.06 feet to a 5/8 inch iron rod with "Gruller" cap set for the northwest corner and **POINT OF BEGINNING** of the herein described tract;

THENCE, coincident the most northerly south line of aforesaid 7.8800 acre tract, North 87 degrees 06 minutes 14 seconds East, a distance of 200.00 feet to a 5/8 inch iron rod with "Gruller" cap set;

THENCE, coincident the most easterly west line of aforesaid 7.8800 acre tract, South 02 degrees 53 minutes 45 seconds East, a distance of 260.05 feet to a 5/8 inch iron rod with "Gruller" cap set for the southwest corner of said 7.8800 acre tract;

THENCE, coincident the south line of aforesaid 7.8800 acre tract, North 87 degrees 06 minutes 14 seconds East, a distance of 750.00 feet to a 5/8 inch iron rod with "Gruller" cap set for the southeast corner of said 7.8800 acre tract;

THENCE, coincident the east line of aforesaid 7.8800 acre tract, North 02 degrees 53 minutes 46 seconds West, a distance of 216.69 feet to a 5/8 inch iron rod with "Gruller" cap set being on the west line of aforesaid 42.2590 acre tract and the east line of said 7.8800 acre tract;

THENCE, through and across aforesaid 42.2590 acre tract, North 87 degrees 06 minutes 14 seconds East, a distance of 466.08 feet to a 5/8 inch iron rod with "Gruller" cap set, being the southeast line of a 6.40 acre tract of record in the name of Trails Land Holdings, Ltd. in G.C.C.F. No. 2019006929 and being on the west line of a called 0.0574 acre tract of record in the name of City of LaMarque G.C.C.F. Number 8239444;

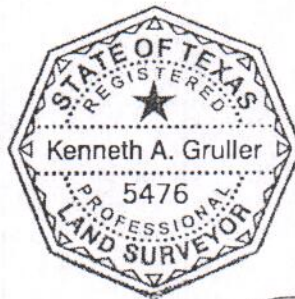
THENCE, coincident the west line of aforesaid 0.0574 acre tract, South 02 Degrees 45 Minutes 29 Seconds East, a distance of 20.23 feet to a 5/8 inch iron rod found for the southwest corner of said 0.0574 acre tract;

THENCE, coincident the south line of aforesaid 0.0574 acre tract, North 87 Degrees 14 Minutes 31 Seconds East, a distance of 50.00 feet to a 5/8 inch iron rod with "Gruller" cap set for the northeast corner of the herein described tract, being the southeast corner of said 0.0574 acre tract and being on the west R.O.W. line of Delaney Road (width varies);

THENCE, South 87 degrees 06 minutes 14 seconds West, a distance of 200.00 feet to a 5/8 inch iron rod with "Gruller" cap set for the most northerly southwest corner of aforesaid 7.8800 acre tract and being on the east line of aforesaid 11.3826 acre tract;

THENCE, coincident the west line of aforesaid 7.8800 acre tract and the east line of aforesaid 11.3826 acre tract, North 02 degrees 53 minutes 45 seconds West, a distance of 289.06 feet to the **POINT OF BEGINNING** and containing 14.61 acres of land.

Gruller Surveying, LLC
October 10, 2019
Job No. 45-1649_14.61acres



A handwritten signature in cursive script, appearing to read "K. A. Gruller", written in dark ink.

CERTIFICATE

THE STATE OF TEXAS

§

COUNTY OF GALVESTON

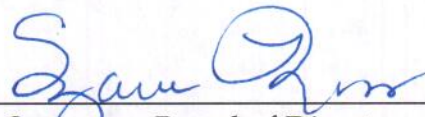
§

§

I, the undersigned Secretary of the Board of Directors of Galveston County Municipal Utility District No. 68, do hereby certify that the attached and foregoing is a true and correct copy of the Petition For Consent To Annex Land Into Galveston County Municipal Utility District No. 68 that was filed with the Board of Directors of the District on March 17, 2020.

WITNESS MY HAND AND SEAL OF SAID DISTRICT on March 17, 2020.

**GALVESTON COUNTY MUNICIPAL
UTILITY DISTRICT NO. 68**

By: 
Asst. Secretary, Board of Directors

(SEAL)



RESOLUTION NUMBER _____

**RESOLUTION OF THE CITY OF LA MARQUE, TEXAS, CONSENTING TO THE
INCLUSION OF LAND INTO GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT
NO. 68**

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

SECTION 1. The City Council hereby grants its written consent to the petition for inclusion of the land described in **Exhibit A** into **GALVESTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 68**, subject to the terms and conditions contained in **Exhibit B**.

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

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

PASSED AND ADOPTED the _____ day of _____, 2020.

Mayor

ATTEST:

City Clerk

Exhibit A
The Land

EXHIBIT A

METES AND BOUNDS DESCRIPTION
67.4042 ACRES
LOCATED IN THE
STEPHEN F. AUSTIN LEAGUE, A-297,
GALVESTON COUNTY, TEXAS

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Gruller Surveying, LLC
October 10, 2019
Job No. 45-1649_14.61acres



A handwritten signature in black ink, appearing to read "K. A. Gruller", written over a horizontal line.

Exhibit B
Consent Conditions

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

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

(c) Before the commencement of any construction of public improvements within the District, its directors, officers, or developers and landowners will submit to the City, or to its designated representative, all plans and specifications for the construction of such public improvements to serve the District and obtain the approval of such plans and specifications. All water wells, water meters, flushing valves, valves, pipes, and appurtenances thereto, installed or used within the District, will conform to the standard specifications of the City. All water service lines and sewer service lines, lift stations, and appurtenances thereto, installed or used within the District will comply with the City's standard plans and specifications as amended from time to time. The construction of the District's water, sanitary sewer, and drainage facilities will be in accordance with the approved plans and specifications and with applicable standards and specifications of the City; and during the progress of the construction and installation of such facilities, the City may make periodic on-the-ground inspections. All thoroughfares and street will be located, designed and constructed in accordance

with applicable City standards and comprehensive/thoroughfare plans and with plans and specifications approved by the City.

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



CITY COUNCIL AGENDA FORM

Meeting Date: May 11, 2020

Prepared by: Suzy Kou

Agenda item: 5a

Reviewed by: Charlene Warren/

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Consider recommendation to adopt Ordinance No. **O-2020-0003**, amending the fiscal year 2019-20 Budget Disaster Fund for COVID-19 crisis by increasing various accounts' expenditures as set forth in Exhibit A **THIS IS THE FIRST READING**

☒

ATTACHMENTS FOR REFERENCE

1. Ordinance
2. Exhibit A

STAFF BRIEFING:

- To ensure City staff has a safe environment while providing continuous city services to citizens, necessary supplies and services are needed while they are in stock and available
- City did not budget for COVID-19 in current year's adopted budget
- This ordinance is to appropriate the funds for COVID-19
- The city will pursue FEMA grant reimbursement at 75% maximum, if approved
- Total of \$100,000 is the best estimate for budget purposes at current time; this does not represent actual expenditure
- As of September 30, 2019, the city had \$496,321 of unassigned fund balance carried over to new fiscal year 2020

HISTORY:

March 13, 2020 - Council passed Emergency Declaration Ordinance E-2020-0001 for a period not to exceed six months

TARGET IMPLEMENTATION: **June 8, 2020**

SIGNIFICANT ACTION DATES:

May 11, 2020 - First reading of the ordinance

June 8, 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-2020-0003**, amending the 2019-20 Budget Disaster Fund for COVID-19 crisis by increasing various accounts' expenditures 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 2019-2020 BUDGET DISASTER FUND FOR COVID-19 CRISIS BY INCREASING VARIOUS BUDGET ACCOUNTS' EXPENDITURES 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 2019-2020 Fiscal Year Budget is hereby amended for COVID-19 crisis by increasing various accounts' expenditures 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 ____ day of _____, 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

BUDGET AMENDMENT-COVID-19

EXHIBIT A

Fiscal Year 2019-20

Accounts		Expenditure	Fund Balance	Reasons
70-3020-05-03	R & M building	10,000.00		Sanitizing services-Police facility
70-2010-05-03	Supplies	10,000.00		Supplies for Police
70-2010-06-03	Supplies	10,000.00		Supplies for Fire/EMS
70-2010-01-03	Supplies	50,000.00		Supplies for Administration
70-2010-02-03	Supplies	2,000.00		Supplies for Finance
70-2010-04-03	Supplies	1,000.00		Supplies for Court
70-2010-08-03	Supplies	2,000.00		Supplies for Library
70-2010-12-03	Supplies	5,000.00		Supplies for Public Works
70-2010-03-03	Supplies	1,000.00		Supplies for Development Services
70-2010-33-03	Supplies	1,000.00		Supplies for Code
70-2010-19-03	Supplies	2,000.00		Supplies for EDC
70-2010-21-03	Supplies	1,000.00		Supplies for Utility Billing
70-2010-22-03	Supplies	5,000.00		Supplies for Utilities
70-2401-00-00	Disaster Fund Fund Balance		-100,000.00	

**THERE IS NO BACKUP
FOR THIS AGENDA
ITEM**



CITY COUNCIL AGENDA FORM

Meeting Date: May 11, 2020

Prepared by: Charlene Warren

Agenda item: 5c

Reviewed by: Charlene Warren

Charles Jackson

Department: Administration

AGENDA ITEM DESCRIPTION: Consider recommendation to approve a job description for an in-house City Attorney

☒

ATTACHMENTS FOR REFERENCE

1. Draft Job Description

STAFF BRIEFING:

- Upon retirement of previous City Attorney, an Acting City Attorney was selected
- Per Council's discussion at a previous meeting, attached is a draft job description for proposed in-house City Attorney for Council's consideration

HISTORY: N/A

TARGET IMPLEMENTATION: To be determined

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: Recommend to post city attorney position

FISCAL IMPACT: To be determined by Council



City of La Marque Position Description
City Attorney
Legal

DRAFT

Title: City Attorney

Grade Level: _____

Department: Legal

FLSA Status: Exempt

Reports to: City Council/City Manager

Job Summary:

This position is appointed by the City Council and under the direction of the City Manager, provides legal counsel and direction to the City Manager, City Council and City staff for all legal related work in the City. Represents the City in litigation, prosecutes misdemeanors in Municipal Court; drafts and reviews ordinances and resolutions, lease agreements, contracts, etc. Representation of other cities while employed by the City of La Marque will not be allowed.

Essential Job Duties:

The list of essential functions, as outlined herein, is intended to be representative of the tasks performed within this classification. It is not necessarily descriptive of any one position in the class. The omission of an essential function does not preclude management from assigning duties not listed herein if such functions are a logical assignment to the position.

Regular and timely attendance at work.

Prepares and/or reviews all types of official documents, including ordinances, resolutions, notices of official meetings, legal deeds, agreements, etc.

Assists in the preparation and development of the City Council agenda.

Regularly attends City Council meetings.

Reviews and researches federal, state and local laws and ordinances.

Researches and analyzes legal issues affecting the municipal government.

Attends seminars and conferences to remain abreast of new legislation and policies affecting all aspects of municipal government.

Drafts and prepares interlocal agreements with other state entities.

Reviews and certifies contract documents, certificates of insurance, performance and payment bonds, etc., related to each municipal project.



City of La Marque Position Description
City Attorney
Legal

Drafts new policies, as required by state and/or federal laws.

Maintains and revises municipal policies and procedures, in association with the applicable Department Head.

Prepares and maintains lease and use agreements of city properties.

Prepares, maintains and verifies easements for utility lines.

Prepares all documents for real estate transactions involving the city.

Handles all paperwork associated with street improvement petitions; determines ownership of property; prepares paving assessments, M&M liens, etc.

Provides support and assistance in code enforcement activities, including review of forms and procedures for handling fire code violations, abatement of nuisances, grease trap violations, dilapidated buildings, abandoned and junked vehicles.

Prosecutes misdemeanors in Municipal Court.

Oversees liability claims, cooperate and coordinate with to City's insurance carrier or TML-IRP, as required, and assist in resolution or referral for litigation.

Reviews and processes all public information requests referred for review by the City Manager or City Clerk, in accordance with the Public Information Act, and requests Attorney General opinions, if warranted.

Other Important Duties*

Reviews and updates franchise agreements with utility companies, including telephone and gas companies.

Performs such other duties as may be assigned.

Education and Experience:

Juris doctorate degree; at least 2 years of experience in the field of municipal law or in the prosecution of misdemeanor offenses, or equivalent experience;

Certification or recognition by professional associations;

or any equivalent combination of experience and training which provides the required knowledge, skills, and abilities.

Knowledge, Skills, and Abilities:



City of La Marque Position Description City Attorney Legal

Knowledge of: Municipal law, the Texas Local Government Code and other applicable state codes, personnel management procedures and policies, prosecution of misdemeanor offenses.

Ability to: communicate to others rules, regulations, and guidelines prepared by state and federal agencies on a variety of programs; select, develop, organize data; prepare complex or technical reports independently; analyze and interpret policies and procedures; make judgments regarding appropriate response to difficult questions or situations; possess excellent analytical and writing skills; possess excellent verbal and written communication skills; work cooperatively and effectively with others; operate office equipment, including standard word processing and spreadsheet software; take notes and prepare accurate meeting minutes; and communicate effectively, both orally and in writing.

Certificates, Licenses and Registrations

State Bar of Texas licensed attorney in good standing. May be required to be bondable. Certification as Notary Public is desirable.

An employee in this position is designated as “essential personnel” and may be required to provide services in the course and scope of his/her employment for the benefit of the general public during emergency situations that threaten the safety of the City of La Marque’s citizens.

Physical /requirements:

Must have the use of sensory skills in order to effectively communicate and interact with other employees and the public using the telephone and personal contact as normally defined by the ability to see, read, talk, hear, handle, or feel objects and controls. Physical capability to effectively use and operate various items of office related equipment, such as, but not limited to a, personal computer, calculator, copier, and fax. No significant standing, walking, moving, climbing, carrying, bending, kneeling, reaching, crawling, and handling, sitting, standing, pushing, and pulling. The employee must occasionally lift and/or move up to 10 pounds.

Environmental Requirements:

Tasks may require occasional exposure to adverse environmental conditions, temperature and weather extremes.

Sensory Requirements:

Tasks require color, sound, odor, depth and visual perception and discrimination, as well as oral communications ability.

Emergency Operation Classification: TIER 1 [Essential personnel shall remain within the Emergency Operations Center or a location designated by the City, to perform duties directly related to the emergency conditions, as determined by City Manager.](#)



City of La Marque Position Description
City Attorney
Legal

NOTE: The above statements are intended to describe the general nature and level of work being performed by the person assigned to this job. They are not intended to be an exhaustive list of all responsibilities, duties, skills and physical demands required of personnel classified.

APPLICANT: Are you capable of performing, in a reasonable manner, the activities involved in the job or application for which you have applied? Yes/No _____
(Circle One)

The City of La Marque is an Equal Opportunity Employer of Qualified Individuals

I have read the job description above and can perform the job duties **with** ***without*** any reasonable accommodation.

Witness: Supervisor's Signature	Date	Employee's Signature	Date



CITY COUNCIL AGENDA FORM

Meeting Date: May 11, 2020

Prepared by: Charlene Warren

Agenda item: 5d

Reviewed by: Charlene Warren

Charles Jackson

Department: Administration

AGENDA ITEM DESCRIPTION: Consider recommendation relating to creation/adoption of an Ethics Ordinance for the City of La Marque

☒

ATTACHMENTS FOR REFERENCE

1. Draft Ordinance

STAFF BRIEFING:

- Creation of an Ethics Ordinance was first discussed at the Council Retreat on July 6, 2019
- Previous City Attorney drafted the proposed ordinance; however, any recommended changes will be reviewed by the Acting City Attorney

HISTORY: N/A

TARGET IMPLEMENTATION: To be determined

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: No action required by Council; discussion only

FISCAL IMPACT: N/A

DRAFT ORDINANCE NO. O-XXXX-XXXX

ESTABLISHING A CODE OF CONDUCT AND STANDARDS; PROVIDING DISCIPLINARY MEASURES FOR VIOLATION OF SUCH STANDARDS; PROVIDING FOR THE DEVELOPMENT OF AN ETHICS COMMISSION; PROVIDING A SEVERABILITY CLAUSE, A REPEALING CLAUSE, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of La Marque, Texas, upon full consideration of the matters has determined the desirability and necessity of providing standards of conduct for the City's public officials and employees and providing disciplinary measures for violations of such standards; and

WHEREAS, the City Council of the City of La Marque, Texas, upon consideration finds and determines that a Code of Conduct should be adopted by enunciate standards of conduct for the City's public officials and employees; and

WHEREAS, The City Council of the City of La Marque, in the interest of abiding by the best governmental practices and in an effort to provide absolute transparency to the citizens it serves, does hereby create the La Marque Ethics Commission.

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

SECTION 1. ETHICS COMMISSION - ESTABLISHED

(1) Purpose. The Ethics Commission shall act in an advisory capacity to the City Council in all matters pertaining to the ethical conduct of the City's officials and staff and shall exercise such other duties and further powers as are delegated to it this ordinance. At minimum, the role of the Ethics Commission is to investigate, and make recommendations concerning any allegations or complaints concerning violation of this Ethics Ordinance as enacted by the City council.

(2) Membership and Terms. The Commission shall consist of five (5) members who shall be appointed for two (2) year terms. The members may be removed in accordance with the provisions of this Ordinance.

(3) Procedures. The commission itself shall appoint and designate from its members a Chairperson and Vice Chairperson to preside over the Commission actions. Meetings shall be held as required. Guidelines, regulations and responsibilities shall be prescribed by this ordinance.

(3) Action. The recommendations of the Commission shall be taken up by the City Council, however, a lack of action by the Ethics Commission shall in no way limit the ability of the city Council to continue with any provisions of this Ordinance, including investigation of, and/or removal of an official under this Ordinance.

The following Code of Conduct is hereby adopted as herein contained.

"CODE OF CONDUCT"

SECTION 2. POLICY

It is hereby declared to be the policy of the City that the proper operation of Democratic Government requires that public officials and employees be independent, impartial, and responsible only to the people of the City; that no officer, employee or member of any standing committee or board shall permit any interest, financial or otherwise, direct or indirect, or engagement in any business-transaction, or professional activity to conflict with the proper discharge of his duties in the public interest; that public office not be used for personal gain, and that the City Council at all time shall be maintained as a non-partisan body .To implement such a policy, the City Council deems it advisable to enact a Code of Conduct for all officials and employees, whether elected or appointed, paid or unpaid. To serve not only as a guide for official conduct of the City's public servants, but also as a basis for discipline for those who refuse to abide by its terms, the overriding interest being that officers and employees of the City of La Marque shall at all times strive to avoid even the appearance of impropriety.

SECTION 3. DEFINITIONS

The following words, terms and phrases, when used in this Article, shall have the meanings subscribed to them in this Section, except where the context clearly indicates a different meaning.

1. **EMPLOY** means any person employed by the City, including those individuals on a part-time basis, but shall not mean any independent contractor hired by the City.
2. **OFFICER OR OFFICIAL** means any member of the City Council and any appointed member of a board, commission or committee set up by ordinance, charter, state law or otherwise, on a temporary or permanent basis excluding those boards, commissions or entities not operating under the direct authority of or subject to the direct control of the City Council.

3. **RELATIVE** means any person related to an officer or employee within the first degree by consanguinity or affinity and shall include a spouse, father, mother, son, daughter, brother or sister.
4. **CITY COUNCIL** means the legislative and governing body of the City consisting of the Mayor and City Councilmembers.

SECTION 4. STANDARDS OF CONDUCT - OFFICERS AND EMPLOYEES

No officer or employee of the City or relative of a Council Member shall:

- (1) Have a financial interest, direct or indirect, in any contract with the City, nor shall be financially interested, directly or indirectly, in the sale to the City of any land, or rights or interest in any land, materials, supplies, or service.

The "financial interest" contemplated under this paragraph requires that the officer or employee receive an actual financial benefit from the transaction with the City. An actual financial benefit from the transaction shall not include:

- (a) An ownership in the entity transacting with the City where the ownership interest is less than one (1) percent.
 - (b) Compensation as an employee, officer or director of the entity transacting with the City where such compensation is not affected by the entity's transaction with the City.
- (2) Participate in a vote or decision or any matter in which the officer or employee has a direct or indirect financial interest or in which a relative of the officer or employee has a direct or indirect financial interest or in which a relative of the officer or employee has a direct or indirect financial interest. It is expressly provided herein that an investment or ownership in a publicly held company in an amount less than \$10,000 does not constitute a prohibited financial interest under this Code.
- (3)
 - (a) No employee or City Council member shall represent or appear in behalf of private interests of other before any agency of the City of any City board, commission, or committee, nor shall he/she represent any private interest of others in any action or proceeding involving the City, nor voluntarily participate on behalf of others in any litigation to which the City might be party.

- (b) No other officer shall represent or appear in behalf of the private interest of others before the board, commission, or committee of which he/she is a member, or before the board, commission, or committee of which he/she is a member, or before the City council or other board on an appeal from such board, commission or committee concerning such matter.
- (4) Accept any gift, or favor from any person that might reasonably tend to influence him in the discharge of his official or grant in the discharge of his official duties any improper favor, service or thing of value.
- (5) Use his/her official position to secure special privileges or exemptions for themselves or others.
- (6) Grant any special consideration, treatment or advantages to any citizen, individual, business organization or group beyond that which is normally available to every other citizen, individual, business organization or group. This shall not prevent the granting of fringe benefits to City employees as a part of their contract of employment or as an added incentive to the securing or retaining of employees.
- (7) Disclose information that could adversely affect the property, government or affairs of the City, nor directly or indirectly use any information gained solely by reason of his/her official position or employment for his/her own personal gain or benefit or for the private interest of others.
- (8) Disclose confidential information.
- (9) Engage in any outside activities which will conflict with, or will be incompatible with his position as an officer of the City, the duties assigned to him/her in his/her employment with the City, or in which his/her employment in the City will have him/her an advantage over others engaged in a similar business, vocation or activity.
- (10) Accept other employment incompatible with the full and proper discharge of his/her duties and responsibilities with the City, or which might impair his/her independent judgement in the performance of his/her duty.

- (11) Receive any fees or compensation for his/her services as an officer or employee of the City from any source other than the City, except as may otherwise be provided by law. This shall not prohibit him/her performing the same or other services for a private organization that he/she performs for the City if there is not conflict with his/her duties and responsibilities.
- (12) While in uniform or on active duty or in the course and scope of this employment, term or appointment use the influence or prestige of his/her position or title as an officer or employee of the City of La Marque for or against any candidate for any elective office, but shall at all times maintain the non-partisan policy of the City, provided that all officials and employees are encouraged to register and vote as they may choose in all local, state, and national elections. Notwithstanding the foregoing, no officer or employee shall be prohibited from participating in any political process solely in his/her individual capacity as a private citizen.
- (13) Knowingly perform or refuse to perform any act to deliberately thwart the execution of the City ordinances, rules or regulations, or the achievement of official City programs.
- (14) Use City supplies, equipment, or facilities for any purpose other than the conduct of official City business, unless otherwise provided for by law, ordinance, or City policy.
- (15) Engage in any conduct prejudicial to the government of the City or that reflects, discredit upon the government of the City.

Commented [CJ1]:

SECTION 5. ADDITIONAL STANDARDS OF CONDUCT - COUNCIL MEMBERS

- (1) In any zoning matter which may appear before the City Council, any City Council Member who has a financial interest in any property within 200 feet of the zoning request shall disclose the existence of such interest to the other Council Members and thereafter abstain from voting in the matter and refrain from attempting to influence the vote of any other Council Member.
- (2) In the event that any matter comes before the City Council involving directly or indirectly the interest of a present business client/customer of any City Council Member or the interest of a person or entity who has been a business client/customer of any

Council Member within the prior 12 months and funds received by the Council Member, or the entity for which he/she is employed, from the past/present business client/customer amount to the sum of \$10,000 or more in gross income during which 12 month period and such fact is known to the Council Member, then that Council Member shall disclose the existence of such interest to the other Council Members and thereafter abstain from voting in the matter and refrain from attempting to influence the vote of any other Council Member.

- (3) No Council Member who is on the board of a non-profit organization may vote on any funding requests by that non-profit organization, unless the non-profit organization has a board of directors or trustees appointed in whole or in part by the City Council.
- (4) With the exception of those proceedings allowed under Section 8 of this Code of Conduct, no Council Member, shall personally appear in his/her own behalf before the City Council, any City board, commission, or committee but may designate and be represented by a person of his choice in any such personal matter.

SECTION 6. DISCLOSURE OF INTEREST

Any officer or employee, whether elected, appointed, or hired, who has a prohibited financial interest in any matter pending before the City, shall disclose such interest to other members of the City Council, committee, commission, or board, of which he/she is a member, or in the case of an employee, to his supervisor and shall refrain from further discussion of the matter; shall not be physically present when the subject is discussed in Executive Session; and shall not vote on or participate further therein in any matter.

SECTION 7. DISCLOSURE OF REAL PROPERTY INTEREST

On or before January 1 of each calendar year, every Council member shall file in writing with the City Clerk on a disclosure form prepared and approved by the City the existence and location of any real property in the City of La Marque in which the Council Member has any financial interest including any interest of one (1) percent or more in any entity which has a financial interest in any real property in the City of La Marque. Said disclosure shall also include the identity and location of all real property within the City of La Marque in which the Council Member has acquired or conveyed any interest since the filing of the last similar report required by this Section. If a Council Member has an interest in an entity that will not disclose to the Council Member, whether or not the entity has a financial interest in real

Ethics

property in the City of La Marque, the Council Members may satisfy his/her disclosure requirement under this Section by stating such fact in writing to the City Clerk.

SECTION 8. CONTRACTS WITH THE CITY/AFFIDAVIT

All contract in excess of \$5,000 entered into by any person, corporation or entity seeking to do business with the City shall contain an affidavit executed by a legally authorized party to that effect that no person included within the Ordinance defined term of "officer or employee" has or will have during the term of said contract any prohibited interest in the Code of Conduct Ordinance of the City of La Marque. The affidavit shall include an acknowledgement and acceptance by the affiant that the existence of a prohibited interest at any time during the term of said contract will render the contract voidable.

SECTION 9. COMPLAINTS AGAINST COUNCIL MEMBERS/PROCEDURES

All complaints or allegations of a violation of this Code of Conduct against a Council member shall be made in writing, sworn to before a notary public, and filed of record with the City Clerk or the Chairperson of the La Marque Ethics Commission. Such complaints shall describe in detail the acts or acts complained of and the specific section(s) of this Code of Conduct alleged to have been violated. If received by the City clerk, then the City Clerk shall forward the complaint to the Chairperson of the Ethics Commission. As determined by the Chairperson of the Ethics Commission, a general complaint lacking in detail shall not be sufficient to invoke the investigation procedures contained herein and anonymous complaints shall not be considered.

Within 14 business days after receipt, the Ethics Commission shall convene to make the initial determination/evaluation of the complaint as to whether or not the fact alleged, if true, would at face value constitute a violation of this Code of Conduct. If it is determined by the Ethics Commission that the facts as alleged would not constitute a violation, then in accordance with the notice requirements of the Texas Open Meetings Act, the Ethics Commission shall make a recommendation to the City Council for consideration. A majority of those Council Members not implicated by the allegation(s) may either invoke the investigatory procedure contained herein or reject the complaint. Any vote to reject the complaint shall be in a public hearing called for that purpose.

The Mayor of any two (2) members of the Council may cause a meeting of the Council to convene, whether regular or special, within three (3) business days after being so notified by the City Clerk to further consider said complaint in Executive Session. At said meeting, the Chairperson of the Ethics Commission shall meet with the Mayor and

City Council to discuss the complaint, including describing in detail the nature of the complaint and the findings and conclusions as to a possible violation of the Code. The City Council may then, by majority vote, direct the City Attorney or a contract attorney to perform any additional investigation requested regarding the issue. The appointed Attorney shall report back to the City Council in writing as soon as possible but in no event more than 30 calendar days from the Executive Session unless an extension is granted by a majority of the eligible Council Members. Said report shall be comprehensive and explain in detail all facts, findings, and conclusions in support of the Attorney's opinion as to whether or not a violation of this Code of Conduct occurred.

The Council shall consider the findings of said report at the meeting at which it is presented at which time the person(s) accused shall have the right to a full and complete hearing with the opportunity to call witnesses and present evidence on his behalf. No final action, decision or vote with regard to any matter shall be made except in a meeting which is open to the public.

SECTION 10. VIOLATION - COUNCIL MEMBERS

The failure of any City Council member to comply with or who violated one (1) or more of the standards of conduct in this article, which apply to him/her, shall constitute grounds for reprimand or removal. Such reprimand or removal shall require no less than three (3) affirmative votes from the eligible Council members. Offenses committed in violation of the City Charter shall be punished in accordance with the terms of the City Charter.

SECTION 11. COMPLAINTS AGAINST OFFICERS OTHER THAN COUNCIL MEMBERS -PROCEDURES

All complaints or allegations of a violation of this Code of Conduct against an officer of the City, other than a Council member, shall be made in writing, sworn to before a notary public, and filed of record with the City Clerk of the City of La Marque or the Chairperson of the Ethics Commission. Such complaint shall describe in detail the act or acts complained of and the specific section(s) of this Code of Conduct alleged to have been violated. A general complaint lacking in detail shall not be sufficient to invoke the investigation procedures contained herein and anonymous complaints shall not be considered.

Within 15 business days after receipt, it shall be the duty of the City Clerk or the Chairperson of the Ethics Commission to call a meeting of the Ethics Commission to make an initial determination/evaluation of the complaint as to whether or not the facts alleged, if true, would at face value constitute a violation of this Code of Conduct. If it is determined by the Ethics Commission that the facts as alleged would not constitute a violation, then in accordance with the notice requirements of the Texas Open Meetings Act, the Ethics Commission shall make a recommendation by majority vote to the City Council.

The City Council will have the opportunity to discuss the complaint at the next regularly scheduled meeting. At that meeting, the City Council may either refer the complaint back to the Ethics Commission for additional investigation or reject the complaint, but any vote to reject the complaint shall be in a public hearing called for that purpose.

If it is determined by the Ethics Commission that the facts as alleged could constitute a violation of this Code of Conduct, then the Ethics Commission shall, within 30 days after receipt of the complaint, notify the Mayor and City Council of the existence and nature of the complaint. The Mayor or any two (2) members of the City Council may cause a meeting of the Council to convene, whether regular or special, within three (3) business days after being so notified by the City Clerk to further consider said complaint in Executive Session. In any event, the Ethics Commission shall immediately proceed to fully investigate the alleged improprieties. The Chair of the Ethics Commission shall report to the City Council in detail all facts, findings and conclusions in support of the opinion as to whether or not a violation of this Code of Conduct occurred.

The Council shall consider the findings of said report at the meeting at which it is presented at which time the person(s) accused shall have the right to a full and complete hearing with the opportunity to call witnesses and present evidence on his/her behalf. No final action, decision, or vote with regard to any matter shall be made except in a meeting which is open to the public.

SECTION 12. VIOLATIONS - OFFICERS AND EMPLOYEES

- (1) The failure of an officer to comply with or who violates one (1) or more of the standards of conduct in this Code of Conduct shall constitute grounds for expulsion, reprimand, or removal from office to the extent allowed by law.
- (2) In the case of any employee of the City, disciplinary action and appeals therefrom shall be in conformance with procedures established by the City Charter and personnel rules and regulations.

SECTION 13. APPEARANCE BY PAST OFFICER OR EMPLOYEE

No past City Council member shall appear before the City Council or any board or commission and represent any interest on any matter whatsoever for a period of 90 days after the date of termination of such relationship with the City. In addition to the above 90 day restriction, no past City Council member shall appear before the City Council or any board or commission and represent any interest on any matter which was pending in the City during his/her service for a period of one (1) year after the date of termination of such relationship with the City.

No past officer of the City other than a Council member shall appear before any board or commission on which he/she has previously served or shall represent any interest on any matter which was pending before that board or commission during his/her service for a period of one (1) year after the date of termination of such relationship with the City.

No past employee shall appear before any board or commission or shall represent any interest on any matter which was considered or pending before said employee or the department in which he/she worked for a period of one (1) year after the date of termination of such relationship with the City.

SECTION 14. ADOPTION OF STATE STATUTE

Section 171.001 et. seq. of the Local Government Code of the State of Texas, as amended, being the statute which regulates conflicts of interest of officers of municipalities in the State of Texas, is hereby adopted and made a part of this Code of Conduct for all purposes with the proviso that in the case of a conflict between the provisions of this Code of Conduct and the State statute, then in that event the more restrictive provision shall govern.

SECTION 15. SEVERABILITY CLAUSE

It is the intention of the City Council that this Ordinance, and every provision thereof, shall be considered severable and the invalidity of any section, clause or provision or part or portion of any section, clause or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

SECTION 16. REPEALING CLAUSE

All provisions of the Ordinances of the City of La Marque codified or uncodified in conflict with the provisions of this Ordinance are hereby repealed, and all other provision of the Ordinances of the City of La Marque codified or uncodified, not in conflict with the provision of this Ordinance, shall remain in full force and effect.

SECTION 17. EFFECTIVE DATE

This Ordinance shall become effective immediately upon its passage and publication as required by law.

PASSED AND APPROVED by the City Council of the City of La Marque, Texas on FIRST READING this ____ day of _____, 20__.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque, Texas on SECOND and FINAL reading this ____ day of _____, 20__.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Derra Purnell, Acting City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: May 11, 2020

Prepared by: Charlene Warren

Agenda item: 5e

Reviewed by: Charlene Warren/

Charles Jackson

Department: Administration

AGENDA ITEM DESCRIPTION: Discussion/possible action relating to formalizing a letter to the Governor and/or others requesting property tax valuations be maintained at 2019 values

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ATTACHMENTS FOR REFERENCE

1. Draft Letter to Governor Abbott

STAFF BRIEFING:

- Neighboring cities are considering, or have already made, pleas to Governor Abbott requesting that property tax valuations for 2020 be frozen at the 2019 values
- The County Judge submitted a similar request to the Governor on May 5, 2020
- Please see attached draft letter for your consideration

HISTORY: N/A

TARGET IMPLEMENTATION: May 11, 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 formalize a letter to the Governor and/or others requesting property tax valuations be maintained at 2019 values

FISCAL IMPACT: N/A

Office of the Texas Governor
P.O. Box 12428
Austin, Texas 78711

Dear Governor Abbott,

Like many other people, citizens of La Marque, Texas have been economically impacted by the COVID-19 Pandemic and the City Council of La Marque is committed to providing assistance to our citizens in any way possible. Consequently, we respectfully request that you suspend certain sections of the Texas Tax Code to provide much-needed tax relief to the citizens of La Marque, Texas, in addition to all citizens of Galveston County, by freezing appraised property values for Galveston County at the 2019 values and suspending reappraisal deadlines applicable to the Galveston County Appraisal District.

General increases in appraised property tax values based on January 1, 2020 valuations do not take into account the drastic disruptions in business and property values due to the COVID-19 pandemic. In the midst of economic fallout of this pandemic, La Marque citizens now are also facing an on average increase of 14.7% in their appraised values based on recent notifications received from the Galveston County Appraisal District. As our citizens cope with the realities of the effects of COVID-19 on the Texas economy, this drastic increase merely adds to the economic stress placed on Texas families by no action of their own.

Therefore, please accept this as an official request from the entire La Marque City Council, following lawful action during a public meeting, to suspend Sections 23.01(a) and 25.18(a) - (b) of the Texas Tax Code under Section 418.016 of the Texas Government Code in order to suspend 2020 property reappraisals in Galveston County and freeze appraised property values at the 2019 values. This action is requested because strict compliance with these provisions of the Texas Tax Code in the current economic climate will prevent, hinder, or delay necessary action in coping with the COVID-19 Pandemic disaster by adding to the financial burden of taxpayers based on outdated information when taxpayers are already burdened by widespread unemployment, loss in wages due to sickness with COVID-19, and the crash in oil prices. Further, suspension of these deadlines is reasonably necessary for the citizens and businesses of the City of La Marque, as well as the Galveston County Appraisal District, to cope with this disaster by allowing time for economic stabilization and reappraisal of property values at a later time.

Respectfully,

Mayor Bobby Hocking



CITY COUNCIL AGENDA FORM

Meeting Date: May 11, 2020

Prepared by: Alex Getty

Agenda item: 5f

Reviewed by: Charlene Warren

Charles Jackson

Department: EDC

AGENDA ITEM DESCRIPTION: Consider recommendation to ratify Emergency Business Retention Program expenditures

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ATTACHMENTS FOR REFERENCE

1. Draft EDC minutes of April 2, 2020
2. Emergency Business Retention Program Application
3. Emergency Business Retention Program Report

STAFF BRIEFING:

- LMEDC Board of Directors approved an Emergency Business Retention Program on April 2, 2020
- Program designed to provide emergency business retention grants to La Marque business owners who were negatively impacted by response to the COVID-19 pandemic

HISTORY:

March 18, 2020 - City of La Marque Orders Closure of Bars, Restaurants and Entertainment Venues

March 19, 2020 - Governor Abbott Issues Executive Order to Mitigate Spread of COVID-19 in Texas

March 23, 2020 - Galveston County Judge Issues Stay at Home Order

April 2, 2020 - LMEDC Board of Directors approved an Emergency Business Retention Program by telephonic Special Meeting

April 7, 2020 - Application period closed at noon; applications were prepared for Grant Review Committee

April 8, 2020 - LMEDC Grant Application Review Committee met and awarded grants to 64 La Marque businesses totaling an award of \$547,500

April 9-11, 2020 - LMEDC Staff contacted business owners and City Finance Department mobilized

April 15, 2020 - City of La Marque Finance issued the last of the checks

TARGET IMPLEMENTATION: The Emergency Business Retention Program went into effect April 2, 2020

SIGNIFICANT ACTION DATES:

April 2, 2020 - LMEDC Board of Directors approved an Emergency Business Retention Program by telephone Special Meeting



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:

Budgeted	Pandemic Response
Actual Bid	N/A
Estimated Expenditure	\$547,500
Acct. Name(s)	
Line Item #	19-6003-00-00
Other Funding	Reserves

STAFF'S RECOMMENDATION: Motion to ratify the Emergency Business Retention Program expenditures

FISCAL IMPACT: This program absolutely saved some La Marque businesses from closure due to business interruption caused by COVID-19. Due to many variables, the overall fiscal impact is difficult to assess but whatever the ultimate impact, the program will have had a long-term benefit to the City of La Marque.



**LA MARQUE ECONOMIC DEVELOPMENT CORPORATION
SPECIAL MEETING MINUTES
April 2, 2020**

IN ACCORDANCE WITH ORDER OF THE OFFICE OF THE GOVERNOR ISSUED MARCH 16, 2020, THE BOARD OF DIRECTORS OF THE LA MARQUE ECONOMIC DEVELOPMENT CORPORATION CONDUCTED THIS MEETING BY TELEPHONE CONFERENCE IN ORDER TO ADVANCE THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS (ALSO CALLED "SOCIAL DISTANCING") TO SLOW THE SPREAD OF THE CORONAVIRUS (COVID-19). THERE WAS NO PUBLIC ACCESS TO THE LOCATION AND A TOLL-FREE DIAL-IN NUMBER TO PARTICIPATE IN THE TELEPHONIC MEETING WAS PROVIDED. THE PUBLIC WAS PERMITTED TO OFFER PUBLIC COMMENTS TELEPHONICALLY AS PROVIDED BY THE AGENDA AND AS PERMITTED BY THE PRESIDING OFFICER DURING THE MEETING.

AGENDA:

1. CALL TO ORDER
Chairman Crowder called the meeting to order at 2:00 p.m.
2. ROLL CALL

PRESENT:
Ron Crowder, Chairman
Gene Smith, Secretary
Deanie Barrett
Louis "Mac" McGaffey
Bobby Hocking
3. PUBLIC COMMENTS
There were no public comments.
4. FINANCIAL REPORT
 - a. Presentation of the monthly financial report
The presentation of the monthly financial report was postponed until the next meeting.
5. NEW BUSINESS
 - a. Discussion/ possible action regarding the Emergency Business Retention Program
Board member Barrett had questions regarding who would be eligible for the Business Retention Program wanting to ensure that this program was reserved for businesses that contribute to sales tax revenue. Director

Getty confirmed that while that is the primary intent of the program applicants should be evaluated on a case by case basis.

Board member Smith made a motion to approve the creation of an Emergency Business Retention Program. Board member Hocking seconded the motion. Motion passed unanimously. Chairman Crowder appointed Board members Barrett and Smith to serve as the review committee over this program.

b. Discussion/ possible action regarding the lease at 210 Highway 3

Board member Barrett made a motion to renew the lease at 210 Highway 3 at the same lease rate as the previous year. Board member McGaffey seconded. Motion passed unanimously.

6. DISCUSSION

a. Director's Report- report may include past, present, or future projects

b. Public Relations Report- report to include an overview of efforts as it pertains to public relations

Both reports were postponed until the next meeting.

7. REQUESTS, ANNOUNCEMENTS AND COMMENTS

Board member Hocking spoke to how thankful he was that staff was able to put a teleconference together.

8. ADJOURNMENT

Chairman Crowder adjourned the meeting at 2:10 p.m.

Ron Crowder, Chairman

Kierra K. Nance
Deputy City Clerk



CITY OF LA MARQUE Economic Development

La Marque Economic Development Corporation Emergency Business Retention Program **GRANT APPLICATION**

All applications and supporting documentation must be submitted no later than noon on Tuesday, April 7, 2020.

Name of Business: _____ TAX ID# _____

Address: _____ Date opened: _____

Type of Business: Proprietorship___ Partnership___ Corporation___ LLC___ Cooperative___

Contact Name: _____

Title: _____ Phone: _____

Email: _____ Website: _____

Number of employees: _____

Please describe the services and/or products your business provides: _____

Annual Retail Sales (If open less than a year annualized sales for months in business):



CITY OF LA MARQUE Economic Development

Impact of COVID-19 on business (Please explain): _____

Anticipated uses of grant funds (Please explain): _____



CITY OF LA MARQUE Economic Development

I certify that I have examined this application and the answers given and the supporting information provided are true, correct and complete to the best of my knowledge. I understand that providing answers or supporting information that the applicant knows are not true, correct, and complete is grounds for disapproval of this application.

Signature: _____ Date: _____

Title: _____

Please submit the application, along with all supporting documentation, via email to EDCgrant@LMEDC.com or by fax to 832-447-7668. Be sure to complete and submit the included Conflict of Interest, Vendor Information Sheet and W-9 forms. For questions call 409-938-9258.

The La Marque Economic Development Corporation reserves the right to deny any applicant for any reason. The awarding of grant funds is at the sole discretion of the La Marque Economic Development Corporation. These local grant funds may or may not exempt you from other non-local resources. The submission of an application does not guarantee that any monies will be awarded to the applicant.

The La Marque Economic Development Corporation reserves the right to recover any monies given to any applicant if it is later determined that any information provided was not true and correct.

All information provided may be subject to disclosure under the Texas Open Records Act.



CITY OF LA MARQUE Economic Development

Emergency Business Retention Program

The Emergency Business Retention Program (the “Program”) is found by the Board of Directors of the La Marque Economic Development Corporation to be suitable for the retention of primary jobs during the state of emergency caused by COVID-19. Under Section 501.101 of the Texas Local Government Code, the Program will provide expenditures to qualified applicants whose business maintains a physical business address within the City limits of La Marque that is not based in a home or residence, generates sales tax revenues that benefit the City of La Marque, and has fifty (50) or fewer employees. Qualified applicants will be eligible for grants paying up to two (2) months’ salaries, rent, utilities, and other normal operating expenses up to a maximum of twenty-five thousand dollars (\$25,000). The total funding for the Program shall be capped at two hundred fifty thousand dollars (\$250,000).

The following rules shall apply to the Program:

- a. Applications must be submitted to the EDC Director by noon on Tuesday, April 7th.
- b. An applicant must be able to demonstrate that the COVID-19 emergency has had a significant, material, and negative impact on its revenues. Such impact may be forward-looking based on recent governmental restrictions on business operations.
- c. Must be able to provide a detailed summary of its anticipated uses for the funds based on historical operating data.
- d. A two-person grant committee comprised of two (2) EDC Board members shall review and approve the applications.
- e. Approved grants will be funded and mailed on or before Friday, April 24th.
- f. The grant committee may apply other rules to an application in order to conform to State law.

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

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

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

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

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

OFFICE USE ONLY

Date Received

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

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

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

Name of Officer

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

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

☐ Yes

☐ No

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

☐ Yes

☐ No

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

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

7

Signature of vendor doing business with the governmental entity

Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

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

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

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

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

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

- (2) the vendor:

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

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

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

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

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

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

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

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

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

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

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

- (1) the date that the vendor:

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

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

- (2) the date the vendor becomes aware:

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

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

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

CITY OF LA MARQUE

FINANCE DEPARTMENT Vendor Information Sheet

Vendors seeking to do business with the City must complete this form along with a W-9 and a Conflict of Interest Questionnaire and return to the Finance Department. All information must be received before a purchase order or payment will be issued.

Vendor/Individual Name: _____

Vendor/Individual Mailing Address: _____

Vendor/Individual Remit Address: _____

(If different from above) _____

Contact Name: _____

Phone Number: _____ Fax Number: _____

Email: _____ Website: _____

HUB Designation: Vendor is a HUB ☐ Vendor is NOT a HUB ☐

The City of La Marque actively notifies HUB vendors of quote or bid opportunities per the State of Texas Local Government Code Sec. 252.0215.

If HUB, please provide CMBL Vendor ID#

Please indicate which, if any, co-op organizations your company maintains an active contract.



Authorized Vendor Signature

Date

CITY OF LA MARQUE FINANCE DEPARTMENT Vendor Information Sheet

Contact: Lauren Green

Email: L.green@cityoflamarque.org

Phone: 409-938-9214

Address: 1111 Bayou Road
La Marque, TX 77568



La Marque City Hall
1111 Bayou Road
La Marque, Texas 77568

Economic Development Corporation
1130 1st Street
La Marque, Texas 77568

Emergency Business Retention Grant Report

LMEDC Board of Directors approved a Business Retention Program on April 2, 2020, designed to provide emergency business retention grants to qualified La Marque business owners who were negatively impacted by the COVID-19 pandemic. Clear Lake Shores was the first in Galveston County to approve a program. Their application was shared with the EDC's of Galveston County shortly thereafter. Texas City EDC made slight revisions to the Clear Lake Shores application and approved their program April 1, 2020. La Marque EDC met the next day and approved the third program in Galveston County. LMEDC and City of La Marque Finance were able to execute the program in a matter of a few business days, getting much-needed grant funds into the hands of business owners fighting to stay afloat.

March 18, 2020 - City of La Marque Orders Closure of Bars, Restaurants and Entertainment Venues

March 19, 2020 - Governor Abbott Issues Executive Order To Mitigate Spread Of COVID-19 In Texas

March 23, 2020 - Galveston County Judge Issues Order To Stay Home

April 2, 2020 - LMEDC Board of Directors approved an Emergency Business Retention Grant Program by telephone Special Meeting

April 7, 2020 - Application period closed at noon; applications were prepared for Grant Review Committee

April 8, 2020 - LMEDC Grant Application Review Committee met and awarded grants to 64 La Marque businesses totaling an award of \$547,500

April 9-11, 2020 - LMEDC Staff contacted business owners and City Finance Department mobilized

April 15, 2020 - City of La Marque Finance issued the last of the checks

**THERE IS NO BACKUP
FOR THIS AGENDA
ITEM**



CITY COUNCIL AGENDA FORM

Meeting Date: May 11, 2020

Agenda item: 6a

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
- **Yellow highlighted names** and terms have expired **Green highlighted names** will be expiring at the end of this year
- **BOARD OF ADJUSTMENTS**- Mayor has one appointment and District "D" has an alternate appointment
- **BUILDING STANDARDS COMMISSION**- Mayor has one appointment and District "A" has one appointment and one alternate appointment
- **CEMETERY**- Districts "A", "B" and "C" all have appointments
- **CIVIL SERVICE COMMISSION** - City Manager has one appointment
- **KEEP LA MARQUE BEAUTIFUL COMMISSION**- Mayor has one appointment and District "A" has one appointment
- **PARKS BOARD** - Mayor has two appointments, and District "B" has one appointment; District "D" has one appointment
- **PLANNING & ZONING COMMISSION** - Mayor has one appointment, District "A" and District "B" has one appointment
- **TIRZ BOARD** - Various appointees



CITY COUNCIL AGENDA FORM

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 Ordinance
- 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

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:

Several terms have ended and several more will expire at the end of this year.

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	924 Cypress	20	22	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. Charlotte Westerlage E		20	21	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.

E- Expired Term

U- Unexpired Term

BUILDING STANDARDS COMMISSION

<i>BUILDING STANDARDS COMMISSION ORD. #449</i>		Appointed	Expires	Appoints
Deanie Barrett	2603 Cedar	19	21	C
Kaleb Smith	614 Benson St.	19	21	D
Diane Winston	1501 Colorado	19	21	B
Trina Phillips	1222 Kirsten	18	20	M
Billy Jefferson	89 Borondo Reach	18	20	A
ALTERNATES				
Maggie Manuel	1706 Crockett	18	20	A
Ex-officio- District A				

The Building Standards Commission for the City of La Marque, Texas shall consist of five (5) members to be appointed by City Council; and a number of alternate members not to exceed eight.

Commission members shall serve for two (2) year terms.

CEMETERY BOARD

CEMETERY BOARD – ORD. 1033		Appointed	Expires	Appoints
1. Ellen Hanley	1019 Plum	18	20	A
2. Rosalind Meeks Crockett	1302 Merry Lane	18	20	C
3. Kurt Koopman	1004 Lilac	18	20	B
4. Bim Crowder (CHAIR)	401 Texas Avenue	19	21	D
5. Alanah Brown (U)	716 Amato St.	20	21	M
Ex-officio- OPEN				

The Cemetery Board for the City of La Marque, Texas shall consist of five (5) members to be appointed by City Council; and one ex-officio member of City Council.

Board members shall serve for two (2) year terms.

U- Unexpired Term

CIVIL SERVICE COMMISSION

<i>CIVIL SERVICE COMMISSION Local Govmt. Code & ORD. 821</i>				
		Appointed	Expires	Appoints
1. Lucy Glenn	824 Laurel	19	22	CM
2. Morris Martin, Jr.	725 Lilac	18	21	CM
3. Samuel Swain (U)	1209 Foreman	19	20	CM
Patty Rees				

The Civil Service Commission shall consist of three (3) members appointed by the City Manager.

Each January, the Commission must appoint a Chair and Vice Chair.

2019- Vice Morris, Lucy- VC

Chapter 143.006 and 007 - Local Government Code –Terms of Office

The terms of office shall be for three (3) year terms, with no more than one member appointed each year, with the exception of the initial appointments.

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. Rebecca Mould E	13 Borondo Stretch	20	21	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.

E- Expired

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	20	21	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.

PLANNING & ZONING COMMISSION

PLANNING & ZONING ORD. # 2014-0023		Appointed	Expires	Appoints
1 Augustino Molis	741 Spoonbill	18	20	A
2 Alan Waters	#1 Pin Tail	19	21	B
3 Greg Cornett	1310 Cedar	19	21	C
4 Hugh Cash	217 Sarlee	18	20	M
5 Douglas Hobgood	406 Edgar	19	21	D
ALTERNATES				
#1 Stephanie Gordon (U)	105 Lake Rd.	20	21	A
#2 Chris Columbo (U)	1206 Veronica	19	20	B
Ex-officio- District C				

The City Council shall appoint a Planning and Zoning Commission which shall consist of five (5) members, each member being a resident and a real property taxpayer of the City of La Marque, and none of whom shall hold any other position in the City Government.

Three members of the **first** Commission shall be appointed for a term of two years and two for a term of one year. Thereafter, new members shall be appointed for a term of two years. Ordinance No. O-2014-0023, allows for City Council to appoint two (2) alternates to the Planning & Zoning Board.

***Alternates** are required to attend and review packets as the regular Commission members. In the case that an alternate is present to make a quorum, in the absence of a member, they will be allowed to vote. If all members are present, alternates votes will not be allowed to vote.

U- unexpired term

Robin Eldridge

From: noreply@civicplus.com
Sent: Thursday, February 27, 2020 11:02 AM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1	Economic Development Corporation
Board Preference 2:	Parks Board
First Name	veverly
Last Name	sumlin
Address1	1015 roosevelt st
Address2	<i>Field not completed.</i>
City	lamarque
State	tx
Zip	77568
Are you a resident of La Marque?	Yes
Phone Number	832-663-2950
Profession	accounting clerk
Special Knowledge or Experience applicable to City Board/Commission function:	citizen of lamarque for over 20 years
Other Civic Activities:	gleaming of Galveston, M&D organization
Disclaimer	I understand and agree,
Disclaimer	I understand and agree.
Today's Date	2/27/2020 11:15 AM

Email not displaying correctly? [View it in your browser.](#)

**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: PARK BOARD

Board Preference 2: KEEP LA MARQUE BEAUTIFUL COMMISSION

Name: TOMIA R GRIFFIN

Home Address: 2619 BELLVIEW STREET

City: LA MARQUE Zip: 77568 La Marque Resident: _____ yrs

Home Telephone: 409 457 6647 Home E-mail: trenegriffin01@gmail.com

Profession: CEO/FOUNDER

Special Knowledge or Experience applicable to City Board/Commission function: _____

Other Information (Civic Activities):

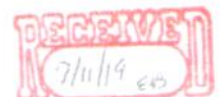
KHAMBEEL FOUNDATION RIGHTEDUS ACTS OF KINDNESS

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: [Signature]

Date: 07/11/19

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.



Robin Eldridge

From: noreply@civicplus.com
Sent: Friday, January 3, 2020 11:20 AM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED
BOARDS & COMMISSIONS

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1	Economic Development Corporation
Board Preference 2:	Building & Standards Commission
First Name	Joy
Last Name	Blackburn
Address1	2219 Scott St
Address2	<i>Field not completed</i>
City	LaMarque
State	Texas
Zip	77568
Are you a resident of La Marque?	Yes
Phone Number	713 202 4751
Profession	Retired Teacher
Special Knowledge or Experience applicable to City Board/Commission function:	Working as a part-time Real Estate agent with Ethernedge Real Estate in Texas City. I enjoy promoting the city of LaMarque as a safe small town with affordable housing.
Other Civic Activities:	Tutoring in the high schools- specialized in the sciences.
Disclaimer	I understand and agree.
Disclaimer	I understand and agree.
Today's Date	1/3/2020 11:15 AM

Robin Eldridge

From: noreply@civicplus.com
Sent: Wednesday, November 6, 2019 4:08 PM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1	Cemetery Board
Board Preference 2:	Library Board
First Name	Joel
Last Name	Camacho
Address1	25 Borondo Stretch
Address2	<i>Field not completed.</i>
City	La Marque
State	Texas
Zip	77658
Are you a resident of La Marque?	Yes
Phone Number	4097620148
Profession	Academic Advisor College of the Mainland
Special Knowledge or Experience applicable to City Board/Commission function:	Mental Health Board member, County of Pierce, Tacoma, Washington
Other Civic Activities:	Mentor, Galveston County Veterans Treatment Court Facilitate Grief and Bereavement Ministry, First Baptist Church Texas City
Disclaimer	I understand and agree,
Disclaimer	I understand and agree.

Robin Eldridge

From: noreply@civicplus.com
Sent: Thursday, January 9, 2020 10:06 AM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1	Economic Development Corporation
Board Preference 2:	Board of Adjustment
First Name	Crytal
Last Name	Cooper
Address1	521 Waterside Ridge Lane
Address2	<i>Field not completed.</i>
City	LaMarque
State	TX
Zip	77568
Are you a resident of La Marque?	Yes
Phone Number	8326594533
Profession	Galveston County Assistant Treasurer
Special Knowledge or Experience applicable to City Board/Commission function:	Planning, project management, director of Galveston County financial transactions. Develop and Implement Policies, Procedures, banking, cash handling, and merchant services Best Business Practices County wide.Prepare annual investment policy for investment committee.
Other Civic Activities:	attend and service in religious service, founded "Golden Hearts" group of giving back to the disadvantage citizens.
Disclaimer	I understand and agree,
Disclaimer	I understand and agree.

Robin Eldridge

From: noreply@civicplus.com
Sent: Monday, January 13, 2020 12:20 PM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1	Building & Standards Commission
Board Preference 2:	Board of Adjustment
First Name	Daniel
Last Name	Brown
Address1	716 Amato St
Address2	<i>Field not completed.</i>
City	La Marque
State	Texas
Zip	77568
Are you a resident of La Marque?	Yes
Phone Number	4095265152
Profession	RV Service Technician
Special Knowledge or Experience applicable to City Board/Commission function:	Extensive practical Knowledge and skills with building and renovation. Knowledge with commission meeting functionality and event practices
Other Civic Activities:	Experience with klmbc events and meetings
Disclaimer	I understand and agree,
Disclaimer	I understand and agree.
Today's Date	1/13/2020 12:30 PM