

**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 Workshop and Regular Meeting on **Monday, June 8, 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 Mayor 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: 912 9451 6944**

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/91294516944>

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

**Meeting ID: 912 9451 6944**

If you require accommodation to participate in this meeting, contact the City Clerk at 409-938-9259 or [cityclerk@cityoflamarque.org](mailto: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-2020-0008**

**RESOLUTION NO. R-2020-0008**

**CITY OF LA MARQUE  
CITY COUNCIL  
AGENDA  
of  
JUNE 8, 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, June 8, 2020, beginning immediately after the City Council Workshop that begins at 6:00 p.m.; but no later than 7:00 p.m. for the purpose of considering the following agenda:

**(1) CALL MEETING TO ORDER**

**(2) ROLL CALL**

**(3) MINUTES**

- a. Regular Meeting Minutes of May 11, 2020
- b. Workshop Minutes of May 11, 2020

**(4) PROCLAMATIONS**

- a. Proclamation- June- LGBTQIA Month

**(5) PUBLIC HEARING (S)**

Conduct a Public Hearing to hear public input 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"

**(6) OLD BUSINESS**

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 SECOND AND FINAL READING**



**(7) CONSENT**

- a. Consider recommendation to approve the purchase of three (3) LUCAS Chest Compression Systems - Fire Chief T. Weidman
- b. Consider recommendation to ratify the City Manager's approval of expenditures to Stanley Equipment, Inc. for costs involved in the purchase of a CAT excavator in the amount of \$45,000.00 - Public Works Director C. Cary
- c. Consider recommendation to authorize the purchase of one combo vacuum truck through H-GAC Buy in the amount of \$347,668.68 - Public Works Director C. Cary
- d. Consider recommendation to ratify the City Manager's approval of expenditure to Texas Pride Utilities for costs associated with the emergency rehabilitation of the Veronica Street sanitary sewer main in the amount of \$49,495.00 - Public Works Director C. Cary
- e. Consider recommendation to adopt Ordinance No. **O-2020-0005**, changing the zoning district for Ambrose, approximately 81 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single-family Residential to Ambrose Planned Development District (Ambrose PDD), establishing zoning regulations for the Ambrose PDD, and amending the comprehensive plan and zoning map to reflect this PDD - Development Services Coordinator S. Sutton **THIS IS THE FIRST READING**
- f. Consider recommendation to approve a general plan for Ambrose (formerly known as Saltgrass Phase II), approximately 81 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road - Development Services Coordinator S. Sutton
- g. Consider recommendation to adopt Ordinance No. **O-2020-0006**, changing the zoning district for 5.9114 acres located near the intersection of FM 2004 and Mitchell Lane, Galveston County Tax Property ID No. 131351, from R-1 Single-family Residential to C-1 General Commercial - Development Services Coordinator S. Sutton **THIS IS THE FIRST READING**
- h. Consider recommendation to adopt Ordinance No. **O-2020-0007**, changing the zoning district for Trails at Woodhaven Lakes, approximately 82 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single-family Residential to Trails at Woodhaven Lakes Planned Development District (Trails at Woodhaven PDD), establishing zoning regulations for Trails at Woodhaven PDD, and amending the comprehensive plan and zoning map to reflect this PDD - Development Services Coordinator S. Sutton **THIS IS THE FIRST READING**
- i. Consider recommendation to adopt Ordinance No. **O-2020-0008**, abandoning that portion of alleyway between 309 Stewart Street and 311 Stewart Street and authorizing the Mayor and City Clerk to execute quitclaim deeds conveying the abandoned alleyway to the adjacent property owners - Development Services Coordinator S. Sutton **THIS IS THE FIRST READING**

- j. Consider recommendation to authorize the Mayor to submit a letter to Texas Department of Transportation requesting the creation of an Advanced Funding Agreement (AFA) for aesthetic and landscaping improvements at the FM 1764 intersection at I-45 in the City of La Marque – Public Relations Specialist C. Martin
- k. Consider recommendation to approve Resolution No. **R-2020-0006** accepting the Commissioner’s Court of Galveston County invitation to join the Gulf Coast Transit District (GCTD) and authorizing the Mayor to facilitate the transfer of existing transit services and other related agreements with the Gulf Coast Center to the GCTD – City Manager C. Jackson
- l. Consider recommendation to authorize the City Manager to finalize TxDOT Right of Way parcel conveyances for current TxDOT Improvements: Parcel 5, SH 146 and Parcel 6, SH 146 – City Manager C. Jackson

**(8) NEW BUSINESS**

- a. Discussion/possible action to adopt a Resolution No. **R-2020-0007**, pertaining to current national events and commemorating the City of La Marque’s stance against racial discrimination – Councilwoman C. Mc Auliffe
- b. Discussion/possible action to authorize the City Manager to send a letter of support to uphold a federal Judges’ ruling regarding mail ballots – Councilwoman C. Mc Auliffe

**(9) APPOINTMENTS**

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

**(10)**

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

- (1) expressions of thanks, congratulations, or condolence;*
- (2) information regarding holiday schedules;*
- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;*
- (4) a reminder about an upcoming event organized or sponsored by the governing body;*
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and*
- (6) announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda.*

**(11) ADJOURNMENT**

**CERTIFICATION:**

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

Robin Eldridge, TRMC  
City Clerk

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



**CITY OF LA MARQUE  
CITY COUNCIL REGULAR  
MINUTES  
of  
MAY 11, 2020**

City Council Regular Minutes of the City of La Marque City Council held on Monday, May 11, 2020, beginning immediately following the City Council Workshop that began at 6:00 p.m. at 1109-B Bayou Road with the following members present:

**(1) CALL TO ORDER**

Mayor Hocking called the Workshop to order at 6:42 p.m.

**(2) ROLL CALL**

Bobby Hocking

Keith Bell

Chris Lane

Robert Michetich

Casey Mc Auliffe

Mayor

Mayor Pro-Tem, Councilmember District A

Councilmember, District B

Councilmember, District C

Councilwoman, District D

**OTHER OFFICIALS PRESENT:**

Charles "Tink" Jackson

Robin Eldridge

Kierra Nance

Derra Purnell

City Manager

City Clerk

Deputy City Clerk

Acting City Attorney

**(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

\*\* Councilmember Lane made a motion to approve the minutes of the City Council Workshop and Regular meetings held on March 9, 2020 and the Emergency meeting minutes of March 13, 2020.

\*\* Mayor Pro-Tem Bell seconded, after a roll call vote, **MOTION CARRIED UNANIMOUSLY**

**(4) CONSENT**

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

\*\* Councilwoman Mc Auliffe made a motion to approve the consent agenda.  
 \*\* Mayor Pro-Tem Bell seconded, after a roll call vote, **MOTION CARRIED UNANIMOUSLY**

#### **(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" **THIS IS THE FIRST READING**

\*\* Councilwoman Mc Auliffe made a motion to adopt Ordinance O-2020-0003 on the First reading.

\*\* Mayor Pro-Tem Bell seconded. After a roll call vote, **MOTION CARRIED UNANIMOUSLY**

- b. Consider recommendation for current and future use for the ABC Buildings and property located at 4916 FM 1765

\*\* It was the consensus of Council for staff to get numbers together from the workshop and have on the following agenda.

- c. Consider recommendation relating to job description for proposed in-house City Attorney position

- \*\* Councilmember Michetich made a motion to post and approve the in-house City Attorney position
- \*\* Councilwoman Mc Auliffe seconded. After a roll call vote, **MOTION CARRIED UNANIMOUSLY**
  
- d. Consider recommendation relating to creation/adoption of an Ethics Ordinance for the City of La Marque
  
- \*\* Councilmember Michetich made a motion to schedule a Workshop for Monday, May 18, 2020 at 6:00 p.m. to further discuss the Ethics Ordinance
- \*\* Councilwoman McAuliffe seconded. After a roll call vote, **MOTION CARRIED UNANIMOUSLY**
  
- e. Discussion/possible action relating to formalizing a letter to the Governor and/or others requesting property tax valuations be maintained at 2019 values
  
- \*\* Councilmember Michetich made a motion formalizing a letter to the Governor and/or others requesting property tax valuations be maintained at 2019 and suggested it to be sent to the Appraisal District as well.
- \*\* Councilwoman Mc Auliffe seconded. After a roll call vote, **MOTION CARRIED UNANIMOUSLY**
  
- f. Consider recommendation relating to ratify Emergency Business Retention Program expenditures
  
- \*\* Councilwoman Mc Auliffe made a motion to ratify Emergency Business Retention Program expenditures
- \*\* Councilmember Michetich seconded. After a roll call vote, **MOTION CARRIED UNANIMOUSLY**
  
- g. Discussion relating to additional funding opportunities under the Emergency Business Retention Program
  
- \*\* Mayor Hocking made a motion to approve additional funding opportunities and appointed Mayor Pro-Tem Bell to the Selection Committee of the Emergency Business T Retention Program
- \*\* Councilwoman Mc Auliffe seconded. After a roll call vote, **MOTION CARRIED UNANIMOUSLY**
  
- (6) APPOINTMENTS**
- a. Discussion/possible action regarding appointments and/or reappointments to fill various positions of the Boards and Commissions

There were no appointments

**(7) REQUESTS AND ANNOUNCEMENTS**

Mayor Hocking expressed condolence to the family of Lloyd Chris – State Representative for the region and chairman of the Democratic Party as well as a past La Marque Councilmember

Councilwoman Mc Auliffe asked that discussion of the purchase of the ABC building be on the next agenda; she expressed her gratefulness to the municipal leadership and staff. Asked all to act as if the virus is far from over, and each should be doing anything individually to not spread the virus.

Mayor Pro-Tem Bell echoed Mayors condolences for Lloyd Chris. Asked for a meeting with the City Manager, Police Chief, Constable Rose, and TCPD for something can attack the criminal elements (recent drug and gang related violence)

Councilmember Michetich hoped that all had a happy Mother's Day

City Manager wished Mayor a happy birthday the following day. (May 12)

**(8) ADJOURNMENT**

\*\* Mayor Pro-Tem Bell made a motion to adjourn the meeting at 7:00 p.m.  
\*\* Councilwoman McAuliffe seconded. **MEETING ADJOURNED**

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Bobby Hocking, Mayor

**ATTEST:**

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Robin Eldridge, TRMC  
City Clerk



**CITY OF LA MARQUE  
CITY COUNCIL WORKSHOP  
MINUTES  
of  
MAY 11, 2020**

City Council Workshop Minutes of the City of La Marque City Council held on Monday, May 11, 2020, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

**(1) CALL TO ORDER**

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

**(2) ROLL CALL**

Bobby Hocking

Keith Bell

Chris Lane

Robert Michetich

Casey Mc Auliffe

Mayor

Mayor Pro-Tem, Councilmember District A

Councilmember, District B

Councilmember, District C

Councilwoman, District D

**OTHER OFFICIALS PRESENT:**

Charles "Tink" Jackson

Robin Eldridge

Kierra Nance

Derra Purnell

City Manager

City Clerk

Deputy City Clerk

Acting City Attorney

**(3) INVOCATION AND PLEDGE OF ALLEGIENCE- Skipped**

**(4) CITIZENS PARTICIPATION**

There were none.

**(5) CONSENT**

- a. Discussion relating to accept the Quarterly Investment Report for First Quarter 2020 – No discussion followed
- b. Discussion relating 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 – No discussion followed



- c. Discussion relating 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 – After a brief discussion, relating to the maintenance of the roadways, it was determined that once the roads are constructed and excepted by the city, there is a one-year maintenance period, where the contract and developer are responsible for any defects, the City will then do a final inspection and anything that requires attention, they will repair.
- d. Discussion relating to accept the City of La Marque Audited Comprehensive Annual Financial Report as of fiscal year ended September 30, 2019 – No discussion followed
- e. Discussion relating to approve agreement with MVBA LLC dba Accounts Receivable Collections Group to assist with EMS delinquent collection services – Clarification was provided in how it was determined to change from the current company to a new company, and this is the company that the current billing (Intermedix) is using for the collections.
- f. Discussion relating to approve agreement with MVBA LLC dba Accounts Receivable Collections Group to assist with utility delinquent collection services – Questions were asked as to how this company was selected, and it was said that it was a little expensive, and other cities have provided references to their reputation and they are more familiar with the current software that the city's utility billing uses.
- g. Discussion relating to adopt Resolution No. **R-2020-0006**, consenting to the inclusion of land into Galveston County Municipal Utility District No. 68 - No significant discussion

**(6) OLD BUSINESS**

- a. Discussion relating to COVID-19 disaster declaration – City Manager reported that there were some reimbursements/disbursements due to the City for COVID related expenses that the city has incurred, since the pandemic began, based on city's per capita. The first money available will be 20% of the total amount allotted for that city. The money has to be spent by December 31, 2020. No significant discussion

**(7) NEW BUSINESS**

- a. Discussion relating 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**  
No significant discussion
- b. Discussion relating to current and future use for the ABC Buildings-and property located at 4916 FM 1765

Public Works Director Cary – reported that Building C is currently used for Public Works Administration Offices; Building B is an open community room for meetings, etc.; Building A is being used as a storage facility.

Adico Engineer Mr. Ho reported that building C is complete; and that same goes for Building B; Building A is a warehouse currently in deteriorating condition- roof issues need to be addressed. The front parking area is low-lying and floods in any raining event, in the parking lot in the back. Some of drainage in front has been improved due to TxDOT doing some drainage work in the ditch on 1765. The roof needs repair. Options were discussed for plans for Building A. After speaking with the bond counsel, it was determined it could be sold as long as the city is not going to make any money off if it, by using the money received to pay off the debt.

A short assessment was provided by Mr. Ho including the condition of the roof being poor, and in need of repair (estimated cost being \$300,000.00) and the presence of mold in the building. Rebuilding and raise the slab was suggested. A question was asked as to who did the inspections on Building A; a report and the name of the contractor who conducted the report was asked for to be provided by Mr. Cary; City Manager to check with bond counsel for information as to what can be done to Building A, within the bond guidelines, to see how the bond documents were worded. Some basic internal drainage could be constructed to alleviate some of the flooding in the front parking lots, or re-grading the parking lot; and some ditch work along Garrett Road; obtaining a copy of the roof assessment estimate was asked to be provided. A report will come before Council on the items mentioned above.

- c. Discussion relating to job description for proposed in-house City Attorney position  
There was a brief discussion including, City Manager explained that a position would have to be created and salary would have to be established, and this would have to be done all at the same time. Explained the process in gathering information from other cities for a job description similar to this position. Further discussion included listing of expenditures that the city currently spends on the Prosecutor, professional fees, resources for legal fees and attorney's fees. Estimated at \$150,000.00 for a normal year not including bond counsel or specialized attorney services; In-house person to include prosecution services (calculated at an average of \$15,000.00 other legal costs estimated at an average of \$85,000.00 - 90,000.00). The benefit would be a forty-hour week person, which could save in the long run; weekly/hourly estimate hours; a question was asked about certain qualifications (ability to see) which was said to be very reasonable and common prerequisite. Pro-and cons with the possibility of an in-house attorney as opposed to a contracted attorney was mentioned.
- d. Discussion relating to creation/adoption of an Ethics Ordinance for the City of La Marque  
The draft ordinance will apply to all elected officials and include all Boards and Commissions and the City Manager. It establishes a Code of Conduct and creates and Ethics Commission. Further discussion included an explanation of what the

Ethics Commission's duties would include. It gives a mechanism for Charter violations. It was the consensus of Council that they wanted to spend more time on this, and a Workshop Meeting was talked about to take place on Monday, May 18, 2020, at 6:00 p.m. to allow more time to discuss and devote the full Workshop to this discussion.

- e. Discussion relating to formalizing a letter to the Governor and/or others requesting property tax valuations be maintained at 2019 values  
The discussion and the purpose of a letter would be to try to maintain a 2019 level of appraisals. Legal counsel reported that they are required to reappraise and adopt the new appraisal values. Further discussion included that school districts stood to lose the most, it was asked that the Appraisal District to be sent a copy of the letter as well.
- f. Discussion relating to ratify Emergency Business Retention Program expenditures  
Executive Director Economic Development Corporation Mr. Getty explained how this program came about. The goal of the program was to help as many small businesses as possible with all of the businesses having to temporarily close because of the COVID-19 virus. (pandemic); there were so many unknowns and left a small amount of time to be able to possibly help some of those businesses. Qualification criteria was briefly discussed. Mayor Pro-Tem Bell will be serving on the next Committee for the second round with an additional \$500,000.00 available for helping out some of the smaller business in La Marque.
- g. Discussion relating to additional funding opportunities under the Emergency Business Retention Program  
Mr. Getty reported that after the EDC regular meeting on the 21<sup>st</sup>, they will begin with the second phase on the 22<sup>nd</sup>.

**(8) ADJOURNMENT**

The Council Workshop adjourned at 6:41 p.m.

**CITY OF LA MARQUE, TEXAS**

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Bobby Hocking, Mayor

**ATTEST:**

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Robin Eldridge, TRMC  
City Clerk



## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020

Prepared by: Suzy Kou

Agenda item: 6a

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 SECOND AND FINAL READING**

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### 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:

- |                                                                                                                                              |                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> Ordinance                                                                                                | <input type="checkbox"/> Resolution     |
| <input type="checkbox"/> Special Presentation                                                                                                | <input type="checkbox"/> Proclamation   |
| <input type="checkbox"/> Finance Report                                                                                                      | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Other                                                                                                               |                                         |
| <input checked="" type="checkbox"/> 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 SECOND AND FINAL READING**

**FISCAL IMPACT:** See Exhibit A

**ORDINANCE O-2020-0003**

**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 **11th** day of **May**, 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  |                                     |



## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020  
Prepared by: Todd Weidman

Agenda item: 7a  
Reviewed by: Charlene Warren  
Charles Jackson

Department: Fire Department

**AGENDA ITEM DESCRIPTION:** Consider recommendation to approve the purchase of three (3) LUCAS Chest Compression Systems

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### ATTACHMENTS FOR REFERENCE

1. Stryker Quote
2. Stryker Sole Source Letter

### **STAFF BRIEFING:**

- LUCAS Chest Compression System provides benefits to cardiac arrest patients by delivering Guidelines-consistent, high-quality chest compressions even under challenging conditions and for extended time periods
- This device will make an immediate impact on our delivery of effective compressions when doing CPR
- Having this device also frees up personnel should a simultaneous call for service be received and reduces/eliminates human exposure to COVID-19 patients
- The monies should qualify for CARES Act Relief grant funding. (COVID-19)
- The City did not budget for this expenditure in the current fiscal year 2019-20
- Stryker is a sole source vendor for this equipment
- The purchase price for three (3) Lucas Chest Compression Systems is \$47,541.96
- Reviewed by Finance Director

**HISTORY:** N/A

**TARGET IMPLEMENTATION:** June 8, 2020

**SIGNIFICANT ACTION DATES:** N/A

### **ACTION:**

- |                                                                                                                                              |                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <input type="checkbox"/> Ordinance                                                                                                           | <input type="checkbox"/> Resolution     |
| <input type="checkbox"/> Special Presentation                                                                                                | <input type="checkbox"/> Proclamation   |
| <input type="checkbox"/> Finance Report                                                                                                      | <input type="checkbox"/> Public Hearing |
| <input checked="" type="checkbox"/> Other - Equipment Purchase                                                                               |                                         |
| <input checked="" type="checkbox"/> Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures |                                         |

| Cost Details:         |                   |
|-----------------------|-------------------|
| Budgeted              | -0-               |
| Actual Bid            |                   |
| Estimated Expenditure | \$47,541.96       |
| Acct. Name(s)         | COVID-19 Supplies |
| Line Item #           | 70-2010-06-03     |
| Other Funding         |                   |





## CITY COUNCIL AGENDA FORM

**STAFF'S RECOMMENDATION:** Motion to approve the purchase of three (3) LUCAS Chest Compression Systems

**FISCAL IMPACT:** This expenditure will be submitted for CARES funding reimbursement.



## LUCAS and Stair Chairs

Quote Number: 10037397

Remit to:

**Stryker Medical**

Version: 1

P.O. Box 93308

Prepared For: LA MARQUE FIRE DEPT

Rep:

Chicago, IL 60673-3308

Attn:

Email:

Tim Garza

tim.garza@stryker.com

Phone Number:

Quote Date: 05/27/2020

Expiration Date: 08/25/2020

### Delivery Address

Name: LA MARQUE FIRE DEPT

Account #: 1265142

Address: 1109 A BAYOU RD

LA MARQUE

Texas 77568

### End User - Shipping - Billing

Name: LA MARQUE FIRE DEPT

Account #: 1265142

Address: 1109 A BAYOU RD

LA MARQUE

Texas 77568

### Bill To Account

Name: CITY OF LA MARQUE

Account #: 1164601

Address: 1109 BYU RD

LA MARQUE

Texas 77568

### Equipment Products:

| #                | Product      | Description                                                                                                                                                                                                               | Qty | Sell Price  | Total       |
|------------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-------------|-------------|
| 1.0              | 99576-000063 | LUCAS 3, v3.1 Chest Compression System INCLUDES HARD SHELL CASE, SLIM BACK PLATE, TWO (2) PATIENT STRAPS, (1) STABILIZATION STRAP, (2) SUCTION CUPS, (1) RECHARGEABLE BATTERY, AND INSTRUCTIONS FOR USE WITH EACH DEVICE. | 3   | \$13,275.80 | \$39,827.40 |
| 2.0              | 11576-000060 | LUCAS Desk-Top Battery Charger                                                                                                                                                                                            | 3   | \$1,012.70  | \$3,038.10  |
| 3.0              | 11576-000071 | LUCAS External Power Supply                                                                                                                                                                                               | 3   | \$320.62    | \$961.86    |
| 4.0              | 11576-000080 | LUCAS 3 Battery - Dark Grey - Rechargeable LiPo                                                                                                                                                                           | 6   | \$619.10    | \$3,714.60  |
| Equipment Total: |              |                                                                                                                                                                                                                           |     |             | \$47,541.96 |

### Price Totals:

Grand Total: \$47,541.96

Prices: In effect for 60 days.

Terms: Net 30 Days

Ask your Stryker Sales Rep about our flexible financing options.



## LUCAS and Stair Chairs

Quote Number: 10037397

Version: 1

Prepared For: LA MARQUE FIRE DEPT

Attn:

Quote Date: 05/27/2020

Expiration Date: 08/25/2020

Remit to:

**Stryker Medical**

P.O. Box 93308

Chicago, IL 60673-3308

Rep:

Tim Garza

Email:

tim.garza@stryker.com

Phone Number:

---

AUTHORIZED CUSTOMER SIGNATURE

**Deal Consummation:** This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule.

**Confidentiality Notice:** Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency.

**Terms:** Net 30 days. FOB origin. A copy of Stryker Medical's standard terms and conditions can be obtained by calling Stryker Medical's Customer Service at 1-800-Stryker.

In the event of any conflict between Stryker Medical's Standard Terms and Conditions and any other terms and conditions, as may be included in any purchase order or purchase contract, Stryker's terms and conditions shall govern.

**Cancellation and Return Policy:** In the event of damaged or defective shipments, please notify Stryker within 30 days and we will remedy the situation. Cancellation of orders must be received 30 days prior to the agreed upon delivery date. If the order is cancelled within the 30 day window, a fee of 25% of the total purchase order price and return shipping charges will apply.

June 5, 2020

Stryker is the sole-source provider in the Hospital (hospitals and hospital-owned facilities), Emergency Response Services and Emergency Response Training (paramedics, professional and volunteer fire) markets in the U.S. and Canada for the following products:

- New LIFEPAK® 15 monitor/defibrillators
- New LIFEPAK 20e defibrillator/monitors
- New LIFEPAK 1000 automated external defibrillators
- New LUCAS® chest compression system
- TrueCPR™ coaching devices
- CODE-STAT™ data review software and service

Stryker is the sole-source provider in all markets for the following products and services:

- RELI<sup>SM</sup> (Refurbished Equipment from the Lifesaving Innovators) devices
- LIFENET® system and related software
- Factory-authorized inspection and repair services which include repair parts, upgrades, inspections and repairs
- HealthEMS® Software
- HomeSolutions.NET® Software
- ACLS (non-clinical) LIFEPAK defibrillator/monitors
- Heart Safe Solution<sup>SM</sup> Government Campus Solution
- MultiTech 4G and Titan III gateways

Stryker is also the sole-source distributor of the following products for EMS customers in the U.S. and Canadian markets:

- McGRATH™ MAC EMS video laryngoscope
- McGRATH MAC disposable laryngoscope blades
- McGRATH X Blade™

Stryker does not authorize any third-parties to sell these products or services in the markets listed above. We will not fulfill orders placed by non-authorized businesses seeking to resell our products or services. If you have questions, please feel free to contact your local Stryker customer service representative at 800.442.1142.

Sincerely,



Matt Van Der Wende, Senior Director, Americas Sales

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GDR 3321967\_L

## Emergency Care

11811 Willows Road NE, Redmond, WA 98052 USA | P +1 425 867 4000 | Toll-free +1 800 442 1142 | [stryker.com](http://stryker.com)



## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020 Agenda item: 7b  
 Prepared by: Chaise Cary Reviewed by: Charlene Warren/  
Charles Jackson  
 Department: Public Works

**AGENDA ITEM DESCRIPTION:** Consider recommendation to ratify the City Manager's approval of expenditures to Stanley Equipment, Inc. for costs involved in the purchase of a CAT excavator in the amount of \$45,000.00

☒ X

**ATTACHMENTS FOR REFERENCE:**

1. Stanley Equipment, Inc. - Invoice No. 1865

**STAFF BRIEFING:**

- Stanley Equipment, Inc. contacted the city offering to sell the excavator for pennies on the dollar as they are unloading inventory
- The excavator is brand new, only .5 hours on the machine and excellent condition
- Multiple vendors were contacted to compare pricing, and similar machines originally are sold for \$120,000.00 or more
- Supervisors and the Director assessed the condition of the machine beforehand
- Stanley Equipment is a locally owned/operated business
- With this purchase, the city is saving roughly \$100,000.00 on future equipment expenses projected during the 2021 budget year
- City Manager / Finance Director reviewed and approved

**HISTORY:**

**April 13, 2020** - CAT excavator purchased from Stanley Equipment, Inc.

**ACTION:**

- |                                                                                                                                              |                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <input type="checkbox"/> Ordinance                                                                                                           | <input type="checkbox"/> Resolution     |
| <input type="checkbox"/> Special Presentation                                                                                                | <input type="checkbox"/> Proclamation   |
| <input type="checkbox"/> Finance Report                                                                                                      | <input type="checkbox"/> Public Hearing |
| <input checked="" type="checkbox"/> Other - Ratify Purchase                                                                                  |                                         |
| <input checked="" type="checkbox"/> Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures |                                         |

**Cost Details:**

|                              |                          |
|------------------------------|--------------------------|
| <b>Budgeted</b>              |                          |
| <b>Actual Bid</b>            | \$45,000.00              |
| <b>Estimated Expenditure</b> | \$45,000.00              |
| <b>Acct. Name(s)</b>         | 5-year asset - Equipment |
| <b>Line Item #</b>           | 02-7040-22-00            |
| <b>Other Funding</b>         |                          |

**STAFF'S RECOMMENDATION:** Motion to ratify the City Manager's approval of expenditures to Stanley Equipment, Inc. for costs involved in the purchase of a CAT excavator in the amount of \$45,000.00

**FISCAL IMPACT: \$45,000.00**



## CITY COUNCIL AGENDA FORM

# Stanley Equipment, Inc.

P. O. Box 553  
La Marque, TX 77568  
(409) 938-0113

## Invoice

| Date     | Invoice No. |
|----------|-------------|
| 04/13/20 | 1865        |

|                          |
|--------------------------|
| Bill To:                 |
| City of La Marque, Texas |

|                          |
|--------------------------|
| Ship To                  |
| City of La Marque, Texas |

| Job # | P.O. # | Contract # |
|-------|--------|------------|
|       |        |            |

| Date     | Description                                                                            | Quantity | Rate      | Amount      |
|----------|----------------------------------------------------------------------------------------|----------|-----------|-------------|
| 04/13/20 | Cat 308D CR Excavator with 24" & 36" buckets to City of La Marque<br>Serial # GBT00705 |          | 45,000.00 | 45,000.00   |
|          |                                                                                        |          | 0.00%     | 0.00        |
|          |                                                                                        |          | Total     | \$45,000.00 |





## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020

Prepared by: Chaise Cary

Agenda item: 7c

Reviewed by: Charlene Warren

Charles Jackson

Department: Public Works

**AGENDA ITEM DESCRIPTION:** Consider recommendation to authorize the purchase of one combo vacuum truck through H-GAC Buy in the amount of \$347,668.68

☒ X

### **ATTACHMENTS FOR REFERENCE**

1. H-GAC Contract Pricing Worksheet – Houston Freightliner

### **STAFF BRIEFING:**

- Current vactor (vacuum) truck is 15 years old with 70,000+ miles
- We do not have a backup vactor truck
- Maintenance costs have increased, and reliability has decreased significantly
- City Council reached consensus for the purchase of one new vacuum truck at the July 25, 2019 budget workshop meeting and adopted the FY 2020 budget on September 16, 2019
- Several manufacturers were evaluated for value, warranty, and functionality
- After careful consideration, staff recommends the purchase of a 10 yard / 1300-gallon TM Combo 4500 Vactor Truck through Houston Freightliner an H-GAC contractor
- Vacuum truck will be assembled on a Houston Freightliner chassis by Pipehunter
- Recommended truck is pre-stocked with required equipment and tools included
- Estimated delivery time is 4-8 months from date of order
- Pricing is based on specifications supplied by the City of La Marque from multiple vendors, and this quote is the lowest price and most effective truck for our needs
- Finance Director has reviewed and verified the availability of funds
- Appropriation of funds is through the lease-purchase financing in approved by Council in November 2019 under Resolution R-2019-0036

### **HISTORY:**

- Current vactor (vacuum) truck is 15 years old with 70,000 plus miles, being utilized every day, keeping citizens homes from sewage backing up while sanitary sewer repairs are being completed
- PW will keep the current vactor truck as a secondary truck for emergencies and large jobs for now

### **TARGET IMPLEMENTATION: October 2020**

### **SIGNIFICANT ACTION DATES:**

**7/25/2019** - City Council reached consensus to purchase one vactor (vacuum) truck

**9/16/2019** - City Council adopted FY 2020 budget

**11/11/2019** - City Council adopted Resolution No. R-2019-0036



## CITY COUNCIL AGENDA FORM

### ACTION:

- |                                                                                                                                              |                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <input type="checkbox"/> Ordinance                                                                                                           | <input type="checkbox"/> Resolution     |
| <input type="checkbox"/> Special Presentation                                                                                                | <input type="checkbox"/> Proclamation   |
| <input type="checkbox"/> Finance Report                                                                                                      | <input type="checkbox"/> Public Hearing |
| <input checked="" type="checkbox"/> Other - Capital Purchase                                                                                 |                                         |
| <input checked="" type="checkbox"/> Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures |                                         |

### Cost Details:

|                       |                                  |
|-----------------------|----------------------------------|
| Budget 2020           | Midyear Budget Amendment 2019-20 |
| Actual Bid            | \$347,668.68                     |
| Estimated Expenditure | 350,000.00                       |
| Acct. Name(s)         | 10 Year Life Assets - Vehicles   |
| Line Item #           | 01-7030-22-00                    |
| Other Funding         |                                  |

**STAFF'S RECOMMENDATION:** Motion to authorize the purchase of one combo vacuum truck through H-GAC Buy in the amount of \$347,668.68

**FISCAL IMPACT:** \$347,668.68



# CONTRACT PRICING WORKSHEET

For MOTOR VEHICLES Only

Contract No.:

HT06-18

Date Prepared:

1/27/2020

**This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.**

|                 |                           |              |                             |
|-----------------|---------------------------|--------------|-----------------------------|
| Buying Agency:  | City Of La Marque         | Contractor:  | Houston Freightliner        |
| Contact Person: | Chaise Cary               | Prepared By: | Adam Neuse                  |
| Phone:          | 281-733-1716              | Phone:       | 713-580-8148                |
| Fax:            |                           | Fax:         | 713-676-1603                |
| Email:          | c.cary@cityoflamarque.orh | Email:       | adam.neuse@strhouston.com   |
| Product Code:   | C3                        | Description: | 2020 Freightliner 114SD TRA |

**A. Product Item Base Unit Price Per Contractor's H-GAC Contract:** 89830

**B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.**

(Note: Published Options are options which were submitted and priced in Contractor's bid.)

| Description                                     | Cost | Description                         | Cost      |
|-------------------------------------------------|------|-------------------------------------|-----------|
| DA-F-20 20,000 LB FR Axle                       | 2577 |                                     |           |
| 20,000 LB FR SUSPENSION                         | 1130 |                                     |           |
| RT-46-160P 46,000LB RR Axle                     | 3188 |                                     |           |
| 46,000 LB Air Liner RR Suspension               | 1427 |                                     |           |
| 254" Wheelbase                                  | 975  |                                     |           |
| 1/4" Inner Frame Reinforcement                  | 717  |                                     |           |
| RH Understep Mtd Aftertreatment w Vert Stack    | 617  |                                     |           |
| Driver Controlled Traction Control (Both Axles) | 1091 |                                     |           |
| Basic High Back Air Driver Seat                 | 159  |                                     |           |
| Basic High Back Air Pass Seat                   | 198  | Texas Underground Combination Truck | 242668.68 |
| Adjustable Steering Column                      | 359  | Subtotal From Additional Sheet(s):  |           |
| AM/FM Radio                                     | 299  | Subtotal B:                         | 255405.68 |

**C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.**

(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

| Description                    | Cost | Description                        | Cost |
|--------------------------------|------|------------------------------------|------|
| 1/2X3.64X11-7/8" Frame 120 KSI | 3021 |                                    |      |
|                                |      | Subtotal From Additional Sheet(s): | 0    |
|                                |      | Subtotal C:                        | 3021 |

**Check:** Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).

For this transaction the percentage is:

1%

**D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)**

|                   |   |                          |           |   |             |           |
|-------------------|---|--------------------------|-----------|---|-------------|-----------|
| Quantity Ordered: | 1 | X Subtotal of A + B + C: | 348256.68 | = | Subtotal D: | 348256.68 |
|-------------------|---|--------------------------|-----------|---|-------------|-----------|

**E. H-GAC Order Processing Charge (Amount Per Current Policy)**

Subtotal E:

**F. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges**

| Description                 | Cost  | Description | Cost |
|-----------------------------|-------|-------------|------|
| Standard Destination Charge | 2200  |             |      |
| Discount                    | -2788 |             |      |
|                             |       | Subtotal F: | -588 |

Delivery Date:

**G. Total Purchase Price (D+E+F):**

347668.68



## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020 Agenda item: 7d  
Prepared by: Chaise Cary Reviewed by: Charlene Warren/  
Charles Jackson  
Department: Public Works

**AGENDA ITEM DESCRIPTION:** Consider recommendation to ratify the City Manager's approval of expenditure to Texas Pride Utilities for costs associated with the emergency rehabilitation of the Veronica Street sanitary sewer main in the amount of \$49,495.00

☒

**ATTACHMENTS FOR REFERENCE:**

1. Texas Pride Invoice No. 2558

**STAFF BRIEFING:**

- Director was made aware that the sanitary sewer main completely collapsed and required immediate emergency repairs
- Eight hundred (800) linear feet (LF) of 6" clay pipe collapsed off Veronica St., causing sewer back-up to many homes
- Pipe bursting replaced the old 6" clay pipe with 8" PVC pipe, allowing more capacity and durability for decades to come
- City Manager authorized the project to proceed based on immediate health and safety concerns
- The city utilized Texas Pride Utilities based due to availability and responsiveness
- There was insufficient time to put together a formal bid process or gather quotes, again, due to the imminent health and safety concerns
- Financed Director reviewed and approved

**HISTORY:**

**April 22, 2020** - Staff notified that many residents of Veronica St. were experiencing sewer back-ups, and city crews verified the city main had collapsed entirely.

**April 23, 2020** - Crews on-site

**April 27, 2020** - Project completed

**TARGET IMPLEMENTATION: N/A**

**SIGNIFICANT ACTION DATES: N/A**



## CITY COUNCIL AGENDA FORM

---

**ACTION:**

- |                                                                                                                                              |                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <input type="checkbox"/> Ordinance                                                                                                           | <input type="checkbox"/> Resolution     |
| <input type="checkbox"/> Special Presentation                                                                                                | <input type="checkbox"/> Proclamation   |
| <input type="checkbox"/> Finance Report                                                                                                      | <input type="checkbox"/> Public Hearing |
| <input checked="" type="checkbox"/> Other - Ratify Expenditure                                                                               |                                         |
| <input checked="" type="checkbox"/> Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures |                                         |

**Cost Details:**

|                              |                            |
|------------------------------|----------------------------|
| <b>Budgeted</b>              |                            |
| <b>Actual Bid</b>            | \$49,495.00                |
| <b>Estimated Expenditure</b> | \$49,495.00                |
| <b>Acct. Name(s)</b>         | Repair & Maintenance-Sewer |
| <b>Line Item #</b>           | 02-3011-22-00              |
| <b>Other Funding</b>         |                            |

---

**STAFF'S RECOMMENDATION:** Motion to ratify the City Manager's approval of expenditure to Texas Pride Utilities for costs associated with the emergency rehabilitation of the Veronica Street sanitary sewer main in the amount of \$49,495.00

**FISCAL IMPACT:** Unanticipated emergency project - \$49,495.00

**Texas Pride Utilities**

725 Carby Rd  
Houston TX 77037

**Invoice**

| Date      | Invoice # |
|-----------|-----------|
| 5/19/2020 | 2558      |

| Bill To                                                |
|--------------------------------------------------------|
| City of La Marque 2020<br>Veronica St<br>Pipe Bursting |

| P.O. No. | Terms  |
|----------|--------|
| Est 2198 | Net 30 |

| Item | Description                                                                                                                                                                     | Unit Price | Bid Qty | Curr Qty | Prior Qty | Total % | Curr. Amount |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------|----------|-----------|---------|--------------|
| 1    | MOBILIZATION                                                                                                                                                                    | 3,800.00   | 1.00    | 1.00     | 0.00      | 100.00% | 3,800.00     |
| 2    | CCTV EXISTING 6-8" SANITARY SEWER LINE                                                                                                                                          | 4.00       | 775.00  | 700.00   | 0.00      | 90.32%  | 2,800.00     |
| 3    | PIPE BURSTING EXISTING 6' SANITARY SEWER<br>MAIN COMPLETE IN PLACE INCLUDING ALL<br>LABOR, EQUIPMENT, TOOLS AND MATERIALS                                                       | 36.00      | 775.00  | 700.00   | 0.00      | 90.32%  | 25,200.00    |
| 4    | OBSTRUCTION REMOVAL OR POINT REPAIR                                                                                                                                             | 1,800.00   | 0.00    | 0.00     | 0.00      |         | 0.00         |
| 5    | SERVICE RECONNECTION COMPLETE IN PLACE<br>INCLUDING ALL LABOR, EQUIPMENT, TOOLS AND<br>MATERIALS. QUOTATION INCLUDES<br>RECONNECTION TO MAIN AND SERVICE LEAD<br>LONG AND SHORT | 600.00     | 20.00   | 15.00    | 0.00      | 75.00%  | 9,000.00     |
| 6    | MANHOLE CONNECTION COMPLETE IN PLACE                                                                                                                                            | 495.00     | 1.00    | 1.00     | 0.00      | 100.00% | 495.00       |
| 7    | POST TV COMPLETE IN PLACE                                                                                                                                                       | 2.00       | 775.00  | 700.00   | 0.00      | 90.32%  | 1,400.00     |
| 8    | STANDARD MANHOLE REMOVAL AND<br>REPLACEMENT OR INSTALLATION OF NEW<br>MANHOLE COMPLETE IN PLACE                                                                                 | 3,800.00   | 1.00    | 1.00     | 0.00      | 100.00% | 3,800.00     |
| 9    | RESTORATION INCLUDING SODDING COMPLETE IN<br>PLACE                                                                                                                              | 3,000.00   | 1.00    | 1.00     | 0.00      | 100.00% | 3,000.00     |

Thank you for your business!!

**Total Earned MTD** \$49,495.00

**Payments/Credits** \$0.00

**Balance Due** \$49,495.00



## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020  
Prepared by: Sussie Sutton

Agenda item: 7e  
Reviewed by: Charlene Warren  
Charles Jackson

Department: Development  
Services

**AGENDA ITEM DESCRIPTION:** Consider recommendation to adopt Ordinance No. **O-2020-0005**, changing the zoning district for Ambrose, approximately 81 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single-family Residential to Ambrose Planned Development District (Ambrose PDD), establishing zoning regulations for the Ambrose PDD, and amending the comprehensive plan and zoning map to reflect this PDD **THIS IS THE FIRST READING**

X

### **ATTACHMENTS FOR REFERENCE**

1. Ordinance No.
2. Planning and Zoning letter of recommendation
3. Planning and Zoning Draft Minutes for May 12, 2020

### **STAFF BRIEFING:**

- Public Hearing held at the Planning Commission meeting of May 12, 2020
- The Planning and Zoning Commission discussed at the May 12, 2020 meeting and tabled the item
- The Planning and Zoning Commission discussed at the special public meeting of May 26, 2020
- The Commission recommended approval of the zone change and regulations, as well as approval of the draft ordinance
- The general plan is also on this agenda, which is required prior to platting.
- City attorney has reviewed

### **HISTORY:**

**May 12, 2020** - Planning and Zoning Commission held a public meeting and tabled the request until the next meeting

**May 13, 2020** - Property owner notices mailed to residents with a 200 ft. radius

**May 26, 2020** - Planning and Zoning Commission held a special public meeting and recommended approval of a draft Ordinance to City Council

### **TARGET IMPLEMENTATION: July 13, 2020**

### **SIGNIFICANT ACTION DATES:**

**May 12, 2020** - Planning and Zoning Public Hearing & consideration

**May 17, 2020** - Application for PDD received

**May 26, 2020** - Planning and Zoning Public Hearing & consideration



## CITY COUNCIL AGENDA FORM

### ACTION:

- |                                                                                                                                              |                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> Ordinance                                                                                                | <input type="checkbox"/> Resolution     |
| <input type="checkbox"/> Special Presentation                                                                                                | <input type="checkbox"/> Proclamation   |
| <input type="checkbox"/> Finance Report                                                                                                      | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Other                                                                                                               |                                         |
| <input checked="" type="checkbox"/> Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures |                                         |

### Cost Details:

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

**STAFF'S RECOMMENDATION:** Motion to adopt Ordinance No. **O-2020-0005**, changing the zoning district for Ambrose, approximately 81 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single-family Residential to Ambrose Planned Development District (Ambrose PDD), establishing zoning regulations for the Ambrose PDD, and amending the comprehensive plan and zoning map to reflect this PDD **THIS IS THE FIRST READING**

**FISCAL IMPACT:** N/A





May 27, 2020

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

Dear Mayor and City Council:

On May 26, 2020, the Planning and Zoning Commission conducted a public meeting to consider amending the City of La Marque's Code of Ordinance changing the zoning district and to provide a recommendation to City Council on an ordinance changing the zoning district for Ambrose (formerly known as Saltgrass Phase II), approximately 81 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single-family Residential zoning district to Ambrose Planned Development District, establishing zoning regulations for the Ambrose Planned Development District, and amending the comprehensive plan and zoning map in accordance with this Planned Development District.

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

Thank you,

  
\_\_\_\_\_  
Hugh Cash, Chairperson  
Planning and Zoning Commission



1111 Bayou  
La Marque, Texas 77568  
409-938-9202

**CITY OF LA MARQUE  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING and REGULAR MEETING  
MINUTES  
of  
May 12, 2020**

Public Hearing and Regular Meeting Minutes of the City of La Marque Planning and Zoning Commission held on May 12, 2020, beginning at 4 p.m. at 1109-B Bayou Road with the following members present: Hugh Cash, Greg Cornett, Augustino Molis, Alan Waters, and Chris Colombo. Absent was Douglas Hobgood.

**(1) CALL TO ORDER**

Chairperson Cash called the meeting to order at 4:03 p.m.

**(2) ROLL CALL**

**PRESENT:**

Chairperson Hugh Cash  
Vice Chairperson Greg Cornett  
Commissioner Augustino Molis  
Commissioner Alan Waters  
Chris Colombo (Alternate)

**ABSENT:**

Commission Douglas Hobgood

**OTHER OFFICIALS/STAFF PRESENT:**

Derra Purnell - Acting City Attorney  
Dinh Ho, ADICO - City Engineer  
Robert Michetich - Council Member  
Sussie Sutton - Development Coordinator

**(3) PUBLIC COMMENTS**

At this time, any person who wishes to speak on Commission-related business, including any item on the agenda, should speak at this time by giving the Chairperson your name and the item you wish to speak about. Comments are limited to three (3) minutes. In compliance with Texas Open Meetings Act, the Planning and Zoning Commission may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours. Press \*6 to mute or unmute if you are participating by telephone.

There were no comments.



1111 Bayou  
La Marque, Texas 77568  
409-938-9202

#### **(4) PUBLIC HEARINGS**

- a.** Public hearing on a preliminary report regarding a request to change the zoning district for Trails at Woodhaven Lakes, approximately 82 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single Family Residential zoning district to Trails at Woodhaven Lakes Planned Development District, establish zoning regulations for the Trails at Woodhaven Lakes Planned Development District, and amend the comprehensive plan and official zoning map in accordance with this Planned Development District.

There were no comments.

- b.** Public hearing on a preliminary report regarding a request to change the zoning district for Ambrose (formerly known as Saltgrass Phase II), approximately 81 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single Family Residential zoning district to Ambrose Planned Development District, establish zoning regulations for the Ambrose Planned Development District, and amend the comprehensive plan and official zoning map in accordance with this Planned Development District.

There were no comments.

- c.** Public hearing on a preliminary report regarding a request to change the zoning district for approximately 5.9114 acres located near the intersection of FM 2004 and Mitchell Lane, Galveston County Tax Property ID No. 131351, from R-1 Single Residential to GC General Commercial.

There were no comments.

#### **(5) NEW BUSINESS**

- a.** Discussion / possible action to issue a final report and provide a recommendation to City Council on an ordinance changing the zoning district for Trails at Woodhaven Lakes, approximately 82 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single Family Residential zoning district to Trails at Woodhaven Lakes Planned Development District, establishing zoning regulations for the Trails at Woodhaven Lakes Planned Development District, and amending the comprehensive plan and zoning map in accordance with this Planned Development District.

Commissioner Waters motioned to recommend approval of the final report and the recommendation to City Council on an ordinance changing the zoning district for Trails at Woodhaven Lakes, approximately 82 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single



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La Marque, Texas 77568  
409-938-9202

Family Residential zoning district to Trails at Woodhaven Lakes Planned Development District, establishing zoning regulations for the Trails at Woodhaven Lakes Planned Development District, and amending the comprehensive plan and zoning map in accordance with this Planned Development District. Second by Commission Alternate Colombo the motion carried unanimously.

- b. Discussion / possible action to issue a final report and provide a recommendation to City Council on an ordinance changing the zoning district for Ambrose (formerly known as Saltgrass Phase II), approximately 81 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single Family Residential zoning district to Ambrose Planned Development District, establishing zoning regulations for the Ambrose Planned Development District, and amending the comprehensive plan and zoning map in accordance with this Planned Development District.

Commissioner Molis motioned to table the final report and the recommendation to City Council on an ordinance changing the zoning district for Ambrose (formerly known as Saltgrass Phase II) and to bring the request back to the next meeting. Second by Commissioner Cornett the motion carried unanimously.

- c. Discussion / possible action to issue a final report and provide a recommendation to City Council on a request to change the zoning district for approximately 5.9114 acres located near the intersection of FM 2004 and Mitchell Lane, Galveston County Tax Property ID No. 131351, from R-1 Single Family Residential to GC General Commercial.

Commissioner Molis motioned to table the final report and the recommendation to City Council on a request to change the zoning district for approximately 5.9114 acres located near the intersection of FM 2004 and Mitchell Lane, Galveston County Tax Property ID No. 131351, from R-1 Single Family Residential to GC General Commercial and to present at the next commission meeting. Second by Commissioner Waters the motion carried unanimously.

**(6) CHAIRPERSON'S REPORT**

There was no report.

**(7) REQUESTS AND ANNOUNCEMENTS**

No requests or announcements.

**(8) ADJOURNMENT**



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It was the consensus of the Commission to adjourn the meeting at 5:06 p.m.

---

Hugh Cash, Chairperson  
Planning & Zoning Commission

DRAFT

**ORDINANCE NO. O-2020-0005**

**AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, ESTABLISHING THE AMBROSE PLANNED DEVELOPMENT DISTRICT (“AMBROSE PDD”, FORMERLY KNOWN AS SALTGRASS PHASE II) AS A ZONING DISTRICT IN ACCORDANCE WITH CHAPTER 71, ZONING, OF THE CITY OF LA MARQUE CODE OF ORDINANCES; ADOPTING REGULATIONS APPLICABLE TO THE AMBROSE PDD; AMENDING THE COMPREHENSIVE PLAN AND ZONING MAP TO REFLECT THIS AMENDMENT; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION.**

**WHEREAS**, Section 71-18 of the City of La Marque Code of Ordinances (“City Code”) provides for the creation of Planned Development Districts for, among other types of development, housing development on tracts of five acres or more; and

**WHEREAS**, Bill Frey, as represented by agents Costello Engineering and Seven Gen Consulting, (the “Owner”) is the owner of approximately 81 acres of land comprised of Sections 1, 2 and 3 of Saltgrass Phase II, hereinafter known as Ambrose, as shown on Exhibit A (the “Property”); and

**WHEREAS**, the Owner of the Property has presented an application for the City to establish the Ambrose PDD in order to further construction, operation and use of a master planned community; and

**WHEREAS**, notice was mailed to all property owners within 200 feet of the Property, and the school district in which the Property is located; and

**WHEREAS**, the Zoning Commission held public hearings on its preliminary report on May 12<sup>th</sup> and 26<sup>th</sup>, 2020, issued a final report and recommended that City Council establish the Ambrose PDD and adopt zoning regulations applicable to the Ambrose PDD as provided in this Ordinance; and

**WHEREAS**, the City Council finds, following newspaper publication and the required public hearings, that the proposed Ambrose PDD is consistent with the City’s comprehensive plan, and that the comprehensive plan and zoning map of the City should be amended to include the proposed Ambrose PDD;

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

**Section 1.** That the facts and matters set forth in the preamble of this Ordinance are found to be true and correct.

**Section 2.** That the Ambrose PDD is hereby established as the zoning district applicable to the Property shown and described in Exhibit A. The zoning regulations contained in this Ordinance shall be applicable to the Ambrose PDD.

**Section 3.** That the City's comprehensive plan and zoning map are amended in accordance with this Ordinance.

**Section 4.** That the following regulations, including the regulations applicable to the R-1 Single Family Zoning District and any other zoning regulations applicable to all zoning districts or uses in any zoning district, also shall apply in the Ambrose PDD (zoning district):

**Ambrose Planned Development District (Ambrose PDD).** The development of the Property shown in Exhibit A shall conform to all requirements, including the authorized uses, for the R-1 Single Family Residential District and any other requirements applicable to all zoning districts or uses within any zoning district, as prescribed by Chapter 71, Zoning, of the City Code, except for the following modifications:

*Lot Size.* A lot in this district shall not be less than six thousand (6,000) square feet in area and shall not be less than fifty feet (50') wide at the building line; however, a lot for a single-family dwelling in this district may be less than six thousand (6,000) square feet in area, provided that lot is not less than one hundred fifteen feet (115') in depth and not less than fifty feet wide (50') at the building line.

*Side Yard.* A lot in this district shall have a required side yard of five feet (5'), including any street corner lot side yard along a sixty foot (60') right-of-way; provided, however, the street corner side yard setback shall be ten feet (10') for any lot located along a fifty foot (50') right-of-way.

*Front Yard.* Any lot less than sixty feet (60') in width shall have a front yard setback of twenty-five feet (25'). All other lots shall meet the requirements for an R-1 Single Family Residential Zoning District (ex.,

twenty foot (20') front-yard setback). Each street corner lot shall have the required front yard on at least one side fronting a street.

*Driveways.* Each lot in this district shall have a double-width driveway running from the street access to a garage and shall not utilize more than 45 percent of any residential front yard; provided further that the maximum width of a driveway at the property line shall not exceed 18 feet.

*General Open Space Requirements.* The development of the Property shall include a minimum of 23% of open space to mitigate the higher density allowed in the Ambrose PDD. This open space may include pocket parks, ponds, walking trails, fountain areas and nature preserves, in substantial compliance with the land use and concept plan, attached as Exhibit B. At least two parks and one play structure shall be installed and maintained within the district.

*Right-of-way; Street Width.* Streets within this district shall be dedicated and installed in substantially the same layout as shown in Exhibit A and in no event shall a street have a minimum right-of-way width of less than sixty feet (60') except for those streets noted with "50' ROW" on Exhibit B, which shall not have a minimum right-of-way width of less than fifty feet (50'). Further, in no event shall any street have a paved width of less than that required by the City's Design Criteria Manual, regardless of the right-of-way width.

*Project Phasing.* This Ordinance does not prescribe the project phasing for this district and the owner reserves the right to change the number, order and make-up of project phases by submitting an amended general plan to the City for approval in accordance with City Code requirements for general plans; provided, however, the owner shall complete construction, landscaping and installation of the park within 180 days of application and receipt of the first certificate of occupancy for any single family dwelling within the district. Failure to complete the park within the required time period shall constitute an offense under this ordinance.

**Section 5.** Nothing in this Ordinance waives or modifies any other City Code requirement, including but not limited to off-street parking requirements, subdivision



regulations, and construction codes. Approval of this Application grants only the rights specifically addressed herein.

**Section 6.**    **Penalty.** As provided in Section 71-3 of the City Code, Any person who shall violate any of the provisions of this ordinance or who shall fail to comply therewith or with any of the requirements thereof, or who shall erect or alter any building, or who shall commence to erect or alter any building in violation of any detailed statement of plan submitted or approved thereunder, shall for each violation or noncompliance be deemed guilty of a misdemeanor, and upon conviction, shall be fined as provided in section 1-7 of the City Code. The owner of that building or premises or part thereof where anything in violation of this chapter shall be placed or shall exist, and any architect, builder, contractor, agent or corporation employed in connection therewith who may have assisted in the commission of any such violation shall be subject to the penalties herein provided.

**Section 7.**    **Effective Date and Publishing.** This ordinance shall be effective immediately, except where a later date is expressly provided, upon adoption on second and/or final reading after publication and hearing, as provided in Sections 2.17-2.19 of the Charter of the City of La Marque, and publication in accordance with Section 52.013 of the Texas Local Government Code.

**Section 8.**    **Conflict and Repeal.** This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

**Section 9.**    **Severability.** In the event any clause, phrase provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part of the same, notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED on First Reading this \_\_\_\_ day of \_\_\_\_\_  
2020; and PASSED, APPROVED, AND ADOPTED on Second and Final Reading this \_\_\_\_  
day of \_\_\_\_\_ 2020.

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Bobby Hocking, Mayor

ATTEST:

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Robin Eldridge, City Clerk, TRMC

## Metes and Bounds Description of Ambrose PDD

County: Galveston  
Project: Saltgrass: M/I Homes  
C.I. No.: 1295-19R  
Job Number: 2005060-010

**FIELD NOTES FOR 81.36 ACRES**

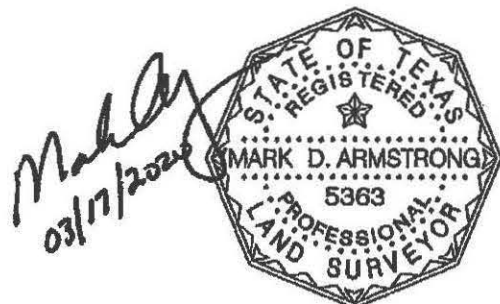
Being an 81.36 acre tract of land located in the Stephen F. Austin League No. 4, A-2, in Galveston County, Texas; said 81.36 acre tract being a portion of a call 63.60 acre tract of land and a portion of a call 82.13 acre tract of land recorded in the name of Saltgrass 300, Ltd., in Clerk's File Number 2005035884 of the Official Public Records of Real Property of Galveston County (O.P.R.R.P.G.C.), Texas; said 81.36 acre tract being more particularly described by metes and bounds as follows (all bearings are based on the Texas Coordinate System, South Central Zone and referenced to the most easterly line of said 82.13 acre tract):

**Beginning** at a 5/8-inch iron rod found at the most northerly northeast corner of said 82.13 acre tract and the northwest corner of a call 5.231 acre tract of land recorded in Clerk's File Number 2001049525 of the O.P.R.R.P.G.C, same being on the south line of Mainland Homesteads, a subdivision recorded in Volume 254-A, Page 50 of the Galveston County Records;

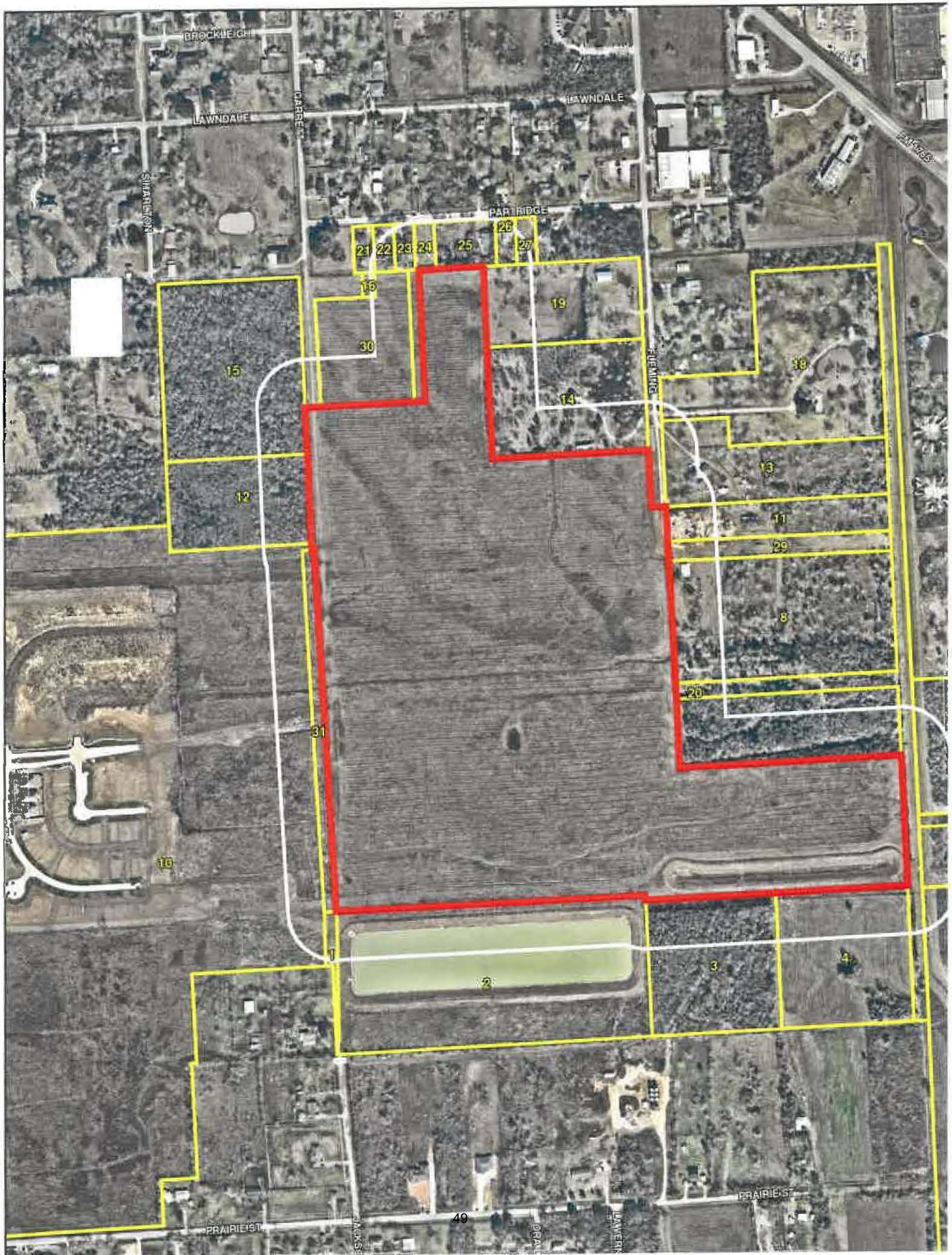
1. Thence, with the east line of said 82.13 acre tract, the west line of said 5.231 acre tract and the west line of a call 11.94 acre tract of land recorded in Clerk's File Number 9318506 of the O.P.R.R.P.G.C., South 02 degrees 57 minutes 27 seconds East, at a distance of 6.81 feet passing a 5/8-inch iron rod found, in all, a total distance of 800.23 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC RPLS 4416" found at the southwest corner of said 11.94 acre tract;
2. Thence, continuing with the common line of said 82.13 acre tract and said 11.94 acre tract, North 87 degrees 05 minutes 22 seconds East, a distance of 647.40 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC RPLS 4416" found at the southeast corner of said 11.94 acre tract, same being on the west R.O.W. line of Fleming Street (60-feet wide) as recorded in Clerk's File Numbers 8309485 and 8319629 of the O.P.R.R.P.G.C.;
3. Thence, with said west R.O.W. line, South 03 degrees 03 minutes 23 seconds East, a distance of 238.33 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC RPLS 4416" found at the southwest corner of said R.O.W.;
4. Thence, with the south end of said R.O.W., North 87 degrees 13 minutes 22 seconds East, a distance of 60.00 feet to a 3/8-inch iron rod found at the southeast corner of said R.O.W., the southwest corner of a call 5.00 acre tract of land recorded in Clerk's File Number 9416649 of the O.P.R.R.P.G.C. and the northwest corner of a call 15.640 acre tract of land recorded in Clerk's File Number 2018006662 of the O.P.R.R.P.G.C.;

5. Thence, with the east line of aforesaid 82.13 acre tract, the west line of said 15.640 acre tract and the west line of a call 6.060 acre tract of land recorded in Clerk's File Number 2018006662 of the O.P.R.R.P.G.C., South 02 degrees 45 minutes 44 seconds East, a distance of 1085.18 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC RPLS 4416" found at the southwest corner of said 6.060 acre tract;
6. Thence, continuing with the common line of said 82.13 acre tract and said 6.060 acre tract, North 87 degrees 14 minutes 17 seconds East, a distance of 925.16 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC RPLS 4416" found at the southeast corner of said 6.060 acre tract, same being on the west line of a call 3.819 acre tract of land recorded in Volume 2323, Page 604 of the Galveston County Deed Records (G.C.D.R.);
7. Thence, with the common line of said 3.819 acre tract and said 82.13 acre tract, South 02 degrees 56 minutes 38 seconds East, a distance of 546.72 feet to a 5/8-inch iron rod found at the northeast corner of a call 7.23 acre tract of land recorded in Clerk's File Number 2003024159 of the O.P.R.R.P.G.C.;
8. Thence, with the common line of said 7.23 acre tract and said 82.13 acre tract, South 87 degrees 19 minutes 08 seconds West, a distance of 560.02 feet to a 3/8-inch iron rod found at the northwest corner of said 7.23 acre tract and the northeast corner of a call 6.9833 acre tract of land recorded in Clerk's File Number 2016036620 of the O.P.R.R.P.G.C.;
9. Thence, with the common line of said 82.13 acre tract and said 6.9833 acre tract, South 87 degrees 17 minutes 26 seconds West, a distance of 540.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC RPLS 4416" found at the northwest corner of said 6.9833 acre tract., same being on the east line of Sunset Grove Detention, a subdivision recorded in Instrument Number 201803888 of the Galveston County Records;
10. Thence, with the east line of said subdivision, North 02 degrees 43 minutes 49 seconds West, a distance of 22.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set at the northeast corner of said subdivision;
11. Thence, with the north line of said subdivision, South 87 degrees 16 minutes 56 seconds West, a distance of 1280.13 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set the northwest corner of said subdivision, same being on the common line of aforesaid 82.13 acre tract and a call 2.090 acre tract of land recorded in Clerk's File Number 8647700 of the O.P.R.R.P.G.C.;

12. Thence, with the common line of said 82.13 acre tract and said 2.090 acre tract, North 03 degrees 24 minutes 39 seconds West, at a distance of 363.04 feet pass a 5/8-inch iron rod with cap stamped "COSTELLO INC RPLS 4416" found at a common corner of said 82.13 acre tract and aforesaid 63.60 acre tract, in all, a total distance of 1512.74 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC RPLS 4416" found at the northeast corner of aforesaid 2.090 acre tract, an interior corner of said 63.60 acre tract and an interior corner of a call 80.00 acre tract of land recorded in Clerk's File Number 2017076084 of the O.P.R.R.P.G.C.;
13. Thence, with the east line of said 80.00 acre tract, North 22 degrees 03 minutes 57 seconds West, a distance of 21.51 feet to a 1-inch iron pipe found at the northeast corner of said 80.00 acre tract, the southeast corner of a call 5 acre tract of land recorded in Clerk's File Number 200004069 of the O.P.R.R.P.G.C. and an interior corner of said 63.60 acre tract;
14. Thence, with the common line of said 63.60 acre tract and said 5 acre tract and with the east line of a call 10 acre tract of land recorded in Volume 2925, Page 230 of the G.C.D.R., North 02 degrees 44 minutes 12 seconds West, a distance of 571.73 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
15. Thence, through said 63.60 acre tract and aforesaid 82.13 acre tract, North 87 degrees 18 minutes 28 seconds East, a distance of 495.00 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set;
16. Thence, continuing through said 82.13 acre tract, North 02 degrees 44 minutes 12 seconds West, a distance of 540.74 feet to a 5/8-inch iron rod with cap stamped "COSTELLO INC" set on the common line of said 82.13 acre tract and aforesaid of Mainland Homesteads Subdivision;
17. Thence, with said common line., North 87 degrees 18 minutes 28 seconds East, a distance of 270.64 feet to the Point of Beginning and containing 81.36 acres of land.









All information furnished regarding this property is from sources deemed reliable. However, Tgen Planning has not made an independent investigation of these sources and no warranty or representation is made by Tgen Planning as to the accuracy thereof and same is submitted subject to errors, omissions, land plan changes, or other conditions. This land plan is conceptual in nature and does not represent any regulatory approval. Land plan is subject to change. The developer has reserved the right, without notice, to make changes to this map and other aspects of the development to comply with governmental requirements and to fulfill its marketing objective.

SCALE: 1" = 100'  
0 50 100 200  
DATE: 03-17-2020 NORTH

### LAND USE SCHEDULE - PHASE 1

| RESIDENTIAL  |            |             |                 |
|--------------|------------|-------------|-----------------|
| USE          | UNITS      | LOT MIX     | ACREAGE         |
| A 50 x 120   | 92         | 87%         | 14.2 AC.        |
| B 50 x 115   | 14         | 13%         | 1.9 AC.         |
| <b>TOTAL</b> | <b>106</b> | <b>100%</b> | <b>16.1 AC.</b> |

| NON-RESIDENTIAL |                 |
|-----------------|-----------------|
| USE             | ACREAGE         |
| OPEN SPACE      | 1.9 AC.         |
| PARK            | 2.5 AC.         |
| DETENTION       | 12.5 AC.        |
| RIGHT OF WAYS   | 6.2 AC.         |
| <b>TOTAL</b>    | <b>23.1 AC.</b> |

### LAND USE SCHEDULE - PHASE 2

| RESIDENTIAL  |           |             |                 |
|--------------|-----------|-------------|-----------------|
| USE          | UNITS     | LOT MIX     | ACREAGE         |
| A 50 x 120   | 96        | 100%        | 14.5 AC.        |
| <b>TOTAL</b> | <b>96</b> | <b>100%</b> | <b>14.5 AC.</b> |

| NON-RESIDENTIAL |                |
|-----------------|----------------|
| USE             | ACREAGE        |
| OPEN SPACE      | 0.9 AC.        |
| RIGHT OF WAYS   | 3.6 AC.        |
| <b>TOTAL</b>    | <b>4.5 AC.</b> |

### LAND USE SCHEDULE - PHASE 3

| RESIDENTIAL  |           |             |                 |
|--------------|-----------|-------------|-----------------|
| USE          | UNITS     | LOT MIX     | ACREAGE         |
| A 50 x 120   | 88        | 100%        | 13.2 AC.        |
| <b>TOTAL</b> | <b>88</b> | <b>100%</b> | <b>13.2 AC.</b> |

| NON-RESIDENTIAL |                |
|-----------------|----------------|
| USE             | ACREAGE        |
| OPEN SPACE      | 3.3 AC.        |
| RIGHT OF WAYS   | 3.5 AC.        |
| <b>TOTAL</b>    | <b>6.8 AC.</b> |

REQUIRED 20% OPEN SPACE = 16.4 ACRES  
PROPOSED 24% OPEN SPACE = 21.1 ACRES (EXCLUDES 3.8 AC. HL&P ESMT.'S)  
OVERALL TOTAL=82.0± AC





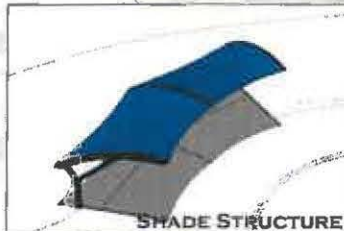




SPLASHPAD



PLAYGROUND



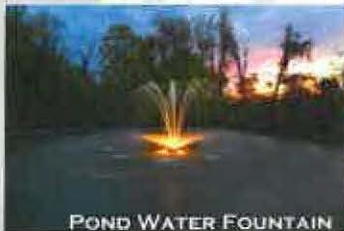
SHADE STRUCTURE



BENCH



TRASH RECEPTACLE



POND WATER FOUNTAIN



TRAIL AT AMENITY LAKE



BACKLESS BENCH



BIKE RACK



M.I. HOMES

# **SALTGRASS PH.2 TRACT** 82.0 ± ACRES WITHIN LA MARQUE, TX COMMUNITY CHARACTER PROPOSED AMENITIES



PLANNING & LANDSCAPE ARCHITECTURE  
 117 CHURCH STREET, SUITE 400 | AUSTIN, TEXAS 78701  
 PHONE: 512.544.7744 | FAX: 512.544.7745  
 WWW.7GENPLANNING.COM



## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020

Prepared by: Sussie Sutton

Agenda item: 7f

Reviewed by: Charlene Warren

Charles Jackson

Department: Development  
Services

**AGENDA ITEM DESCRIPTION:** Consider recommendation to approve a general plan for Ambrose (formerly known as Saltgrass Phase II), approximately 81 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road

**X**

### **ATTACHMENTS FOR REFERENCE**

1. General Land Plan

### **STAFF BRIEFING:**

- City Attorney and Engineer have reviewed
- Planning Commission recommended approval on May 26-2020
- Formal general plan approval is required for all phased development prior to approval of any preliminary plats for a particular phase under the City's new subdivision regulations

### **HISTORY:** N/A

### **TARGET IMPLEMENTATION:** June 8, 2020

### **SIGNIFICANT ACTION DATES:**

**05/26/2020** Planning and Zoning Commission recommended approval

### **ACTION:**

- |                                                                                                                                                    |                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <input type="checkbox"/> Ordinance                                                                                                                 | <input type="checkbox"/> Resolution     |
| <input type="checkbox"/> Special<br>Presentation                                                                                                   | <input type="checkbox"/> Proclamation   |
| <input type="checkbox"/> Finance Report                                                                                                            | <input type="checkbox"/> Public Hearing |
| <input checked="" type="checkbox"/> Other                                                                                                          |                                         |
| <input checked="" type="checkbox"/> Mark if this item does not conflict with any<br>Resolution, Ordinance or City Charter,<br>policies, procedures |                                         |

### **Cost Details:**

|                                  |  |
|----------------------------------|--|
| <b>Budgeted</b>                  |  |
| <b>Actual Bid</b>                |  |
| <b>Estimated<br/>Expenditure</b> |  |
| <b>Acct.<br/>Name(s)</b>         |  |
| <b>Line Item #</b>               |  |
| <b>Other<br/>Funding</b>         |  |

**STAFF'S RECOMMENDATION:** Motion to approve the general plan for Ambrose (formerly known as Saltgrass Phase II), approximately 81 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road

### **FISCAL IMPACT:** N/A





As shown on this plan, the property is to be subdivided into lots. The owner, Saltgrass Ph.2, is not responsible for the accuracy of the survey or the accuracy of the information shown on this plan. The owner, Saltgrass Ph.2, is not responsible for the accuracy of the survey or the accuracy of the information shown on this plan. The owner, Saltgrass Ph.2, is not responsible for the accuracy of the survey or the accuracy of the information shown on this plan.

N.T.A. 1" = 100'  
DATE: 08/17/2020  
NORTH

**LEGEND**

**PHASE 1 RESERVE AREA CALCULATIONS**

| RESERVE                  | AREA              |
|--------------------------|-------------------|
| A - PARK AREA            | 2.1 ± AC.         |
| D - LANDSCAPE OPEN SPACE | 1.2 ± AC.         |
| C - LANDSCAPE OPEN SPACE | 0.04 ± AC.        |
| D - LANDSCAPE OPEN SPACE | 0.39 ± AC.        |
| E - LANDSCAPE OPEN SPACE | 0.10 ± AC.        |
| <b>TOTAL</b>             | <b>3.83 ± AC.</b> |

**PHASE 2 RESERVE AREA CALCULATIONS**

| RESERVE                  | AREA              |
|--------------------------|-------------------|
| A - LANDSCAPE OPEN SPACE | 0.75 ± AC.        |
| B - LANDSCAPE OPEN SPACE | 0.12 ± AC.        |
| <b>TOTAL</b>             | <b>0.87 ± AC.</b> |

**PHASE 2 RESERVE AREA CALCULATIONS**

| RESERVE                  | AREA              |
|--------------------------|-------------------|
| A - LANDSCAPE OPEN SPACE | 0.66 ± AC.        |
| B - LANDSCAPE OPEN SPACE | 0.92 ± AC.        |
| C - LANDSCAPE OPEN SPACE | 2.1 ± AC.         |
| <b>TOTAL</b>             | <b>3.68 ± AC.</b> |

REQUIRED 20% OPEN SPACE = 16.4 ACRES  
PROPOSED 24% OPEN SPACE = 21.1 ACRES (EXCLUDES HL&P ESMT'S)



All information furnished regarding this property is from sources deemed reliable. However, Tgen Planning has not made an independent investigation of these sources and no warranty or representation is made by Tgen Planning as to the accuracy thereof and same is submitted subject to errors, omissions, and plan changes at other conditions. This plan is intended to secure and does not represent any regulatory approval. Land plan is subject to change. The developer has reserved the right, without notice, to make changes in this plan and other aspects of the development to comply with governmental requirements and to fulfill its marketing objective.

SCALE: 1" = 100'  
DATE: 03-17-2020



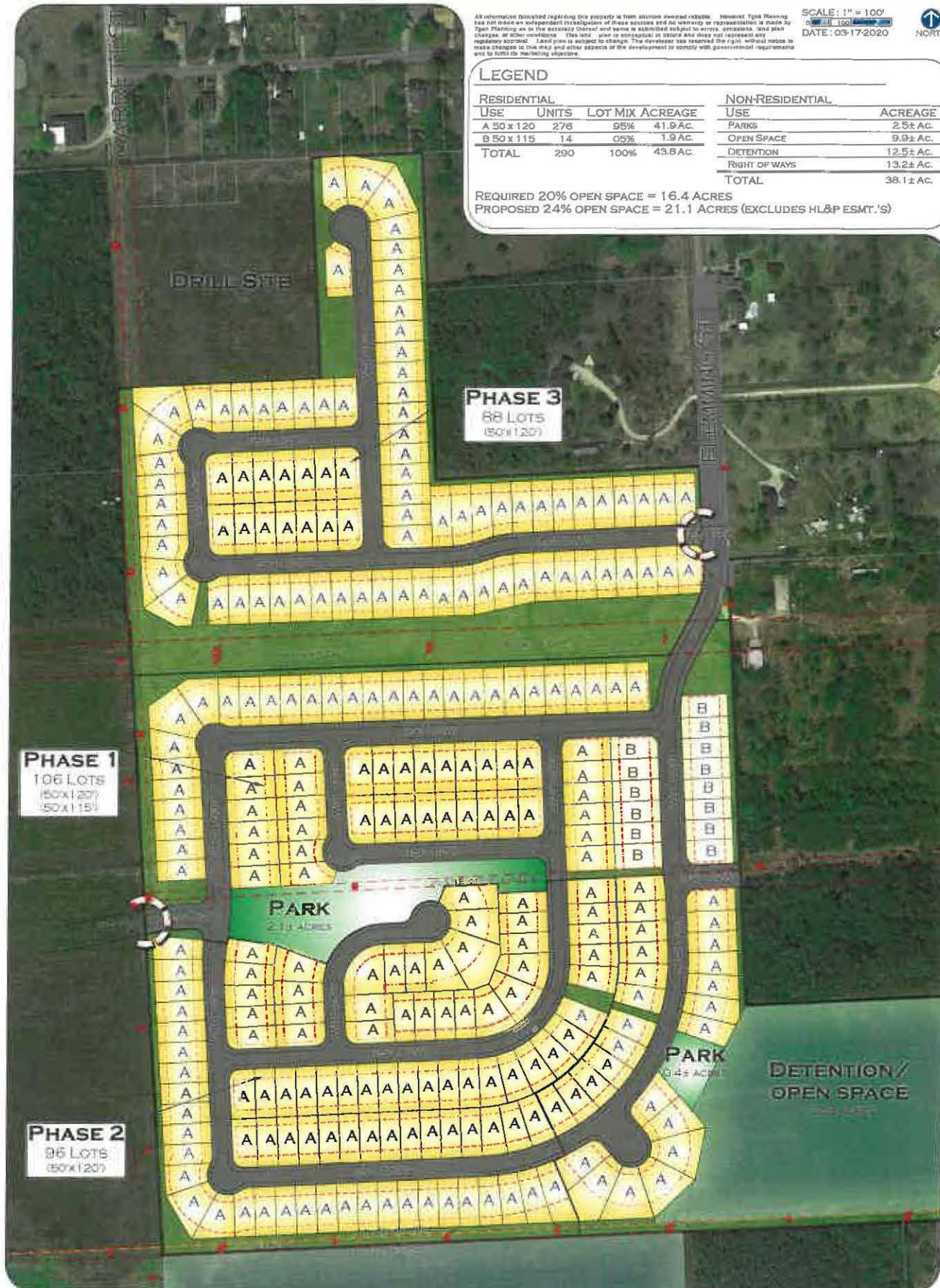
### LEGEND

| RESIDENTIAL  |            |             |                 |
|--------------|------------|-------------|-----------------|
| USE          | UNITS      | LOT MIX     | ACREAGE         |
| A 50x120     | 276        | 95%         | 41.9 AC.        |
| B 50x115     | 14         | 05%         | 1.9 AC.         |
| <b>TOTAL</b> | <b>290</b> | <b>100%</b> | <b>43.8 AC.</b> |

| NON-RESIDENTIAL |                  |
|-----------------|------------------|
| USE             | ACREAGE          |
| PARKS           | 2.5± AC.         |
| OPEN SPACE      | 9.9± AC.         |
| DETENTION       | 12.5± AC.        |
| RIGHT OF WAYS   | 13.2± AC.        |
| <b>TOTAL</b>    | <b>38.1± AC.</b> |

REQUIRED 20% OPEN SPACE = 16.4 ACRES

PROPOSED 24% OPEN SPACE = 21.1 ACRES (EXCLUDES HL&P ESMT.'S)



**PHASE 1**  
106 LOTS  
(50x120')  
(50x115')

**PHASE 3**  
88 LOTS  
(50x120')

**PHASE 2**  
96 LOTS  
(50x120')

**PARK**  
2.5± ACRES

**PARK**  
9.4± ACRES

**DETENTION/  
OPEN SPACE**



**M.I. HOMES**

**SALTGRASS PH.2 TRACT**  
82.0± ACRES WITHIN LA MARQUE, TX.  
PLANNED DEVELOPMENT DISTRICT



PLANNING & LANDSCAPE ARCHITECTURE  
1107 CRYSTAL BLVD., SUITE 200 | 5000 CAPITAL OF TEXAS BLVD., SUITE 200  
HOUSTON, TEXAS 77042 | AUSTIN, TEXAS 78759  
713.545.0364 | 512.660.3447



All information furnished regarding this property is from sources deemed reliable. However, Tgen Planning has not made an independent investigation of these sources and no warranty or representation is made by Tgen Planning as to the accuracy thereof and same is warranted subject to errors, omissions, and changes in conditions. This land plan is descriptive in nature and does not constitute any regulatory approval. Land plan is subject to change. The owner has reserved the right without notice to make changes to this map and other aspects of the development to serve and guarantee the requirements and to fulfill its marketing objectives.

SCALE: 1" = 100'  
DATE: 03-17-2020 NORTH

### LAND USE SCHEDULE - PHASE 1

| RESIDENTIAL  |            |             |                 |
|--------------|------------|-------------|-----------------|
| USE          | UNITS      | LOT MIX     | ACREAGE         |
| A 50 x 120   | 92         | 87%         | 14.2 AC.        |
| B 50 x 115   | 14         | 13%         | 1.9 AC.         |
| <b>TOTAL</b> | <b>106</b> | <b>100%</b> | <b>16.1 AC.</b> |

| NON-RESIDENTIAL |                 |
|-----------------|-----------------|
| USE             | ACREAGE         |
| OPEN SPACE      | 1.9 AC.         |
| PARK            | 2.5 AC.         |
| DETENTION       | 12.5 AC.        |
| RIGHT OF WAYS   | 6.2 AC.         |
| <b>TOTAL</b>    | <b>23.1 AC.</b> |

### LAND USE SCHEDULE - PHASE 2

| RESIDENTIAL  |           |             |                 |
|--------------|-----------|-------------|-----------------|
| USE          | UNITS     | LOT MIX     | ACREAGE         |
| A 50 x 120   | 96        | 100%        | 14.5 AC.        |
| <b>TOTAL</b> | <b>96</b> | <b>100%</b> | <b>14.5 AC.</b> |

| NON-RESIDENTIAL |                |
|-----------------|----------------|
| USE             | ACREAGE        |
| OPEN SPACE      | 0.9 AC.        |
| RIGHT OF WAYS   | 3.6 AC.        |
| <b>TOTAL</b>    | <b>4.5 AC.</b> |

### LAND USE SCHEDULE - PHASE 3

| RESIDENTIAL  |           |             |                 |
|--------------|-----------|-------------|-----------------|
| USE          | UNITS     | LOT MIX     | ACREAGE         |
| A 50 x 120   | 88        | 100%        | 13.2 AC.        |
| <b>TOTAL</b> | <b>88</b> | <b>100%</b> | <b>13.2 AC.</b> |

| NON-RESIDENTIAL |                |
|-----------------|----------------|
| USE             | ACREAGE        |
| OPEN SPACE      | 3.3 AC.        |
| RIGHT OF WAYS   | 3.5 AC.        |
| <b>TOTAL</b>    | <b>6.8 AC.</b> |

REQUIRED 20% OPEN SPACE = 16.4 ACRES

PROPOSED 24% OPEN SPACE = 21.1 ACRES (EXCLUDES 3.8 AC. HL&P ESMT.'S)

OVERALL TOTAL=82.0± AC







SCALE: 1" = 100'

0 100

DATE: 04-08-2020



All information furnished regarding this property is from sources deemed reliable. However, 7gen Planning has not made an independent investigation of those sources and no warranty or representation is made by 7gen Planning as to the accuracy thereof and same is submitted subject to errors, omissions, and plan changes, or other conditions. This plan is conceptual in nature and does not represent any regulatory approval. Land plan is subject to change. The developer has reserved the right, without notice, to make changes to the map and other aspects of the development to comply with governmental requirements and to fulfill the marketing objective.

©2020 7GEN PLANNING. ALL RIGHTS RESERVED



M | HOMES

**SALTGRASS PH.2 TRACT**  
82.0± ACRES WITHIN LA MARQUE, TX.  
**ROW AND BUILDING SETBACK EXHIBIT**



PLANNING & LANDSCAPE ARCHITECTURE  
1107 CRYSTAL DRIVE, SUITE 400 HOUSTON, TEXAS 77042 713.349.0284  
1930 N. CAPITAL, SUITE 1100, AUSTIN, TEXAS 78758 512.669.3494



SCALE: 1" = 30'  
DATE: 1-15-2019



M | HOMES

# SALTGRASS PH.2 TRACT



PLANNING & LANDSCAPE ARCHITECTURE  
11675 Co. 4000 S. of 24th Pl. N. - LANDSCAPE - 10 TO 1500. BUILDING - 10 TO 1500  
11675 Co. 4000 S. of 24th Pl. N. - LANDSCAPE - 10 TO 1500. BUILDING - 10 TO 1500  
713/352094 A REA THOMAS TRON  
812.845.5445

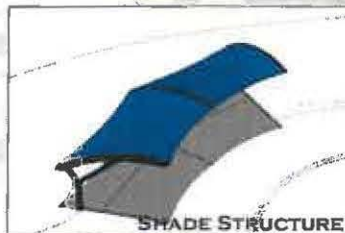




SPLASHPAD



PLAYGROUND



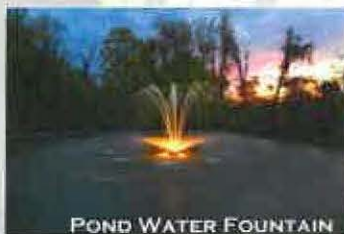
SHADE STRUCTURE



BENCH



TRASH RECEPTACLE



POND WATER FOUNTAIN



TRAIL AT AMENITY LAKE



BACKLESS BENCH



BIKE RACK



M.I. HOMES

# **SALTGRASS PH.2 TRACT** 82.0 ± ACRES WITHIN LA MARQUE, TX COMMUNITY CHARACTER PROPOSED AMENITIES





## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020  
Prepared by: Sussie Sutton

Agenda item: 7g  
Reviewed by: Charlene Warren  
Charles Jackson

Department: Development  
Services

**AGENDA ITEM DESCRIPTION:** Consider recommendation to adopt Ordinance No. **O-2020-0006**, changing the zoning district for 5.9114 acres located near the intersection of FM 2004 and Mitchell Lane, Galveston County Tax Property ID No. 131351, from R-1 Single-family Residential to C-1 General Commercial **THIS IS THE FIRST READING**

**X**

### **ATTACHMENTS FOR REFERENCE**

1. Ordinance & Exhibits
2. Planning and Zoning letter of recommendation
3. GCAD Property Owners 200-feet
4. Application

### **STAFF BRIEFING:**

- Public Hearing held at the Planning and Zoning Commission meeting of May 12, 2020
- The Commission tabled the item at the May 12, 2020 meeting.
- Public Hearing held at the Planning and Zoning Commission special meeting of May 26, 2020
- The Planning and Zoning Commission recommended approval at the May 26, 2020 meeting
- City attorney has reviewed

### **HISTORY:**

**March 4, 2020** - Rezoning application received

**May 12, 2020** - Planning and Zoning Commission held a public meeting and tabled the request until the next meeting

**May 13, 2020** - Property owner notices mailed to residents with a 200 ft. radius

**May 26, 2020** - Planning and Zoning Commission held a special public meeting and recommended approval to City Council for the zone reclassification

### **TARGET IMPLEMENTATION: July 13, 2020**

### **SIGNIFICANT ACTION DATES:**

**May 13, 2020** - Planning and Zoning Public Hearing & consideration

**May 26, 2020** - Planning and Zoning Public Hearing & consideration



## CITY COUNCIL AGENDA FORM

### ACTION:

- |                                                                                                                                              |                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> Ordinance                                                                                                | <input type="checkbox"/> Resolution     |
| <input type="checkbox"/> Special Presentation                                                                                                | <input type="checkbox"/> Proclamation   |
| <input type="checkbox"/> Finance Report                                                                                                      | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Other                                                                                                               |                                         |
| <input checked="" type="checkbox"/> Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures |                                         |

### Cost Details:

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

**STAFF'S RECOMMENDATION:** Motion to adopt Ordinance No. **O-2020-0006**, changing the zoning district for 5.9114 acres located near the intersection of FM 2004 and Mitchell Lane, Galveston County Tax Property ID No. 131351, from R-1 Single-family Residential to C-1 General Commercial **THIS IS THE FIRST READING**

**FISCAL IMPACT:** N/A

**ORDINANCE NO. O-2020-0006**

**AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, AMENDING THE CITY'S ZONING MAP AND COMPREHENSIVE PLAN BY CHANGING THE ZONING DISTRICT OF CERTAIN PROPERTY LOCATED NEAR THE INTERSECTION OF FM 2004 AND MITCHELL LANE, GALVESTON COUNTY TAX PROPERTY ID NO. 131351, FROM (R-1) SINGLE FAMILY RESIDENTIAL TO (C-1) GENERAL COMMERCIAL; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.**

**WHEREAS**, Sherry Angelo (the "Owner") submitted an application for the City to amend the zoning district of Owners' property located near the intersection of FM 2004 and Mitchell Lane, Galveston County Tax Property ID No. 131351; and

**WHEREAS**, the Zoning Commission and the City Council have conducted, in the time and manner required by law and the zoning regulations of the City, a public hearing on the proposal to change the zoning for the property; and

**WHEREAS**, the Zoning Commission recommended approval of the requested change in zoning district applicable to the property; and

**WHEREAS**, the City Council finds that the proposed change in zoning district is consistent with the City's comprehensive plan, and that the comprehensive plan and zoning map of the City should be amended to include the requested change in zoning district for the property;

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

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

**Section 2.** The application by the Owner is approved and the adopted zoning map of the City is amended by changing the zoning district applicable to the property, as described in Exhibit A to this Ordinance, incorporated by reference for all purposes, from (R-1) Single Family Residential to (C-1) General Commercial.

**Section 3.** The City's comprehensive plan is amended in accordance with this Ordinance.

**Section 4. Penalty.** As provided in Section 71-3 of the City Code, Any person who shall violate any of the provisions of this ordinance or who shall fail to comply therewith or with any of the requirements thereof, or who shall erect or alter any building, or who shall commence to erect or alter any building in violation of any detailed statement of plan submitted or approved thereunder, shall for each violation or noncompliance be deemed guilty of a misdemeanor, and upon conviction, shall be fined as provided in section 1-7 of the City Code. The owner of that building or premises or part thereof where anything in violation of this chapter shall be placed or shall exist, and any architect, builder, contractor, agent or corporation employed in connection therewith who may have assisted in the commission of any such violation shall be subject to the penalties herein provided.

**Section 5. Effective Date and Publishing.** This ordinance shall be effective immediately, except where a later date is expressly provided, upon adoption on second and/or final reading after publication and hearing, as provided in Sections 2.17-2.19 of the Charter of the City of La Marque, and publication in accordance with Section 52.013 of the Texas Local Government Code.

**Section 6. Conflict and Repeal.** This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

**Section 7. Severability.** In the event any clause, phrase provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part of the same, notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**PASSED, APPROVED, AND ADOPTED** by City Council of the City of La Marque on the First Reading this \_\_\_\_ day of \_\_\_\_\_2020.

**PASSED, APPROVED, AND ADOPTED** by City Council of the City of La Marque on the Second and Final Reading this \_\_\_\_\_day of \_\_\_\_\_2020.

**CITY OF LA MARQUE, TEXAS**

\_\_\_\_\_  
Bobby Hocking, Mayor

**ATTEST:**

\_\_\_\_\_  
Robin Eldridge, TRMC, City Clerk



**APPROVED AS TO FORM:**

---

Derra Leigh Purnell, Acting City Attorney



## EXHIBIT "A"

FIELD NOTES FOR 5.9114 ACRES OF LAND OUT OF THE S.F. AUSTIN LEAGUE NO. 4, ABSTRACT NO. 2 IN GALVESTON COUNTY, TEXAS, BEING OUT OF AND A PART OF THAT CERTAIN CALLED 44.5306 ACRE TRACT OF LAND BEING DESCRIBED AS TRACT 3, IN DEED TO VICTOR F. BRANCH, ET AL, RECORDED UNDER COUNTY CLERK'S FILE NO. 9506629 AND 9535367 OF THE REAL PROPERTY RECORDS OF GALVESTON COUNTY, AND BEING FURTHER OUT OF AND A PART OF THAT CERTAIN 71.9 ACRE TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 335, PAGE 294 OF THE DEED RECORDS OF GALVESTON COUNTY, SAID 5.9114 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

COMMENCING AT A 1-INCH SQUARE STEEL BAR SET IN THE NORTH OF LINE OF F M HIGHWAY NO. 1765, BASED ON A 100.00 FOOT RIGHT-OF-WAY, AT ITS INTERSECTION WITH THE WEST LINE OF DELANEY ROAD, BASED ON A 75.00 FOOT RIGHT-OF-WAY, AS HELD ON THE GROUND BY MONUMENTS AND CONSTRUCTION, SAID POINT BEING SOUTH 89° 13' 45" WEST 15.00 FEET FROM THE ORIGINAL SOUTHEAST CORNER OF THAT CERTAIN 104.6119 ACRE TRACT OF LAND CONVEYED TO SAID VICTOR F. BRANCH, ET AL, AS DESCRIBED IN SAID DEED RECORDED UNDER 9506629 AND 9535367 OF SAID DEED RECORDS,

THENCE, SOUTH 89° 13' 45" WEST 1258.53 FEET (CALLED SOUTH 89° 10' 40" WEST IN 104.6119 ACRE DEED), WITH THE NORTH LINE OF SAID F M HIGHWAY NO. 1765 AND THE SOUTH LINE OF THE SAID 104.6119 ACRE TRACT, TO A 5/8 INCH STEEL ROD SET AT AN ELL CORNER, SAID POINT BEING NORTH 89° 13' 45" EAST, 295.16 FEET FROM THE SOUTHWEST CORNER OF THE SAID 104.6119 ACRE TRACT AND THE COMMON SOUTHEAST CORNER OF THAT CERTAIN CALLED 102.19 ACRE TRACT OF LAND CONVEYED TO BUTTERMILK JUNCTION, LP AS DESCRIBED IN DEED RECORDED UNDER COUNTY CLERK'S FILE NO. 9956861 OF THE SAID REAL PROPERTY RECORDS,

THENCE, NORTH 00° 50' 17" WEST, 295.16 FEET TO A 5/8 INCH STEEL ROD SET AT A SECOND ELL CORNER,

THENCE, SOUTH 89° 13' 45" WEST, 295.16 FEET TO A POINT IN THE WEST LINE OF THE SAID 104.6119 ACRE TRACT AT A THIRD ELL CORNER, SAID POINT ALSO BEING IN THE EAST LINE OF THE SAID BUTTERMILK JUNCTION 102.19 ACRE TRACT, SAID POINT ALSO BEING IN THE CENTER OF A DITCH,

THENCE, NORTH 00° 50' 17" WEST, 2603.43 FEET (CALLED NORTH 00° 49' 20" WEST IN 104.6119 ACRE DEED AND NORTH 00° 10' 02" WEST IN 102.19 ACRE DEED) WITH THE EAST LINE OF THE SAID 102.19 ACRE TRACT AND THE WEST LINE OF THE SAID 104.6119 ACRE TRACT TO A 5/8 INCH STEEL ROD SET IN THE SOUTH LINE OF THE SAID 71.9 ACRE TRACT AT AN ELL CORNER, SAID POINT BEING THE NORTHWEST CORNER OF THE SAID 104.6119 ACRE TRACT AND THE NORTHEAST CORNER OF THE SAID 102.19 ACRE TRACT, SAID POINT ALSO BEING IN THE SOUTH LINE OF THAT CERTAIN 41.215 ACRE TRACT DESCRIBED AS TRACT 2 IN SAID BRANCH DEED,

THENCE, SOUTH 89° 18' 00" WEST, (CALLED S 89° 57' 31" WEST IN 102.19 ACRE DEED) WITH THE NORTH LINE OF THE CORNER OF THE SAID 41.214 ACRE TRACT AND THE SOUTHEAST CORNER OF THE AFORESAID 44.3306 ACRE TRACT 3, AT 50.00 FEET PASSING A 5/8 INCH STEEL ROD SET ON LINE, AND CONTINUING WITH THE SOUTH LINE OF THE SAID 44.5306 ACRE TRACT IN ALL, A TOTAL DISTANCE OF 503.60 FEET TO A 5/8 INCH STEEL ROD SET FOR THE SOUTHEAST CORNER AND PLACE OF BEGINNING FOR THE HEREIN DESCRIBED TRACT OF LAND

THENCE, CONTINUING WITH THE NORTH LINE OF THE AID 102.19 ACRE TRACT AND THE SOUTH LINE OF THE SAID 44.5306 ACRE TRACT, SOUTH 89° 18' 00" WEST, 1030.00 FEET TO A 5/8 INCH STEEL ROD FOUND IN THE EAST LINE OF F. M. HIGHWAY NO. 2004, BASED ON A 120.00 FEET RIGHT-OF-WAY, MARKING THE SOUTHWEST CORNER OF THE SAID 44.5306 ACRE TRACT AND THE HEREIN DESCRIBED TRACT, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE SAID 102.19 ACRE TRACT,

THENCE, NORTH 00° 46' 00" WEST, 250.00 WITH THE EAST LINE OF SAID F. M. HIGHWAY NO. 2004 AND THE WEST LINE OF THE SAID 44.5306 ACRE TRACT TO A 5/8 INCH STEEL ROD SET FOR THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT,

THENCE, NORTH 89° 18' 00" EAST, 1030.00 FEET TO A 5/8 INCH STEEL ROD SET FOR THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT,

THENCE, SOUTH 00° 46' 00" EAST, 250.00 FEET TO THE PLACE OF BEGINNING AND CONTAINING 5.9114 ACRE OR 257,500 SQUARE FEET OF LAND, MORE OR LESS.

**GRABBERE IL NOME**

[illegible]

**COULD BE THE ANSWER  
TO YOUR PROBLEMS. SEE US AT  
NACE, INC. STAND 304/175**

**NEW VACUUM  
SUCKING PUMP  
FOR THE  
TUBING INDUSTRY**

CHAS. E. HALL, JR.  
GALF. MD. 2000-0478

ALCANTARA, INC.

FM HIGHWAY NO. 1765  
(200' RADIUS ROAD)

**DELANEY ROAD**  
(20 MILES EAST)

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May 27, 2020

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

Dear Mayor and City Council:

On May 26, 2020, the Planning and Zoning Commission conducted a public meeting to consider a request to change the zoning district for approximately 5.9114 acres located near the intersection of FM 2004 and Mitchell Lane, Galveston County Tax Property ID No. 131351, from R-1 Single-family Residential to GC General Commercial.

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

Thank you,

Hugh Cash, Chairperson  
Planning and Zoning Commission



| ID     | NAME                       | ADDRESS                               | ADDRESS2                       | ADDRESS3 | CITY    | ST | ZIP   |
|--------|----------------------------|---------------------------------------|--------------------------------|----------|---------|----|-------|
| 426949 | LENNAR HOMES OF TEXAS LAND | AND CONSTRUCTION LTD                  | 681 GREENS PKWY<br>STE 220     | <null>   | HOUSTON | TX | 77067 |
| 727614 | EXP-MUD #32                | ALLEN BOONE HUMPHRIES<br>ROBINSON LLP | 3200 SOUTHWEST<br>FWY STE 2600 | <null>   | HOUSTON | TX | 77027 |



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

## Rezone Application

Application Date: 3/9/2020 SmartGov Project #:  
Name of Agent: Peyton Easley Phone: (713) 806-3451  
Address: 2333 Town Center Dr, Suite 300, Sugar Land, TX 77478  
Name of Owner: Sherry Angelo Phone: (713) 882-9086  
Address: 1106 Vista Creek Dr, Sugar Land, TX 77478  
Property Description: SEE ATTACHED Parcel #: 131351  
Address: Legal Description: ABST 2 PAGE 1 S F AUSTIN SUR TR 91 S. 911 ACRES  
Plot of Area Attached: (YES) NO Metes and Bounds Attached: (YES) NO  
Present Zone: SFR  
Reason for Change: Single Family Developers aren't interested in this property.  
Desired Outcome: Rezoning from "Single Family" to "Commercial"

### APPLICATION CHECKLIST

- ☒ SITE PLAN (To scale) WITH EXISTING IMPROVEMENTS, DEVELOPMENTS AND PROPERTY LINES  
(8-1/2 X 11 If larger than 8 1/2 x 11 please fold to appropriate size)
- ☒ SURVEY (To scale, 2 Copies)
- ☒ CURRENT AND ORIGINAL CERTIFIED TAX RECEIPTS
- ☒ TITLE REPORT (If purchased in the last 60 days) OR
- ☐ PLANNING LETTER
- ☒ NON-REFUNDABLE APPLICATION FEE (Payable to the "City Of La Marque")

Submitted to the Board on:   /  /  

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Other: \_\_\_\_\_

Comments: \_\_\_\_\_

### APPLICANTS CERTIFICATE

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

Signature of applicant: Sherry B. Angelo

Date: 3/4/2020

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



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

## **Rezone Application**

---

The following schedule of fees shall apply for zoning change requests:

- A. 0-25 Acres:
    - 1. \$400 plus \$50 for each type of rezoning requested; or
    - 2. \$540 if planned development unit
  - B. 25-50 Acres:
    - 1. \$450 plus \$50 for each type of rezoning requested; or
    - 2. \$500 if planned development unit
  - C. 50-75 Acres:
    - 1. \$500 plus \$50 for each type of rezoning requested; or
    - 2. \$550 if planned development unit
  - D. 75-100 Acres
    - 1. \$550 plus \$50 for every type of rezoning requested; or
    - 2. \$600 if planned development unit
  - E. 100+ Acres
    - 1. \$600 plus \$50 for every type of rezoning requested; or
    - 2. \$650 if planned development unit
  - F. Re-Plats : NO CHARGE
  - G. Zoning Letter / Certificate of Compliance \$25
-



## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020  
Prepared by: Sussie Sutton

Agenda item: 7h  
Reviewed by: Charlene Warren  
Charles Jackson

Department: Development  
Services

**AGENDA ITEM DESCRIPTION:** Consider recommendation to adopt Ordinance No. **O-2020-0007**, changing the zoning district for Trails at Woodhaven Lakes, approximately 82 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single-family Residential to Trails at Woodhaven Lakes Planned Development District (Trails at Woodhaven PDD), establishing zoning regulations for Trails at Woodhaven PDD, and amending the comprehensive plan and zoning map to reflect this PDD **THIS IS THE FIRST READING**

**X**

### **ATTACHMENTS FOR REFERENCE**

1. Ordinance
2. Planning and Zoning letter of recommendation
3. Planning and Zoning Draft Minutes for May 12, 2020

### **STAFF BRIEFING:**

- This is the application for the planned development district only – there will be a letter agreement on the next agenda that incorporates items the developer and City have agreed to that cannot be put into the zoning ordinance
- The general plan for this development will be submitted at a future meeting when final details for the lot layout have been decided by the developer
- Public Hearing held at the Planning and Zoning Commission public meeting of May 12, 2020
- The Planning and Zoning Commission discussed at the public meeting of May 12, 2020; item tabled
- Public Hearing held at the Planning and Zoning Commission special public meeting of May 26, 2020
- The Planning and Zoning Commission discussed at the special public meeting of May 26, 2020
- The Commission voted to forward the item to City Council with a favorable recommendation
- City attorney has reviewed

### **HISTORY:**

**May 13, 2020:** Property owner notices mailed to residents with a 200 ft. radius

**TARGET IMPLEMENTATION:** July 13, 2020

### **SIGNIFICANT ACTION DATES:**

**May 12, 2020** – Planning and Zoning Public Hearing & consideration



## CITY COUNCIL AGENDA FORM

**May 26, 2020** – Planning and Zoning Public Hearing & consideration

**ACTION:**

- |                                                                                                                                              |                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> Ordinance                                                                                                | <input type="checkbox"/> Resolution     |
| <input type="checkbox"/> Special Presentation                                                                                                | <input type="checkbox"/> Proclamation   |
| <input type="checkbox"/> Finance Report                                                                                                      | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Other                                                                                                               |                                         |
| <input checked="" type="checkbox"/> Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures |                                         |

**Cost Details:**

|                              |  |
|------------------------------|--|
| <b>Budgeted</b>              |  |
| <b>Actual Bid</b>            |  |
| <b>Estimated Expenditure</b> |  |
| <b>Acct. Name(s)</b>         |  |
| <b>Line Item #</b>           |  |
| <b>Other Funding</b>         |  |

**STAFF'S RECOMMENDATION:** Motion to adopt Ordinance No. **O-2020-0007**, changing the zoning district for Trails at Woodhaven Lakes, approximately 82 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single-family Residential to Trails at Woodhaven Lakes Planned Development District (Trails at Woodhaven PDD), establishing zoning regulations for Trails at Woodhaven PDD, and amending the comprehensive plan and zoning map to reflect this PDD **THIS IS THE FIRST READING**

**FISCAL IMPACT:** N/A

## **ORDINANCE NO. O-2020-0007**

**AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, ESTABLISHING THE TRAILS AT WOODHAVEN LAKES PLANNED DEVELOPMENT DISTRICT (“TRAILS AT WOODHAVEN PDD”) AS A ZONING DISTRICT IN ACCORDANCE WITH CHAPTER 71, ZONING, OF THE CITY OF LA MARQUE CODE OF ORDINANCES; ADOPTING REGULATIONS APPLICABLE TO THE TRAILS AT WOODHAVEN PDD; AMENDING THE COMPREHENSIVE PLAN AND ZONING MAP TO REFLECT THIS AMENDMENT; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION.**

**WHEREAS**, the City of La Marque, Texas, (the “City”) heretofore adopted Ordinance No. 953, as amended, codified in Chapter 71, Zoning, of the City Code of La Marque Code of Ordinances (the “Zoning Ordinance”) that regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

**WHEREAS**, Trails Land Holdings, Ltd. And Trails at Woodhaven Lakes, Ltd., represented by Tony Padua (the “Owners”), are the owners of tracts of land comprising the 82.0 acres of property described in Exhibit A (the “Property”); and

**WHEREAS**, the Owners of the Property are requesting a Planned Development District, (“PDD”) designation for the zoning of the Property to facilitate development of a master planned community, including a unique combination of housing for senior living, single-family development, commercial reserve and related amenities; and

**WHEREAS**, the Owners of the Property have presented an application for the City to amend the Zoning Ordinance in order to create a Planned Development (PDD) zoning district, hereinafter referred to as “Trails at Woodhaven Lakes Planned Development District” (the “Trails at Woodhaven PDD”); and

**WHEREAS**, the Trails at Woodhaven PDD will include “R-1” Single-family Residential uses, moderate density “R-3” Multiple-family Residential uses for Senior Living Housing and “C-2” Restricted Commercial uses subject to the modifications of this Ordinance; and

**WHEREAS**, the Planning and Zoning Commission and the City Council have conducted, in the time and manner required by law and the Zoning Ordinance of the City, a public hearing on the proposal to change the zoning for the Property; and

**WHEREAS**, the Planning and Zoning Commission recommended to approve Trails at Woodhaven PDD subject to certain terms and conditions; and



**WHEREAS**, the City Council finds that the proposed Trails at Woodhaven PDD is consistent with the City's comprehensive plan, and that the comprehensive plan of the City should be amended to include the proposed Trails at Woodhaven PDD;

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

**Section 1.**

The facts and matters set forth in the preamble of this Ordinance are found to be true and correct.

**Section 2.**

That the Trails at Woodhaven PDD is hereby established as the zoning district applicable to the Property shown and described in Exhibit A. The zoning regulations contained in this Ordinance shall be applicable to the Trails at Woodhaven PDD.

**Section 3. Zoning Map**

The official zoning map of the City of La Marque is hereby amended in accordance with this Ordinance.

**Section 4. Comprehensive Plan**

The City's comprehensive plan is amended in accordance with this Ordinance.

**Section 5. Trails at Woodhaven PDD Zoning Regulations**

The Trails at Woodhaven Lakes PDD uses authorized and permitted, and restrictions on those authorized uses, are hereby adopted and shall read as follows:

**A. Single Family Residential Area**

The approximately 35.0-net acre-area (excluding street right-of-way) shown in Exhibit "B" Development Site Plan as designated for R-1 Single Family Uses ("Single Family Residential Area") shall conform to all requirements for the R-1 Single Family Residential District, as prescribed by the Zoning Ordinance except for the following modifications:

*Uses permitted:*

Only the following uses are permitted in the Single Family Residential Area:

- 1) Single Family detached homes with garages with a minimum of two parking spaces. All single-family homes shall be detached single-family construction.
- 2) Lakes or ponds constructed for the purpose of detaining water temporarily or holding water permanently as an amenity.
- 3) Accessory structures
- 4) Home occupations as defined by the City of La Marque zoning ordinance
- 5) Private park and recreational facilities
- 6) Private Community Center (up to 4000 square feet), recreational facilities and associated parking.

- 7) Up to three single-family dwellings may be used as model homes or sales offices in each of the three single-family sections based on lot size as shown in Exhibit "B" Development Site Plan subject to the following conditions:
- a. Parking will be allowed along the public streets for the model homes and additional parking may be temporarily added on the individual sales lot, subject to removal upon termination of the model home-usage. Employees of the sales office shall be provided adequate off-street parking and shall not park along streets. In no event shall parking interfere with fire access routes.
  - b. The sales office use shall only function to advertise, finance or sell property within Trails at Woodhaven Lakes and shall not be utilized for property outside the PDD.
  - c. The use of the model homes for commercial usage shall be discontinued upon the sale of 90% of the lots or December 31, 2028, whichever comes first, unless the City Council grants an extension in the form of an amendment to this Section. Upon cessation of use as sales offices, the sales office structures shall be converted to single-family dwellings in accordance with the plans approved by the City prior to conversion of the single-family dwelling (model home) to sales offices, including the removal of any structural changes and parking required to accommodate the temporary commercial use.

*Lot Size:*

Three different minimum lot sizes are allowed in the Single Family Residential Area as shown in Exhibit "B" Development Site Plan. The three minimum lot sizes shall be allowed as follows:

- 1) 6600 sq. ft. minimum, 60 feet wide by 110 feet deep
- 2) 5500 sq. ft. minimum, 50 feet wide by 110 feet deep - maximum of 65% of lots
- 3) 4500 sq. ft. minimum, 45 feet wide by 100 feet deep - maximum of 25% of lots

*Area, yard, height and lot coverage requirements:*

Lots and structures in the Single Family Residential Area shall comply with the following regulations:

|                                         | 60' Lots | 50' Lots | 45' Lots |
|-----------------------------------------|----------|----------|----------|
| Maximum Height (ft.) - two story        | 35       | 35       | 35       |
| Minimum Side Building Setback (ft.)     | 5        | 5        | 5        |
| Minimum Rear Building Setback (ft.)     | 10       | 10       | 10       |
| Minimum Front Building Setback (ft.)*** | 25       | 25       | 25**     |
| Minimum Lot Area (sq. ft)               | 6600     | 5500     | 4500     |
| Minimum Building Living Area (sq. ft.)  | 1,300    | 1,200    | 1,000    |
| Masonry and roofing                     | *        | *        | *        |
| Minimum lot width (ft.)                 | 60       | 50       | 45       |
| Minimum lot depth (ft.)                 | 110      | 110      | 100      |
| Maximum lot coverage (%)                | 60**     | 60**     | 65**     |

\*The Owner desires and will submit deed restrictions that single-family structures should have exteriors typical of those in Attachment "E" with a minimum of 75 percent of the total exterior façade, excluding doors, windows and window walls, on any front facade which faces a public thoroughfare or open space, constructed of brick, stone, or masonry. Roofing materials will be composition shingles, tile, or similar materials as designated in the deed restrictions. These restrictions will apply to all lots sold for single-family usage, enforceable by the homeowner's association or any property owner subject to the deed restrictions.

\*\*Lot coverage. The total area of a lot occupied by the base footprint (first story of home) of the residential building located on the lot.

\*\*\*Any easements adjacent to the street right-of-way shall be counted toward the required front and side building setbacks.

All garages shall be a minimum of two parking spaces in area with no tandem garages or free-standing carports allowed; provided, this section does not prohibit a porte-cochere connecting the house and garage.

*Fences:*

A minimum 6-foot privacy fence made of cedar shall be installed between any two single-family dwellings in the Single Family Residential Area on the side lot line. The restrictive covenants will require a fence where visible from a public street or open space and should be 6 feet tall with a combination of wood and masonry construction; provided, however, perimeter fence along Delany Road shall be masonry construction. Rear fences along the lake or water feature lots shall be wrought iron with a height of 6' tall. Each owner of a single-family dwelling in the Single Family Residential Area shall be responsible for maintenance of fences located on their property or property lines.

*Phasing/Timing of Development:*

No building permit shall be issued for any senior living residential structure until and unless construction plans have been approved for at least the first section of single family lots which will have at least 50 single family lots. Further, no certificate of occupancy shall be issued for any portion of the senior living residential structure unless the roads, utilities, and lot grading for at least 50 single-family lots have been completed. This Ordinance does not otherwise prescribe the project phasing for this district and the owner reserves the right to change the number, order and make-up of project phases by submitting an amended general plan to the City for approval in accordance with City Code requirements for general plans; provided, however, the owner shall complete construction, landscaping and installation of parks included in each phase, as shown in the approved General Plan, within 180 days of application and receipt of the first certificate of occupancy for any single family dwelling within that phase; provided, however, the lake is not required to be completed until application for the first certificate of occupancy in the last phase of development adjacent to the lake, as shown on the approved General Plan. Failure to complete a park shown on the approved General Plan within the applicable phase shall constitute an offense under this ordinance.

**B. Trails of Woodhaven Village Campus**

The approximately 9.00-acre area shown in Exhibit “B” Development Site Plan for Senior Living Residential (“Trails of Woodhaven Village Campus”) shall conform to all requirements for the R-3 -Multiple-family Residential as prescribed by the Zoning Ordinance except for the following modifications:

*Uses permitted in the Woodhaven Village Campus:*

Only the following uses are permitted in the Trails of Woodhaven Village Campus:

- 1) Multi-family dwelling units designed for senior living in the Trails of Woodhaven Village Campus;
- 2) Senior housing and support services related to senior housing;
- 3) Accessory structures for senior living facilities; and
- 4) Private open space, pools and other recreational amenities suitable for senior living.

*Location on a lot; height; setback:*

A structure in the Trails of Woodhaven Village Campus shall be located as prescribed in Section 71-20, Schedule of district area regulations, subject to the modifications in this Ordinance. A structure in the Trails of Woodhaven Village Campus of the PDD shall be located not less than five feet from a side lot line with a maximum height of 45 feet to the top of the eaves of the roof.

*Parking:*

Parking for the Trails at Woodhaven Village Campus shall comply with the requirements of City Code Section 71-22 for residential uses. Parking will be provided based on the type of unit (i.e. number of bedrooms) and may be constructed in phases, provided the required parking spaces are available for the number of units available to be occupied (i.e. that are covered by a certificate of occupancy.)

C. Senior Cottage Area

The approximately 2.70-acre area shown in Exhibit “B” Development Site Plan for Senior Living Cottages (“Senior Cottage Area”) shall be constructed in accordance with Exhibit “C” and conform to the requirements for the R-3 - Multiple-family Residential zoning district as prescribed by the Zoning Ordinance except for the following modifications:

- 1) Dwelling units in the Senior Cottage Area may be accessed by a 24-foot wide minimum paved private drive, to be maintained by the property owner’s association of Woodhaven Senior Housing Campus.
- 2) Lots in the Senior Cottage Area shall either be:
  - a. Platted as separate lots owned in fee simple fronting on a private drive maintained by a property owners association and meeting the building code requirements allowing attached structures and the lot width, setback and other dimensions as shown in Exhibit “C”; or
  - b. Sold under a condominium regime with common ownership of the land, buildings, street, private drive and common areas.
- 3) The private drive will be a Public Access Easement (“PAE”) dedicated at the time of platting for public use, including but not limited to drainage, access, streetlights and utility installation or maintenance,
- 4) Any gated areas will have a “knox-box” or other 24 hour means of access acceptable to the Fire Department for emergency access.
- 5) Street lights along private drives in the Senior Cottage Area shall be installed by Owner and maintained by the Property Owner’s Association.

*Height:*

Multi-family structures shall be limited to a maximum height of 45 feet to the top of the eaves of the roof. Dwelling units in the Senior Cottage Area shall be limited to a maximum height of 35 feet.

### *Typical Elevations of the Exterior Facade:*

The senior living, multi-family structures of the Trails of Woodhaven Village Campus will be constructed in accordance with the attached renderings and elevations contained in Exhibit "D." Minor deviations may be administratively approved by the City Manager, provided they are substantially similar to the general appearance shown in the renderings. Changes in site layout will be allowed to accommodate site conditions and feasibility for construction; provided, however, this Section does not exempt Owners from any platting or plan approval requirements of the City.

### *Parking:*

Each dwelling unit in the Senior Cottage Area shall have at least two dedicated off-street parking spaces per unit.

Handicapped parking will be provided in compliance with the requirements of the American Disabilities Act and the City of LaMarque.

### **D. Restricted Commercial Area**

The approximately 3.40-acre area shown in Exhibit "B" Development Site Plan as designated for Restricted Commercial Uses ("Restricted Commercial Area") shall conform to all requirements for the C-2 Restricted Commercial District, as prescribed by the Zoning Ordinance except for the following modifications:

#### *Uses permitted:*

The following uses are allowed in the Restricted Commercial Area:

- 1) Dwelling units on the second floor of a ground floor business use, as long as all requirements have been met in accordance with applicable city ordinances, state and federal laws and regulations.
- 2) Neighborhood retail sales and service.
- 3) Business offices;
- 4) Professional offices, such as, doctors, dentists, attorneys, chiropractors, psychologists, insurance, real estate, architects, engineers, accountants, building contractors, and other similar uses;
- 5) Clinics, both medical and dental, that could include pharmaceutical sales, provided that such pharmacies are complementary to the primary clinic use of the structure. Other similar medical or dental, diagnostic or therapeutic facilities (except residences) are permitted;
- 6) Bakeries, cafes, confectioneries, ice cream shops, and restaurants that prepare foodstuffs for onsite retail sale only;
- 7) Antique shops, art galleries
- 8) Banks, savings and loans and financial institutions (no pawn shops)
- 9) Beauty salons, hair cutting and styling, barber shops and other similar personal services
- 10) Camera, photographic supply
- 11) Cell phone and other wireless retail sales



- 12) China, glassware and retail kitchen supply
- 13) Cleaners, retail pickup only, no dry cleaning on site
- 14) Clothing stores, furriers, tailors
- 15) Convenience store with associated gas pumps/car wash
- 16) Day spas, massages with licensed massage therapists, diet and reducing salons
- 17) Florist shops
- 18) Interior decorating shops, including furniture upholstering and making of draperies, slipcovers, and other similar articles when conducted as part of the retail operation and secondary to the principal use
- 19) Leather stores including luggage
- 20) Office supply retail stores, copying, retail small job printing
- 21) Music stores including recording and sound equipment and sheet music, musical instrument sales and repair
- 22) Paint and wallpaper, floor coverings, carpet and rug stores
- 23) Picture framing
- 24) Restaurants/Coffee Shops
- 25) Retail furniture and household appliance stores
- 26) Sporting goods, athletic clothing, and other retail sporting equipment
- 27) Travel agencies, ticket offices
- 28) Vision clinic, eyewear, and optical sales
- 29) On-premise parking lots and structures, related to the businesses on site

*Conditional Uses.*

The following conditional uses may be allowed following application to the City Zoning Commission for a Conditional Use Permit and approval of such permit by the Zoning Commission and City Council:

- 1) Public utility and public services;
- 2) Colleges and universities provided that the zoning lot shall not be less than 40 acres;
- 3) Churches, parish houses, convents;
- 4) Public and private schools;
- 5) Day or child-care facilities with a conditional use permit

*Landscaping Requirements:*

Landscaping shall be provided in accordance with the ordinances of the City.

*Location on the lot:*

A structure in the Restricted Commercial Area shall be located as prescribed in Section 71-9, Area regulations of the Zoning Ordinance C-2, Restricted Commercial District, including the ten (10) foot rear yard setback.

**E. General Open Space Requirements; Regulations Applicable to All Areas**

The entire Trails at Woodhaven PDD shall include a minimum of 20% of open space and water features as an amenity for the community. The proposed

open space, lakes, trails and amenities as shown on the approved Development Site Plan currently utilizes approximately 19.70 of the 82.0 acres. This open space may include pocket parks, playgrounds, BBQ grills, fitness equipment, ponds with fountains, fishing piers, kayak launches, splash pad park area, landscaped designed trails, and ponds.

A 15-foot buffer along FM 1765 in front of the Woodhaven Village Campus Area, excluding driveways and streets, shall remain open green and/or landscaped space, along with trees in accordance with the requirements of the Thoroughfare Overlay District, Chapter 71, City Code. Sidewalks may be designed to avoid existing trees and fit in with the landscaping thus resulting in a meandering sidewalk.

The City Manager is hereby delegated authority to approve minor changes in the Development Site Plan in order to preserve significant trees and related open space pockets or to better increase traffic or pedestrian circulation, provided the total amount of open space, number of parks, general street layout and single-family residential lots remain the same. This Section does not delegate approval under, or authorize an exemption from, the City's subdivision regulations.

*Homeowners' association:*

In accordance with the Zoning Ordinance, before approval of any plat containing any common area, it shall be necessary to assure the city that provisions have been made for adequate upkeep and maintenance of such area and facilities. Owner agrees to establish a homeowners, property owner's or other maintenance association to maintain and manage all such common areas including lakes, ponds, detention areas, water features, walking trails, landscaping, structures and improvements, project fences or walls, recreational equipment, landscaped medians, sidewalks, private driveways, and private streets. In the event of failure to maintain said common area, the City may, by ordinance, provide for maintenance at the expense of the property owners, and provide for a lien against the property of the members, as in the case of individual homeowners. The power of the City to file a lien shall be recited in the bylaws of the association.

F. Street Design Standards

Streets within the Trails at Woodhaven PDD shall be a minimum of 28 feet wide and be concrete with roll-over curbs, with minimum right-of-way required as designated on the Development Site Plan attached as Exhibit B. All Streets within the Trails at Woodhaven PDD shall include a 5-foot wide sidewalk on both sides of the street; provided, however, the estimated cost of sidewalk installation along Delany Road may be paid into a sidewalk fund to be used by the City for this purpose upon completion of planned City construction work along Delany Road in lieu of the required sidewalk along Delany Road.

### *Street trees:*

Trees shall not be planted immediately behind the property line along the sidewalk, except FM 1765 where the developer proposes to preserve existing tree canopy which will provide a tree-lined buffer along FM 1765. Trees shall not be planted in a manner that interferes with the structural integrity of the sidewalk. These requirements shall also be listed in the restrictive covenants. Where physical impediments interfere with the tree spacing, the same number of trees may be “clustered.”

### **Section 6.**

Nothing in this Ordinance waives or modifies any other City requirement, including but not limited to off-street parking requirements unless expressly referenced herein, subdivision regulations, and construction codes. Approval of this Application grants only the rights specifically addressed herein and does not constitute general plan or subdivision plat approval.

### **Section 7. Penalty**

As provided in Section 71-5 of the City Code, any person who shall violate any of the provisions of this ordinance or who shall fail to comply therewith or with any of the requirements thereof, or who shall erect or alter any building, or who shall commence to erect or alter any building in violation of any detailed statement of the plan submitted or approved thereunder, shall for each violation or noncompliance be deemed guilty of a misdemeanor, and upon conviction, shall be fined as provided in section 1-10 of the City Code.

### **Section 8. Effective Date and Publishing**

This ordinance shall be effective immediately, except where a later date is expressly provided, upon adoption on second and/or final reading after publication and hearing, as provided in Sections 2.17-2.19 of the Charter of the City of La Marque, and publication in accordance with Section 52.013 of the Texas Local Government Code.

### **Section 9. Conflict and Repeal**

This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

### **Section 10. Severability**

In the event any clause, phrase provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part of the same, notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED on First Reading this \_\_\_\_ day of \_\_\_\_\_ 2020;  
and PASSED, APPROVED, AND ADOPTED on Second and Final Reading this \_\_\_\_ day of  
\_\_\_\_\_ 2020.

\_\_\_\_\_  
Bobby Hocking, Mayor

ATTEST:

\_\_\_\_\_  
Robin Eldridge, City Clerk TRMC

APPROVED AS TO FORM:

\_\_\_\_\_  
Derra Leigh Purnell, Acting City Attorney

## EXHIBIT "A" Legal Description (Tract I & II Combined)

### TRACT I

#### 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, 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, 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, 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, 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, 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, coincident the west R.O.W. line of aforesaid Delaney Road, South 02 Degrees 45 Minutes 29 Seconds East, a distance of 2,103.22 to a 1 /2 inch iron rod found for the southeast corner of both the herein described tract and aforesaid 33.3575 acre tract and being the northeast corner of a called 141.698 acre tract of record in the name of Abdelrazek Radwan in G.C.C.F. Number 9960110;THENCE, coincident the south line of both the herein described tract and aforesaid 33.3575 acre tract, South 88 degrees 00 minutes 40 seconds West, a distance of 1,461.15 feet to a 5/8 inch iron rod found for the southwest corner of both the herein described tract and said 33.3575 acre tract and being on the east line of aforesaid 11.3826 acre tract

THENCE, coincident the east line of aforesaid 11.3826-acre tract, North 02 Degrees 53 Minutes 45 Seconds West, o distance of 2,143.79 feet to the POINT OF BEGINNING and containing 67.4042 acres of land.

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

Being a tract or parcel of land containing 14.61 acres of land or 636,321 square feet, located in the Stephen F. Austin League, Abstract 297, Galveston County, Texas, Said 14.61 acre tract being all of a 7 .8800 acre tract of record in the name of Trails Land Holdings, LTD in Galveston County Clerk's File (G.C.C.F.) Number 201909734 7, all of a 6.40 acre tract of record in the name of Trails Land Holdings, Ltd. in G.C.C.F. No. 2019006929, and out of and a part of a called 42.2590 acre tract of record in the name of Trails at Woodhaven Lakes, Ltd. in G.C.C.F. Number 2017062418; Said 14.61 acre tract being more particularly described as follows (bearings based on G.C.C.F. Number 2015015436):

BEGINNING at a 5/8 inch iron rod with "Gruller" cap set for the northwest corner of both the herein described tract and aforesaid 7 .8800 acre tract, 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 south R.O.W. line of aforesaid Texas Avenue, North 87 Degrees 17 Minutes 30 Seconds East, a distance of 1,466.87 feet to a 5/8 inch iron rod with "Gruller" cap set for northeast corner of aforesaid 6.40 acre tract and being at the intersection of the south R.O.W. line of said Texas Avenue and the west R.O.W. line of Delaney Road (60 feet wide);

THENCE, coincident the west R.O.W. line of aforesaid Delaney Road and the east line of aforesaid 6.40 acres, South 02 degrees 45 minutes 29 seconds East, a distance of 297.97 feet to a 5/8 inch iron rod with "Gruller" cap set for the northeast corner of a called 0.0574 acre tract of record in the name of The City of LaMarque in G.C.C.F. Number 8239444 and being the northerly southeast corner of said 6.40 acre tract;

THENCE, coincident the south line of aforesaid 6.40 acre tract, South 87 degrees 06 minutes 14 seconds West, a distance of 466.08 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 aforesaid 7.8800 acre tract;

THENCE, coincident the east line of aforesaid 7.8800-acre tract, South 02 'degrees 53 minutes 46 seconds East, 216.69 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 south line of aforesaid 7.8800-acre tract, South 87 degrees 06 minutes 14 seconds West, 750.00 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, North 02 degrees 53 minutes 45 seconds West, 260.05 feet to a 5/8-inch iron rod with "Gruller" cap set;

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;

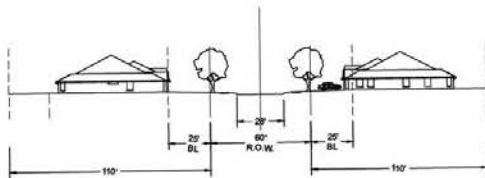
THENCE, coincident the west line of aforesaid 7.8800-acre tract and the east line of aforesaid 11.3826-acre tract, North 02 degrees 53 minutes 45 seconds West, 289.06 feet to the POINT OF BEGINNING and containing 14.61 acres of land.



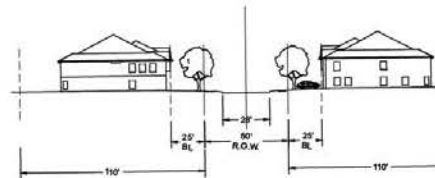
## Exhibit "B" Development Site Plan

### **TRAILS AT WOODHAVEN LAKES- 82.00 ACRES**

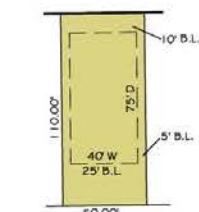
|                                                                                   |                                                 |                          |  |
|-----------------------------------------------------------------------------------|-------------------------------------------------|--------------------------|--|
| <u>SINGLE FAMILY RESIDENTIAL</u> - +/- 35.00 ACRES (43%)                          |                                                 |                          |  |
|  | 60 X 110 - 42 LOTS (+/- 20%)                    | <u>Total Lots</u><br>225 |  |
|  | 50 X 110 - 137 LOTS (+/- 20%)                   |                          |  |
|  | 45 X 100 - 47 LOTS (+/- 20%)                    |                          |  |
|  | <u>SENIOR LIVING</u> - +/- 9.00 ACRES (11%)     |                          |  |
|  | <u>COMMERCIAL RESERVE</u> - +/- 3.40 ACRES (4%) |                          |  |
|  | <u>SENIOR COTTAGE</u> - +/- 2.70 ACRES (3%)     |                          |  |
|  | <u>LAKES</u> - +/- 11.45 ACRES (14%)            |                          |  |
|  | <u>OPEN SPACE</u> - +/- 8.25 ACRES (10%)        | 225-230 +/-              |  |
| <u>STREET RIGHT OF WAY</u> - +/- 12.20 ACRES (15%)                                |                                                 |                          |  |
| <u>TRAILS ALONG LAKES AND GREEN SPACES</u> - +/- 7500 L.F.                        |                                                 |                          |  |



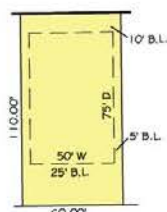
**TYPICAL STREET SECTION 'A'**  
(60' R.O.W.)



**TYPICAL STREET SECTION 'B'**  
(50' R.O.W.)

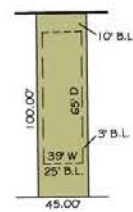


**STANDARD LOT**  
(50'x110')



**STANDARD LOT**  
(60'x110')

Note: Corner lots 5' wider than typical

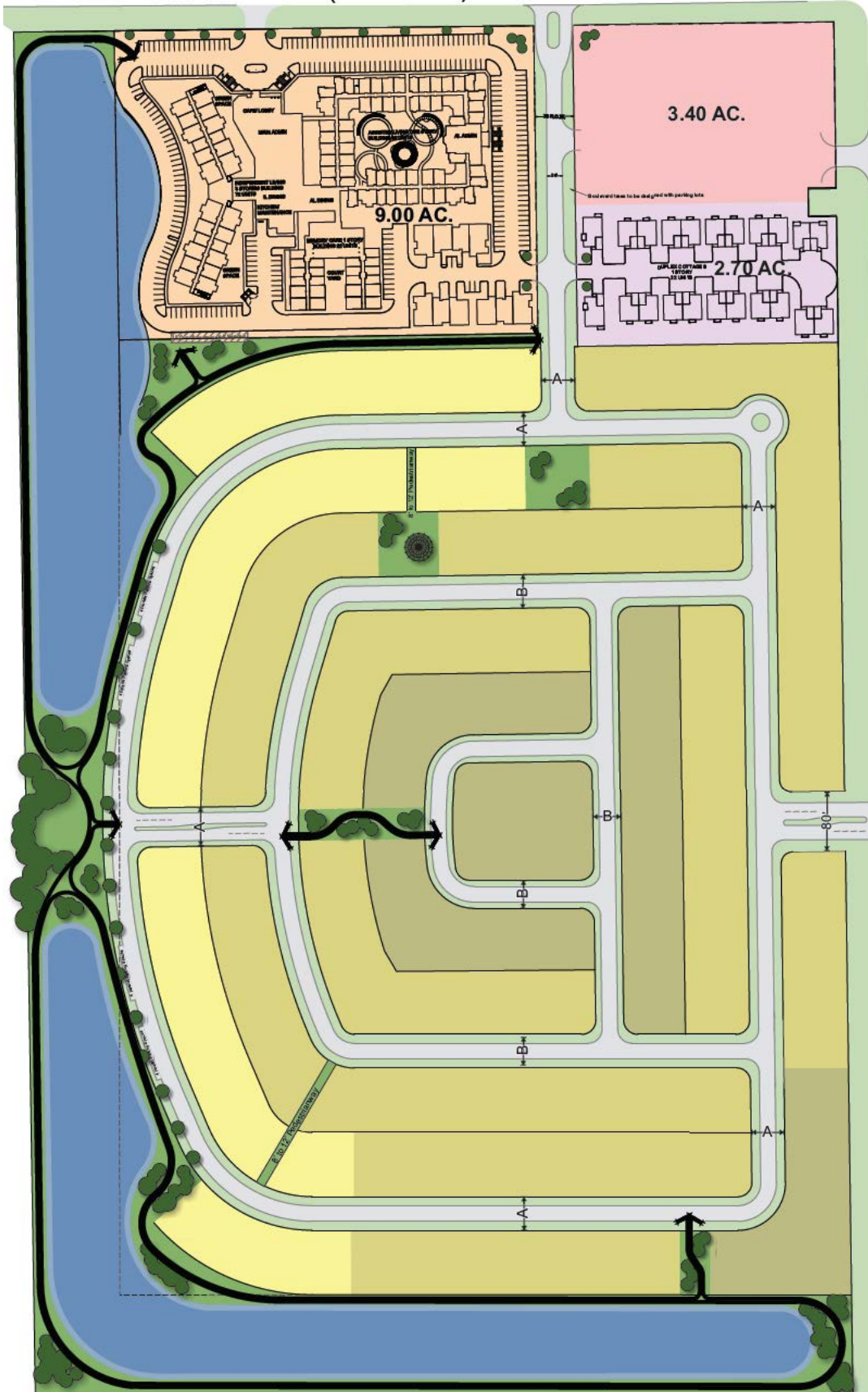


**STANDARD TOWN HOME LOT**  
(45'x100')

Note: Corner lots 5' wider than typical

# TEXAS AVE (FM 1765)

NOTE: On-ramp and street intersection designs along Texas Avenue will be in accordance with approved TPOC plans.



DELANY RD.

**AIMER**  
Development Site Plan has been red with the best preliminary nation available. Final lot lines, ing locations, trails and other improvements may be adjusted iding upon actual on the ground ys and construction plans.

**AIMER**  
reliminary land plan has been red for the limited purposes of ce in the preparation of detailed ering and development plans. No ty is made, expressed or implied due Realty Co., or its agents, as to sign, location, quality or character v. actual facilities within, across and beneath the premises described on this land plan.





**Exhibit “C” Cottages for Sale, Continued - Typical Elevation,**





[illegible]

## Exhibit “D” Trails at Woodhaven Village Campus Continued - Typical Renderings







**Exhibit “E” Trails at Woodhaven Lakes Single Family Typicals**



Typical Elevation of one-story single-family residence with combinations of brick, stone and other materials



Typical elevation of two-story single-family residence with combinations of brick, stone and other materials



May 27, 2020

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

Dear Mayor and City Council:

On May 26, 2020, the Planning and Zoning Commission conducted a public meeting to consider amending the City of La Marque's Code of Ordinance changing the zoning district for Trails at Woodhaven Lakes, approximately 82 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single-family Residential zoning district to Trails at Woodhaven Lakes Planned Development District, establishing zoning regulations for the Trails at Woodhaven Lakes Planned Development District, and amending the comprehensive plan and zoning map in accordance with this Planned Development District.

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

Thank you,

Hugh Cash, Chairperson  
Planning and Zoning Commission



1111 Bayou  
La Marque, Texas 77568  
409-938-9202

**CITY OF LA MARQUE  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING and REGULAR MEETING  
MINUTES  
of  
May 12, 2020**

Public Hearing and Regular Meeting Minutes of the City of La Marque Planning and Zoning Commission held on May 12, 2020, beginning at 4 p.m. at 1109-B Bayou Road with the following members present: Hugh Cash, Greg Cornett, Augustino Molis, Alan Waters, and Chris Colombo. Absent was Douglas Hobgood.

**(1) CALL TO ORDER**

Chairperson Cash called the meeting to order at 4:03 p.m.

**(2) ROLL CALL**

**PRESENT:**

Chairperson Hugh Cash  
Vice Chairperson Greg Cornett  
Commissioner Augustino Molis  
Commissioner Alan Waters  
Chris Colombo (Alternate)

**ABSENT:**

Commission Douglas Hobgood

**OTHER OFFICIALS/STAFF PRESENT:**

Derra Purnell - Acting City Attorney  
Dinh Ho, ADICO - City Engineer  
Robert Michetich - Council Member  
Sussie Sutton - Development Coordinator

**(3) PUBLIC COMMENTS**

At this time, any person who wishes to speak on Commission-related business, including any item on the agenda, should speak at this time by giving the Chairperson your name and the item you wish to speak about. Comments are limited to three (3) minutes. In compliance with Texas Open Meetings Act, the Planning and Zoning Commission may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours. Press \*6 to mute or unmute if you are participating by telephone.

There were no comments.





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La Marque, Texas 77568  
409-938-9202

**(4) PUBLIC HEARINGS**

- a.** Public hearing on a preliminary report regarding a request to change the zoning district for Trails at Woodhaven Lakes, approximately 82 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single Family Residential zoning district to Trails at Woodhaven Lakes Planned Development District, establish zoning regulations for the Trails at Woodhaven Lakes Planned Development District, and amend the comprehensive plan and official zoning map in accordance with this Planned Development District.

There were no comments.

- b.** Public hearing on a preliminary report regarding a request to change the zoning district for Ambrose (formerly known as Saltgrass Phase II), approximately 81 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single Family Residential zoning district to Ambrose Planned Development District, establish zoning regulations for the Ambrose Planned Development District, and amend the comprehensive plan and official zoning map in accordance with this Planned Development District.

There were no comments.

- c.** Public hearing on a preliminary report regarding a request to change the zoning district for approximately 5.9114 acres located near the intersection of FM 2004 and Mitchell Lane, Galveston County Tax Property ID No. 131351, from R-1 Single Residential to GC General Commercial.

There were no comments.

**(5) NEW BUSINESS**

- a.** Discussion / possible action to issue a final report and provide a recommendation to City Council on an ordinance changing the zoning district for Trails at Woodhaven Lakes, approximately 82 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single Family Residential zoning district to Trails at Woodhaven Lakes Planned Development District, establishing zoning regulations for the Trails at Woodhaven Lakes Planned Development District, and amending the comprehensive plan and zoning map in accordance with this Planned Development District.

Commissioner Waters motioned to recommend approval of the final report and the recommendation to City Council on an ordinance changing the zoning district for Trails at Woodhaven Lakes, approximately 82 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single



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La Marque, Texas 77568  
409-938-9202

Family Residential zoning district to Trails at Woodhaven Lakes Planned Development District, establishing zoning regulations for the Trails at Woodhaven Lakes Planned Development District, and amending the comprehensive plan and zoning map in accordance with this Planned Development District. Second by Commission Alternate Colombo the motion carried unanimously.

- b. Discussion / possible action to issue a final report and provide a recommendation to City Council on an ordinance changing the zoning district for Ambrose (formerly known as Saltgrass Phase II), approximately 81 acres located near the intersection of Texas Avenue (FM 1765) and Delany Road, from R-1 Single Family Residential zoning district to Ambrose Planned Development District, establishing zoning regulations for the Ambrose Planned Development District, and amending the comprehensive plan and zoning map in accordance with this Planned Development District.

Commissioner Molis motioned to table the final report and the recommendation to City Council on an ordinance changing the zoning district for Ambrose (formerly known as Saltgrass Phase II) and to bring the request back to the next meeting. Second by Commissioner Cornett the motion carried unanimously.

- c. Discussion / possible action to issue a final report and provide a recommendation to City Council on a request to change the zoning district for approximately 5.9114 acres located near the intersection of FM 2004 and Mitchell Lane, Galveston County Tax Property ID No. 131351, from R-1 Single Family Residential to GC General Commercial.

Commissioner Molis motioned to table the final report and the recommendation to City Council on a request to change the zoning district for approximately 5.9114 acres located near the intersection of FM 2004 and Mitchell Lane, Galveston County Tax Property ID No. 131351, from R-1 Single Family Residential to GC General Commercial and to present at the next commission meeting. Second by Commissioner Waters the motion carried unanimously.

**(6) CHAIRPERSON'S REPORT**

There was no report.

**(7) REQUESTS AND ANNOUNCEMENTS**

No requests or announcements.

**(8) ADJOURNMENT**



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La Marque, Texas 77568  
409-938-9202

It was the consensus of the Commission to adjourn the meeting at 5:06 p.m.

---

Hugh Cash, Chairperson  
Planning & Zoning Commission

DRAFT



## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020  
Prepared by: Sussie Sutton

Agenda item: 7i  
Reviewed by: Charlene Warren  
Charles Jackson

Department: Development  
Services

**AGENDA ITEM DESCRIPTION:** Consider recommendation to adopt Ordinance No. **O-2020-0008**, abandoning that portion of alleyway between 309 Stewart Street and 311 Stewart Street and authorizing the Mayor and City Clerk to execute quitclaim deeds conveying the abandoned alleyway to the adjacent property owners **THIS IS THE FIRST READING**

X

### **ATTACHMENTS FOR REFERENCE**

1. Ordinance
2. P&Z Letter of Favorable Recommendation
3. GCAD Aerial Map
4. AT&T Letter of No Objection
5. Center Point Letter of No Objection
6. Comcast Letter of No Objection
7. Texas New Mexico Company Letter of No Objection
8. Yates Construction Company Letter for ROW Abandonment
9. Letter of No Objection from Cornelius and Evelyn Edwards (311 Stewart)

### **STAFF BRIEFING:**

- City Attorney has reviewed
- Planning Commission recommended approval on May 26, 2020
- House is being demolished and a new house constructed that conforms to the City's setback requirements
- Our understanding is that the house is being reconstructed as part of a GLO funding program for this type of reconstruction
- City Ordinance requires that the owner pay the City the amount of the appraised value of the right-of-way being abandoned before the abandonment is finalized – the appraisal will be finalized prior and the funds paid prior to the second reading of this ordinance

### **HISTORY: N/A**

### **TARGET IMPLEMENTATION: July 13, 2020**

### **SIGNIFICANT ACTION DATES:**

**05/26/2020** - Planning and Zoning Commission recommended approval



## CITY COUNCIL AGENDA FORM

---

**ACTION:**

- |                                                                                                                                              |                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <input checked="" type="checkbox"/> Ordinance                                                                                                | <input type="checkbox"/> Resolution     |
| <input type="checkbox"/> Special Presentation                                                                                                | <input type="checkbox"/> Proclamation   |
| <input type="checkbox"/> Finance Report                                                                                                      | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Other                                                                                                               |                                         |
| <input checked="" type="checkbox"/> Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures |                                         |

**Cost Details:**

|                              |  |
|------------------------------|--|
| <b>Budgeted</b>              |  |
| <b>Actual Bid</b>            |  |
| <b>Estimated Expenditure</b> |  |
| <b>Acct. Name(s)</b>         |  |
| <b>Line Item #</b>           |  |
| <b>Other Funding</b>         |  |

---

**STAFF'S RECOMMENDATION:** Motion to adopt Ordinance No. **O-2020-0008**, abandoning that portion of alleyway between 309 Stewart Street and 311 Stewart Street and authorizing the Mayor and City Clerk to execute quitclaim deeds conveying the abandoned alleyway to the adjacent property owners **THIS IS THE FIRST READING.**

**FISCAL IMPACT:** N/A

## **ORDINANCE NO. O-2020-0008**

**AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, FINDING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF AN ALLEY BETWEEN 309 AND 311 STEWART STREET; VACATING, ABANDONING, AND CLOSING SAID PUBLIC RIGHT-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY CLERK TO ATTEST, RESPECTIVELY, QUITCLAIM DEEDS CONVEYING SAID ABANDONED RIGHT-OF-WAY TO THE PROPERTY OWNERS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.**

**WHEREAS**, the Owners of property adjacent to and underlying the hereinafter described right-of-way, by and through their authorized agents, have petitioned the City of La Marque, Texas to vacate, abandon, and close that portion of the alleyway adjacent to and between 309 and 311 Stewart Street, within the City of La Marque, Texas (the "Right-of-way"); and

**WHEREAS**, the City Council has determined this Right-of-way is no longer necessary for public convenience and necessity and should be vacated, abandoned, and closed;

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

**Section 1.** That the facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

**Section 2.** The City Council of the City of La Marque, Texas, hereby finds and determines that public convenience and necessity no longer require the continued existence of that portion of the alleyway adjacent to and between 309 and 311 Stewart Street, within the City of La Marque, Texas, more particularly described depicted in Exhibit "A", attached hereto and made a part hereof for all purposes, and this Right-of-way is hereby vacated, abandoned, and closed.

**Section 3.** Following payment of the appraised value of the alleyway by the adjacent property owners in proportion to the ownership being conveyed in accordance with City Code Section 56-5, the Mayor and City Clerk are hereby authorized to execute and attest, respectively, quitclaim deeds, conveying the hereinabove described abandoned right-of-way to the property owners in proportion to their ownership of adjacent property, unless said owners disclaim their interest in the Right-of-way.

**Section 4. Effective Date and Publishing.** This ordinance shall be effective upon the expiration of the time period provided in City Charter Section 13.09 following adoption on second and/or final reading after publication and hearing, as provided in Sections 2.17-2.19 of the Charter of the City of La Marque, and publication in accordance with Section 52.013 of the Texas Local Government Code.



**Section 5. Conflict and Repeal.** This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

**Section 6. Severability.** In the event any clause, phrase provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part of the same, notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**PASSED, APPROVED, AND ADOPTED** by City Council of the City of La Marque on the First Reading this \_\_\_\_ day of \_\_\_\_\_ 2020.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City La Marque on the Second and Final Reading this \_\_\_\_ day of \_\_\_\_\_ 2020.

**CITY OF LA MARQUE, TEXAS**

\_\_\_\_\_  
Bobby Hocking, Mayor

**ATTEST:**

\_\_\_\_\_  
Robin Eldridge, City Clerk, TRMC

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Derra Leigh Purnell, Acting City Attorney





May 27, 2020

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

Dear Mayor and City Council:

At the Special Public meeting on May 26, 2020, the Planning and Zoning Commission considered a request relating to an application of abonnement of right-of-way near 309 Steward Street.

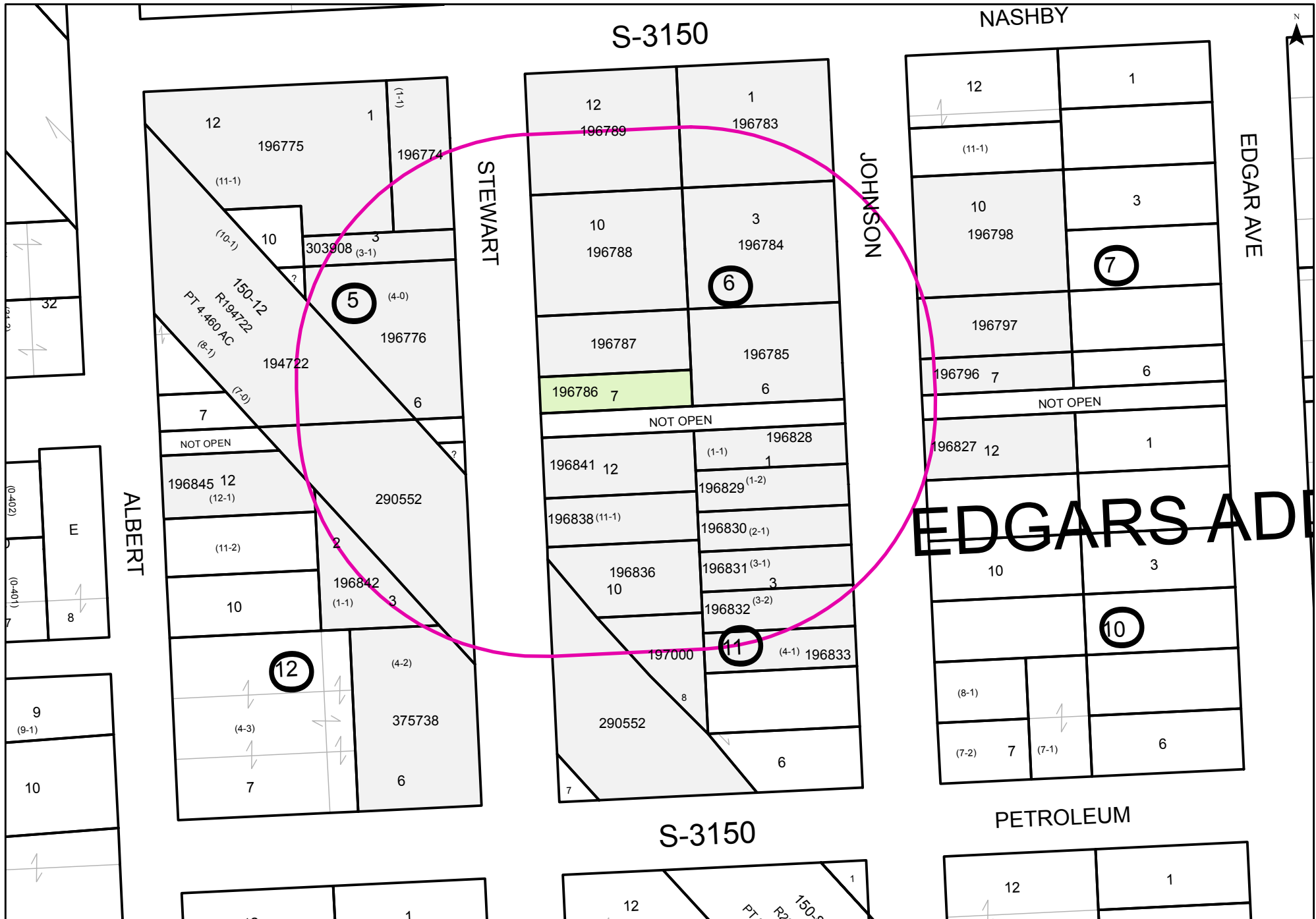
By unanimous vote, Planning and Zoning Commission recommended forwarding a favorable recommendation to City Council.

Thank you,

---

Hugh Cash, Chairperson  
Planning and Zoning Commission

# Galveston Central Appraisal District



Geospatial or map data maintained by the Galveston Central Appraisal District is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes.  
It does not represent an on-the-ground survey and only represents the approximate relative location of property boundaries.



May 13, 2020

Katie Johnston  
Yates Construction  
5480 Washington Ave.  
Beaumont, Texas 77707

**Re: "No Objection"** to ROW Abandonment – 309 Stewart, LaMarque, TX

Ms. Johnston,

Southwestern Bell Telephone Company offers "No Objection" to the ROW abandonment of the 20' Alley adjacent to the southern property line of Lot 7, Block 6 of Edgar's Addition in LaMarque, Galveston County, Texas, according to the map or plat thereof recorded in Volume 204, Page 260 of the office of the County Clerk of Galveston County, Texas and described in the acceptance letter dated November 21, 2019.

If you have any questions, please contact me by email at [sm8285@att.com](mailto:sm8285@att.com).

Sincerely,

*Sonya Merrill*

Sonya Merrill  
Manager-Engineering  
Right-of-Way

309 Stewart  
LM-001-19-M

April 20, 2020

Emma Davis  
309 Stewart Street  
La Marque, TX 77568

Re: Twenty (20) Foot Wide Alley Closure at 309 Stewart Street  
Job No. 93109

Dear Emma Davis:

The City of La Marque has been asked to close and abandon a portion of a called twenty (20) foot wide alley, the location of which is shown by the hatched area on Exhibit "A", attached hereto and made a part hereof.

CenterPoint Energy Resources Corporation, d/b/a CenterPoint Energy Texas Gas Operations and CenterPoint Energy Intrastate Pipelines, Inc., herein collectively called "CenterPoint Energy", has investigated the request and determined that it has no facilities located within the area to be abandoned. Therefore, CenterPoint Energy will interpose no objection to the request as filed.

This letter of concurrence shall become null and void in the event two (2) years has transpired from the above date and this alley closure has not been completed. CenterPoint Energy respectfully requests that the City of La Marque forward a copy of the final abandonment ordinance to CenterPoint Energy in order to complete our files and to update our map records.

Yours truly,



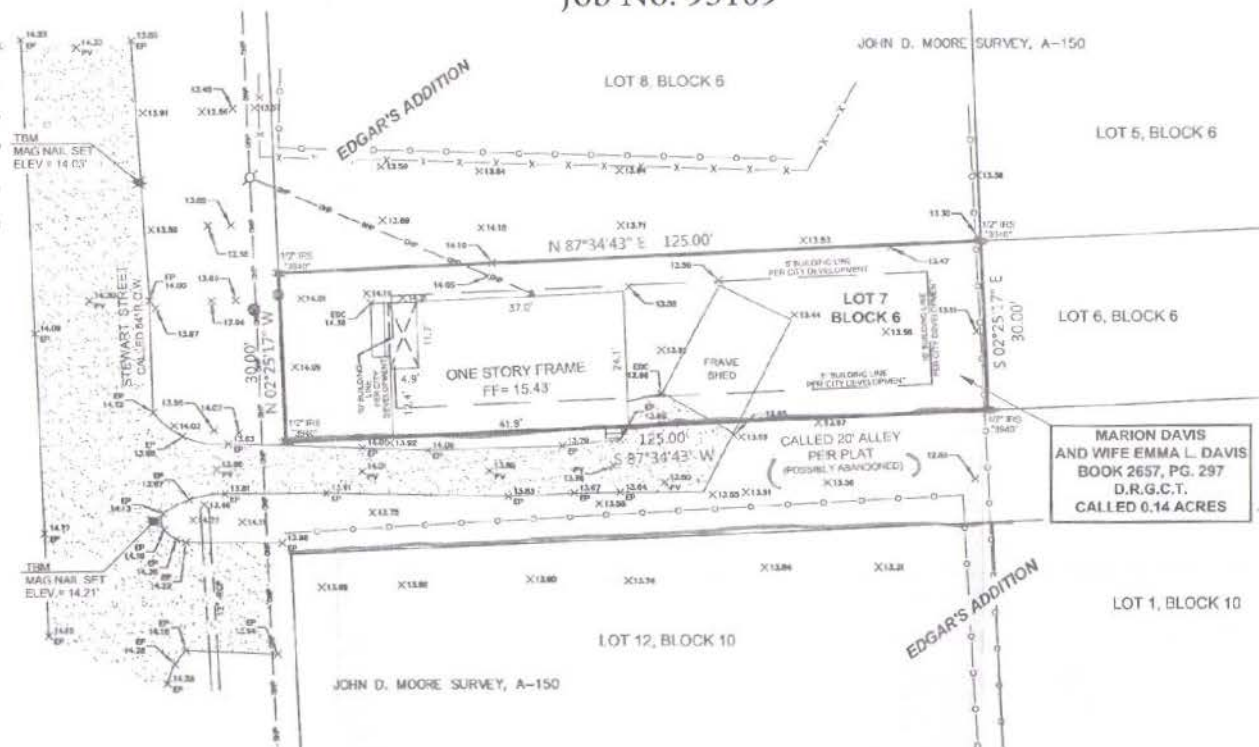
Wesley Maresh  
Right of Way Agent  
Land Management Division  
713-207-6212



TO: SAUNDERS, JR.  
CALL: 704-241-1111  
NO. 10000000-0000  
NO. 10000000-0000

1. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
2. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
3. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
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8. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
9. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
10. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.

1. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
2. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
3. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
4. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
5. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
6. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
7. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
8. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
9. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.  
10. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE PLAT BOOK AND THE RECORDS OF THE COUNTY CLERK'S OFFICE AND HAS FOUND NO RECORDS OF ANY INTEREST IN THE LAND DESCRIBED HEREIN.



LEGEND

- X- BARBED WIRE FENCE
- CHAIN LINK FENCE
- POWER POLE
- X NATURAL ELEVATION
- PROPERTY MONUMENT
- IRS IRON ROD SET
- EP ELEVATION
- EOC EDGE OF CONCRETE
- PV CENTERLINE OF ROAD
- OHF OVERHEAD POWER LINE
- ⊙ GAS METER
- ⊙ WATER METER

10/10/2019



ERIC L. DAVIS ENGINEERING, INC.  
FIRM NO. 10194488  
150 EAST MAIN STREET  
FORT WORTH, TEXAS 76102  
PHONE: 817-772-5844  
FAX: 817-772-5845  
www.ericldavisengineering.com

BOUNDARY AND TOPOGRAPHIC SURVEY  
PREPARED FOR:  
YATES CONSTRUCTION

|                                |                              |
|--------------------------------|------------------------------|
| PLAT: BOUNDARY AND TOPOGRAPHIC | FILED: 10/10/2019            |
| ADDN: EDGAR'S ADDITION         | BOOK: 2657, PG. 297          |
| ADDRESS: LOT 7, BLOCK 6        | D.R.G.C.T. CALLED 0.14 ACRES |
| CITY: LA MARQUE, TX            |                              |

SCALE: 1" = 40'  
SHEET 01

Exhibit "A"  
Page 1/1  
Job No. 93109

PROPERTY LIES WITHIN ZONE "X", ACCORDING TO THE F.I.R.M. MAP NO. 48167C02650.  
DATE: 08/15/2019, BY GRAPHING PLOTTING ONLY, WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.  
BEFORE AN DEVELOPMENT PLANNING, DESIGN, CONSTRUCTION IS STARTED, THE COMMUNITY, CITY AND COUNTY IN WHICH SUBTRACT EXISTS SHOULD BE CONTACTED. SAID ENTITIES MAY IMPOSE LARGER FLOOD PLAIN AND FLOODWAY AREAS THAN SHOWN BY F.I.R.M. MAPS THAT WILL AFFECT DEVELOPMENT.

PROPERTY SUBJECT TO SUBDIVISION COVENANTS, CONDITIONS AND RESTRICTIONS:  
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF SURVEY, SHOWING ANY IMPROVEMENTS FROM LEGAL DESCRIPTIONS SUPPLIED BY CLIENT. THERE ARE NO ENCROACHMENTS APPARENT ON THE GROUND, EXCEPT AS SHOWN. THIS SURVEY IS ONLY CERTIFIED AS TO BOUNDARY FOR THIS TRANSACTION ONLY. SURVEYOR DID NOT ABSTRACT PROPERTY, EASEMENTS, BUILDING LINES, ETC. SHOWN ARE AS IDENTIFIED BY THE TITLE COMMITMENT.

10/10/2019  
TOM A. FIDLER, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 3940





November 22, 2019

Ms. Emma Davis  
309 Stewart Street  
La Marque, TX 77598

- Re: No Objection to the abandonment of a portion of the 20 foot right of way adjacent to the southern edge of Lot 7, Block 6 of the Edgar's Addition.

To Whom It May Concern:

Please accept this letter as notification that Comcast of Houston LLC, herein referred to as Comcast has no objection to the abandonment of the 20-foot-wide by 125-foot length of right of way adjacent to the southern edge of Lot 7, Block 6 of the Edgar Addition, as Comcast has no facilities within these Right of Ways.

Please reference attached exhibit "A" for a pictorial reference of ROW's to be abandoned at this location.

Please feel free to contact me at 713-637-5025 with any questions that you may have.

Sincerely,

A handwritten signature in blue ink that reads "Chris Grey". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

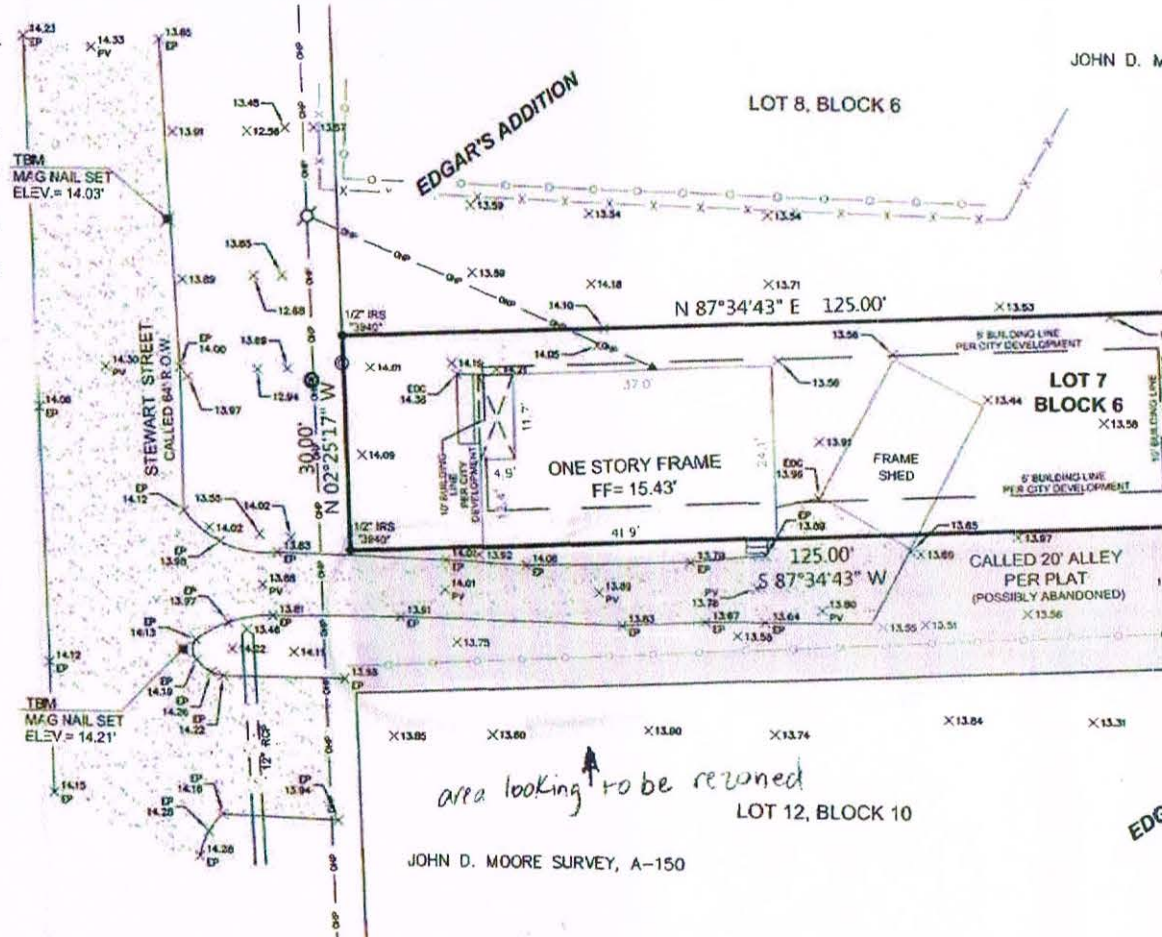
Chris Grey  
Construction Supervisor, Planning and Design

# EXHIBIT "A"

U.S. CAUTION: III  
CALL TODAY OR CALL 8  
1-800-240-8240  
48 HOURS PRIOR TO CONSTRUCTION

U.S. CAUTION: III  
EXISTING UTILITIES AND UNDERGROUND FACILITIES  
INDICATED ON THE PLANS HAVE BEEN LOCATED FROM  
REFERENCE INFORMATION SUPPLIED BY VARIOUS OWNERS  
OF THE FACILITIES. THE ENGINEER DOES NOT ACCEPT  
THE RESPONSIBILITY FOR THE TRUTH OR ACCURACY  
OF THE INFORMATION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR  
TO VERIFY BOTH HORIZONTALLY AND VERTICALLY THE  
LOCATION OF ALL EXISTING UTILITIES AND UNDERGROUND  
FACILITIES PRIOR TO CONSTRUCTION. TO TAKE NECESSARY  
PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES  
DISCOVERED AND TO NOTIFY THE OWNER IMMEDIATELY  
OF ALL CONFLICTS OF THE WORK WITH EXISTING FACILITIES.  
THE CONTRACTOR SHALL PROTECT AND PROTECT ALL  
EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION  
AND DAMAGE BY THE CONTRACTOR TO EXISTING UTILITIES  
SHALL BE REPAIRED BY THE CONTRACTOR AT HIS OR HER EXPENSE.

- NOTES:
1. BASE OF RECORDING IS BASED ON THE STATE PLANE  
COORDINATE SYSTEM, SOUTH CENTRAL TEXAS ZONE 4204,  
NORTH AMERICAN DATUM 1983 (NAD 83).
  2. THE PURPOSE OF THIS PLAN IS TO REVEAL THE TOPOGRAPHY  
OF THE SUBJECT PROPERTY.
  3. NOTHING IN THIS SURVEY IS INTENDED TO EXPRESS AN  
OPINION REGARDING OWNERSHIP OF TITLE.
  4. THE WORD "CERTIFY" IS UNDERSTOOD TO BE AN EXPRESSION OF  
PROFESSIONAL JUDGMENT BY THE SURVEYOR, WHICH IS HIS  
BEST KNOWLEDGE, INFORMATION AND BELIEF.
  5. SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY.
  6. THE FINDINGS AND OPINIONS OF D.L. INC. REFLECTED HEREON  
ARE PRELIMINARY, CONFIDENTIAL AND INTENDED FOR THE USE  
OF THE INDIVIDUAL OR ENTITY FOR WHOM THIS WORK WAS  
PREPARED. IT IS UNDERSTOOD THAT THE USE OF, IN WHOLE OR IN PART, BY  
OR FOR PRODUCTION OF SAME, IN WHOLE OR IN PART, BY  
OTHERS WITHOUT EXPRESS WRITTEN CONSENT OF D.L. INC.  
IS PROHIBITED AND WITHOUT WARRANTY, EXPRESS OR IMPLIED,  
D.L. INC. SHALL BE HELD HARMLESS AGAINST DAMAGES OR  
EXPENSES RESULTING FROM SUCH UNAUTHORIZED USE,  
REPRODUCTION OR REPRODUCTION, COPYRIGHT 2014, ALL RIGHTS  
RESERVED.
  7. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF TITLE  
REPORTS, CERTAIN EASEMENTS AND/OR EASEMENT LINES MAY  
HAVE BEEN GRANTED WHICH ARE NOT REVEALED HEREON.  
THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE  
DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
  8. ELEVATIONS ARE BASED ON GPS.





702 36<sup>th</sup> Street North  
Texas City, TX 77590  
(281) 996-0453, ext. 4257

May 15, 2020

Ms. Katie Johnston  
Yates Construction  
5480 Washington Ave  
Beaumont, TX 77707

RE: Proposed ROW Abandonment  
309 Stewart Street, La Marque, TX

Dear Ms. Johnston:

TNMP has reviewed the requests for abandonment of a 20 foot wide alley right-of-way located adjacent to 309 Stewart Street in La Marque, Texas. Per the attached sketch, Exhibit "A", TNMP does not maintain existing distribution facilities within the existing 20 foot wide alley right of way. TNMP has no objection to the proposed Right-of-Way abandonment.

Please contact me should you have any questions or require additional information at 281.996.0453, ext. 4257 or via email at [sarah.jayasinghe@tnmp.com](mailto:sarah.jayasinghe@tnmp.com)

Best Regards,

A handwritten signature in black ink that reads "Sarah Jayasinghe". The signature is written in a cursive, flowing style.

Sarah Jayasinghe  
TNMP  
South Texas Engineering

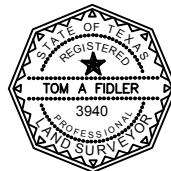


**CAUTION III**  
**EXISTING UTILITIES AND UNDERGROUND FACILITIES**  
 LOCATED ON THE PLANS HAVE BEEN LOCATED FROM  
 REFERENCE INFORMATION SUPPLIED BY VARIOUS OWNERS  
 OF THE FACILITIES. THE ENGINEER DOES NOT ACCEPT  
 ANY RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION.  
 IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR  
 TO VERIFY BOTH HORIZONTALLY AND VERTICALLY THE  
 EXISTENCE OF UTILITIES AND UNDERGROUND  
 FACILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR  
 SHALL TAKE ALL NECESSARY PRECAUTIONS IN ORDER TO PROTECT ALL FACILITIES  
 COUNTERED, AND TO NOTIFY THE ENGINEER PROMPTLY  
 OF ANY DISCREPANCIES IN THE LOCATION OF UTILITIES.  
 THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL  
 EXISTING UTILITIES FROM DAMAGE DURING CONSTRUCTION.  
 ANY DAMAGE TO UTILITIES SHALL BE REPAIRED BY THE CONTRACTOR AT HIS OR HER  
 EXPENSE.

BEFORE AN DEVELOPMENT PLANNING, DESIGN, CONSTRUCTION IS STARTED, THE COMMUNITY, CITY AND COUNTY IN WHICH SUBTRACT EXISTS SHOULD BE CONTACTED. SAID ENTITIES MAY IMPOSE LARGER FLOOD PLAIN AND FLOODWAY AREAS THAN SHOWN BY F.I.R.M. MAPS THAT WILL AFFECT DEVELOPMENT.

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A number line from 0 to 40 with tick marks every 5 units. The segments between 0-5, 10-15, 20-25, and 30-35 are shaded black, representing 4 out of 8 equal segments.



BOUNDARY AND  
TOPOGRAPHIC SURVEY  
PREPARED FOR:  
**YATES**  
CONSTRUCTION

|                            |                                |
|----------------------------|--------------------------------|
| BUILDER:                   | PLAN: BOUNDARY AND TOPOGRAPHIC |
| ADDITION: EDGAR'S ADDITION | ELD JOB NO:                    |
| ADDRESS:                   | DRAWN BY: JAM                  |
| LOT: 7      BLOCK: 6       | CHECKED BY: TF                 |

**SHEET 01**



To: City of Lamarque, TX  
City Council  
From: Katie Johnston  
Yates Construction, Project Manager  
Date: 5/12/2020  
RE: ROW Abandoned Easement  
C/O Emma Davis  
309 Stewart Street - Lamarque

Council –

Yates Construction, LLC, is requesting an ROW Abandonment on behalf of our applicant, Mrs. Emma Davis. She is participating in the Texas General Land Office program. We were assigned as her builder/contractor. She was awarded a grant to have a new home rebuilt in place of her existing home. The addition of the abandoned property will give us enough space to build her a program standard home and install an ADA ramp for access. We thank you in advance for your acceptance of this request.

Sincerely,

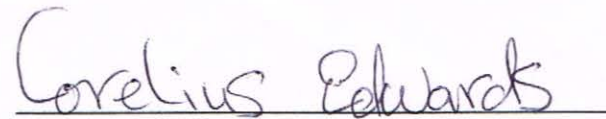
Katie Johnston  
Project Manager, Yates Construction



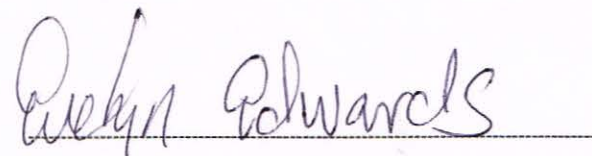
May 5, 2020

To Whom it may concern:

We, Cornelius and Evelyn Edwards relinquish all rights and interest in the alley closure located on 309 Stewart La Marque, Tx. 77568 also known as 20 foot wide alley section noted on the survey.

A handwritten signature in cursive script, reading "Cornelius Edwards", written over a horizontal line.

Cornelius Edwards owner of lot at 311 Stewart, La Marque Tx. 77568

A handwritten signature in cursive script, reading "Evelyn Edwards", written over a horizontal line.

Evelyn Edwards owner of lot at 311 Stewart, La Marque Tx. 77568



## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020

Prepared by: Colleen Martin

Agenda item: 7j

Reviewed by: Charlene Warren

Charles Jackson

Department: EDC

**AGENDA ITEM DESCRIPTION:** Consider recommendation to authorize the Mayor to submit a letter to Texas Department of Transportation requesting the creation of an Advanced Funding Agreement (AFA) for aesthetic and landscaping improvements at the FM 1764 intersection at I-45 in the City of La Marque

**X**

### ATTACHMENTS FOR REFERENCE

1. Proposed letter to TxDOT
2. AFA Questions for City of La Marque
3. City Council Final Selections
4. Construction Timelines
5. WB Proposal for La Marque Aesthetics
6. TxDOT Response Letter
7. La Marque FM 1764 Plans

### STAFF BRIEFING:

- City Council approved aesthetic improvements along the expanding I-45 corridor in October 2018
- An Advanced Funding Agreement (AFA) is required to establish an official maintenance agreement between TxDOT and City of La Marque for upkeep of improvements made along the I-45 corridor once construction is complete
- The city's consultant, Clark Condon, drafted a letter that should go from Mayor Hocking to the TxDOT Area Engineer initiating the creation of an AFA for CSJ 0500-04-106 at the intersection of FM 1764 and I-45
- This letter will prompt TxDOT to create the AFA and send it back to the City for final approval
- The AFA will delineate responsibilities of TxDOT and City of La Marque once construction is complete and aesthetic improvements are installed
- Each section of highway expansion will require a separate AFA between City of La Marque and TxDOT
- This is the first of four expected for the I-45 project
- The letter will initiate creation of the AFA and once received, will be reviewed by legal and submitted to City Council for final approval
- The city's civil engineer, Mr. Dinh Ho of ADICO, has been actively involved and is in the process of approving a set of plans for FM 1764
- There is no fee associated with creation of the AFA; however, the Finance Director has been involved in the budgetary conversations regarding aesthetic improvements planned along the expanding I-45 corridor

**HISTORY:** N/A



## CITY COUNCIL AGENDA FORM

**TARGET IMPLEMENTATION:** The letter requesting an AFA should be submitted to TxDOT as soon as possible. Construction is already underway, and the contractor is asking for our approved AFA.

**SIGNIFICANT ACTION DATES:**

**October 2018** – City Council approved consulting fee for Clark Condon

**December 2018** – City Council received a Response Letter from TxDOT delineating requests for aesthetic and landscape improvements

**January 2019** – City Council made final selections for aesthetic improvements

**September 2019** – City Council approved budget for improvements

**May 2020** – Construction of CSJ 0500-04-106 is underway; TxDOT contractors requested AFA showing an agreement between TxDOT and City of La Marque

**May 2020** – Bid was provided by WB (TxDOT contractor) for improvements at FM 1764

**ACTION:**

- |                                                                                                                                              |                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <input type="checkbox"/> Ordinance                                                                                                           | <input type="checkbox"/> Resolution     |
| <input type="checkbox"/> Special Presentation                                                                                                | <input type="checkbox"/> Proclamation   |
| <input type="checkbox"/> Finance Report                                                                                                      | <input type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Other                                                                                                               |                                         |
| <input checked="" type="checkbox"/> Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures |                                         |

**Cost Details:**

|                              |  |
|------------------------------|--|
| <b>Budgeted</b>              |  |
| <b>Actual Bid</b>            |  |
| <b>Estimated Expenditure</b> |  |
| <b>Acct. Name(s)</b>         |  |
| <b>Line Item #</b>           |  |
| <b>Other Funding</b>         |  |

**STAFF'S RECOMMENDATION:** Motion to authorize the Mayor to submit a letter to Texas Department of Transportation requesting the creation of an Advanced Funding Agreement (AFA) for aesthetic and landscaping improvements at the FM 1764 intersection at I-45 in the City of La Marque

**FISCAL IMPACT:** There are no costs associated with the creation of the AFA.



June 8, 2020

To whom it may concern,

The La Marque Mayor's Office would like to request the incorporation of the following items into the current CSJ 0500-04-106 I-45 highway corridor construction, based on the pricing provided by the contractor. These items will help us facilitate the landscape and aesthetic improvements we are proposing for the I-45 corridor that traverses the City of La Marque boundary.

Item 423 6012 Retaining Wall (MSE) (Wave Scheme) La Marque logo  
Item 481 6013 Pipe (PVC) (SCH 40) (6 IN)  
Item 618 6046 Condt (PVC) (SCH 80) (2")  
Item 624 6010 Ground Box TYD (162922) W/Apron  
NPI Construction Staking

The opportunity to partner with TxDOT to include these items listed above will save a significant amount of funding allowing us to reinvest it into landscape improvements and aesthetics along the corridor.

The City of La Marque intends on including these items as part of the AFA maintenance agreement with TxDOT, within the La Marque city limits along the I-45 corridor.

Please review and contact us with any or all the improvements from the above list that TxDOT would be willing to include in the current construction project.

Thank you for your consideration,

La Marque Mayor Bobby Hocking



## Advance Funding Agreement

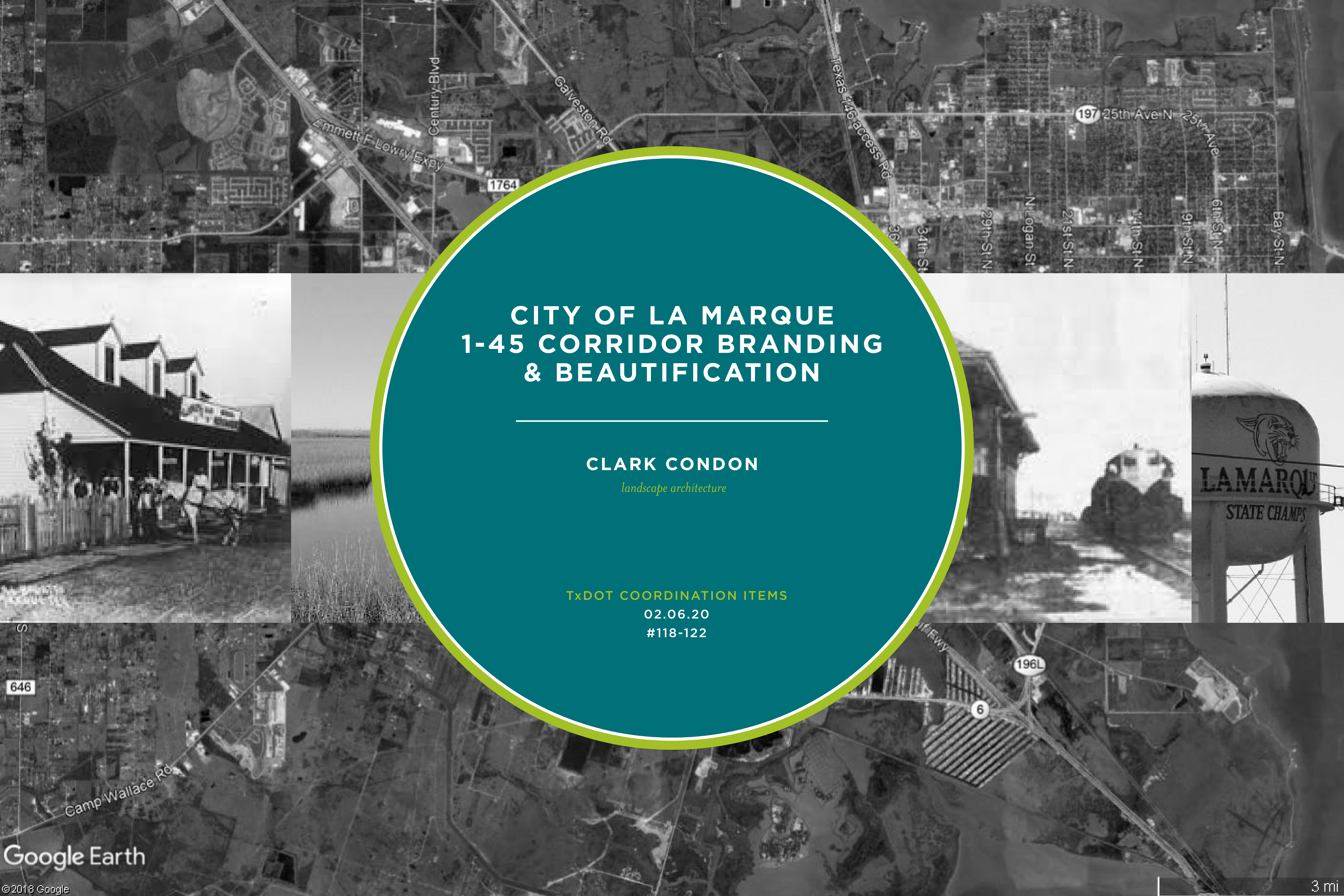
### City of La Marque

Necessary Information to process the Advance Funding Agreement:

1. Description of works
  - a. Scope of work for the City of La Marque aesthetics to be included in below CSJ's to include the following:
    - i. La Marque Logo on MSE walls as shown in drawings.
    - ii. La Marque Logo and Texas Symbol on Noise wall where noise walls are installed.
    - iii. Texas Symbol on column end treatments, inverted T's, ear walls, etc. where shown on drawings.
    - iv. 6" SCH. 40 PVC sleeves, two per location for future irrigation and electrical work.
    - v. SCH. 80 electrical conduit and pull boxes for future aesthetic lighting.
    - vi. All new traffic signals to match La Marque aesthetics, powder coat black.
2. Cost
  - a. Costs provided by John Watson at Atkins for CSJ 106.
  - b. Other listed CSJ's below costs are unknown currently.
3. Contact person from the City and information
  - a. Colleen Martin  
Public Relations Specialist  
La Marque Economic Development Corporation  
1130 1st Street  
La Marque, Texas 77568  
O: 409-938-9255 | C: 409-795-0165
4. Who is providing the design
  - a. Clark Condon will provide all design drawings as needed to provide adequate information to be included in all CSJ for the City of La Marque.
  - b. CSJ 106 has been coordinated with John Watson and TxDOT to be included in current construction package.
  - c. CSJ 103-105 have been coordinated with each engineer on each CSJ to be included within the TxDOT package being produced.
5. Is the work for one project or multiple projects
  - a. There are currently multiple projects, however, CSJ 106 needs to be immediate as it is under construction.
6. CSJs for projects

- a. CSJ 0500-04-106
  - b. CSJ 0500-04-105
  - c. CSJ 0500-04-104
  - d. CSJ 0500-04-103
- 7. When do we need these agreements (this project is under construction?)
  - a. ASAP, CSJ 0500-04-106 currently under construction
- 8. Requirements/responsibilities for maintaining the extra aesthetic improvements after the project is complete
- 9. Final Design Plans
  - a. CSJ 106 – Final plans have been provided to TxDOT and Atkins.
  - b. CSJ 105 – Final plans have been provided to TxDOT.
  - c. CSJ 104 & 103 – Final plans due in May. Aesthetic sheets have been submitted in 60% and 90% review sets provided to TxDOT.





CITY OF LA MARQUE  
1-45 CORRIDOR BRANDING  
& BEAUTIFICATION

CLARK CONDON  
*landscape architecture*

TxDOT COORDINATION ITEMS  
02.06.20  
#118-122



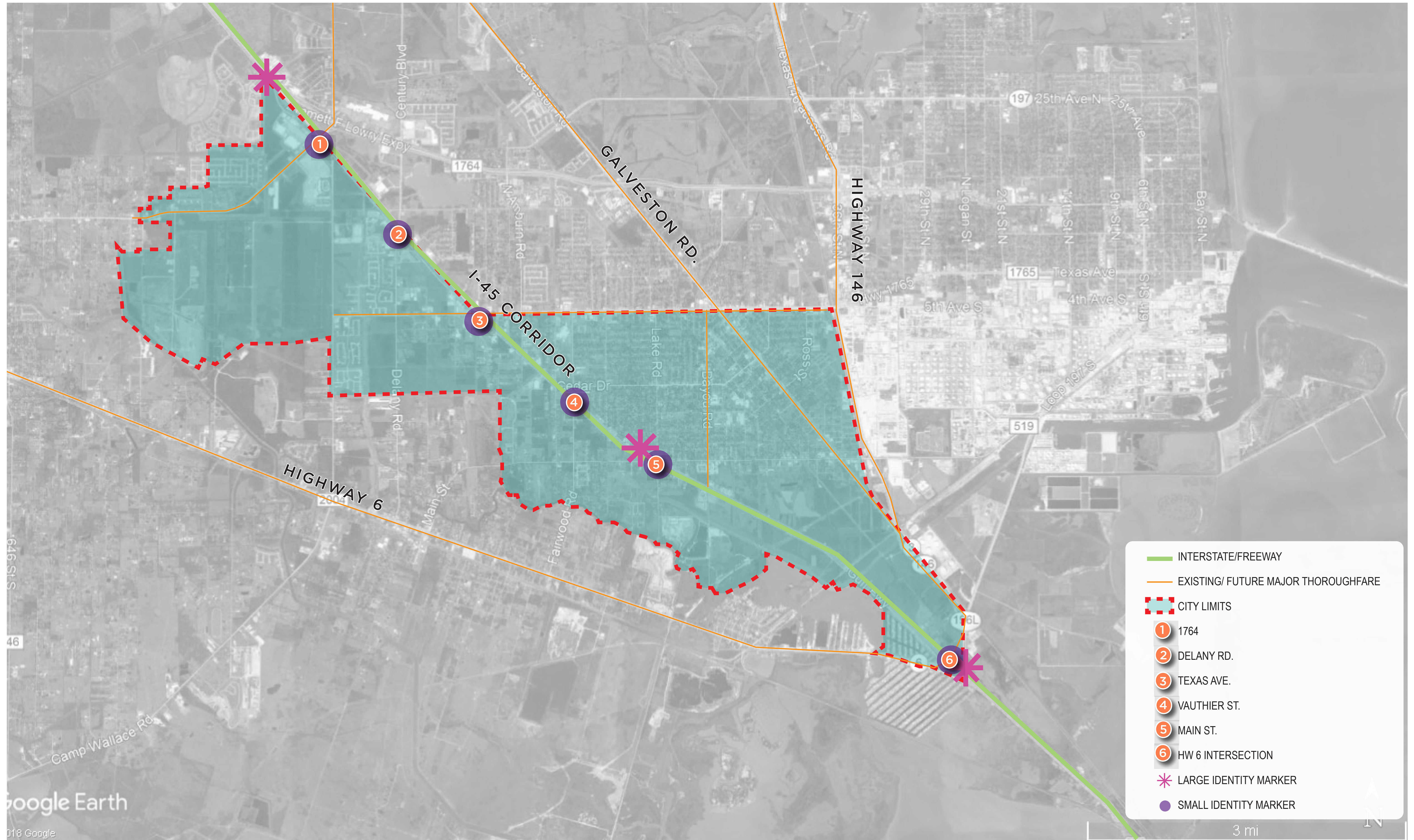
## AGENDA:

- CORRIDOR AESTHETICS
- BRANDING OPTIONS

# CITY OF LA MARQUE 1-45 CORRIDOR BRANDING & BEAUTIFICATION

TxDOT COORDINATION ITEMS  
02.06.20





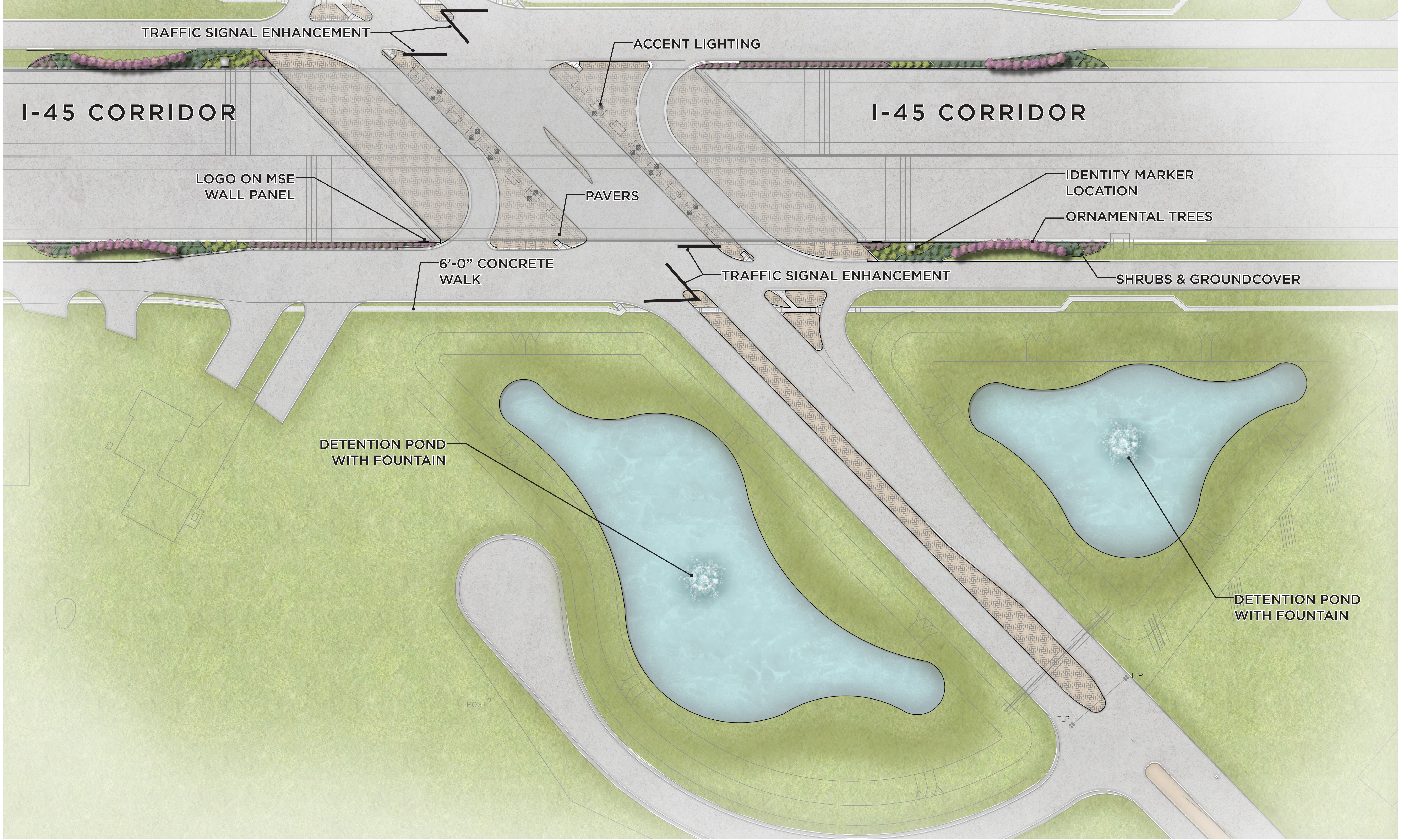
0

2,200

4,400

6,600 feet







## AGENDA:

-  CORRIDOR AESTHETICS
-  BRANDING OPTIONS

# CITY OF LA MARQUE 1-45 CORRIDOR BRANDING & BEAUTIFICATION

TxDOT COORDINATION ITEMS  
02.06.20

















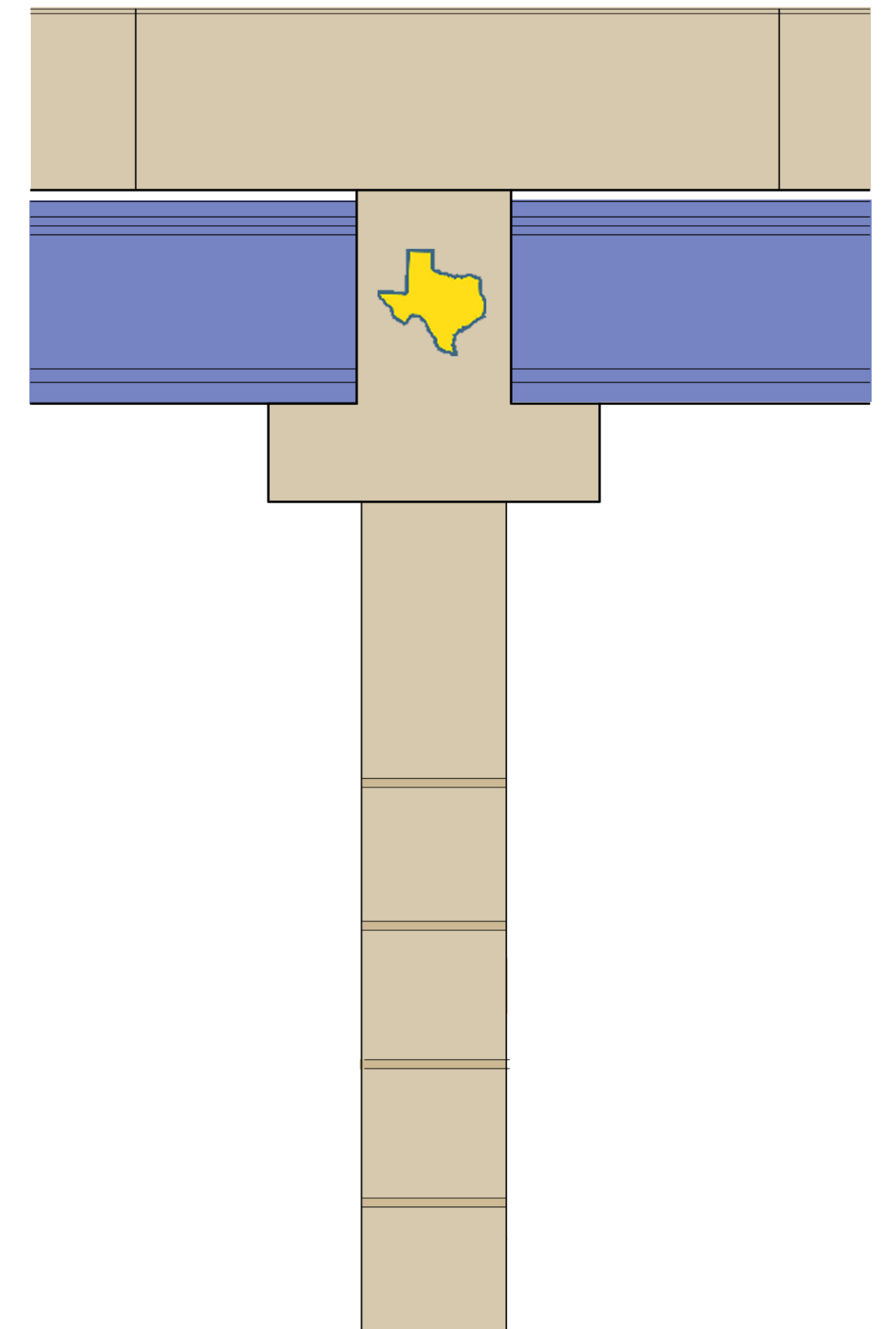
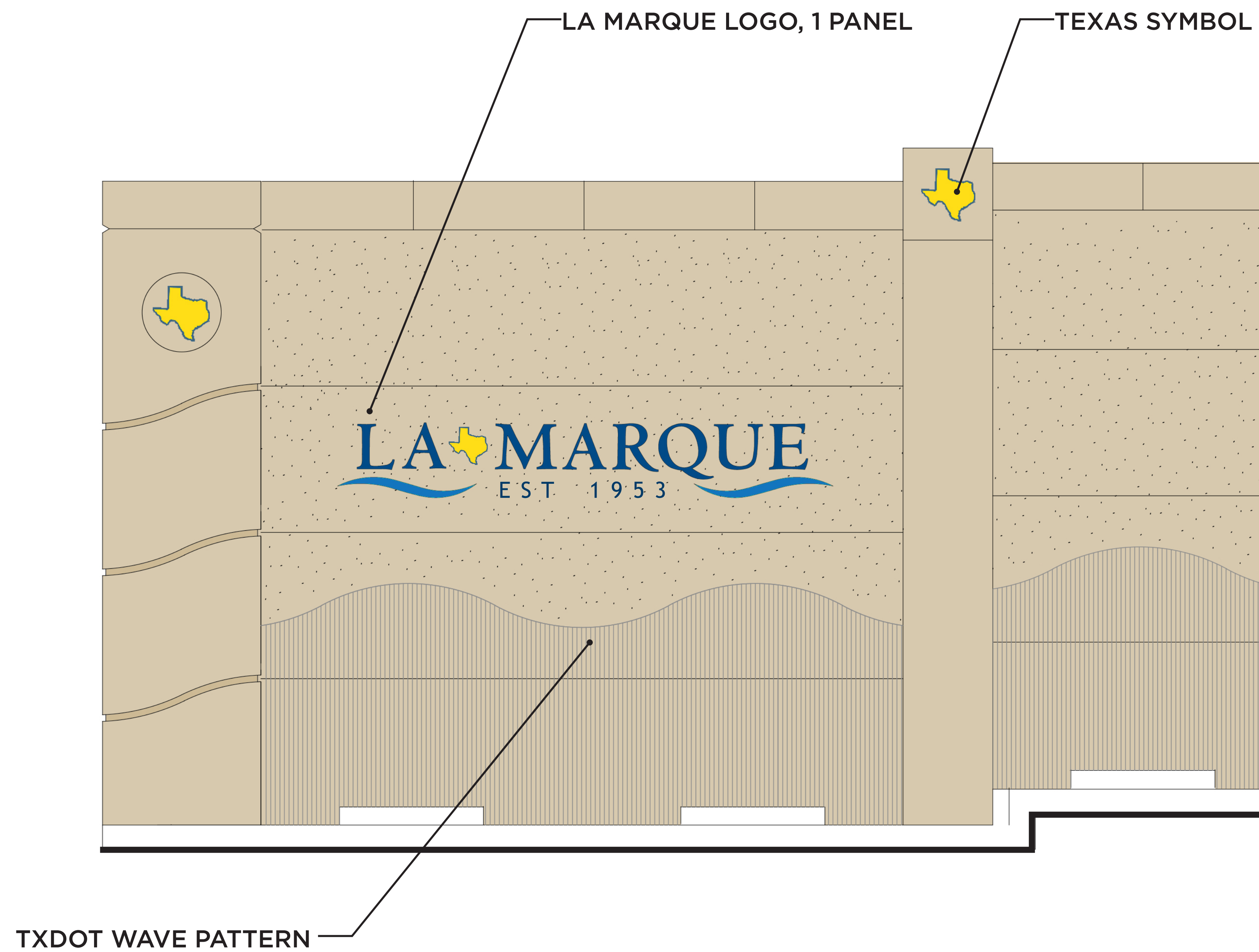
















creating  
for **places**  
**people**



**CLARK CONDON**  
*landscape architecture*



| Item                          |                               |      |      |              |                     |
|-------------------------------|-------------------------------|------|------|--------------|---------------------|
| No.                           | Item                          | Qty. | Unit | Cost         | Extension           |
| General                       |                               |      |      |              |                     |
| 1.                            | General Conditions            | 1    | LS   | \$250,000.00 | \$250,000.00        |
| 2.                            | Bonds                         | 1    | LS   | \$500,000.00 | \$500,000.00        |
| 3.                            | Permits                       | 1    | LS   | \$75,000.00  | <u>\$500,000.00</u> |
| Total General                 |                               |      |      |              | \$1,250,000.00      |
| Site Prep                     |                               |      |      |              |                     |
| 4.                            | Site Prep & Mobilization      | 1    | LS   | \$100,000.00 | \$100,000.00        |
| 5.                            | Grading & Drainage            | 1    | LS   | \$100,000.00 | \$100,000.00        |
| 6.                            | Tree Protection               | 1    | LS   | \$50,000.00  | \$50,000.00         |
| 7.                            | Traffic Control               | 1    | LS   | \$150,000.00 | \$150,000.00        |
| 8.                            | SWPPP                         | 1    | LS   | \$125,000.00 | <u>\$125,000.00</u> |
| Total Site Prep               |                               |      |      |              | \$525,000.00        |
| F.M. 1764                     |                               |      |      |              |                     |
| Hardscape                     |                               |      |      |              |                     |
| 9.                            | Large Identity Monument       | 1    | EA   | \$250,000.00 | \$250,000.00        |
| 10.                           | Gateway Monument              | 2    | EA   | \$150,000.00 | \$300,000.00        |
| 11.                           | MSE Panel Aesthetic Treatment | 6    | EA   | \$2,500.00   | \$15,000.00         |
| 12.                           | Ear Wall Aesthetic Treatment  | 2    | EA   | \$750.00     | \$1,500.00          |
| 13.                           | Sleeving (Irrigation)         | 400  | LF   | \$30.00      | \$12,000.00         |
| 14.                           | Traffic Signal Upgrade        | 2    | EA   | \$1,500.00   | \$3,000.00          |
| 15.                           | Lighted Street Signs          | 3    | EA   | \$2,500.00   | <u>\$7,500.00</u>   |
| Total Hardscape               |                               |      |      |              | \$589,000.00        |
| Lighting and Electrical       |                               |      |      |              |                     |
| 16.                           | Electrical Service & Controls | 1    | LS   | \$25,000.00  | \$25,000.00         |
| 17.                           | Lighting Conduit              | 650  | LF   | \$50.00      | \$32,500.00         |
| 18.                           | Electrical Runs               | 650  | LF   | \$20.00      | \$13,000.00         |
| 19.                           | Underbridge Lighting          | 16   | EA   | \$2,500.00   | <u>\$40,000.00</u>  |
| Total Lighting and Electrical |                               |      |      |              | \$110,500.00        |

| Item                                            |                               |        |      |              |                     |
|-------------------------------------------------|-------------------------------|--------|------|--------------|---------------------|
| No.                                             | Item                          | Qty.   | Unit | Cost         | Extension           |
| Softscape                                       |                               |        |      |              |                     |
| Green Space (Trees, shrubs & groundcover, lawn) |                               |        |      |              |                     |
| 20.                                             |                               | 70,000 | SF   | \$2.50       | \$175,000.00        |
| 21.                                             | 90 Day Landscape Maintenance  | 1      | LS   | \$15,000.00  | \$15,000.00         |
| 22.                                             | Irrigation System             | 1      | LS   | \$100,000.00 | <u>\$100,000.00</u> |
| Total Softscape                                 |                               |        |      |              | \$290,000.00        |
| Total F.M. 1764                                 |                               |        |      |              | \$989,500.00        |
| Delany Rd.                                      |                               |        |      |              |                     |
| Hardscape                                       |                               |        |      |              |                     |
| 23.                                             | Gateway Monument              | 1      | EA   | \$150,000.00 | \$150,000.00        |
| 24.                                             | MSE Panel Aesthetic Treatment | 6      | EA   | \$2,500.00   | \$15,000.00         |
| 25.                                             | Ear Wall Aesthetic Treatment  | 2      | EA   | \$750.00     | \$1,500.00          |
| 26.                                             | Sleeving (Irrigation)         | 650    | LF   | \$30.00      | \$19,500.00         |
| 27.                                             | Traffic Signal Upgrade        | 2      | EA   | \$1,500.00   | \$3,000.00          |
| 28.                                             | Lighted Street Signs          | 3      | EA   | \$2,500.00   | <u>\$7,500.00</u>   |
| Total Hardscape                                 |                               |        |      |              | \$196,500.00        |



| Item                           |                                                 | Qty.    | Unit | Cost         | Extension           |
|--------------------------------|-------------------------------------------------|---------|------|--------------|---------------------|
| No.                            | Item                                            |         |      |              |                     |
| <u>Grading &amp; Drainage</u>  |                                                 |         |      |              |                     |
| 29.                            | Pond Excavation                                 | 35,000  | CY   | \$15.00      | <u>\$525,000.00</u> |
| Total Grading & Drainage       |                                                 |         |      |              | \$525,000.00        |
| <u>Lighting and Electrical</u> |                                                 |         |      |              |                     |
| 30.                            | Electrical Service & Controls                   | 1       | LS   | \$25,000.00  | \$25,000.00         |
| 31.                            | Lighting Conduit                                | 1,600   | LF   | \$50.00      | \$80,000.00         |
| 32.                            | Electrical Runs                                 | 1,600   | LF   | \$20.00      | \$32,000.00         |
| 33.                            | Underbridge Lighting                            | 16      | EA   | \$2,500.00   | \$40,000.00         |
| 34.                            | Floating Fountains                              | 2       | EA   | \$60,000.00  | <u>\$120,000.00</u> |
| Total Lighting and Electrical  |                                                 |         |      |              | \$297,000.00        |
| <u>Softscape</u>               |                                                 |         |      |              |                     |
| 35.                            | Green Space (Trees, shrubs & groundcover, lawn) | 260,000 | SF   | \$2.50       | \$650,000.00        |
| 36.                            | 90 Day Landscape Maintenance                    | 1       | LS   | \$25,000.00  | \$25,000.00         |
| 37.                            | Irrigation System                               | 1       | LS   | \$325,000.00 | <u>\$325,000.00</u> |
| Total Softscape                |                                                 |         |      |              | \$1,000,000.00      |
| Total Delaney Rd.              |                                                 |         |      |              | \$2,018,500.00      |

| Item                           |                                                 | Qty.   | Unit | Cost         | Extension    |
|--------------------------------|-------------------------------------------------|--------|------|--------------|--------------|
| No.                            | Item                                            |        |      |              |              |
| Texas Ave.                     |                                                 |        |      |              |              |
| <u>Hardscape</u>               |                                                 |        |      |              |              |
| 38.                            | Gateway Monument                                | 2      | EA   | \$150,000.00 | \$300,000.00 |
| 39.                            | MSE Panel Aesthetic Treatment                   | 12     | EA   | \$2,500.00   | \$30,000.00  |
| 40.                            | Ear Wall Aesthetic Treatment                    | 4      | EA   | \$750.00     | \$3,000.00   |
| 41.                            | Sleeving (Irrigation)                           | 800    | LF   | \$30.00      | \$24,000.00  |
| 42.                            | Traffic Signal Upgrade                          | 4      | EA   | \$1,500.00   | \$6,000.00   |
| 43.                            | Lighted Street Signs                            | 6      | EA   | \$2,500.00   | \$15,000.00  |
| Total Hardscape                |                                                 |        |      |              | \$378,000.00 |
| <u>Lighting and Electrical</u> |                                                 |        |      |              |              |
| 44.                            | Electrical Service & Controls                   | 1      | LS   | \$25,000.00  | \$25,000.00  |
| 45.                            | Lighting Conduit                                | 650    | LF   | \$50.00      | \$32,500.00  |
| 46.                            | Electrical Runs                                 | 650    | LF   | \$20.00      | \$13,000.00  |
| 47.                            | Underbridge Lighting                            | 16     | EA   | \$2,500.00   | \$40,000.00  |
| Total Lighting and Electrical  |                                                 |        |      |              | \$110,500.00 |
| <u>Softscape</u>               |                                                 |        |      |              |              |
| 48.                            | Green Space (Trees, shrubs & groundcover, lawn) | 70,000 | SF   | \$2.50       | \$175,000.00 |
| 49.                            | 90 Day Landscape Maintenance                    | 1      | LS   | \$15,000.00  | \$15,000.00  |
| 50.                            | Irrigation System                               | 1      | LS   | \$100,000.00 | \$100,000.00 |
| Total Softscape                |                                                 |        |      |              | \$290,000.00 |
| Total Texas Ave.               |                                                 |        |      |              | \$778,500.00 |



| Item                           |                                                 | Qty.    | Unit | Cost         | Extension           |
|--------------------------------|-------------------------------------------------|---------|------|--------------|---------------------|
| No.                            | Item                                            |         |      |              |                     |
| Vauthier St.                   |                                                 |         |      |              |                     |
| <u>Hardscape</u>               |                                                 |         |      |              |                     |
| 51.                            | Gateway Monument                                | 2       | EA   | \$150,000.00 | \$300,000.00        |
| 52.                            | MSE Panel Aesthetic Treatment                   | 12      | EA   | \$2,500.00   | \$30,000.00         |
| 53.                            | Sound Wall Aesthetic Treatment                  | 1,200   | SF   | \$15.00      | \$18,000.00         |
| 54.                            | Ear Wall Aesthetic Treatment                    | 4       | EA   | \$750.00     | \$3,000.00          |
| 55.                            | Sleeving (Irrigation)                           | 775     | LF   | \$30.00      | \$23,250.00         |
| 56.                            | Traffic Signal Upgrade                          | 4       | EA   | \$1,500.00   | \$6,000.00          |
| 57.                            | Lighted Street Signs                            | 6       | EA   | \$2,500.00   | <u>\$15,000.00</u>  |
| Total Hardscape                |                                                 |         |      |              | \$395,250.00        |
|                                |                                                 |         |      |              |                     |
| <u>Lighting and Electrical</u> |                                                 |         |      |              |                     |
| 58.                            | Electrical Service & Controls                   | 1       | LS   | \$25,000.00  | \$25,000.00         |
| 59.                            | Lighting Conduit                                | 1,020   | LF   | \$50.00      | \$51,000.00         |
| 60.                            | Electrical Runs                                 | 1,020   | LF   | \$20.00      | \$20,400.00         |
| 61.                            | Underbridge Lighting                            | 16      | EA   | \$2,500.00   | \$40,000.00         |
| 62.                            | Floating Fountains                              | 2       | EA   | \$60,000.00  | <u>\$120,000.00</u> |
| Total Lighting and Electrical  |                                                 |         |      |              | \$256,400.00        |
|                                |                                                 |         |      |              |                     |
| <u>Softscape</u>               |                                                 |         |      |              |                     |
| 63.                            | Green Space (Trees, shrubs & groundcover, lawn) | 185,000 | SF   | \$2.50       | \$462,500.00        |
| 64.                            | 90 Day Landscape Maintenance                    | 1       | LS   | \$15,000.00  | \$15,000.00         |
| 65.                            | Irrigation System                               | 1       | LS   | \$230,000.00 | <u>\$230,000.00</u> |
| Total Softscape                |                                                 |         |      |              | \$707,500.00        |
| Total Vauthier St.             |                                                 |         |      |              | \$1,359,150.00      |

| Item                          |                                                 | Qty.    | Unit | Cost         | Extension           |
|-------------------------------|-------------------------------------------------|---------|------|--------------|---------------------|
| No.                           | Item                                            |         |      |              |                     |
| Main St.                      |                                                 |         |      |              |                     |
|                               | <u>Hardscape</u>                                |         |      |              |                     |
| 66.                           | Large Identity Monument                         | 1       | EA   | \$250,000.00 | \$250,000.00        |
| 67.                           | Gateway Monument                                | 2       | EA   | \$150,000.00 | \$300,000.00        |
| 68.                           | MSE Panel Aesthetic Treatment                   | 12      | EA   | \$2,500.00   | \$30,000.00         |
| 69.                           | Ear Wall Aesthetic Treatment                    | 12      | EA   | \$750.00     | \$9,000.00          |
| 70.                           | Sleeving (Irrigation)                           | 1,000   | LF   | \$30.00      | \$30,000.00         |
| 71.                           | Traffic Signal Upgrade                          | 8       | EA   | \$1,500.00   | \$12,000.00         |
| 72.                           | Lighted Street Signs                            | 12      | EA   | \$2,500.00   | <u>\$30,000.00</u>  |
| Total Hardscape               |                                                 |         |      |              | \$661,000.00        |
|                               |                                                 |         |      |              |                     |
|                               | <u>Lighting and Electrical</u>                  |         |      |              |                     |
| 73.                           | Electrical Service & Controls                   | 1       | LS   | \$25,000.00  | \$25,000.00         |
| 74.                           | Lighting Conduit                                | 2,500   | LF   | \$50.00      | \$125,000.00        |
| 75.                           | Electrical Runs                                 | 2,500   | LF   | \$20.00      | \$50,000.00         |
| 76.                           | Underbridge Lighting                            | 48      | EA   | \$2,500.00   | <u>\$120,000.00</u> |
| Total Lighting and Electrical |                                                 |         |      |              | \$320,000.00        |
|                               |                                                 |         |      |              |                     |
|                               | <u>Softscape</u>                                |         |      |              |                     |
| 77.                           | Green Space (Trees, shrubs & groundcover, lawn) | 130,000 | SF   | \$2.50       | \$325,000.00        |
| 78.                           | 90 Day Landscape Maintenance                    | 1       | LS   | \$15,000.00  | \$15,000.00         |
| 79.                           | Irrigation System                               | 1       | LS   | \$165,000.00 | <u>\$165,000.00</u> |
| Total Softscape               |                                                 |         |      |              | \$505,000.00        |
| Total Main St.                |                                                 |         |      |              | \$1,486,000.00      |



| Item                          |                                                 |         |      |              |                       |
|-------------------------------|-------------------------------------------------|---------|------|--------------|-----------------------|
| No.                           | Item                                            | Qty.    | Unit | Cost         | Extension             |
| Hwy. 6 - (Wye)                |                                                 |         |      |              |                       |
|                               | <u>Hardscape</u>                                |         |      |              |                       |
| 80                            | Large Identity Monument                         | 1       | EA   | \$250,000.00 | \$250,000.00          |
| 81.                           | Gateway Monument                                | 4       | EA   | \$150,000.00 | \$600,000.00          |
| 82                            | MSE Panel Aesthetic Treatment                   | 12      | EA   | \$2,500.00   | \$30,000.00           |
| 83.                           | Sound Wall Aesthetic Treatment                  | 1,500   | SF   | \$35.00      | \$52,500.00           |
| 84                            | Ear Wall Aesthetic Treatment                    | 6       | EA   | \$750.00     | \$4,500.00            |
| 85                            | Sleeving (Irrigation)                           | 1,500   | LF   | \$30.00      | \$45,000.00           |
| 86.                           | Traffic Signal Upgrade                          | 4       | EA   | \$1,500.00   | \$6,000.00            |
| 87                            | Lighted Street Signs                            | 6       | EA   | \$2,500.00   | <u>\$15,000.00</u>    |
| Total Hardscape               |                                                 |         |      |              | \$1,003,000.00        |
|                               | <u>Lighting and Electrical</u>                  |         |      |              |                       |
| 88.                           | Electrical Service & Controls                   | 1       | LS   | \$25,000.00  | \$25,000.00           |
| 89.                           | Lighting Conduit                                | 1,500   | LF   | \$50.00      | \$75,000.00           |
| 90.                           | Electrical Runs                                 | 1,500   | LF   | \$20.00      | \$30,000.00           |
| 91.                           | Underbridge Lighting                            | 24      | EA   | \$2,500.00   | <u>\$60,000.00</u>    |
| Total Lighting and Electrical |                                                 |         |      |              | \$190,000.00          |
|                               | <u>Softscape</u>                                |         |      |              |                       |
| 92.                           | Green Space (Trees, shrubs & groundcover, lawn) | 850,000 | SF   | \$2.50       | \$2,125,000.00        |
| 93.                           | 90 Day Landscape Maintenance                    | 1       | LS   | \$15,000.00  | \$15,000.00           |
| 94.                           | Irrigation System                               | 1       | LS   | \$500,000.00 | <u>\$500,000.00</u>   |
| Total Softscape               |                                                 |         |      |              | \$2,640,000.00        |
| Total Hwy. 6                  |                                                 |         |      |              | \$3,833,000.00        |
| Sub Total                     |                                                 |         |      |              | \$12,239,650.00       |
| 15% Contingency               |                                                 |         |      |              | <u>\$1,835,947.50</u> |
| Total Construction Cost       |                                                 |         |      |              | \$14,075,597.50       |

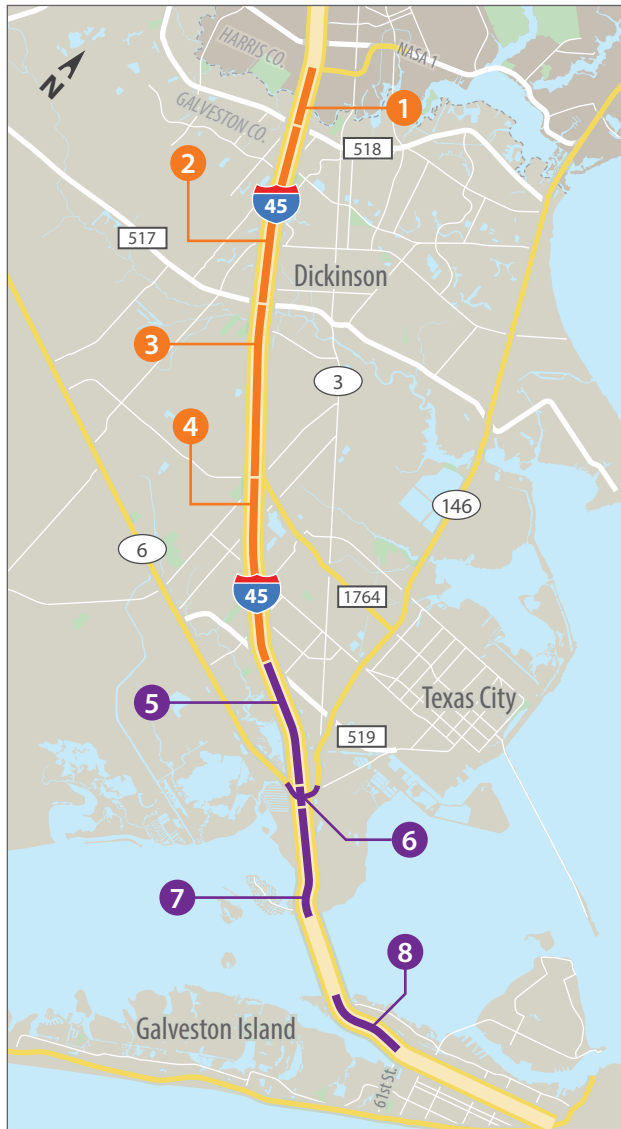
| Item                                                             |      | Qty. | Unit | Cost             | Extension      |  |  |  |  |
|------------------------------------------------------------------|------|------|------|------------------|----------------|--|--|--|--|
| No.                                                              | Item |      |      |                  |                |  |  |  |  |
| La Marque - I-45 Corridor                                        |      |      |      |                  |                |  |  |  |  |
| TxDOT Coordination Items                                         |      |      |      |                  |                |  |  |  |  |
|                                                                  |      |      |      |                  |                |  |  |  |  |
| All Intersections WITHOUT Pavers                                 |      |      |      |                  |                |  |  |  |  |
| La Marque 2019 Budget (FM 1764)                                  |      |      |      |                  | \$82,225.00    |  |  |  |  |
| La Marque 2020 Budget (South of FM 1764 to South of Vauthier)    |      |      |      |                  | \$1,044,487.50 |  |  |  |  |
| La Marque 2021 Budget (South of Vauthier to the Wye)             |      |      |      |                  | \$533,600.00   |  |  |  |  |
| Items to be priced and installed by Txdot and their contractors. |      |      |      | Total TxDOT Work | \$1,660,312.50 |  |  |  |  |



# I-45 SOUTH PROJECT - GALVESTON CO.

"Connecting You  
with Texas"

HOUSTON DISTRICT



**Eliza Paul, P.E.**  
Houston District Engineer  
Eliza.Paul@txdot.gov  
713-802-5011

## PROJECTS UNDER CONSTRUCTION

| # | Project Limits    | Description                                                          | Let Amount | Anticipated Compl. Date |
|---|-------------------|----------------------------------------------------------------------|------------|-------------------------|
| 1 | NASA 1 to FM 518  | Reconstruct and widen to 10 Main Lanes.<br>Texas Clear Lanes Project | \$99.2 M   | 4th Qtr. 2021           |
| 2 | FM 518 to FM 517  | Reconstruct and widen to 8 Main Lanes.                               | \$121.7 M  | 1st Qtr. 2022           |
| 3 | FM 517 to FM 1764 | Reconstruct and widen to 8 Main Lanes.<br>Texas Clear Lanes Project  | \$230.4 M  | 4th Qtr. 2023           |
| 4 | FM 1764 to FM 519 | Reconstruct and widen to 8 Main Lanes.                               | \$163.0 M  | 3rd Qtr. 2025           |

## PROJECTS UNDER DEVELOPMENT (FUNDED IN UTP)

| # | Project Limits             | Description                            | Estimated Const. Cost | Anticipated Let Date |
|---|----------------------------|----------------------------------------|-----------------------|----------------------|
| 5 | FM 519 to Texas City Wye   | Reconstruct and widen to 8 Main Lanes. | \$105.7 M             | Aug. 2020            |
| 6 | Texas City Wye             | Reconstruct interchange.               | \$74.0 M              | Aug. 2020            |
| 7 | Texas City Wye to Causeway | Reconstruct and widen to 8 Main Lanes. | \$76.4 M              | Aug. 2020            |
|   | BNSF Railroad              | Replace railroad bridge.               | \$15.7 M              |                      |
| 8 | Causeway to 61st Street    | Reconstruct and widen to 8 Main Lanes. | \$114.0 M             | April 2022           |

# LA MARQUE AESTHETICS

| ITEM  | DESC | DESCRIPTION                | UNIT | PLAN<br>QUANTITY | UNIT<br>PRICE | EXTENSION    |
|-------|------|----------------------------|------|------------------|---------------|--------------|
| 423   |      | MSE WALL PANELS            | LS   | 1                | \$ 22,298.33  | \$ 22,298.33 |
| 481   | 6013 | PIPE (PVC) (SCH 40) (6 IN) | LF   | 300              | \$ 65.00      | \$ 19,500.00 |
| 618   | 6046 | CONDT (PVC) (SCH 80) (2)   | LF   | 500              | \$ 15.00      | \$ 7,500.00  |
| 624   | 6009 | GROUND BOX TY D (162922)   | EA   | 9                | \$ 1,500.00   | \$ 13,500.00 |
| NPI   |      | CONSTRUCTION STAKING       | LS   | 1                | \$ 3,500.00   | \$ 3,500.00  |
| TOTAL |      |                            |      |                  |               | \$ 66,298.33 |





PO BOX 1386 | HOUSTON, TEXAS 77251- 1386 | (713) 802-5000 | WWW.TXDOT.GOV

December 31, 2018

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

RE: Response Letter  
Galveston County  
I-45: FM1764 Texas City Wye  
Enhancements Control: 0500-04, etc.

Dear Mayor Hocking:

The Texas Department of Transportation (TxDOT) has reviewed your letter dated November 28, 2018 concerning additional aesthetic and landscaping enhancements along I-45 through the City of La Marque.

TxDOT currently has several projects along I-45 through the City of La Marque that are in various stages of either construction or development. I-45 with limits from FM 517 to FM 1764 has already let for construction meaning additional enhancements would involve a change order to the construction contract. TxDOT would request that the City of La Marque fund the cost for any change order for enhancements within these limits, or suggest that certain landscape enhancements be included with a separate project.

Final plans are currently being developed along I-45 with limits from FM 1764 to north of FM 519 with an anticipated August 2019 construction letting. Final plans are also being developed along I-45, north of FM 519 to the Causeway with an anticipated September 2020 construction letting. In order to provide consistent enhancements throughout the City of La Marque, the schedule of the project from FM 1764 to north of FM 519 will need to control.

Below are bulleted responses to your requested enhancements specific to the limits from FM 1764 to the Texas City Wye:

- Add irrigation and electrical sleeves to accommodate future irrigation
  - TxDOT can accommodate this request provided that a layout showing the location and size of sleeves is provided to TxDOT by January 30, 2019. TxDOT can provide the City of La Marque plan sheets for mark up.
- Revise concrete pavers to match La Marque aesthetics
  - TxDOT requests that the City of La Marque provide the type and color of pavers. TxDOT will install the pavers with the construction project; however, the City of La Marque must maintain these unique pavers.
- Revise the retaining wall form liner to match the La Marque aesthetic with the city logo
  - TxDOT is proposing to utilize the standard Green Ribbon Wave Scheme that can accommodate this. TxDOT requests that the City of La Marque provide the shape

OUR VALUES: *People • Accountability • Trust • Honesty*

OUR MISSION: *Through collaboration and leadership, we deliver a safe, reliable, and integrated transportation system that enables the movement of people and goods.*

An Equal Opportunity Employer

- with dimensions for the space needed to accommodate the City logo by January 30, 2019; so it can be incorporated into the plans.
- The City would be responsible for the painting and maintenance of the logo.
- Revise the paint scheme to match the La Marque aesthetic
  - TxDOT can accommodate this request provided that the City of La Marque identifies the colors to be used and be responsible for the on-going maintenance of the painted surfaces. Paint schemes must be submitted before January 30, 2019 to be incorporated into the plans. The City would be responsible for maintenance.
- Modify proposed detention ponds to have standing water
  - This request may be accommodated on a case by case basis. Detention ponds may require deepening and special liners. TxDOT requests that the City of La Marque engineer the modified ponds and pay for any additional costs such as the fountains liners, excavations; and associated maintenance, etc.
- Additional underpass lighting
  - TxDOT assumes that this request is for accent lighting. TxDOT requests that the City of La Marque pay the cost for maintenance of the conductors and associated fixtures, as well as on-going electricity cost. The City must prepare the electrical plans, and submit them to TxDOT by January 30, 2019 to incorporate additional underpass lighting into the plans.
- Modify the patterning on the bridge columns
  - TxDOT understood that the City of La Marque was comfortable with the Wave Scheme general column aesthetic which would match adjacent projects along the I-45 corridor. Construction contractors within the region regularly use the forms for Wave Scheme columns, so a new pattern would increase construction costs. TxDOT would prefer not to make any changes to the patterning.
- Modify the proposed landscape installation to match the La Marque aesthetic
  - TxDOT will work with the City of La Marque to address landscape development at a later date. It is customary to let landscaping projects separate from the construction projects.
- Modify the proposed noise wall aesthetic and paint scheme
  - TxDOT can accommodate this request provided that the City of La Marque identifies the colors to be used and be responsible for the on-going maintenance of the painted surfaces. Paint schemes must be submitted before January 30, 2019 to be incorporated into the plans.
- Coordinate the inclusion of La Marque on guide signs
  - TxDOT can accommodate the inclusion of additional guide signs indicating "La Marque – NEXT XX EXITS"
- Modify the proposed traffic signals to match the La Marque aesthetic
  - TxDOT can accommodate standard TxDOT black powder coated signal poles that are with the project for no extra charge; however, the City of La Marque must provide and maintain replacement signal poles in stock; otherwise, standard galvanized signal poles would be installed as replacement.
  - Unique signal poles must be designed for 100 mile per hour wind speeds and match TxDOT bolt patterns; the City of La Marque would be responsible for the additional cost and maintenance of unique signal poles.



As described above, many of these enhancement requests can be accommodated but do need participation from the City of La Marque to either fund the enhancement or maintain them. An advance funding agreement with the City of La Marque would have to be executed to finalize inclusion in the I-45 projects.

If you would like to discuss further, please contact William R. Brudnick, at (713) 802-5031.

Sincerely,

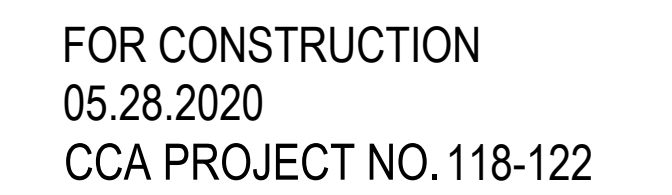


Quincy D. Allen, P.E.  
District Engineer  
Houston District

cc: William R. Brudnick, P.E.  
Larry W. Blackburn, P.E.  
Mark D. Patterson, P.E.  
Pat Nwackuwu, P.E.  
Patrick G. Gant, P.E.  
Dana D. Cote, RLA

DATE: \_\_\_\_\_

City of La Marque  
La Marque, Texas



| TITLE             | SHEET NO. |
|-------------------|-----------|
| LAYOUT PLAN       | L1.01     |
| MSE PANEL DETAILS | L1.02     |





NOTE:

1. CONDUIT AND PULL BOXES AT COLUMNS SHALL BE INSTALLED WITHIN MEDIAN AND NOT WITHIN STREET PAVEMENT.

SEAL



ISSUE

FOR PRICING

26.2019

FOR CONSTRUCTION

28.2020

## KEY MAP

FM 1764  
LA MARQUE, TX

## LAYOUT PLAN

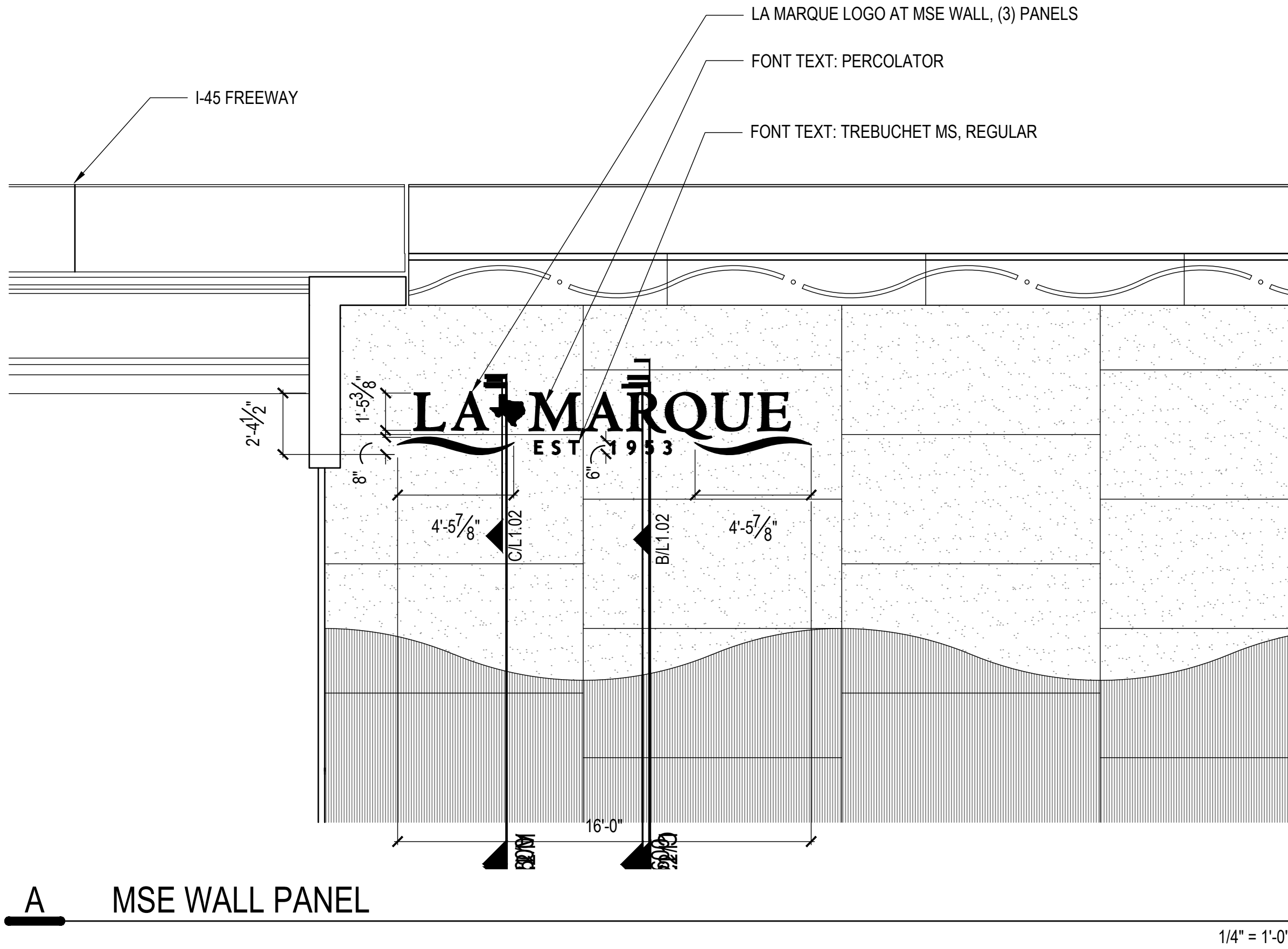
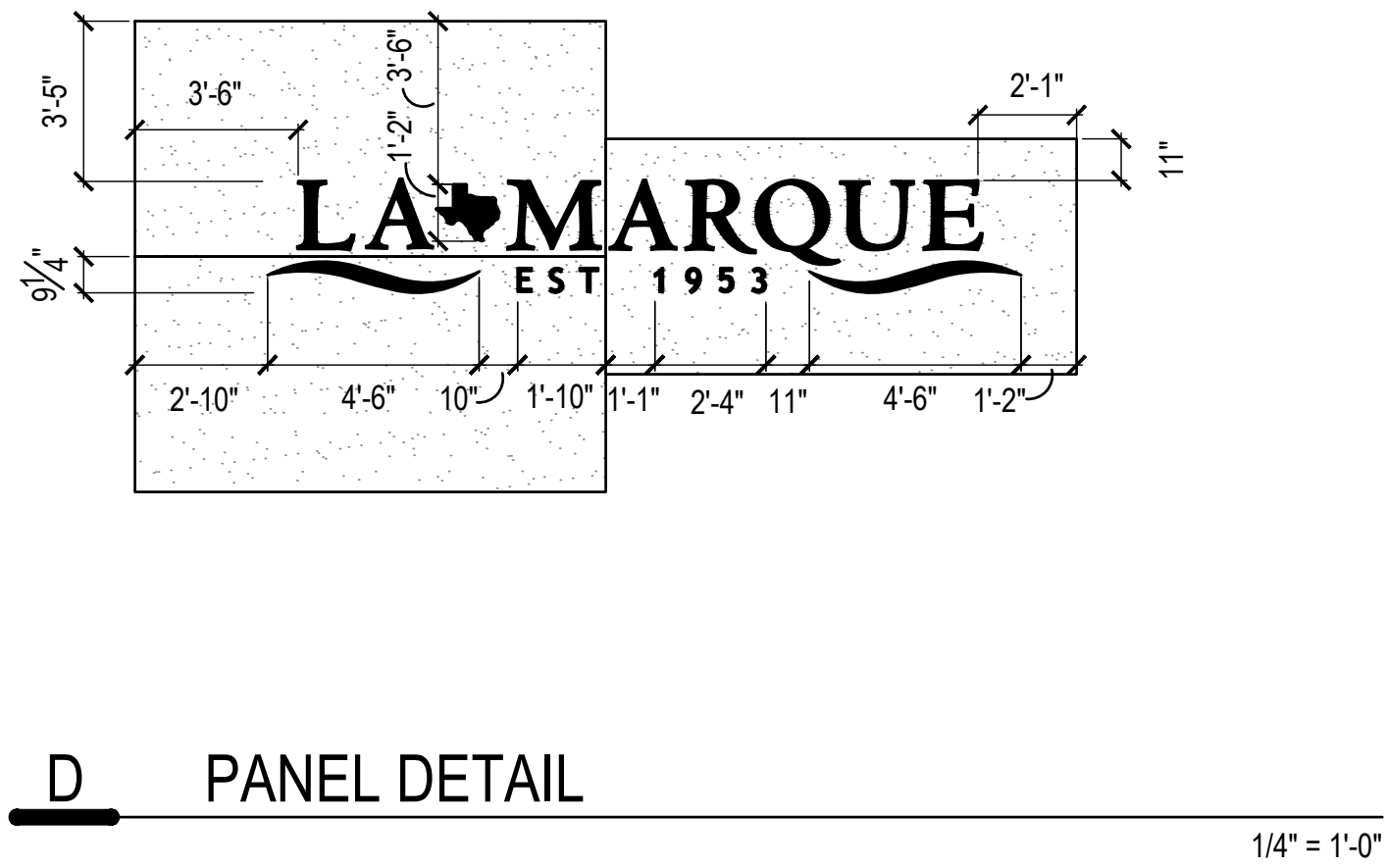
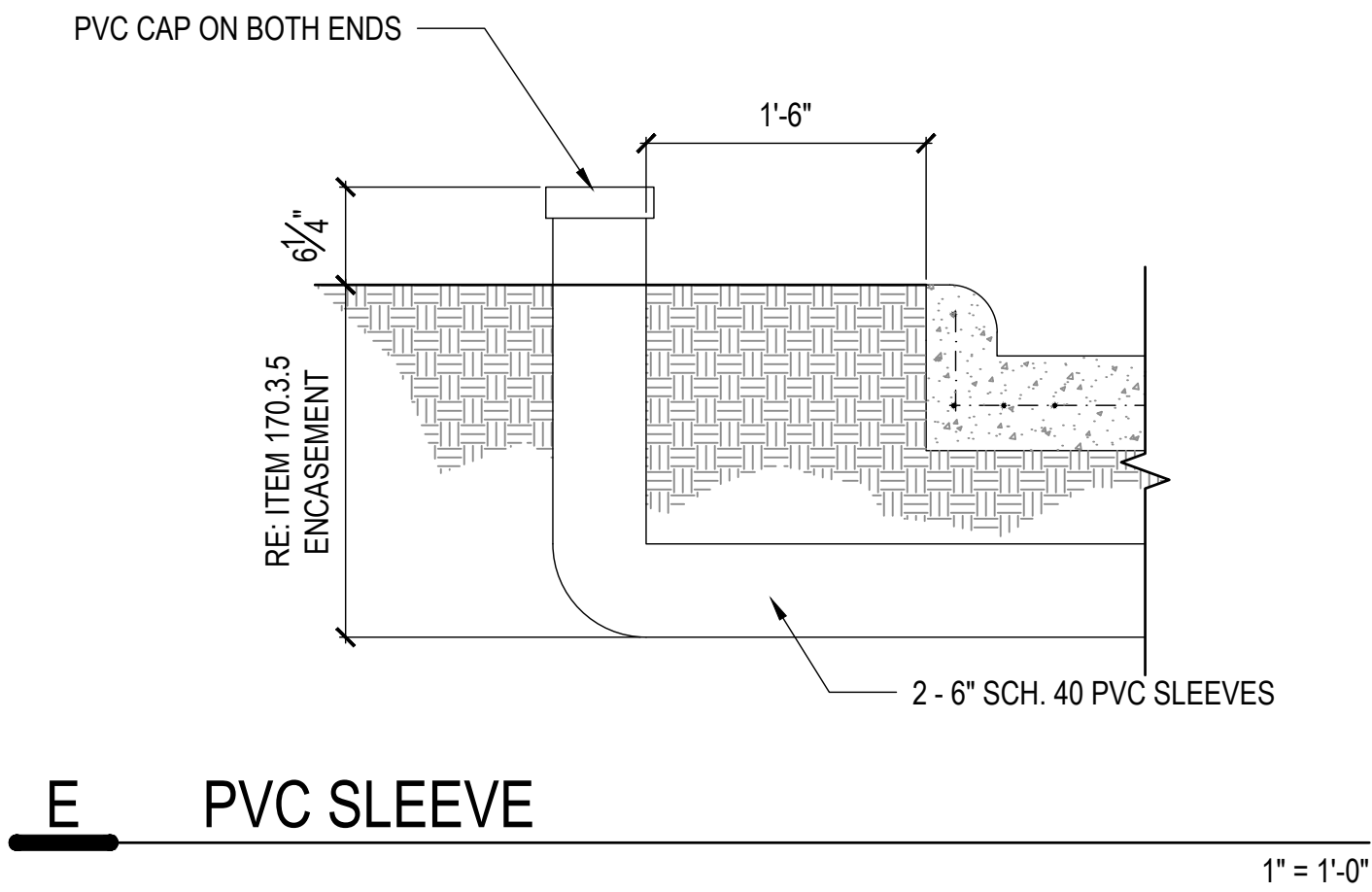
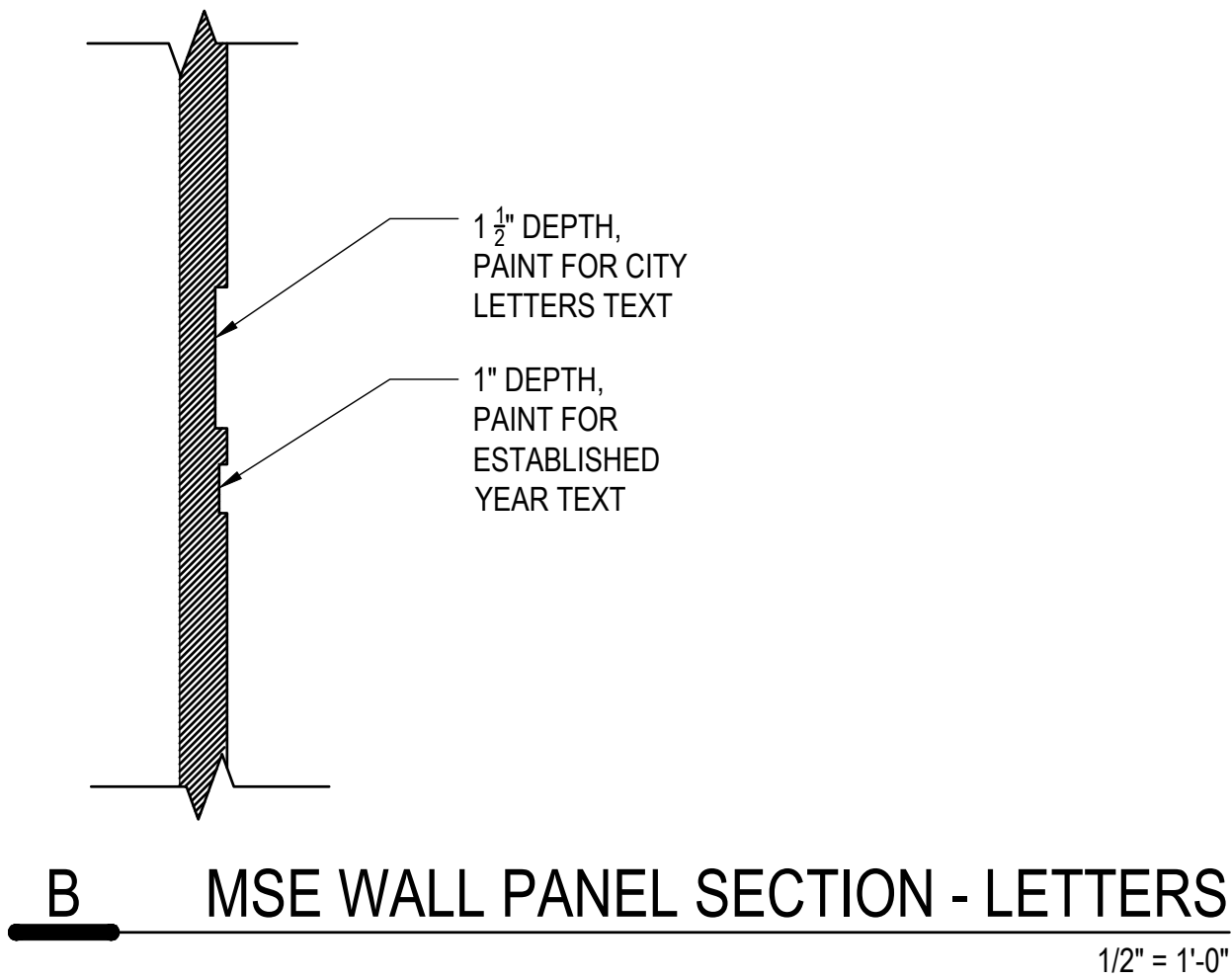
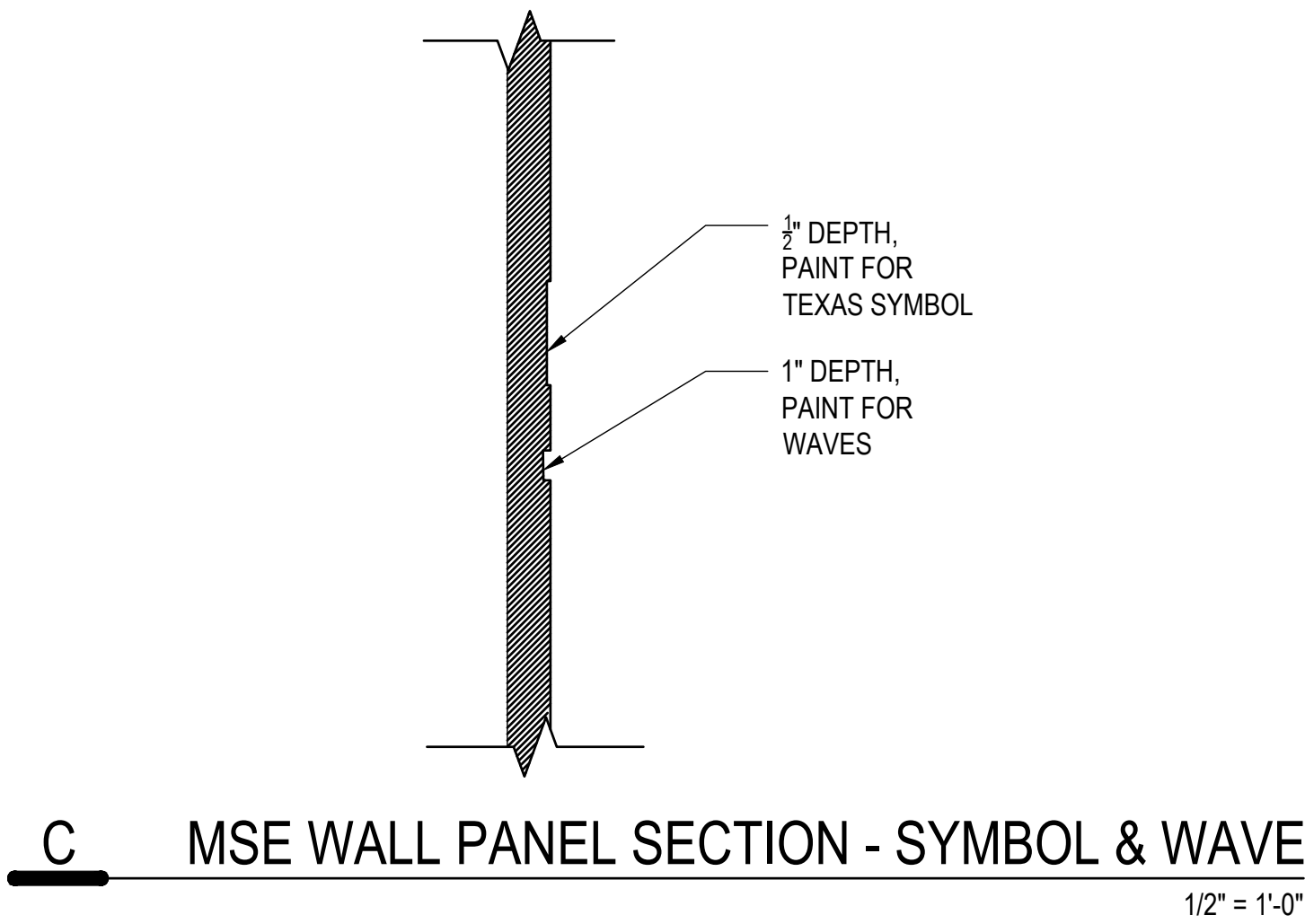
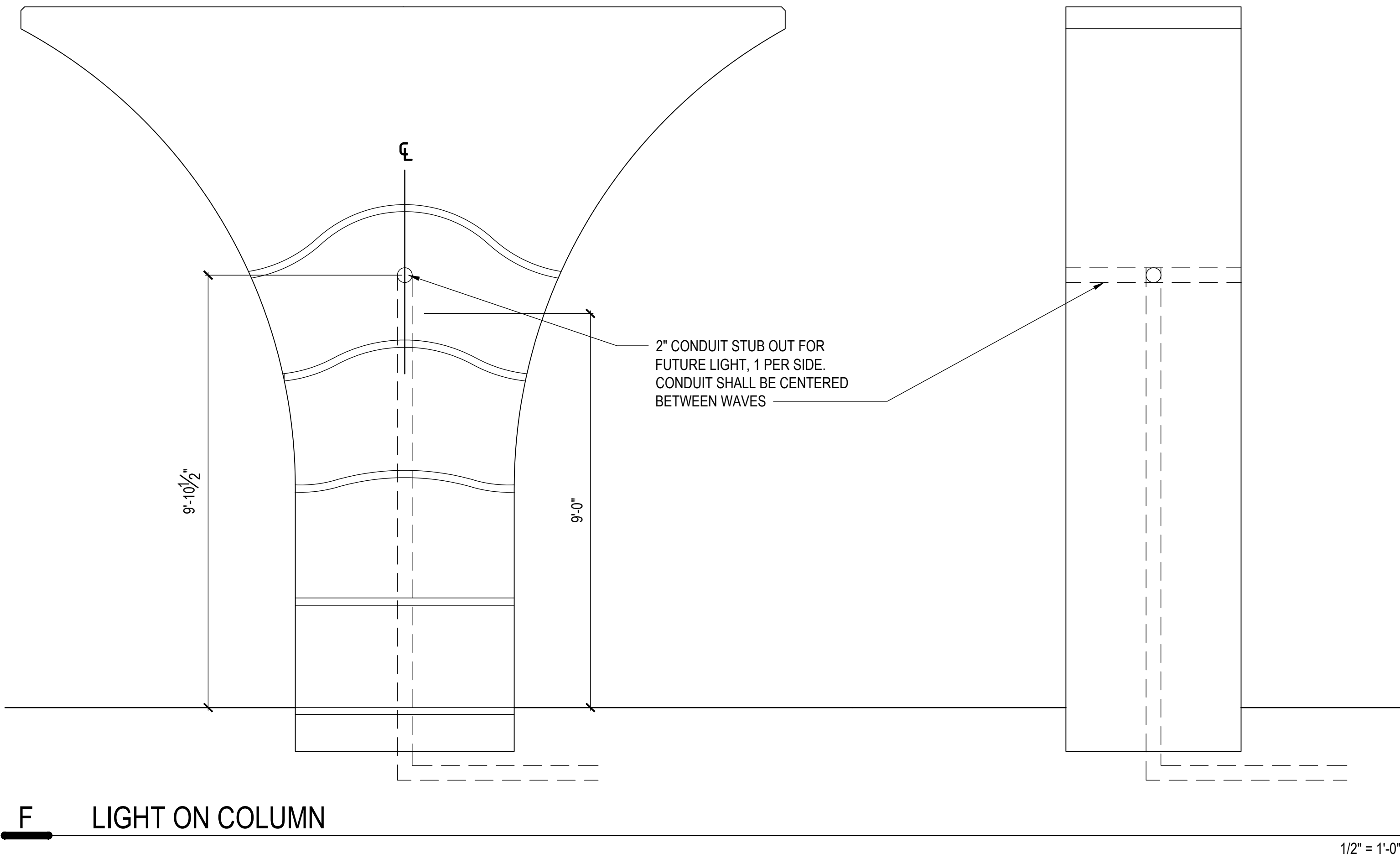
DRAWN BY: BMW  
CHECKED BY: SSS  
DATE: 02.26.2019  
SCALE: 1"=20'-0"  
PROJECT #: 118-122

SHEET

## L1.01



J:\LA MARQUE I-45 CORRIDOR\_118-1224.0 WORKING FILES\4.2 CAD\4.22 SHEETS\L1.02 MSE PANEL DETAILS.DWG



- NOTE:
1. LIGHT FIXTURES TO BE INSTALLED BY OTHER, NOT IN CONTRACT.
  2. CONTRACTOR SHALL COORDINATE WITH TXDOT TO INSTALL CONDUIT WITHIN COLUMNS AND NOT ATTACHED TO EXTERIOR OF THE COLUMN.

## CLARK CONDON

LANDSCAPE ARCHITECTURE  
10401 Stella Link Dr.  
Houston, TX 77025  
T: 713 871 1414 F: 713 871 0888

CLIENT

### CITY OF LA MARQUE

1130 1st Street  
La Marque, TX 77568  
T: 409 938 9255

SEAL



6/03/2020

ISSUE

FOR PRICING

02.26.2019

FOR CONSTRUCTION

05.28.2020

KEY MAP

### I-45 CORRIDOR BRANDING FM 1764

LA MARQUE, TX

### MSE PANEL DETAILS

DRAWN BY: BMW  
CHECKED BY: SSS  
DATE: 02.26.2019  
SCALE: AS SHOWN  
PROJECT #: 118-122

SHEET

# L1.02





## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020

Prepared by: Charlene Warren

Agenda item: 7k

Reviewed by: Charlene Warren

Charles Jackson

Department: Administration

**AGENDA ITEM DESCRIPTION:** Consider recommendation to approve Resolution No. **R-2020-0007**, accepting the Commissioner's Court of Galveston County invitation to join the Gulf Coast Transit District (GCTD) and authorizing the Mayor to facilitate the transfer of existing transit services and other related agreements with the Gulf Coast Center to the GCTD

**X**

### **ATTACHMENTS FOR REFERENCE**

1. Resolution
2. Galveston County Resolution dated May 4, 2020
3. Gulf Coast Center Board of Trustees Draft Resolution
4. The Goodman Corporation Memo dated May 29, 2020
5. Gulf Coast Center Interlocal Contract Amendment and Exhibits

### **STAFF BRIEFING:**

- Chapter 458 of the Texas Transportation Code enables the creation of Rural and Urban Transit Districts
- The Gulf Coast Center (GCC) is a Rural and Urban Transit District and provides public transportation for Galveston and Brazoria counties through Connect Transit
- Galveston and Brazoria counties have appointed public transportation stakeholders to a Transit Evaluation Committee (TEC) have unanimously recommended the separation of Connect Transit from Gulf Coast Center and the creation of a new Bi-County Transit District
- Gulf Coast Center, and Galveston and Brazoria counties have resolved to separate Connect Transit from GCC
- Galveston County Commissioner's Court will appoint members to the Gulf Coast Transit District Board of Directors, subject to confirmation from the respective governing bodies, and providing one seat to the City of La Marque
- City attorney will review all Interlocal Agreements and other legal instruments prior to execution

**HISTORY:** N/A

**TARGET IMPLEMENTATION:** June 8, 2020

**SIGNIFICANT ACTION DATES:** N/A



## CITY COUNCIL AGENDA FORM

### ACTION:

- |                                                                                                                                              |                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| <input type="checkbox"/> Ordinance                                                                                                           | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Special Presentation                                                                                                | <input type="checkbox"/> Proclamation          |
| <input type="checkbox"/> Finance Report                                                                                                      | <input type="checkbox"/> Public Hearing        |
| <input type="checkbox"/> Other                                                                                                               |                                                |
| <input checked="" type="checkbox"/> Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures |                                                |

### Cost Details:

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

**STAFF'S RECOMMENDATION:** Motion to approve Resolution No. **R-2020-0006**, accepting the Commissioner's Court of Galveston County invitation to join the Gulf Coast Transit District (GCTD) and authorizing the Mayor to facilitate the transfer of existing transit services and other related agreements with the Gulf Coast Center to the GCTD

**FISCAL IMPACT:** N/A



**RESOLUTION NO. R-2020-0007**

**THE STATE OF TEXAS       §**

**COUNTY OF GALVESTON §**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS ACCEPTING THE COMMISSIONER’S COURT OF GALVESTON COUNTY INVITATION TO JOIN THE GULF COAST TRANSIT DISTRICT (GCTD) AND AUTHORIZING THE MAYOR TO FACILITATE THE TRANSFER OF EXISTING TRANSIT SERVICES AND OTHER RELATED AGREEMENTS WITH THE GULF COAST CENTER TO THE GCTD.**

**WHEREAS**, Chapter 458 of the Texas Transportation Code enables the creation of Rural and Urban Transit Districts.

**WHEREAS**, the Gulf Coast Center (GCC) is a Rural and Urban Transit District and the public transportation provider for Galveston and Brazoria counties.

**WHEREAS**, Connect Transit is the public transportation provider for Galveston and Brazoria counties and is currently organized under the Gulf Coast Center (GCC).

**WHEREAS**, Galveston and Brazoria counties have appointed public transportation stakeholders to a Transit Evaluation Committee (TEC) to consider data and information related to the separation of Connect Transit from the GCC and to make a recommendation to the GCC Board of Trustee regarding the separation of Connect Transit from the GCC.

**WHEREAS**, the TEC has unanimously recommended the separation of Connect Transit from the GCC and the creation of a new Bi-County Transit District with the responsibility for the provision of public transportation within Galveston and Brazoria Counties.

**WHEREAS**, the GCC Board of Trustees has received the recommendation of the TEC to separate Connect Transit from the GCC.

**WHEREAS**, the GCC Board of Trustees has resolved to separate Connect Transit from the GCC.

**WHEREAS**, Galveston County, pursuant to Chapter 458 of the Texas Transportation Code, has the authority to approve the transfer of the Rural and Urban Transit District from the GCC to a new Bi-County Transit District, subject to similar action by Brazoria County.

**WHEREAS,** Galveston and Brazoria County Commissions have approved the transfer of public transportation responsibility to the Gulf Coast Transit District, and the appointment of Board representation from the City of La Marque and other political subdivisions within Galveston County (Attachments).

**WHEREAS,** Galveston County Commissioner's Court will appoint members to the Gulf Coast Transit District Board of Directors, subject to confirmation from the respective governing bodies:

- 1 seat Galveston County Commissioner's Court
- 1 seat City of Texas City
- 1 seat City of La Marque
- 1 seat City of Dickinson
- 1 seat University of Texas Medical Branch
- 2 seats Rural (subject to future Commissioner's Court approval)

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS** that the City accepts the invitation to join the Gulf Coast Transit District and authorizes the City Manager to take the following actions:

1. Work with the GCC on the transfer of existing Interlocal Agreements and other legal instruments from the GCC to the Gulf Coast Transit District, to become effective on September 1<sup>st</sup>, 2020.
2. Appoint a City Council member and Alternate to serve on the new Gulf Coast Transit District Board of Directors

**APPROVED and ADOPTED** by the City Council of the City of La Marque on this the \_\_\_\_\_ 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



On this the 4th day of May, 2020, the Commissioner's Court of the County of Galveston, Texas convened in a regularly scheduled meeting with the following members thereof present:

**Mark A. Henry, County Judge;**  
**Darrell Apffel, Commissioner, Precinct No. 1;**  
**Joe Giusti, Commissioner, Precinct No. 2;**  
**Stephen D. Holmes, Commissioner, Precinct No. 3;**  
**Kenneth Clark, Commissioner, Precinct No. 4; and**  
**Dwight D. Sullivan, County Clerk**

When the following proceedings, among others, were had, to-wit:

**Resolution Calling for the Approval of the Creation of a new Bi-County Transit District and the Transfer of Responsibility for the Provision of Public Transportation services, and the Receipt and Expenditure of Federal and State Public Transportation Funding from the Gulf Coast Center to the Galveston and Brazoria Bi-County Transit District**

**WHEREAS**, Chapter 458 of the Texas Transportation Code establishes the creation of Rural and Urban Transit Districts;

**WHEREAS**, the Gulf Coast Center (GCC) is a Rural and Urban Transit District and the public transportation provider for Galveston and Brazoria counties;

**WHEREAS**, Connect Transit is the public transportation provider for Galveston and Brazoria counties and is currently organized under the Gulf Coast Center (GCC);

**WHEREAS**, Galveston and Brazoria Counties have appointed public transportation stakeholders to a Transit Evaluation Committee (TEC) to consider data and information related to the separation of Connect Transit from the GCC and to make a



recommendation to the GCC Board of Trustee regarding the separation of Connect Transit from the GCC;

**WHEREAS**, the TEC has unanimously recommended the separation of Connect Transit from the GCC and the creation of a new Bi-County Transit District with the responsibility for the provision of public transportation services within Galveston and Brazoria counties;

**WHEREAS**, the GCC Board of Trustees has received and approved the recommendation of the TEC to transfer the responsibility for the provision of public transportation from Connect Transit to the Gulf Coast Transit District at the April 22, 2020 meeting;

**WHEREAS**, Galveston County, pursuant to Chapter 458 of the Texas Transportation Code, has the authority to approve the transfer of the Rural and Urban Transit District from the GCC to a new Bi-County Transit District, to be renamed the Gulf Coast Transit District;

**WHEREAS**, under the recommendation approved by the TEC, each respective governing body will appoint the following voting members from Galveston County to the Gulf Coast Transit District Board of Directors:

- 1 seat Galveston County Commissioner's Court
- 1 seat City of Texas City
- 1 seat City of La Marque
- 1 seat City of Dickinson
- 1 seat University of Texas Medical Branch
- 2 seats Rural Representatives appointed by the Commissioners Court;

**WHEREAS**, each participating governing body must approve its participation in the Gulf Coast Transit District, and thereafter, further actions are expected to finalize the transfer;

**NOW THEREFORE BE IT ORDERED that the Commissioners Court of the County of Galveston, Texas does hereby approve** the transfer of public transportation responsibility from the Gulf Coast Center to the Gulf Coast Transit District, pursuant to Chapter 458 of the Texas Transportation Code

**Be it Further Ordered** that Commissioner Stephen Holmes be appointed by this Commissioner's Court to the Gulf Coast Transit District Board of Directors, and that Commissioner Ken Clark be appointed as alternate.

**Be it Further Ordered** that the participation of other entities named in this Resolution is subject to a similar Resolution accepting membership in the Gulf Coast Transit District by the City Commission of Texas City and the City Councils of La

Marque and Dickinson; and the Administration of UTMB.

**Upon motion duly made and seconded**, the above Resolution was unanimously passed on this the 4th day of May, 2020.

**The County of Galveston, Texas**



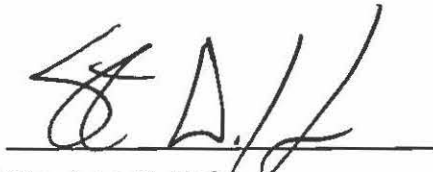
**Mark A. Henry**  
County Judge



**Darrell Apffel**  
Commissioner, Precinct 1



**Joe Giusti**  
Commissioner, Precinct 2

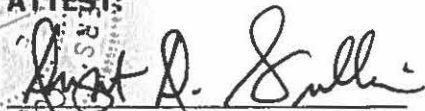
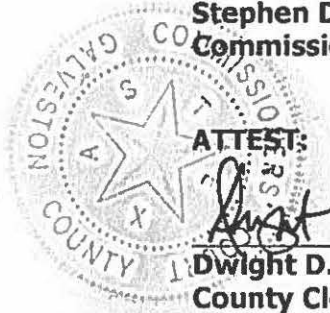


**Stephen D. Holmes**  
Commissioner, Precinct 3



**Kenneth Clark**  
Commissioner, Precinct 4

**ATTEST:**

  
**Dwight D. Sullivan**  
County Clerk

Item 1a: Draft Resolution to Accepting the Recommendation to Separate Connect Transit from GCC

**A RESOLUTION BY THE BOARD OF TRUSTEES OF THE GULF COAST CENTER ACCEPTING THE RECOMMENDATION OF THE TRANSIT EVALUATION COMMITTEE (TEC) TO PROCEED WITH THE CREATION OF A BI-COUNTY TRANSIT DISTRICT, SUBJECT TO APPROVALS BY THE FEDERAL TRANSIT ADMINISTRATION, THE TEXAS DEPARTMENT OF TRANSPORTATION, AND THE HOUSTON – GALVESTON AREA COUNCIL AND AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO TAKE ACTIONS NECESSARY TO FACILITATE SAID CREATION**

**WHEREAS**, the Gulf Coast Center (GCC) is the recipient of federal and state transit funding and other federal funding related to the provision of public transportation services within Galveston and Brazoria counties;

**WHEREAS**, the GCC is a rural and urban transit district created pursuant to the provisions of Chapter 458 of the Texas Transportation Code;

**WHEREAS**, the GCC Board of Trustees, confirmed by Resolutions of Galveston and Brazoria County Commissioner's courts, has created a Transit Evaluation Committee (TEC) to review relevant data and information regarding the GCC's responsibilities for the receipt and expenditure of federal and state transit funding, and other administrative, operating and financial requirements of a Bi-County Transit District, and to consider the extent to which the transfer of public transit responsibilities from the GCC to a new Bi-County Transit District is desirable;

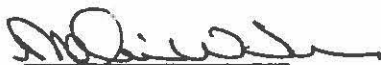
**WHEREAS**, on March 26, 2020 the TEC unanimously approved a motion (see attached) to recommend to the GCC Board of Trustees, the transfer of responsibility for the provision of public transportation services, and the receipt and expenditure of state and federal transit funding, from the GCC to a Bi-County Transit District, pursuant to the provisions of Chapter 458 of the Texas Transportation Code.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE GULF COAST CENTER THAT THE BOARD OF TRUSTEES OF THE GCC ACCEPTS THE RECOMMENDATION OF THE TEC, AND AUTHORIZES THE CHIEF EXECUTIVE OFFICER TO TAKE THE FOLLOWING ACTIONS:**

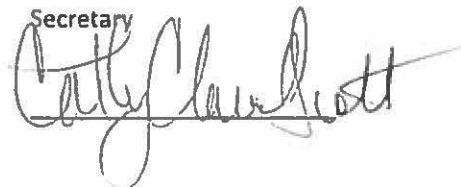
1. Notify Galveston and Brazoria County Commissioner's Courts of the GCC BOT's acceptance of the TEC's recommendation and request approval for the creation of a new Bi-County Transit District.
2. Execute a Memorandum of Understanding with the new Bi-County Transit District Board of Directors, when legally constituted, for the transfer of all Federal Transit Administration (FTA)- and Texas Department of Transportation Public Transit Division (TxDOT)- funded assets, equipment and facilities and related liabilities.
3. Request that the FTA, the Public Transportation Division of TxDOT, and the Houston – Galveston Area Council (H-GAC) concur in the transfer of all grants and agreements related to the GCC Connect Transit to the new Bi-County Transit District.

**APPROVED ON THIS 22nd DAY OF APRIL, 2020.**

Melissa Tucker  
Chief Executive Officer



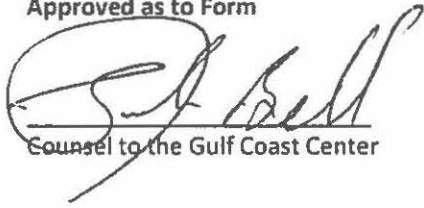
Secretary





Item 1a: Draft Resolution to Accepting the Recommendation to Separate Connect Transit from GCC

Approved as to Form



Counsel to the Gulf Coast Center

**A RESOLUTION BY THE BOARD OF TRUSTEES OF THE GULF COAST CENTER ACCEPTING THE RECOMMENDATION OF THE TRANSIT EVALUATION COMMITTEE (TEC) TO PROCEED WITH THE CREATION OF A BI-COUNTY TRANSIT DISTRICT, SUBJECT TO APPROVALS BY THE FEDERAL TRANSIT ADMINISTRATION, THE TEXAS DEPARTMENT OF TRANSPORTATION, AND THE HOUSTON – GALVESTON AREA COUNCIL AND AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO TAKE ACTIONS NECESSARY TO FACILITATE SAID CREATION**

**WHEREAS**, the Gulf Coast Center (GCC) is the recipient of federal and state transit funding and other federal funding related to the provision of public transportation services within Galveston and Brazoria counties;

**WHEREAS**, the GCC is a rural and urban transit district created pursuant to the provisions of Chapter 458 of the Texas Transportation Code;

**WHEREAS**, the GCC Board of Trustees, confirmed by Resolutions of Galveston and Brazoria County Commissioner's courts, has created a Transit Evaluation Committee (TEC) to review relevant data and information regarding the GCC's responsibilities for the receipt and expenditure of federal and state transit funding, and other administrative, operating and financial requirements of a Bi-County Transit District, and to consider the extent to which the transfer of public transit responsibilities from the GCC to a new Bi-County Transit District is desirable;

**WHEREAS**, on March 26, 2020 the TEC unanimously approved a motion (see attached) to recommend to the GCC Board of Trustees, the transfer of responsibility for the provision of public transportation services, and the receipt and expenditure of state and federal transit funding, from the GCC to a Bi-County Transit District, pursuant to the provisions of Chapter 458 of the Texas Transportation Code.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE GULF COAST CENTER THAT THE BOARD OF TRUSTEES OF THE GCC ACCEPTS THE RECOMMENDATION OF THE TEC, AND AUTHORIZES THE CHIEF EXECUTIVE OFFICER TO TAKE THE FOLLOWING ACTIONS:**

1. Notify Galveston and Brazoria County Commissioner's Courts of the GCC BOT's acceptance of the TEC's recommendation and request approval for the creation of a new Bi-County Transit District.
2. Execute a Memorandum of Understanding with the new Bi-County Transit District Board of Directors, when legally constituted, for the transfer of all Federal Transit Administration (FTA)- and Texas Department of Transportation Public Transit Division (TxDOT)- funded assets, equipment and facilities and related liabilities.
3. Request that the FTA, the Public Transportation Division of TxDOT, and the Houston – Galveston Area Council (H-GAC) concur in the transfer of all grants and agreements related to the GCC Connect Transit to the new Bi-County Transit District.

**APPROVED ON THIS 22nd DAY OF APRIL, 2020.**

Melissa Tucker  
Chief Executive Officer

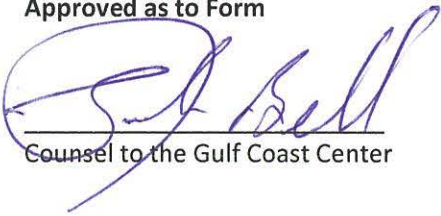


Secretary



Item 1a: Draft Resolution to Accepting the Recommendation to Separate Connect Transit from GCC

Approved as to Form

A handwritten signature in blue ink, appearing to read "J. Bell", is written over a horizontal line.

Counsel to the Gulf Coast Center





**HOUSTON:** 3200 Travis Street  
Suite 200  
Houston, TX 77006

**AUSTIN:** 911 W. Anderson Lane  
Suite 200  
Austin, TX 78757

**PHONE:** (713) 951-7951

**MEMO**

**THEGOODMANCORP.COM**

May 29<sup>th</sup>, 2020

To: Mr. Charles "Tink" Jackson  
From: Barry Goodman  
Re: Gulf Coast Transit District

On behalf of the Gulf Coast Center (GCC) and the Gulf Coast Transit District (GCTD), attached hereto are a proposed Amendment to the current Interlocal Agreement (Agreement) between the GCC and the City of La Marque (City), and related Resolution for City Council, which would transfer existing Agreements from the City to the newly formed GCTD, effective as of September 1<sup>st</sup>, 2020. The proposed Resolution also accepts the invitation, sent to the City sent by Galveston County Commissioner Stephen Holmes, to become a new Board member of the GCTD, and provides for the appointment of an elected representative and alternate (need not be elected) to the Board of Directors.

The Amended Agreement becomes effective as of September 1<sup>st</sup>, 2020, since that is the projected date when the transfer of organizational responsibility for the provision of public transportation services within Galveston County, from the GCC to the GCTD, should take effect. The new GCTD Board of Directors should be fully constituted by July. Both the GCC and GCTD will have to ratify the Amended Agreement to complete this transfer of responsibility.

The City's leadership on the TEC Task Force and GCTD Board of Directors will be important to help guide stakeholders through this transition toward the objective of a January 2020 transfer of operational responsibility from the GCC to the GCTD. In this regard, please try to schedule the approval of the Amendment to the existing GCC – City of La Marque Agreement, and appointment of a GCTD Board member and alternate by the end of June. I am available to address any additional questions you may have regarding the attached materials.

Cc. Susan Maclay  
Sean Middleton  
Rick Elizondo  
Bobby Hocking, Mayor  
Charles "Tink" Jackson

STATE OF TEXAS §

COUNTY OF GALVESTON §

### INTERLOCAL CONTRACT AMENDMENT

This Interlocal Contract Amendment ("Amendment") is made and entered into and effective as of the \_\_\_\_ day of \_\_\_\_\_, 2012 ("Effective Date") pursuant to the Texas Interlocal Cooperation Act, Chapter 791 of the Texas Government Code (the "Act"), by and between the **Gulf Coast Center (Center)**, established pursuant to provisions of Chapter 534 of the Texas Health & Safety Code Ann. (Vernon 1992), and the **City of La Marque (City)**, a political subdivision of the State of Texas incorporated pursuant to Chapter 43 of the Local Government Code.

**WHEREAS**, pursuant to the Act, the Center and City are authorized to contract with eligible entities to perform governmental functions and services, including governmental functions in which the contracting parties are mutually interested.

### RECITALS

**WHEREAS**, the parties entered into an Agreement, dated August 12th, 2019 providing for the provision of public transportation services by the Center Connect Transit Division for the period covering FY 2020 to FY 2022, in accordance with the route and coverage area described in Exhibit A.

**WHEREAS**, the City has agreed to provide financial assistance to the Center in accordance with the local share commitment schedule contained within Exhibit B.

**WHEREAS**, the Article 5 of the Agreement anticipated the potential creation of a Bi-County Transit District as a "successor in interest" to the Center, pursuant to the provisions of Chapter 458 of the Texas Transportation Code.

**WHEREAS**, on May 4<sup>th</sup>, 2020 the Galveston County Commissioner's Court, and on May 12<sup>th</sup>, 2020 the Brazoria County Commissioner's Courts approved Resolutions creating the Gulf Coast Transit District (GCTD), a Bi-County Transit District, to provide public transit services within Galveston and Brazoria counties.

**WHEREAS**, the Galveston County Commissioner's Court Resolution extended an invitation to the City to become a Board Member of the GCTD.

**WHEREAS**, it is the desire of the City to join the GCTD and transfer this Interlocal Contract (Agreement) with the GCC to the GCTD.

**WHEREAS**, all other provisions within the Interlocal Contract executed on August 12th, 2019 will remain in effect.

**WHEREAS**, this Amendment to the Agreement executed on August 12<sup>th</sup>, 2019 will become effective on September 1<sup>st</sup>, 2020.

**THIS AGREEMENT** has been executed by the parties on the date and year first above written.

**GULF COAST CENTER**

By: \_\_\_\_\_  
Melissa Tucker,  
Chief Executive Officer

Approved as to form:

\_\_\_\_\_  
General Counsel to the Gulf Coast Center

**CITY OF LA MARQUE, TEXAS**

By: \_\_\_\_\_  
Bobby Hocking  
Mayor

Approved as to form:

\_\_\_\_\_  
City Attorney

**Exhibit A: System Map**

**Exhibit B: Three (3) year Connect Local Share Responsibility**



# EXHIBIT A – Texas City/La Marque/Dickinson



## GULF COAST TRANSIT DISTRICT

### GALVESTON COUNTY

#### EXHIBIT B - MUNICIPALITY LOCAL SHARE BASIS FOR SUPPORT OF CONNECT TRANSIT SERVICES

Local share contributions from each municipality should be based on an equitable formula that takes into account each municipality's level of service and use of the fixed route transit system (fixed route trips and miles), use of the higher cost demand response service, and the municipality's share of the UZA population.

The table below presents service statistics for each municipality as follows:

1. Percentage of Connect Transit fixed route trips.
2. Percentage of total fixed route system miles.
3. Percentage of demand response trips originating in each municipality.
4. Percentage of the Texas City/La Marque UZA population from 2010 US Census

| Galveston<br>County<br>Municipality | Fixed Route<br>Trips | Fixed Route<br>Miles | Demand<br>Response | Population | New Average<br>Factor | Proposed 3 yr<br>Contribution | Prior Average<br>Factor | Prior<br>Contribution | Contribution<br>Delta |
|-------------------------------------|----------------------|----------------------|--------------------|------------|-----------------------|-------------------------------|-------------------------|-----------------------|-----------------------|
| <b>Texas City</b>                   | 66.00%               | 53.72%               | 53.58%             | 57.61%     | <b>57.72%</b>         | <b>\$121,228</b>              | 56.79%                  | \$100,830             | \$20,398              |
| <b>Dickinson</b>                    | 22.00%               | 17.02%               | 22.28%             | 23.86%     | <b>21.29%</b>         | <b>\$44,710</b>               | 26.84%                  | \$47,645              | <b>(\$2,935)</b>      |
| <b>La Marque</b>                    | 12.00%               | 29.26%               | 24.14%             | 18.53%     | <b>20.99%</b>         | <b>\$44,062</b>               | 16.37%                  | \$29,060              | \$15,002              |
| <b>Total</b>                        |                      |                      |                    |            |                       | <b>\$210,000</b>              |                         | \$177,535             |                       |
|                                     |                      |                      |                    |            |                       |                               |                         |                       |                       |



## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020

Prepared by: Charlene Warren

Agenda item: 71

Reviewed by: Charlene Warren

Charles Jackson

Department: Administration

**AGENDA ITEM DESCRIPTION:** Consider recommendation to authorize the City Manager to finalize TxDOT Right of Way parcel conveyances for current TxDOT Improvements: Parcel 5, SH 146 and Parcel 6, SH 146

**X**

### **ATTACHMENTS FOR REFERENCE**

1. TxDOT Acquisition documents, Parcel 5
2. TxDOT Acquisition documents, Parcel 6

### **STAFF BRIEFING:**

- Texas Department of Transportation (TxDOT) is working on an expansion project located from FM 519 to Loop 197 (Parcel 5) and FM 146 (Parcel 6)
- City Manager was previously authorized by City Council to negotiate final settlement amounts on applicable parcels
- Two parcels included in this packet are being brought to City Council to finalize the agreed offers and authorize the conveyance of the property interests to TxDOT
- City attorney has reviewed

### **HISTORY:** N/A

### **TARGET IMPLEMENTATION:** June 8, 2020

### **SIGNIFICANT ACTION DATES:** N/A

### **ACTION:**

- |                                                                                                                                              |                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <input type="checkbox"/> Ordinance                                                                                                           | <input type="checkbox"/> Resolution     |
| <input type="checkbox"/> Special Presentation                                                                                                | <input type="checkbox"/> Proclamation   |
| <input type="checkbox"/> Finance Report                                                                                                      | <input type="checkbox"/> Public Hearing |
| <input checked="" type="checkbox"/> Other - Property Conveyance                                                                              |                                         |
| <input checked="" type="checkbox"/> Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures |                                         |

### **Cost Details:**

|                              |  |
|------------------------------|--|
| <b>Budgeted</b>              |  |
| <b>Actual Bid</b>            |  |
| <b>Estimated Expenditure</b> |  |
| <b>Acct. Name(s)</b>         |  |
| <b>Line Item #</b>           |  |
| <b>Other Funding</b>         |  |





## CITY COUNCIL AGENDA FORM

**STAFF'S RECOMMENDATION:** Motion to authorize the City Manager to finalize TxDOT Right of Way parcel conveyances for current TxDOT Improvements: Parcel 5, SH 146 and Parcel 6, SH 146

**FISCAL IMPACT:** self explanatory



# Property Acquisition Services, LLC

May 7, 2020

City of La Marque  
Attn: Charles Jackson  
1111 Bayou Road  
La Marque, TX 77568

Re: Administrative Settlement Approval  
ROW CSJ: 0389-07-036  
Parcel No.: 006  
District: Houston

Dear Charles Jackson:

The Texas Department of Transportation Right of Way Administrative Settlement Evaluation Team has reviewed your counter offer and the accompanying documentation. Based on this information and other pertinent data, it has been determined that \$29,000.00 is an amount that can be supported and is offered to you in an attempt to settle this acquisition. This offer is made available to you for a period of five business days from the date of this letter. If you choose to accept this settlement offer, please notify me at (281) 343-7171.

If improvements are retained, the retention value will be subtracted from the total settlement amount.

If this administrative offer to settle is rejected, a final offer letter will be forwarded to you in accordance with our procedures. This final offer will be made in the amount of the original offer.

We would like to thank you for your effort and cooperation in attempting to settle this acquisition in order to expedite this much needed project.

Sincerely,

A handwritten signature in blue ink that reads 'Steve Bonjonia'.

Steve Bonjonia  
Project Manager



# Property Acquisition Services, LLC

May 7, 2020

City of La Marque  
Attn: Charles Jackson  
1111 Bayou Road  
La Marque, Texas 77568-4160

**Re:** Parcel: 006  
County: Galveston  
Highway: SH 146

Dear Charles Jackson:

Please find enclosed the following documents below for signing and processing. Once we have received the originals back with the enclosed prepaid FedEx label, we will request the funds for the Possession and Use Agreement (PUA) and the deed for said parcel:

- Original Deed **\*\*Please sign and notarize in blue ink\*\***
- AP-152 Deed **\*\*Please provide review, sign, and date\*\***
- Original PUA **\*\*Please sign and notarize in blue ink\*\***
- AP-152 PUA **\*\*Please provide review, sign and date\*\***
- Memorandum of Agreement (MOA) **\*\*Please sign and date\*\***
- W-9 **\*\*Please provide review Employer/Taxpayer Identification Number & sign\*\***

**\*\*\*Please make sure the EIN/TIN, Taxpayer Number, and Texas File Number is correct on the Application of Texas Identification Number (AP-152 forms) and the EIN/TIN on the W-9. If incorrect, please make the necessary changes\*\*\***

Should you have any questions, please don't hesitate to let me know and you can always reach me at (281) 343-7171 or by email [steve@pascorp.net](mailto:steve@pascorp.net)

Regards,

Steve Bonjonia  
Project Manager

Enclosures



**Notice of Confidentiality Rights:** If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security Number or your Driver's License Number.



## DEED

**TxDOT ROW CSJ:** 0389-07-036

**TxDOT Parcel No.:** 006

**Grantor(s), whether one or more:**

City of La Marque

**Grantor's Mailing Address (including county):**

1111 Bayou Road  
La Marque, Texas 77568  
(Galveston)

**Grantee:**

The State of Texas, acting by and through the Texas Transportation Commission

**Grantee's Authority:**

The Texas Transportation Commission is authorized under the Texas Transportation Code to purchase land and such other property rights (including requesting that counties and municipalities acquire highway right of way) deemed necessary or convenient to a state highway or turnpike project to be constructed, reconstructed, maintained, widened, straightened, or extended, or to accomplish any purpose related to the location, construction, improvement, maintenance, beautification, preservation, or operation of a state highway or turnpike project.

The Texas Transportation Commission is also authorized under the Texas Transportation Code, Chapter 203 to acquire or request to be acquired such other property rights deemed necessary or convenient for the purposes of operating a state highway or turnpike project, with control of access as necessary to facilitate the flow of traffic and promote the public safety and welfare on both non-controlled facilities and designated controlled access highways and turnpike projects.

**Grantee's Mailing Address (including county):**

Texas Department of Transportation  
125 E. 11th Street  
Austin, Texas 78701  
(Travis County)



**Consideration:**

The sum of TWENTY-NINE THOUSAND and no/100 Dollars (\$29,000.00) to Grantor in hand paid by Grantee, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied.

The consideration recited herein represents a settlement and compromise by all parties as to the value of the property herein conveyed in order to avoid formal eminent domain proceedings and the added expenses of litigation.

**Property:**

All of that certain tract or parcel of land in Galveston County, Texas, being more particularly described in the attached Exhibit A (the "**Property**").

**Reservations from and Exceptions to Conveyance and Warranty:**

This conveyance is made by Grantor and accepted by Grantee subject to the following:

1. Visible and apparent easements not appearing of record.
2. Any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements which a current survey would show.
3. Easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (other than liens and conveyances) presently of record in the Official Public Records of Galveston County, Texas, that affect the property, but only to the extent that said items are still valid and in force and effect at this time.

Grantor reserves all of the oil, gas, sulfur in and under the Property but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the Grantee, its successors and assigns, to take and use all other minerals and materials thereon, therein and thereunder.

Grantor is retaining title to the following improvements ("**Retained Improvements**") located on the Property, to wit:

Grantor covenants and agrees to remove the Retained Improvements from the Property by N/A day of N/A, 20N/A, subject to such extensions of time as may be granted by Grantee in writing. In the event Grantor fails, for any reason, to remove the Retained Improvements within the time prescribed, then, without further consideration, title to all or part of such Retained Improvements not so removed shall pass to and vest in Grantee, its successors and assigns, forever.

Access on and off Grantor's remaining property to and from the State highway facility shall be permitted except to the extent that such access is expressly prohibited by the provisions set out in Exhibit "A". Grantor acknowledges that such access on and off the State highway facility is subject to regulation as may be determined by the Texas Department of Transportation to be necessary in the interest of public safety or by applicable local municipal or county zoning, platting or permitting requirements.

**GRANTOR**, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells and conveys to Grantee the Property, together with all and singular the

rights and appurtenances thereto in anywise belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's heirs, successors and assigns to Warrant and Forever Defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to the claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

EXECUTED on the date(s) of acknowledgement indicated below.

**GRANTOR:**

**CITY OF LA MARQUE**

**BY:** \_\_\_\_\_

**NAME:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

---

**Corporate Acknowledgement**

State of Texas

County of \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_ 2020 by  
\_\_\_\_\_, \_\_\_\_\_ of City of La Marque, on behalf of said city.

**(SEAL)**

\_\_\_\_\_  
Notary Public's Signature



EXHIBIT A

County: Galveston  
Highway: State Highway 146  
Limits: From FM 519 to Loop 197  
ROW CSJ: 0389-07-036

**Property Description for Parcel 6**

BEING a 0.1424 of an acre (6,204 square feet) parcel of land located in the John D. Moore Survey, Abstract No. 150, Galveston County, Texas, and being a portion of Lots 8, 9 and 10, Block 13 in Division "N" of the Cook and Stewart Subdivision of record under Volume 81, Page 526 of the Deed Records of Galveston County, Texas (D.R.G.C.T.), being a portion of that certain calculated 0.2127 of an acre tract of land conveyed from O.R. Tharp to City of La Marque by deed dated February 15, 1988 and recorded under Galveston County Clerk's File (G.C.C.F.) No. 8806815, Film Code No. 005-72-0290 of the Official Public Records of Galveston County, Texas (O.P.R.G.C.T.); said 0.1424 of an acre tract being more particularly described by metes and bounds as follows:

**COMMENCING** at a found 1-inch iron pipe at the intersection of the existing northerly right-of-way line of Poplar Street (right-of-way based on a width of 80 feet per Volume 81, Page 526, D.R.G.C.T.) with the existing easterly right-of-way line of 2nd Avenue (right-of-way based on 70.5 feet per Volume 81, Page 526, D.R.G.C.T.), same being the southwesterly corner of said Block 13, thence as follows:

**THENCE**, North  $87^{\circ}17'23''$  East, along the existing northerly right-of-way line of Poplar Street, being the southerly line of said Block 13, a distance of 62.15 feet to a set 5/8-inch iron rod with Texas Department of Transportation (TxDOT) aluminum cap in the proposed southwesterly right-of-way line of State Highway 3 (width varies) and for the **POINT OF BEGINNING** of the herein described parcel having surface coordinates of N = 13,700,968.62, E = 3,259,122.79, located 77.95 feet right of and perpendicular to State Highway 3 proposed baseline station 113+76.53;\*\*

- 1) **THENCE**, North  $34^{\circ}41'52''$  West, along the proposed southwesterly right-of-way line of State Highway 3, a distance of 14.37 feet to a set 5/8-inch iron rod with TxDOT aluminum cap for the point of curvature of a curve to the left;
- 2) **THENCE**, in a northwesterly direction, continuing along the proposed southwesterly right-of-way line of State Highway 3 and along said curve to the left, having a central angle of  $00^{\circ}59'12''$ , a radius of 5,897.00 feet, an arc length of 101.55 feet and a chord bearing and distance of North  $35^{\circ}11'28''$  West, 101.55 feet to a set 5/8-inch iron rod with TxDOT aluminum cap in the existing easterly right-of-way line of said 2nd Avenue, same being in the westerly line of said Lot 8 and located 72.09 feet right of and perpendicular to baseline station 112+59.22;\*\*
- 3) **THENCE**, North  $02^{\circ}42'37''$  West, along the existing easterly right-of-way line of 2nd Avenue, being the westerly line of said Lot 8, a distance of 24.65 to the intersection with the existing southerly right-of-way line of a 20 foot Alley of record under Volume 81, Page 526, of said Deed Records;

January, 2017

Parcel 6

Page 2 of 4

EXHIBIT A

- 4) **THENCE**, North  $87^{\circ}17'23''$  East, along the existing southerly right-of-way line of said 20 foot Alley, being the northerly line of said Lot 8, a distance of 27.08 to the intersection of the existing southerly right-of-way line of said 20 foot Alley with the existing southwesterly right-of-way line of State Highway 3 (right-of-way based on a width of 80 feet per TxDOT map with CSJ No. 0051-03-066 and dated April, 1989 (no record information found));
- 5) **THENCE**, South  $41^{\circ}07'17''$  East, along the existing southwesterly right-of-way line of State Highway 3, a distance of 156.33 feet to the intersection with the existing northerly right-of-way line of Poplar Street and in the southerly line of said Lot 10;
- 6) **THENCE**, South  $87^{\circ}17'23''$  West, along the existing northerly right-of-way line of Poplar Street, being the southerly line of said Lots 9 and 10, a distance of 62.06 feet to the **POINT OF BEGINNING** and containing 0.1424 of an acre (6,204 square feet) of land.

Notes:

All bearings and coordinates are based on the Texas Coordinate System, South Central Zone, NAD 83 (93 Adj.). All distances and coordinates shown are surface values and may be converted to Grid by dividing with the combined adjustment scale factor of 1.00013. Project control monuments were provided by TxDOT for State Highway 146. Monuments used were H-106, H-107, H-108, H-109, H-113, H-115, H-116, Traverse #201 and Traverse #204.

Measurements are in U.S. Survey feet.

A parcel plat of even date was prepared in conjunction with this property description.

Abstracting completed in September, 2016.

Access will be permitted to the remainder property abutting the highway facility.

**\*\*** The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

I hereby certify that this survey was performed on the ground under my supervision and that the property description and accompanying parcel plat represent the facts as found at the time of the survey.

Survey Date: November, 2016

Prepared By:  
GeoSolutions, LLC  
Firm No. 100159-00  
25211 Grogan's Mill Road, Suite 375  
The Woodlands, Texas 77380  
Tel. 281-681-9766





NOTES:

1. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 (93 ADJ.): ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING WITH THE COMBINED ADJUSTMENT SCALE FACTOR OF 1.00013. PROJECT CONTROL MONUMENTS WERE PROVIDED BY TXDOT FOR STATE HIGHWAY 146. MONUMENTS USED WERE H-106, H-107, H-108-, H-109, H-113, H-115, H-116, TRAVERSE #201, AND TRAVERSE #204. MEASUREMENTS ARE IN U.S. SURVEY FEET.
2. GEOSOLUTIONS, LLC DID NOT RESEARCH OWNERSHIP OR EASEMENT INFORMATION. GEOSOLUTIONS, LLC HAS RELIED UPON POSTLE PROPERTY SERVICES, INC. FOR THE OWNERSHIP AND EASEMENT INFORMATION. ABSTRACTING WAS COMPLETED IN SEPTEMBER, 2016. FIELD SURVEYS WERE COMPLETED IN NOVEMBER, 2016 AND THE RIGHT-OF-WAY MAP SET WAS COMPLETED IN JANUARY, 2017.
3. \*\* THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.
4. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
5. ACCESS WILL BE PERMITTED TO THE REMAINDER PROPERTY ABUTTING THE HIGHWAY FACILITY.

LEGEND

- SET 5/8" IR W/TXDOT ALUM. CAP
- FND 5/8" IR W/TXDOT ALUM. CAP
- SET 5/8" IR W/GeoSolutions CAP (UNLESS NOTED)
- FND. (TYPE INDICATED AT LOCATION)
- E Property Line Symbol
- Z Landhook
- R.O.W. RIGHT OF WAY
- N.T.S. NOT TO SCALE
- STA: STATION
- OFF: OFFSET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- S Survey Line
- # PARCEL NUMBER
- D.R.G.C.T. DEED RECORDS OF GALVESTON COUNTY TEXAS
- G.C.M.R. GALVESTON COUNTY MAP RECORDS
- O.P.R.G.C.T. OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY TEXAS
- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- ... SURVEY LINE
- x-x- FENCE LINE



\* CALCULATED ACREAGE

REVISIONS

| EXISTING    | TAKING                      | REMAINING      |
|-------------|-----------------------------|----------------|
| *0.2127 AC. | 0.1424 AC.<br>6,204 SQ. FT. | 0.0703 AC. RT. |



Firm No. 100159-00  
25211 Grogan's Mill Road, Suite 375  
The Woodlands, Texas 77380  
Office: 281-681-9766 Fax: 281-681-9779

PARCEL PLAT SHOWING  
PARCEL 6

SH 146  
GALVESTON COUNTY, TEXAS  
R.O.W. C.S.J.: 0389-07-036

JANUARY, 2017

SCALE: 1"=50'



G.H. & H. RAILROAD  
(100' R.O.W.)  
(NO RECORDING INFORMATION FOUND)



```

PBL C1
-----
BASELINE CURVE DATA
DELTA= 04°25'28"
R= 5,749.00'
L= 443.95'
CHB= S38°54'32"E
CHD= 443.84'
TAN=239.93'
PI
STA:112+47.42
N=13,701,120.87
E=3,259,108.85

```

| CURVE TABLE |             |           |         |               |         |
|-------------|-------------|-----------|---------|---------------|---------|
| No.         | DELTA       | RADIUS    | LENGTH  | CHORD         | CHD     |
| C1          | 00° 59' 12" | 5,897.00' | 101.55' | N35° 11' 28"W | 101.55' |



Geo Solutions, LLC

Firm No. 100159-00  
25211 Grogan's Mill Road, Suite 375  
The Woodlands, Texas 77380  
Office: 281-681-9766 Fax: 281-681-9779

PARCEL PLAT SHOWING  
PARCEL 6

SH 146  
GALVESTON COUNTY, TEXAS  
R.O.W. C.S.J.: 0389-07-036

JANUARY, 2017

SCALE: 1" = 50'

FILE: MRF CSJ 0389 07 025 SHI46 ROW P-6A.dgn

# Application for Texas Identification Number

• See instructions on back

|                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Is this a new account? <input type="checkbox"/> YES Mail Code 000 <input type="checkbox"/> NO Enter Mail Code _____ Agency number _____<br>Complete Sections 1 - 5 Complete Sections 1, 2 & 5                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Section 1</b>                                                                                                                                                                                                                                    | 2. <b>Texas Identification Number (TIN)</b> - Indicate the type of number you are providing to be used for your TIN<br><input type="checkbox"/> Employer Identification Number (EIN) (9 digits)<br><input checked="" type="checkbox"/> Social Security number (SSN) (9 digits) Enter the number indicated <b>7 4 6 0 1 2 9 9 5</b><br><input type="checkbox"/> Individual Taxpayer Identification Number (ITIN) (9 digits)<br><input type="checkbox"/> Comptroller's assigned number (FOR STATE AGENCY USE ONLY) (11 digits)<br><input type="checkbox"/> Current Texas Identification Number (FOR STATE AGENCY USE ONLY) (11 digits)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 3. Are you currently reporting any Texas tax to the Comptroller's office such as sales tax or franchise tax? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "YES," enter Texas Taxpayer Number <b>3 0 0 0 6 4 6 1 2 7 8</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Section 2</b>                                                                                                                                                                                                                                    | <b>Payee Information (Please type or print)</b><br>4. Name of payee (Individual or business to be paid)<br><b>CITY OF LA MARQUE AND WFG NATIONAL TITLE</b><br>5. Mailing address where you want to receive payments<br><b>4544 POST OAK PLACE, SUITE 390</b><br>6. (Optional) _____<br>7. (Optional) _____<br>8. (Optional) _____<br>9. City <b>HOUSTON</b> State <b>T X</b> ZIP code <b>7 7 0 2 7 - 3 1 2 2</b><br>10. Payee telephone number (Area code and number) <b>2 8 1 2 7 6 - 4 7 7 0</b> SIC code <b>9 9 3 0</b> Security type code (0, 1, 2) _____ Zone code _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Section 3</b>                                                                                                                                                                                                                                    | 11. <b>Ownership Codes</b> - Check only one code by the appropriate ownership type that applies to you or your business.<br><div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> I - Individual Recipient (not owning a business)<br/><br/> <input type="checkbox"/> S - Sole Ownership (Individual owning a business): If checked, enter the owner's name and Social Security number (SSN)<br/>           Owner's name _____<br/>           SSN / ITIN (9 digits) _____<br/><br/> <input type="checkbox"/> P - Partnership: If checked, enter two partner's names and Social Security numbers (SSN). If a partner is a corporation, use the corporation's Employer Identification Number (EIN).<br/>           Name _____<br/>           SSN / ITIN / EIN (9 digits) _____<br/>           Name _____<br/>           SSN / ITIN / EIN (9 digits) _____<br/><br/> <input type="checkbox"/> N - Other: If checked, explain. _____         </div> <div style="width: 48%;"> <input type="checkbox"/> L - Texas Limited Partnership:<br/>           If checked, enter the Texas File Number _____<br/> <input checked="" type="checkbox"/> T - <b>Texas Corporation:</b><br/>           If checked, enter the Texas File Number <b>0 0 6 0 0 0 8 8 0 1</b><br/> <input type="checkbox"/> A - Professional Association:<br/>           If checked, enter the Texas File Number _____<br/> <input type="checkbox"/> C - Professional Corporation:<br/>           If checked, enter the Texas File Number _____<br/> <input type="checkbox"/> O - Out-of-State Corporation<br/> <input type="checkbox"/> G - Governmental Entity<br/> <input type="checkbox"/> U - State agency / University<br/> <input type="checkbox"/> F - Financial Institution<br/> <input type="checkbox"/> R - Foreign (out of U.S.A.)         </div> </div> |
| <b>Section 4</b>                                                                                                                                                                                                                                    | 12. Payment Assignment? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Note: A copy of the assignment agreement between payees must be attached.<br>Assignee name _____<br>Assignee TIN _____ Assignment date _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Section 5</b>                                                                                                                                                                                                                                    | 13. Comments _____<br>14. <b>sign here</b> Authorized signature (Applicant or authorized agent) _____ Date _____<br>Agency name _____ Prepared by _____ Phone (Area code and number) _____<br>15. _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |





**POSSESSION AND USE AGREEMENT FOR TRANSPORTATION PURPOSES  
WITH ADDITIONAL PAYMENT OF INDEPENDENT CONSIDERATION**

|                            |   |                      |
|----------------------------|---|----------------------|
| <b>STATE OF TEXAS</b>      | § | ROW CSJ: 0389-07-036 |
|                            | § | Parcel No.: 006      |
| <b>COUNTY OF GALVESTON</b> | § | Project No.: N/A     |

This Possession and Use Agreement For Transportation Purposes (the "Agreement") between the State of Texas, acting by and through the Texas Department of Transportation (the "State"), and **CITY OF LA MARQUE** (the "Grantor" whether one or more), grants to the State, its contractors, agents and all others deemed necessary by the State, an irrevocable right to possession and use of the Grantor's property for the purpose of constructing a portion of State Highway No. 146 (the "Highway Construction Project"). The property subject to this Agreement is described more fully in field notes and plat map (attached as "Exhibit A") and made a part of this Agreement by reference (the "Property").

1. For the consideration paid by the State which is set forth in Paragraphs 2 and 3 below, the receipt and sufficiency of which is acknowledged, the Grantor grants, bargains, sells and conveys to the State of Texas the right of entry and exclusive possession and use of the Property for the purpose of constructing a highway and appurtenances thereto and the right to remove any improvements. Authorized activities include surveying, inspection, environmental studies, archeological studies, clearing, demolition, construction of permanent improvements, relocating, replacing, and improving existing utility facilities, locating new utility facilities, and other work required to be performed in connection with the Highway Construction Project. This Possession and Use Agreement will extend to the State, its contractors and assigns, owners of any existing utilities on the Property and those which may be lawfully permitted on the Property by the State in the future, and all others deemed necessary by the State for the purpose of the Highway Construction Project. This grant will allow the construction, relocation, replacement, repair, improvement, operation and maintenance of utilities on the Property.
2. In full consideration for this irrevocable grant of possession and use and other Grantor covenants, warranties, and obligations under this Agreement, the State will tender to the Grantor the sum of ZERO Dollars (\$0.00). The Grantor agrees that this sum represents adequate and full compensation for the possession and use of the Property. The State will be entitled to take possession and use of the Property upon tender of payment. The parties agree that the sum tendered represents 0% percent of the State's approved value, which assumes no adverse environmental conditions affecting the value of the Property. The approved value is the State's determination of the just compensation owed to the Grantor for the real property interest to be acquired by the State in the Property, encumbered with the improvements thereon, if any, and damages to the remainder, if any, save and except all oil, gas and sulphur. The parties agree that the sum tendered to Grantor will be deducted from any final settlement amount, Special Commissioners' award or court judgment. In the event the amount of the final settlement or judgment for acquisition of the Property is less than the amount the State has paid for the possession and use of the Property, then the Grantor agrees that the original amount tendered represents an overpayment for the difference and, upon written notice from the State, the Grantor will promptly refund the overpayment to the State.



3. As additional consideration, the State will tender to the Grantor the sum of THREE THOUSAND and NO/100 Dollars (\$3000.00), the receipt and sufficiency of which is acknowledged. The parties agree that the sum tendered under this Paragraph 3:
  - (i) is independent consideration for the possession and use of Grantor's Property and represents no part of the State's compensation to be paid for the anticipated purchase of the Property; and
  - (ii) will not be refunded to the State upon any acquisition of the Property by the State.
4. The effective date of this Agreement will be the date on which payment pursuant to Paragraphs 2 and 3 above was tendered to the Grantor by the State, or disbursed to the Grantor by a title company acting as escrow agent for the transaction, (the "Effective Date").
5. The Grantor warrants and represents that the title to the Property is free and clear of all liens and encumbrances or that proper releases will be executed for the Property prior to funds being disbursed under this Agreement. The Grantor further warrants that no other person or entity owns an interest in the fee title to the Property and further agrees to indemnify the State from all unreleased or undisclosed liens, claims or encumbrances affecting the Property.
6. The parties agree that the valuation date for determining the amount of just compensation for the real property interest proposed to be acquired by the State in the Property, for negotiation or eminent domain proceeding purposes, will be the Effective Date of this Agreement.
7. This Agreement is made with the understanding that the State will continue to proceed with acquisition of a real property interest in the Property. The Grantor reserves all rights of compensation for the title and interest in and to the Property which the Grantor holds as of the time immediately prior to the Effective Date of this Agreement. This Agreement shall in no way prejudice the Grantor's rights to receive full and just compensation as allowed by law for all of the Grantor's interests in and to the Property to be acquired by the State, encumbered with the improvements thereon, if any, and damages, if any, to the remainder of the Grantor's interest in any larger tract of which the Property is a part (the "Remainder"), if any; all as the Property exists on the Effective Date of this Agreement. The State's removal or construction of improvements on the Property shall in no way affect the fair market value of the Property in determining compensation due to the Grantor in the eminent domain proceedings. There will be no project impact upon the appraised value of the Property. This grant will not prejudice the Grantor's rights to any relocation benefits for which Grantor may be eligible.
8. In the event the State institutes or has instituted eminent domain proceedings, the State will not be liable to the Grantor for interest upon any award or judgment as a result of such proceedings for any period of time prior to the date of the award. Payment of any interest may be deferred by the State until entry of judgment.
9. The purpose of this Agreement is to allow the State to proceed with its Highway Construction Project without delay and to allow the Grantor to have the use at this time of a percentage of the estimated compensation for the State's acquisition of a real property interest in the Property. The Grantor expressly acknowledges that the proposed Highway Construction Project is for a valid public use and voluntarily waives any right the Grantor has or may have, known or unknown, to contest the jurisdiction of the court in any condemnation proceeding for acquisition of the Property related to the Highway Construction Project, based upon claims that the condemning authority has no authority to

acquire the Property through eminent domain, has no valid public use for the Property, or that acquisition of the Property is not necessary for the public use.

10. The Grantor reserves all of the oil, gas and sulphur in and under the land herein conveyed but waives all right of ingress and egress to the surface for the purpose of exploring, developing, mining or drilling. The extraction of oil, gas and minerals may not affect the geological stability of the surface. Nothing in this reservation will affect the title and rights of the State to take and use all other minerals and materials thereon, and thereunder.
11. The undersigned Grantor agrees to pay as they become due, all ad valorem property taxes and special assessments assessed against Property, including prorated taxes for the year in which the State takes title to the Property.
12. Notwithstanding the acquisition of right of possession to the Property by the State in a condemnation proceeding by depositing the Special Commissioners' award into the registry of the court, less any amounts tendered to the Grantor pursuant to Paragraph 2 above, this Agreement shall continue to remain in effect until the State acquires title to the Property either by negotiation, settlement, or final court judgment.
13. This Agreement will also extend to and bind the heirs, devisees, executors, administrators, legal representatives, successors in interest and assigns of the parties.
14. It is agreed the State will record this document.
15. Other conditions: .

To have and to hold the Agreement herein described and conveyed, together with all the rights and appurtenances belonging to the State of Texas and its assigns forever, for the purposes and subject to the limitations set forth above.

EXECUTED on the date(s) of acknowledgement indicated below.

**GRANTOR:**

**CITY OF LA MARQUE**

**BY:** \_\_\_\_\_

**NAME:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

---

---

Corporate Acknowledgement

State of Texas

County of \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_ 2020 by  
\_\_\_\_\_, \_\_\_\_\_ of City of La Marque, on behalf of said city.

**(SEAL)**

\_\_\_\_\_  
Notary Public's Signature



**THE STATE OF TEXAS**

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: \_\_\_\_\_  
Angela Leach-Jayroe, Right of Way Supervisor

Date: \_\_\_\_\_

EXHIBIT A

County: Galveston  
Highway: State Highway 146  
Limits: From FM 519 to Loop 197  
ROW CSJ: 0389-07-036

**Property Description for Parcel 6**

BEING a 0.1424 of an acre (6,204 square feet) parcel of land located in the John D. Moore Survey, Abstract No. 150, Galveston County, Texas, and being a portion of Lots 8, 9 and 10, Block 13 in Division "N" of the Cook and Stewart Subdivision of record under Volume 81, Page 526 of the Deed Records of Galveston County, Texas (D.R.G.C.T.), being a portion of that certain calculated 0.2127 of an acre tract of land conveyed from O.R. Tharp to City of La Marque by deed dated February 15, 1988 and recorded under Galveston County Clerk's File (G.C.C.F.) No. 8806815, Film Code No. 005-72-0290 of the Official Public Records of Galveston County, Texas (O.P.R.G.C.T.); said 0.1424 of an acre tract being more particularly described by metes and bounds as follows:

**COMMENCING** at a found 1-inch iron pipe at the intersection of the existing northerly right-of-way line of Poplar Street (right-of-way based on a width of 80 feet per Volume 81, Page 526, D.R.G.C.T.) with the existing easterly right-of-way line of 2nd Avenue (right-of-way based on 70.5 feet per Volume 81, Page 526, D.R.G.C.T.), same being the southwesterly corner of said Block 13, thence as follows:

**THENCE**, North  $87^{\circ}17'23''$  East, along the existing northerly right-of-way line of Poplar Street, being the southerly line of said Block 13, a distance of 62.15 feet to a set 5/8-inch iron rod with Texas Department of Transportation (TxDOT) aluminum cap in the proposed southwesterly right-of-way line of State Highway 3 (width varies) and for the **POINT OF BEGINNING** of the herein described parcel having surface coordinates of N = 13,700,968.62, E = 3,259,122.79, located 77.95 feet right of and perpendicular to State Highway 3 proposed baseline station 113+76.53;\*\*

- 1) **THENCE**, North  $34^{\circ}41'52''$  West, along the proposed southwesterly right-of-way line of State Highway 3, a distance of 14.37 feet to a set 5/8-inch iron rod with TxDOT aluminum cap for the point of curvature of a curve to the left;
- 2) **THENCE**, in a northwesterly direction, continuing along the proposed southwesterly right-of-way line of State Highway 3 and along said curve to the left, having a central angle of  $00^{\circ}59'12''$ , a radius of 5,897.00 feet, an arc length of 101.55 feet and a chord bearing and distance of North  $35^{\circ}11'28''$  West, 101.55 feet to a set 5/8-inch iron rod with TxDOT aluminum cap in the existing easterly right-of-way line of said 2nd Avenue, same being in the westerly line of said Lot 8 and located 72.09 feet right of and perpendicular to baseline station 112+59.22;\*\*
- 3) **THENCE**, North  $02^{\circ}42'37''$  West, along the existing easterly right-of-way line of 2nd Avenue, being the westerly line of said Lot 8, a distance of 24.65 to the intersection with the existing southerly right-of-way line of a 20 foot Alley of record under Volume 81, Page 526, of said Deed Records;

January, 2017

Parcel 6

Page 2 of 4

EXHIBIT A

- 4) **THENCE**, North  $87^{\circ}17'23''$  East, along the existing southerly right-of-way line of said 20 foot Alley, being the northerly line of said Lot 8, a distance of 27.08 to the intersection of the existing southerly right-of-way line of said 20 foot Alley with the existing southwesterly right-of-way line of State Highway 3 (right-of-way based on a width of 80 feet per TxDOT map with CSJ No. 0051-03-066 and dated April, 1989 (no record information found));
- 5) **THENCE**, South  $41^{\circ}07'17''$  East, along the existing southwesterly right-of-way line of State Highway 3, a distance of 156.33 feet to the intersection with the existing northerly right-of-way line of Poplar Street and in the southerly line of said Lot 10;
- 6) **THENCE**, South  $87^{\circ}17'23''$  West, along the existing northerly right-of-way line of Poplar Street, being the southerly line of said Lots 9 and 10, a distance of 62.06 feet to the **POINT OF BEGINNING** and containing 0.1424 of an acre (6,204 square feet) of land.

Notes:

All bearings and coordinates are based on the Texas Coordinate System, South Central Zone, NAD 83 (93 Adj.). All distances and coordinates shown are surface values and may be converted to Grid by dividing with the combined adjustment scale factor of 1.00013. Project control monuments were provided by TxDOT for State Highway 146. Monuments used were H-106, H-107, H-108, H-109, H-113, H-115, H-116, Traverse #201 and Traverse #204.

Measurements are in U.S. Survey feet.

A parcel plat of even date was prepared in conjunction with this property description.

Abstracting completed in September, 2016.

Access will be permitted to the remainder property abutting the highway facility.

\*\* The monument described and set in this call may be replaced with a TxDOT Type II right-of-way marker upon completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

I hereby certify that this survey was performed on the ground under my supervision and that the property description and accompanying parcel plat represent the facts as found at the time of the survey.

Survey Date: November, 2016

Prepared By:  
GeoSolutions, LLC  
Firm No. 100159-00  
25211 Grogan's Mill Road, Suite 375  
The Woodlands, Texas 77380  
Tel. 281-681-9766





NOTES:

1. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 (93 ADJ.): ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING WITH THE COMBINED ADJUSTMENT SCALE FACTOR OF 1.00013. PROJECT CONTROL MONUMENTS WERE PROVIDED BY TXDOT FOR STATE HIGHWAY 146. MONUMENTS USED WERE H-106, H-107, H-108-, H-109, H-113, H-115, H-116, TRAVERSE #201, AND TRAVERSE #204. MEASUREMENTS ARE IN U.S. SURVEY FEET.
2. GEOSOLUTIONS, LLC DID NOT RESEARCH OWNERSHIP OR EASEMENT INFORMATION. GEOSOLUTIONS, LLC HAS RELIED UPON POSTLE PROPERTY SERVICES, INC. FOR THE OWNERSHIP AND EASEMENT INFORMATION. ABSTRACTING WAS COMPLETED IN SEPTEMBER, 2016. FIELD SURVEYS WERE COMPLETED IN NOVEMBER, 2016 AND THE RIGHT-OF-WAY MAP SET WAS COMPLETED IN JANUARY, 2017.
3. \*\* THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.
4. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
5. ACCESS WILL BE PERMITTED TO THE REMAINDER PROPERTY ABUTTING THE HIGHWAY FACILITY.

LEGEND

- SET 5/8" IR W/TXDOT ALUM. CAP
- FND 5/8" IR W/TXDOT ALUM. CAP
- SET 5/8" IR W/GeoSolutions CAP (UNLESS NOTED)
- FND. (TYPE INDICATED AT LOCATION)
- E Property Line Symbol
- Z Landhook
- R.O.W. RIGHT OF WAY
- N.T.S. NOT TO SCALE
- STA: STATION
- OFF: OFFSET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- E Survey Line
- # PARCEL NUMBER
- D.R.G.C.T. DEED RECORDS OF GALVESTON COUNTY TEXAS
- G.C.M.R. GALVESTON COUNTY MAP RECORDS
- O.P.R.G.C.T. OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY TEXAS
- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- - - SURVEY LINE
- x-x- FENCE LINE



\* CALCULATED ACREAGE

| REVISIONS   |                             |                |
|-------------|-----------------------------|----------------|
| EXISTING    | TAKING                      | REMAINING      |
| *0.2127 AC. | 0.1424 AC.<br>6,204 SQ. FT. | 0.0703 AC. RT. |



Firm No. 100159-00  
25211 Grogan's Mill Road, Suite 375  
The Woodlands, Texas 77380  
Office: 281-681-9766 Fax: 281-681-9779

PARCEL PLAT SHOWING  
PARCEL 6

SH 146  
GALVESTON COUNTY, TEXAS  
R.O.W. C.S.J.: 0389-07-036

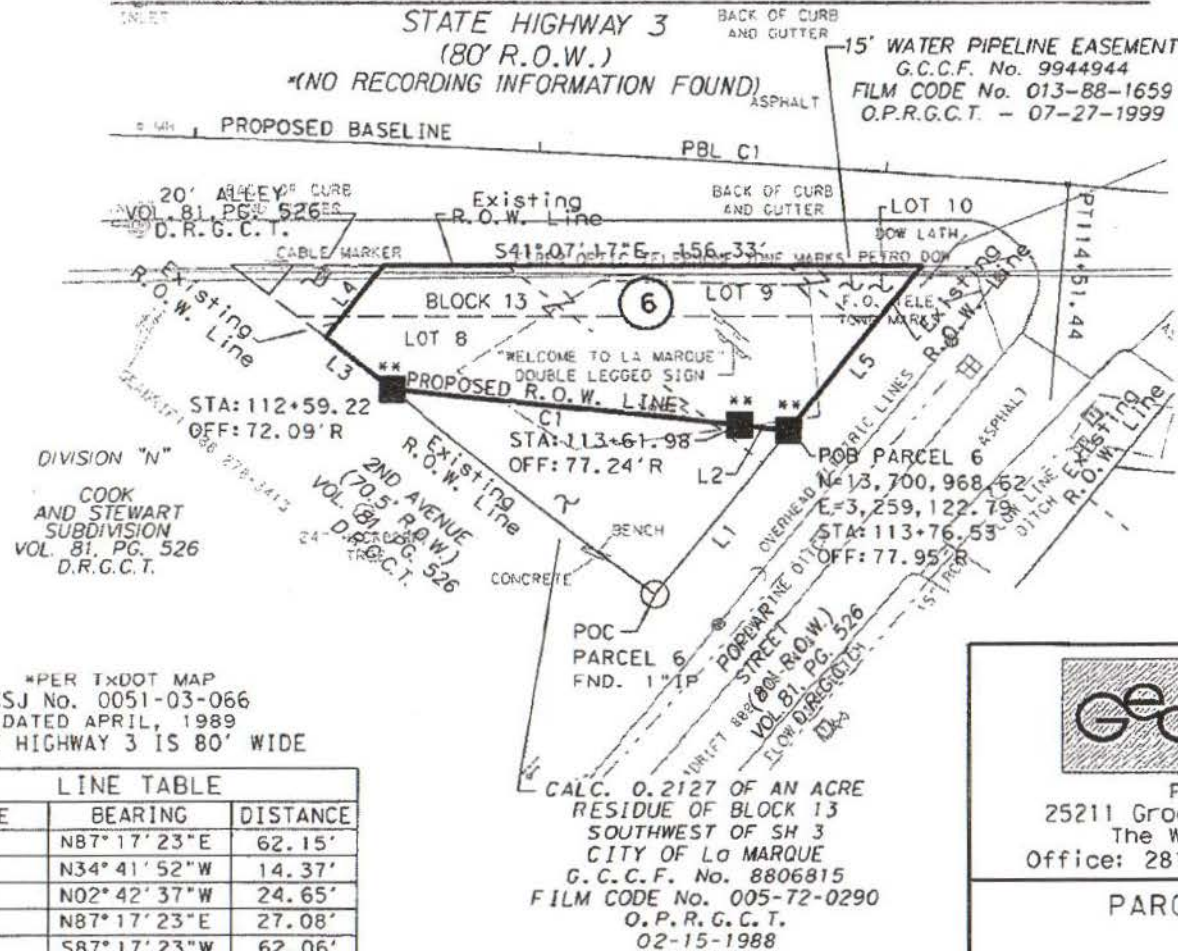
JANUARY, 2017

SCALE: 1"=50'

# JOHN D. MOORE SURVEY A-150

G.H. & H. RAILROAD  
(100' R.O.W.)  
(NO RECORDING INFORMATION FOUND)

Existing State Highway 3 and G.H. & H. R.R. R.O.W. Line



0 25 50

PBL C1  
BASELINE CURVE DATA  
DELTA= 04°25'28"  
R= 5,749.00'  
L= 443.95'  
CHB= S38°54'32"E  
CHD= 443.84'  
TAN=239.93'  
PI  
STA: 112+47.42  
N=13,701,120.87  
E=3,259,108.85

\*PER TxDOT MAP  
CSJ No. 0051-03-066  
DATED APRIL, 1989  
STATE HIGHWAY 3 IS 80' WIDE

| LINE TABLE |             |          |
|------------|-------------|----------|
| LINE       | BEARING     | DISTANCE |
| L1         | N87°17'23"E | 62.15'   |
| L2         | N34°41'52"W | 14.37'   |
| L3         | N02°42'37"W | 24.65'   |
| L4         | N87°17'23"E | 27.08'   |
| L5         | S87°17'23"W | 62.06'   |

| CURVE TABLE |           |           |         |             |         |
|-------------|-----------|-----------|---------|-------------|---------|
| No.         | DELTA     | RADIUS    | LENGTH  | CHORD       | CHD     |
| C1          | 00°59'12" | 5,897.00' | 101.55' | N35°11'28"W | 101.55' |



Firm No. 100159-00  
25211 Grogan's Mill Road, Suite 375  
The Woodlands, Texas 77380  
Office: 281-681-9766 Fax: 281-681-9779

PARCEL PLAT SHOWING  
PARCEL 6

SH 146  
GALVESTON COUNTY, TEXAS  
R.O.W. C.S.J.: 0389-07-036

PAGE 4 OF 4

JANUARY, 2017

SCALE: 1"=50'

FILE: MRF CSJ 0389 07 025 SH146 ROW P-6A.dgn



# Application for Texas Identification Number

• See instructions on back

|                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Is this a new account? <input type="checkbox"/> YES Mail Code 000 Complete Sections 1 - 5 <input type="checkbox"/> NO Enter Mail Code _____ Complete Sections 1, 2 & 5         Agency number _____                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Section 1</b>                                                                                                                                                                                                                                    | 2. <b>Texas Identification Number (TIN)</b> - Indicate the type of number you are providing to be used for your TIN<br><input checked="" type="checkbox"/> Employer Identification Number (EIN) (9 digits) Enter the number indicated <b>7 4 6 0 1 2 9 9 5</b><br><input type="checkbox"/> Social Security number (SSN) (9 digits)<br><input type="checkbox"/> Individual Taxpayer Identification Number (ITIN) (9 digits)<br><input type="checkbox"/> Comptroller's assigned number (FOR STATE AGENCY USE ONLY) (11 digits)<br><input type="checkbox"/> Current Texas Identification Number (FOR STATE AGENCY USE ONLY) (11 digits)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 3. Are you currently reporting any Texas tax to the Comptroller's office such as sales tax or franchise tax? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "YES," enter Texas Taxpayer Number <b>3 0 0 0 6 4 6 1 2 7 8</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Section 2</b>                                                                                                                                                                                                                                    | <b>Payee Information (Please type or print)</b><br>4. Name of payee (Individual or business to be paid)<br><b>CITY OF LA MARQUE</b><br>5. Mailing address where you want to receive payments<br><b>1111 BAYOU ROAD</b><br>6. (Optional) _____<br>7. (Optional) _____<br>8. (Optional) _____<br>9. City <b>LA MARQUE</b> State <b>T X</b> ZIP code <b>7 7 5 6 8 - 4 1 6 0</b><br>10. Payee telephone number (Area code and number) <b>4 0 9 9 3 8 - 9 2 2 5</b> SIC code <b>9 9 3 0</b> Security type code <b>( 0, 1, 2 )</b> Zone code _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Section 3</b>                                                                                                                                                                                                                                    | 11. <b>Ownership Codes</b> - Check only one code by the appropriate ownership type that applies to you or your business.<br><div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <input type="checkbox"/> <b>I</b> - Individual Recipient (not owning a business)<br/><br/> <input type="checkbox"/> <b>S</b> - Sole Ownership (Individual owning a business): If checked, enter the owner's name and Social Security number (SSN)<br/>           Owner's name _____<br/>           SSN / ITIN (9 digits) _____<br/><br/> <input type="checkbox"/> <b>P</b> - Partnership: If checked, enter two partner's names and Social Security numbers (SSN). If a partner is a corporation, use the corporation's Employer Identification Number (EIN).<br/>           Name _____<br/>           SSN / ITIN / EIN (9 digits) _____<br/>           Name _____<br/>           SSN / ITIN / EIN (9 digits) _____<br/><br/> <input type="checkbox"/> <b>N</b> - Other: If checked, explain. _____         </div> <div style="width: 48%;"> <input type="checkbox"/> <b>L</b> - Texas Limited Partnership:<br/>           If checked, enter the Texas File Number _____<br/> <input checked="" type="checkbox"/> <b>T</b> - Texas Corporation:<br/>           If checked, enter the Texas File Number <b>0 0 6 0 0 0 8 8 0 1</b><br/> <input type="checkbox"/> <b>A</b> - Professional Association:<br/>           If checked, enter the Texas File Number _____<br/> <input type="checkbox"/> <b>C</b> - Professional Corporation:<br/>           If checked, enter the Texas File Number _____<br/> <input type="checkbox"/> <b>O</b> - Out-of-State Corporation<br/> <input type="checkbox"/> <b>G</b> - Governmental Entity<br/> <input type="checkbox"/> <b>U</b> - State agency / University<br/> <input type="checkbox"/> <b>F</b> - Financial Institution<br/> <input type="checkbox"/> <b>R</b> - Foreign (out of U.S.A.)         </div> </div> |
| <b>Section 4</b>                                                                                                                                                                                                                                    | 12. Payment Assignment? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Note: A copy of the assignment agreement between payees must be attached.<br>Assignee name _____<br>Assignee TIN _____ Assignment date _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Section 5</b>                                                                                                                                                                                                                                    | 13. Comments _____<br>14. <b>sign here</b> Authorized signature (Applicant or authorized agent) _____ Date _____<br>Agency name _____ Prepared by _____ Phone (Area code and number) _____<br>15. _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |





# Property Acquisition Services, LLC

May 7, 2020

City of La Marque  
Attn: Charles Jackson  
1111 Bayou Road  
La Marque, TX 77568

County: Galveston  
Highway No.: SH 146  
Location: FM 519 to Loop 197  
Project No.: N/A  
ROW CSJ No.: 0389-07-036  
District: Houston  
Parcel No.: 006

Dear Charles Jackson:

You have indicated a willingness to sign a deed for your property which consists of 6204 square feet located at northwest corner of State Highway 3 and Poplar Street, La Marque, TX 77568.

It is important to confirm this agreement in order to avoid any possible misunderstanding as to the details of the purchase or the process by which the Texas Department of Transportation (TxDOT) will make payment. The payment of \$29,000.00 as herein agreed will constitute full payment to be made by TxDOT for the property to be conveyed to the State. The consideration recited herein represents a settlement and compromise by all parties as to the value of the property herein conveyed in order to avoid formal eminent domain proceedings and the added expenses of litigation.

TxDOT and the owner(s) have agreed to the following provisions.

Until payment is made by TxDOT, title and possession of the property to be conveyed remains with you. You shall bear all risk of loss to any and all such property prior to such payment. Either you or TxDOT shall have the right to terminate this agreement.

The payment of the amount herein stated and the terms provided constitute the only promises, consideration and conditions of this purchase; and no other promises, consideration or conditions have been signified or implied, save and except any benefits which may accrue under the State's Relocation Assistance Program and the mutual benefits to be derived by you and TxDOT from the signing of this agreement.

The State, without cost to the owner, will pay the cost of recording all instruments conveying title to the State.

It is suggested that you carefully review the proposed Right of Way Deed and satisfy yourself (selves) as to its provisions. With your signing of this agreement and execution of the deed the State will proceed with the issuance of a State warrant which will be made out jointly to you and to WFG National Title, agent for the State of Texas.

This company has been designated as the State's closing agent and is responsible to see that TxDOT obtains clear title. They will not endorse the warrant and make payment until clear title is secured. At the same time, you have the right to withhold endorsement of the warrant and not accept payment until you are fully satisfied on all details of the transaction.

Sincerely,



Right of Way Manager  
Texas Department of Transportation

I (We) fully understand the Texas Department of Transportation proposal as contained in this agreement and hereby acknowledge receipt of the brochure entitled "*Relocation Assistance*."

I (We) understand that relocation assistance benefits are handled entirely separate from and in addition to this transaction and agree that my (our) execution of the Right of Way Deed is based on this understanding.

\_\_\_\_\_  
Property Owner's Signature

\_\_\_\_\_  
Property Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



# Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Print or type.  
See Specific Instructions on page 3.

**1 Name** (as shown on your income tax return). Name is required on this line; do not leave this line blank.

**CITY OF LA MARQUE**

**2 Business name/disregarded entity name**, if different from above

**3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.**

☐ Individual/sole proprietor or single-member LLC

☐ C Corporation

☐ S Corporation

☐ Partnership

☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ►

**Note:** Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☒ Other (see instructions) ►

**4 Exemptions** (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) \_\_\_\_\_

Exemption from FATCA reporting code (if any) \_\_\_\_\_

(Applies to accounts maintained outside the U.S.)

**5 Address** (number, street, and apt. or suite no.) See instructions.

**1111 BAYOU ROAD**

**6 City, state, and ZIP code**

**LA MARQUE, TEXAS 77568**

**7 List account number(s) here** (optional)

Requester's name and address (optional)

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

**Social security number**

\_\_\_\_ - \_\_\_\_ - \_\_\_\_

or

**Employer identification number**

7 4 - 6 0 1 2 9 9 5

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

**Sign Here**

Signature of  
U.S. person ►

Date ►

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.





# Property Acquisition Services, LLC

May 7, 2020

City of La Marque  
Attn: Charles Jackson  
1111 Bayou Road  
La Marque, Texas 77468

County: Galveston  
Highway No.: SH 146  
Location: FM 519 to Loop 197  
Project No.:  
ROW CSJ No.: 0389-07-036  
District: Houston  
Parcel No.: 005

Dear Charles Jackson:

You have indicated a willingness to sign a deed for your property which consists of 79 square feet located west boundary of State Highway 3, north of Poplar Street, La Marque, TX 77568.

It is important to confirm this agreement in order to avoid any possible misunderstanding as to the details of the purchase or the process by which the Texas Department of Transportation (TxDOT) will make payment. The payment of \$1000.00 as herein agreed will constitute full payment to be made by TxDOT for the property to be conveyed to the State.

TxDOT and the owner(s) have agreed to the following provisions.

Until payment is made by TxDOT, title and possession of the property to be conveyed remains with you. You shall bear all risk of loss to any and all such property prior to such payment. Either you or TxDOT shall have the right to terminate this agreement.

The payment of the amount herein stated and the terms provided constitute the only promises, consideration and conditions of this purchase; and no other promises, consideration or conditions have been signified or implied, save and except any benefits which may accrue under the State's Relocation Assistance Program and the mutual benefits to be derived by you and TxDOT from the signing of this agreement.

The State, without cost to the owner, will pay the cost of recording all instruments conveying title to the State.

It is suggested that you carefully review the proposed Right of Way Deed and satisfy yourself (selves) as to its provisions. With your signing of this agreement and execution of the deed the State will proceed with the issuance of a State warrant which will be made out jointly to you and to WFG National Title Company, agent for State of Texas.

This company has been designated as the State's closing agent and is responsible to see that TxDOT obtains clear title. They will not endorse the warrant and make payment until clear title is secured. At the same time, you have the right to withhold endorsement of the warrant and not accept payment until you are fully satisfied on all details of the transaction.

Sincerely,

  
Right of Way Manager  
Texas Department of Transportation

I (We) fully understand the Texas Department of Transportation proposal as contained in this agreement and hereby acknowledge receipt of the brochure entitled "*Relocation Assistance*."

I (We) understand that relocation assistance benefits are handled entirely separate from and in addition to this transaction and agree that my (our) execution of the Right of Way Deed is based on this understanding.

\_\_\_\_\_  
Property Owner's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner's Signature

\_\_\_\_\_  
Date



# Property Acquisition Services, LLC

May 7, 2020

City of La Marque  
Attn: Charles Jackson  
1111 Bayou Road  
La Marque, Texas 77568-4160

**Re:** Parcel: 005  
County: Galveston  
Highway: SH 146

Dear Charles Jackson:

Please find enclosed the following documents below for signing and processing. Once we have receive the originals back with the enclosed prepaid FedEx label, we will request the funds for the Possession and Use Agreement (PUA) and the deed for said parcel:

- Original Deed **\*\*Please sign and notarize in blue ink\*\***
- Original PUA **\*\*Please sign and notarize in blue ink\*\***
- Memorandum of Agreement (MOA) **\*\*Please sign and date\*\***

Should you have any questions, please don't hesitate to let me know and you can always reach me at (281) 343-7171 or by email [steve@pascorp.net](mailto:steve@pascorp.net)

Regards,

Steve Bonjonia  
Project Manager

Enclosures



**Notice of Confidentiality Rights:** If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your Social Security Number or your Driver's License Number.



## **DEED**

**TxDOT ROW CSJ:** 0389-07-036

**TxDOT Parcel No.:** 005

**Grantor(s), whether one or more:**  
City of La Marque

**Grantor's Mailing Address (including county):**  
1111 Bayou Rd  
La Marque, TX 77568  
(Galveston)

**Grantee:**

The State of Texas, acting by and through the Texas Transportation Commission

**Grantee's Authority:**

The Texas Transportation Commission is authorized under the Texas Transportation Code to purchase land and such other property rights (including requesting that counties and municipalities acquire highway right of way) deemed necessary or convenient to a state highway or turnpike project to be constructed, reconstructed, maintained, widened, straightened, or extended, or to accomplish any purpose related to the location, construction, improvement, maintenance, beautification, preservation, or operation of a state highway or turnpike project.

The Texas Transportation Commission is also authorized under the Texas Transportation Code, Chapter 203 to acquire or request to be acquired such other property rights deemed necessary or convenient for the purposes of operating a state highway or turnpike project, with control of access as necessary to facilitate the flow of traffic and promote the public safety and welfare on both non-controlled facilities and designated controlled access highways and turnpike projects.

**Grantee's Mailing Address (including county):**  
Texas Department of Transportation  
125 E. 11th Street  
Austin, Texas 78701  
(Travis County)

**Consideration:**

The sum of ONE THOUSAND and no/100 Dollars (\$1,000.00) to Grantor in hand paid by Grantee, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied.



**Property:**

All of that certain tract or parcel of land in Galveston County, Texas, being more particularly described in the attached Exhibit A (the "**Property**").

**Reservations from and Exceptions to Conveyance and Warranty:**

This conveyance is made by Grantor and accepted by Grantee subject to the following:

1. Visible and apparent easements not appearing of record.
2. Any discrepancies, conflicts, or shortages in area or boundary lines or any encroachments or any overlapping of improvements which a current survey would show.
3. Easements, restrictions, reservations, covenants, conditions, oil and gas leases, mineral severances, and encumbrances for taxes and assessments (other than liens and conveyances) presently of record in the Official Public Records of Galveston County, Texas, that affect the property, but only to the extent that said items are still valid and in force and effect at this time.

Grantor reserves all of the oil, gas, sulfur in and under the Property but waives all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the Grantee, its successors and assigns, to take and use all other minerals and materials thereon, therein and thereunder.

Grantor is retaining title to the following improvements ("**Retained Improvements**") located on the Property, to wit:

Grantor covenants and agrees to remove the Retained Improvements from the Property by N/A day of N/A, 2020, subject to such extensions of time as may be granted by Grantee in writing. In the event Grantor fails, for any reason, to remove the Retained Improvements within the time prescribed, then, without further consideration, title to all or part of such Retained Improvements not so removed shall pass to and vest in Grantee, its successors and assigns, forever.

Access on and off Grantor's remaining property to and from the State highway facility shall be permitted except to the extent that such access is expressly prohibited by the provisions set out in Exhibit "A". Grantor acknowledges that such access on and off the State highway facility is subject to regulation as may be determined by the Texas Department of Transportation to be necessary in the interest of public safety or by applicable local municipal or county zoning, platting or permitting requirements.

**GRANTOR**, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and to hold it to Grantee and Grantee's successors and assigns forever. Grantor binds Grantor and Grantor's heirs, successors and assigns to Warrant and Forever Defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to the claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

EXECUTED on the date(s) of acknowledgement indicated below.

**GRANTOR:**

**CITY OF LA MARQUE**

**BY:** \_\_\_\_\_

**NAME:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

---

---

**Acknowledgement**

State of Texas

County of \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_ 2020 by  
\_\_\_\_\_, \_\_\_\_\_ of City of La Marque, on behalf of city.

**(SEAL)**

\_\_\_\_\_  
Notary Public's Signature



EXHIBIT A

County: Galveston  
Highway: State Highway 146  
Limits: From FM 519 to Loop 197  
ROW CSJ: 0389-07-036

**Property Description for Parcel 5**

BEING a 0.0018 of an acre (79 square feet) parcel of land located in the John D. Moore Survey, Abstract No. 150, Galveston County, Texas, and being the remainder of Lot 7, Block 13 in Division "N" of the Cook and Stewart Subdivision of record under Volume 81, Page 526 of the Deed Records of Galveston County, Texas (D.R.G.C.T.), said Lot 7 having been conveyed from O.R. Tharp to City of La Marque by deed dated February 15, 1988 and recorded under Galveston County Clerk's File (G.C.C.F.) No. 8806815, Film Code No. 005-72-0290 of the Official Public Records of Galveston County, Texas (O.P.R.G.C.T.); said 0.0018 of an acre tract being more particularly described by metes and bounds as follows:

**COMMENCING** at a found 1-inch iron pipe at the intersection of the existing northerly right-of-way line of Poplar Street (right-of-way based on a width of 80 feet per Volume 81, Page 526, D.R.G.C.T.) with the existing easterly right-of-way line of 2nd Avenue (right-of-way based on 70.5 feet per Volume 81, Page 526, D.R.G.C.T.), same being the southwesterly corner of said Block 13, thence as follows:

**THENCE**, North  $02^{\circ}42'37''$  West, along the existing easterly right-of-way line of 2nd Avenue, being the westerly line of said Block 13, a distance of 142.50 feet to a set 5/8-inch iron rod with Texas Department of Transportation (TxDOT) aluminum cap at the intersection of the existing easterly right-of-way line of 2nd Avenue with the existing northerly right-of-way line of a 20 foot alley of record under Volume 81, Page 526, of said Deed Records, being the southwesterly corner of said Lot 7 and for the **POINT OF BEGINNING** of the herein described parcel having surface coordinates of N = 13,701,108.03, E = 3,259,053.97, located 45.79 feet right of and perpendicular to State Highway 3 proposed baseline station 112+22.77;

- 1) **THENCE**, North  $02^{\circ}42'37''$  West, continuing along the existing easterly right-of-way line of 2nd Avenue, being the westerly line of said Lot 7, a distance of 14.15 feet to the intersection of the existing easterly right-of-way line of 2nd Avenue with the existing southwesterly right-of-way line of State Highway 3 (right-of-way based on a width of 80 feet per TxDOT map with CSJ No. 0051-03-066 and dated April, 1989 (no record information found));
- 2) **THENCE**, South  $41^{\circ}07'17''$  East, along the existing southwesterly right-of-way line of State Highway 3, a distance of 18.06 feet to the intersection of the existing northerly right-of-way line of said 20 foot Alley and in the southerly line of said Lot 7;
- 3) **THENCE**, South  $87^{\circ}17'23''$  West, along the existing northerly right-of-way line of said 20 foot Alley, being the southerly line of said Lot 7, a distance of 11.22 feet to the **POINT OF BEGINNING** and containing 0.0018 of an acre (79 square feet) of land.

January, 2017

Parcel 5

Page 2 of 4

# EXHIBIT A

## Notes:

All bearings and coordinates are based on the Texas Coordinate System, South Central Zone, NAD 83 (93 Adj.). All distances and coordinates shown are surface values and may be converted to Grid by dividing with the combined adjustment scale factor of 1.00013. Project control monuments were provided by TxDOT for State Highway 146. Monuments used were H-106, H-107, H-108, H-109, H-113, H-115, H-116, Traverse #201 and Traverse #204.

Measurements are in U.S. Survey feet.

A parcel plat of even date was prepared in conjunction with this property description.

Abstracting completed in September, 2016.

I hereby certify that this survey was performed on the ground under my supervision and that the property description and accompanying parcel plat represent the facts as found at the time of the survey.  
Survey Date: November, 2016

Prepared By:  
GeoSolutions, LLC  
Firm No. 100159-00  
25211 Grogan's Mill Road, Suite 375  
The Woodlands, Texas 77380  
Tel. 281-681-9766



NOTES:

1. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 (93 ADJ.); ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING WITH THE COMBINED ADJUSTMENT SCALE FACTOR OF 1.00013. PROJECT CONTROL MONUMENTS WERE PROVIDED BY TXDOT FOR STATE HIGHWAY 146. MONUMENTS USED WERE H-106, H-107, H-108, H-109, H-113, H-115, H-116, TRAVERSE #201, AND TRAVERSE #204. MEASUREMENTS ARE IN U.S. SURVEY FEET.
2. GEOSOLUTIONS, LLC DID NOT RESEARCH OWNERSHIP OR EASEMENT INFORMATION. GEOSOLUTIONS, LLC HAS RELIED UPON POSTLE PROPERTY SERVICES, INC. FOR THE OWNERSHIP AND EASEMENT INFORMATION. ABSTRACTING WAS COMPLETED IN SEPTEMBER, 2016. FIELD SURVEYS WERE COMPLETED IN NOVEMBER, 2016 AND THE RIGHT-OF-WAY MAP SET WAS COMPLETED IN JANUARY, 2017.
3. \*\* THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.
4. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
5. ACCESS WILL BE PERMITTED TO THE REMAINDER PROPERTY ABUTTING THE HIGHWAY FACILITY.

LEGEND

- SET 5/8" IR W/TXDOT ALUM. CAP
- FND 5/8" IR W/TXDOT ALUM. CAP
- SET 5/8" IR W/GeoSolutions CAP (UNLESS NOTED)
- FND. (TYPE INDICATED AT LOCATION)
- E Property Line Symbol
- Z Landmark
- R.O.W. RIGHT OF WAY
- N.T.S. NOT TO SCALE
- STA: STATION
- OFF: OFFSET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- Σ Survey Line
- ⊕ PARCEL NUMBER
- D.R.G.C.T. DEED RECORDS OF GALVESTON COUNTY TEXAS
- G.C.M.R. GALVESTON COUNTY MAP RECORDS
- O.P.R.G.C.T. OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY TEXAS
- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- - - SURVEY LINE
- x-x- FENCE LINE



\* CALCULATED SQ. FT.

REVISIONS

| EXISTING   | TAKING                  | REMAINING    |
|------------|-------------------------|--------------|
| *79 Sq.Ft. | 0.0018 AC.<br>79 SQ.FT. | 0.000 AC.RT. |



Firm No. 100159-00  
25211 Grogan's Mill Road, Suite 375  
The Woodlands, Texas 77380  
Office: 281-681-9766 Fax: 281-681-9779

PARCEL PLAT SHOWING  
PARCEL 5

SH 146  
GALVESTON COUNTY, TEXAS  
R.O.W. C.S.J.: 0389-07-036

JANUARY, 2017

SCALE: 1"=50'

PAGE 3 OF 4

FILE: MRF CSJ 0389 07 025 SH146 ROW P-5A.dgn









**POSSESSION AND USE AGREEMENT FOR TRANSPORTATION PURPOSES  
WITH ADDITIONAL PAYMENT OF INDEPENDENT CONSIDERATION**

|                            |   |                      |
|----------------------------|---|----------------------|
| <b>STATE OF TEXAS</b>      | § | ROW CSJ: 0389-07-036 |
|                            | § | Parcel No.: 005      |
| <b>COUNTY OF GALVESTON</b> | § | Project No.: N/A     |

This Possession and Use Agreement For Transportation Purposes (the "Agreement") between the State of Texas, acting by and through the Texas Department of Transportation (the "State"), and **CITY OF LA MARQUE** (the "Grantor" whether one or more), grants to the State, its contractors, agents and all others deemed necessary by the State, an irrevocable right to possession and use of the Grantor's property for the purpose of constructing a portion of State Highway No. 146 (the "Highway Construction Project"). The property subject to this Agreement is described more fully in field notes and plat map (attached as "Exhibit A") and made a part of this Agreement by reference (the "Property").

1. For the consideration paid by the State which is set forth in Paragraphs 2 and 3 below, the receipt and sufficiency of which is acknowledged, the Grantor grants, bargains, sells and conveys to the State of Texas the right of entry and exclusive possession and use of the Property for the purpose of constructing a highway and appurtenances thereto and the right to remove any improvements. Authorized activities include surveying, inspection, environmental studies, archeological studies, clearing, demolition, construction of permanent improvements, relocating, replacing, and improving existing utility facilities, locating new utility facilities, and other work required to be performed in connection with the Highway Construction Project. This Possession and Use Agreement will extend to the State, its contractors and assigns, owners of any existing utilities on the Property and those which may be lawfully permitted on the Property by the State in the future, and all others deemed necessary by the State for the purpose of the Highway Construction Project. This grant will allow the construction, relocation, replacement, repair, improvement, operation and maintenance of utilities on the Property.
2. In full consideration for this irrevocable grant of possession and use and other Grantor covenants, warranties, and obligations under this Agreement, the State will tender to the Grantor the sum of ZERO Dollars (\$0.00). The Grantor agrees that this sum represents adequate and full compensation for the possession and use of the Property. The State will be entitled to take possession and use of the Property upon tender of payment. The parties agree that the sum tendered represents 0% percent of the State's approved value, which assumes no adverse environmental conditions affecting the value of the Property. The approved value is the State's determination of the just compensation owed to the Grantor for the real property interest to be acquired by the State in the Property, encumbered with the improvements thereon, if any, and damages to the remainder, if any, save and except all oil, gas and sulphur. The parties agree that the sum tendered to Grantor will be deducted from any final settlement amount, Special Commissioners' award or court judgment. In the event the amount of the final settlement or judgment for acquisition of the Property is less than the amount the State has paid for the possession and use of the Property, then the Grantor agrees that the original amount tendered represents an overpayment for the difference and, upon written notice from the State, the Grantor will promptly refund the overpayment to the State.



3. As additional consideration, the State will tender to the Grantor the sum of THREE THOUSAND and NO/100 Dollars (\$3000.00), the receipt and sufficiency of which is acknowledged. The parties agree that the sum tendered under this Paragraph 3:
  - (i) is independent consideration for the possession and use of Grantor's Property and represents no part of the State's compensation to be paid for the anticipated purchase of the Property; and
  - (ii) will not be refunded to the State upon any acquisition of the Property by the State.
4. The effective date of this Agreement will be the date on which payment pursuant to Paragraphs 2 and 3 above was tendered to the Grantor by the State, or disbursed to the Grantor by a title company acting as escrow agent for the transaction, (the "Effective Date").
5. The Grantor warrants and represents that the title to the Property is free and clear of all liens and encumbrances or that proper releases will be executed for the Property prior to funds being disbursed under this Agreement. The Grantor further warrants that no other person or entity owns an interest in the fee title to the Property and further agrees to indemnify the State from all unreleased or undisclosed liens, claims or encumbrances affecting the Property.
6. The parties agree that the valuation date for determining the amount of just compensation for the real property interest proposed to be acquired by the State in the Property, for negotiation or eminent domain proceeding purposes, will be the Effective Date of this Agreement.
7. This Agreement is made with the understanding that the State will continue to proceed with acquisition of a real property interest in the Property. The Grantor reserves all rights of compensation for the title and interest in and to the Property which the Grantor holds as of the time immediately prior to the Effective Date of this Agreement. This Agreement shall in no way prejudice the Grantor's rights to receive full and just compensation as allowed by law for all of the Grantor's interests in and to the Property to be acquired by the State, encumbered with the improvements thereon, if any, and damages, if any, to the remainder of the Grantor's interest in any larger tract of which the Property is a part (the "Remainder"), if any; all as the Property exists on the Effective Date of this Agreement. The State's removal or construction of improvements on the Property shall in no way affect the fair market value of the Property in determining compensation due to the Grantor in the eminent domain proceedings. There will be no project impact upon the appraised value of the Property. This grant will not prejudice the Grantor's rights to any relocation benefits for which Grantor may be eligible.
8. In the event the State institutes or has instituted eminent domain proceedings, the State will not be liable to the Grantor for interest upon any award or judgment as a result of such proceedings for any period of time prior to the date of the award. Payment of any interest may be deferred by the State until entry of judgment.
9. The purpose of this Agreement is to allow the State to proceed with its Highway Construction Project without delay and to allow the Grantor to have the use at this time of a percentage of the estimated compensation for the State's acquisition of a real property interest in the Property. The Grantor expressly acknowledges that the proposed Highway Construction Project is for a valid public use and voluntarily waives any right the Grantor has or may have, known or unknown, to contest the jurisdiction of the court in any condemnation proceeding for acquisition of the Property related to the Highway Construction Project, based upon claims that the condemning authority has no authority to



acquire the Property through eminent domain, has no valid public use for the Property, or that acquisition of the Property is not necessary for the public use.

10. The Grantor reserves all of the oil, gas and sulphur in and under the land herein conveyed but waives all right of ingress and egress to the surface for the purpose of exploring, developing, mining or drilling. The extraction of oil, gas and minerals may not affect the geological stability of the surface. Nothing in this reservation will affect the title and rights of the State to take and use all other minerals and materials thereon, and thereunder.
11. The undersigned Grantor agrees to pay as they become due, all ad valorem property taxes and special assessments assessed against Property, including prorated taxes for the year in which the State takes title to the Property.
12. Notwithstanding the acquisition of right of possession to the Property by the State in a condemnation proceeding by depositing the Special Commissioners' award into the registry of the court, less any amounts tendered to the Grantor pursuant to Paragraph 2 above, this Agreement shall continue to remain in effect until the State acquires title to the Property either by negotiation, settlement, or final court judgment.
13. This Agreement will also extend to and bind the heirs, devisees, executors, administrators, legal representatives, successors in interest and assigns of the parties.
14. It is agreed the State will record this document.
15. Other conditions: .

To have and to hold the Agreement herein described and conveyed, together with all the rights and appurtenances belonging to the State of Texas and its assigns forever, for the purposes and subject to the limitations set forth above.

EXECUTED on the date(s) of acknowledgement indicated below.

**GRANTOR:**

**CITY OF LA MARQUE**

**BY:** \_\_\_\_\_

**NAME:** \_\_\_\_\_

**TITLE:** \_\_\_\_\_

---

Acknowledgement

State of Texas

County of \_\_\_\_\_

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_ 2020 by  
\_\_\_\_\_ of City of La Marque, on behalf of city.

*(SEAL)*

\_\_\_\_\_  
Notary Public's Signature

**THE STATE OF TEXAS**

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By: \_\_\_\_\_  
Angela Leach-Jayroe, Right of Way Supervisor

Date: \_\_\_\_\_



EXHIBIT A

County: Galveston  
Highway: State Highway 146  
Limits: From FM 519 to Loop 197  
ROW CSJ: 0389-07-036

**Property Description for Parcel 5**

BEING a 0.0018 of an acre (79 square feet) parcel of land located in the John D. Moore Survey, Abstract No. 150, Galveston County, Texas, and being the remainder of Lot 7, Block 13 in Division "N" of the Cook and Stewart Subdivision of record under Volume 81, Page 526 of the Deed Records of Galveston County, Texas (D.R.G.C.T.), said Lot 7 having been conveyed from O.R. Tharp to City of La Marque by deed dated February 15, 1988 and recorded under Galveston County Clerk's File (G.C.C.F.) No. 8806815, Film Code No. 005-72-0290 of the Official Public Records of Galveston County, Texas (O.P.R.G.C.T.); said 0.0018 of an acre tract being more particularly described by metes and bounds as follows:

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- 3) **THENCE**, South  $87^{\circ}17'23''$  West, along the existing northerly right-of-way line of said 20 foot Alley, being the southerly line of said Lot 7, a distance of 11.22 feet to the **POINT OF BEGINNING** and containing 0.0018 of an acre (79 square feet) of land.

EXHIBIT A

Notes:

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Measurements are in U.S. Survey feet.

A parcel plat of even date was prepared in conjunction with this property description.

Abstracting completed in September, 2016.

I hereby certify that this survey was performed on the ground under my supervision and that the property description and accompanying parcel plat represent the facts as found at the time of the survey.  
Survey Date: November, 2016

Prepared By:  
GeoSolutions, LLC  
Firm No. 100159-00  
25211 Grogan's Mill Road, Suite 375  
The Woodlands, Texas 77380  
Tel. 281-681-9766





NOTES:

1. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD 83 (93 ADJ.); ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING WITH THE COMBINED ADJUSTMENT SCALE FACTOR OF 1.00013. PROJECT CONTROL MONUMENTS WERE PROVIDED BY TXDOT FOR STATE HIGHWAY 146. MONUMENTS USED WERE H-106, H-107, H-108-, H-109, H-113, H-115, H-116, TRAVERSE #201, AND TRAVERSE #204. MEASUREMENTS ARE IN U.S. SURVEY FEET.
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3. \*\* THE MONUMENT DESCRIBED AND SET IN THIS CALL MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.
4. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
5. ACCESS WILL BE PERMITTED TO THE REMAINDER PROPERTY ABUTTING THE HIGHWAY FACILITY.

LEGEND

- SET 5/8" IR W/TXDOT ALUM. CAP
- FND 5/8" IR W/TXDOT ALUM. CAP
- SET 5/8" IR W/GeoSolutions CAP (UNLESS NOTED)
- FND. (TYPE INDICATED AT LOCATION)
- E Property Line Symbol
- Z Landhook
- R.O.W. RIGHT OF WAY
- N.T.S. NOT TO SCALE
- STA: STATION
- OFF: OFFSET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- Σ Survey Line
- ⊕ PARCEL NUMBER
- D.R.G.C.T. DEED RECORDS OF GALVESTON COUNTY TEXAS
- G.C.M.R. GALVESTON COUNTY MAP RECORDS
- O.P.R.G.C.T. OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY TEXAS
- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE
- SURVEY LINE
- x-x- FENCE LINE



\* CALCULATED SQ.FT.

REVISIONS

| EXISTING   | TAKING                  | REMAINING    |
|------------|-------------------------|--------------|
| *79 Sq.Ft. | 0.0018 AC.<br>79 SQ.FT. | 0.000 AC.RT. |



Firm No. 100159-00  
25211 Grogan's Mill Road, Suite 375  
The Woodlands, Texas 77380  
Office: 281-681-9766 Fax: 281-681-9779

PARCEL PLAT SHOWING  
PARCEL 5

SH 146  
GALVESTON COUNTY, TEXAS  
R.O.W. C.S.J.: 0389-07-036

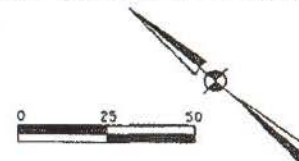
JANUARY, 2017

SCALE: 1"=50'



G.H. & H. RAILROAD  
(100' R.O.W.)  
(NO RECORDING INFORMATION FOUND)

# JOHN D. MOORE SURVEY A-150



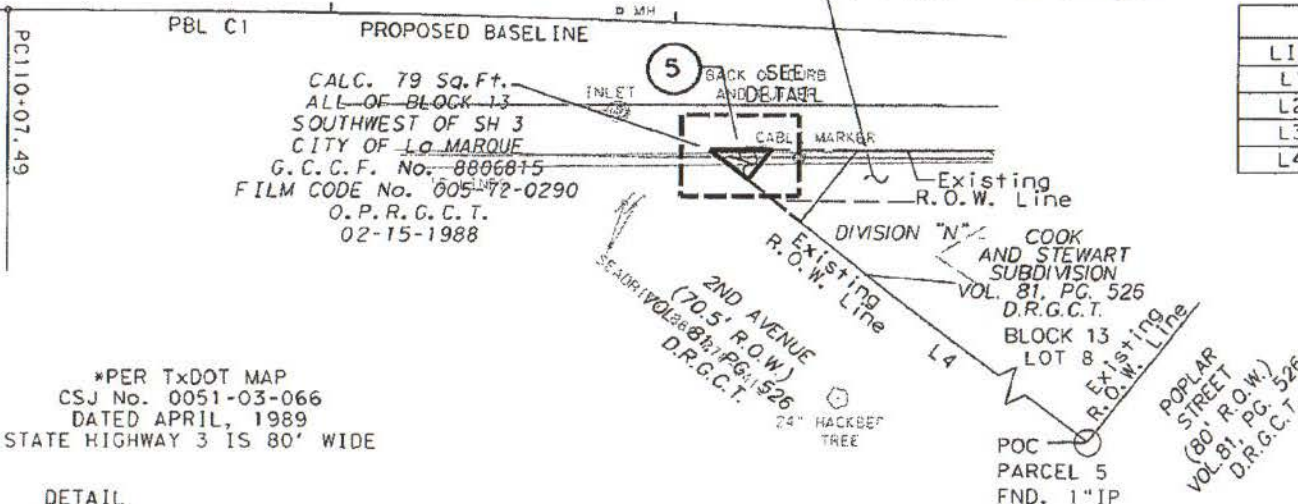
Existing State Highway 3 and G.H. & H. R.R. R.O.W. Line

STATE HIGHWAY 3  
(80' R.O.W.)

\*(NO RECORDING INFORMATION FOUND)

15' WATER PIPELINE EASEMENT  
G.C.C.F. No. 9944944  
FILM CODE No. 013-88-1659  
O.P.R.G.C.T. - 07-27-1999

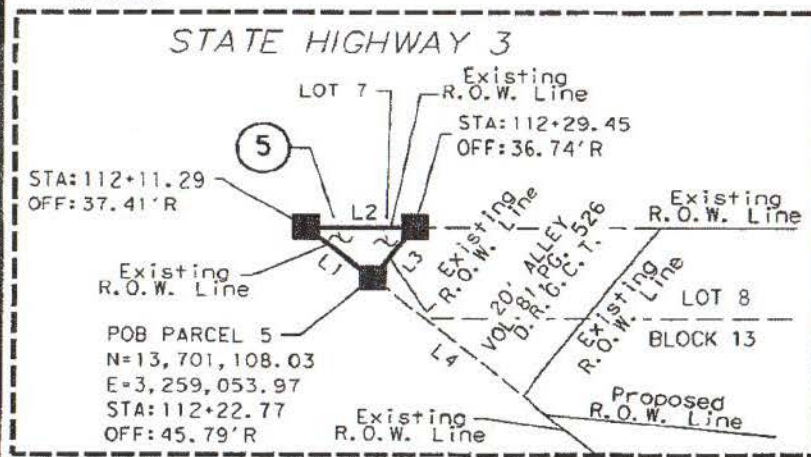
| LINE TABLE |                |          |
|------------|----------------|----------|
| LINE       | BEARING        | DISTANCE |
| L1         | N02° 42' 37" W | 14.15'   |
| L2         | S41° 07' 17" E | 18.06'   |
| L3         | S87° 17' 23" W | 11.22'   |
| L4         | N02° 42' 37" W | 142.50'  |



BASELINE CURVE DATA  
DELTA= 04° 25' 28"  
R= 5,749.00'  
L= 443.95'  
CHB= 538° 54' 32" E  
CHD= 443.84'  
TAN= 239.93'  
PI  
STA= 112+47.42  
N= 13,701,120.87  
E= 3,259,108.85

\*PER TxDOT MAP  
CSJ No. 0051-03-066  
DATED APRIL, 1989  
STATE HIGHWAY 3 IS 80' WIDE

DETAIL  
(N.T.S.)



PAGE 4 OF 4



Solutions, LLC

Firm No. 100159-00  
25211 Grogan's Mill Road, Suite 375  
The Woodlands, Texas 77380  
Office: 281-681-9766 Fax: 281-681-9779

PARCEL PLAT SHOWING  
PARCEL 5

SH 146  
GALVESTON COUNTY, TEXAS  
R.O.W. C.S.J.: 0389-07-036

JANUARY, 2017

SCALE: 1"=50'

FILE: MRF CSJ 0389 07 025 SH146 ROW P-5A.dgn

**RESOLUTION NO. R -2020-0008**

WHEREAS, the City Council of La Marque is outraged and appalled by the recent murders of George Floyd, Ahmaud Arbery, Breonna Taylor, Tony McDade and countless other African Americans that have lost their lives to racial violence, and police brutality in cities in America; and

WHEREAS, the City of La Marque grieves with the families and those communities across this nation and calls for accountability of those who perpetuate violence under the badge of law; and

WHEREAS, cases of police brutality and the use of excessive force are among the most serious ongoing human rights and civil liberties violations in the United States and have led to community destabilization, a decrease in public safety, and the exacerbation of structural inequities; and

WHEREAS, contemporary police practices that employ policing for low level offenses or so called “broken windows” policing have led to mass criminalization, heightened violence, and mass incarceration that disproportionately impacts Black and Brown people; and

WHEREAS, historic, systemic and pervasive racism and traumas of colonization and slavery make people of color, particularly African Americans communities in our country, fear for their families’ health, safety, and lives every single day; and

WHEREAS, racism is a social system with multiple dimensions: individual racism that is internalized or interpersonal; systemic racism that is institutional or structural, and is a system of structuring opportunity and assigning value based on the social interpretation of how one looks; and

WHEREAS, racism unfairly disadvantages specific individuals and communities, while unfairly giving advantages to other individuals and communities, and saps the strength of the whole society through the waste of human resources, and the City of La Marque’s collective prosperity depends upon the equitable access to opportunity for every resident regardless of the color of their skin; and

WHEREAS, racism causes persistent discrimination and disparate outcomes in many areas of life, including housing, education, employment and criminal justice; and an emerging body of research demonstrates that racism itself is a social determinant of health; and

WHEREAS, cases of police brutality and the use of excessive force have robbed countless communities of precious lives, have inflicted intergenerational harm and trauma to families, and are intensifying our Nation’s mental health crisis; and

WHEREAS, the murder of George Floyd was an act of intolerable violence and other similar acts that have occurred across this country in recent years are unpardonable and must serve as a wake-up call to every human being that recognizes life as both a gift and a human right; and

WHEREAS the Mayor, City Council, City Manager and the La Marque Police Department find that the conduct of police officers who engage in racial profiling and excessive force, which can include shootings,

brutal beatings, fatal chokings, and any other excessive treatment is a violation of the Constitution of the United States; and

WHEREAS, no change will be realized until all citizens of this country stand besides those exclaiming for justice; and

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

(1) The Mayor, City Council, City Manager, La Marque Police Department and all City employees join with America in sharing its disbelief, sorrow, shame and anger; and

(2) We collectively assert that racism is a public health crisis affecting our entire country; and

(3) We collectively agree to work to progress as an equity and justice-oriented organization, with the City Council and its staff leadership continuing to identify specific activities to further enhance diversity and to ensure antiracism principles across City Council leadership, staffing and contracting; and

(4) We fully support and strongly endorse peaceful unification throughout this country opposing this and similar deplorable acts of violence against persons of color and those of different ethnicity, religions, beliefs or expressions, both now and in perpetuity; and

(5) We support our police department's commitment to equitable treatment of all our City's citizens by sustaining and expanding the existing de-escalation training for PD as directed by City Council; and

(6) We will continue to actively support inclusivity within the La Marque Police Department; and

(7) We will promote equity through all policies approved by the City Council and enhance educational efforts aimed at understanding, addressing and protecting against unintended racism in our city; and

(8) We will continue to advocate locally for relevant policies that improve health in communities of color, and state that we support local, state, regional, and federal initiatives that advance efforts to dismantle systemic racism; and

(9) We pledge to always promote and support policies that prioritize the health of all people, especially people of color by mitigating exposure to adverse childhood experiences; and

(10) We pledge to establish on-going racial equity training with the goal of reaching all City of La Marque leadership and staff; and

(11) We will encourage racial equity training among all community partners, grantees, vendors and contractors; and

(12) Furthermore, we call upon our community to join with us in committing to introspective evaluation of ourselves as public servants, citizens and as brothers and sisters regarding this unthinkable event; and



(13) Be it Further Resolved, that we declare there will be zero tolerance for police brutality by the City of La Marque Police Department.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of La Marque on this the \_\_\_\_ day of \_\_\_\_\_, 2020.

**CITY OF LA MARQUE, TEXAS**

\_\_\_\_\_  
Bobby Hocking, Mayor

ATTEST:

\_\_\_\_\_  
Robin Eldridge, TRMC City Clerk



## CITY COUNCIL AGENDA FORM

Meeting Date: June 8, 2020

Agenda item: 8a

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

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### **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

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**TARGET IMPLEMENTATION:** As soon as possible, as to fill each Board or Commission with the number of members required to conduct City business

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### **SIGNIFICANT ACTION DATES:**

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

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### **ACTION:**

- |                                                                                                                                              |                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| <input type="checkbox"/> Ordinance                                                                                                           | <input type="checkbox"/> Resolution     |
| <input type="checkbox"/> Special Presentation                                                                                                | <input type="checkbox"/> Proclamation   |
| <input type="checkbox"/> Finance Report                                                                                                      | <input type="checkbox"/> Public Hearing |
| <input checked="" type="checkbox"/> Other-appointments/or reappointments to Boards & Commissions                                             |                                         |
| <input checked="" type="checkbox"/> 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 |

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**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

| <b>BOARD OF ADJUSTMENT- ORD. 953</b> |                  | <b>Appointed</b> | <b>Expires</b> | <b>Appoints</b> |
|--------------------------------------|------------------|------------------|----------------|-----------------|
| 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               |
|                                      |                  |                  |                |                 |
| <b>ALTERNATES</b>                    |                  |                  |                |                 |
| 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

| <b><i>BUILDING STANDARDS COMMISSION ORD.<br/>#449</i></b> |                  | <b>Appointed</b> | <b>Expires</b> | <b>Appoints</b> |
|-----------------------------------------------------------|------------------|------------------|----------------|-----------------|
| 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               |
| <b>ALTERNATES</b>                                         |                  |                  |                |                 |
| 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

| <b>CEMETERY BOARD – ORD. 1033</b> |                  | <b>Appointed</b> | <b>Expires</b> | <b>Appoints</b> |
|-----------------------------------|------------------|------------------|----------------|-----------------|
| 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

| <b>CIVIL SERVICE COMMISSION Local Govmt. Code &amp; ORD. 821</b> |              |                  |                |                 |
|------------------------------------------------------------------|--------------|------------------|----------------|-----------------|
|                                                                  |              | <b>Appointed</b> | <b>Expires</b> | <b>Appoints</b> |
| 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

| <b><i>KLMBC- ORDINANCE # O-2017-0021</i></b> |                    | <b>Appointed</b> | <b>Expires</b> | <b>Appoints</b> |
|----------------------------------------------|--------------------|------------------|----------------|-----------------|
| 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

| <b>PARKS BOARD ORD. #758</b> |                            | <b>Appointed</b> | <b>Expires</b> | <b>Appointment</b> |
|------------------------------|----------------------------|------------------|----------------|--------------------|
| 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

| <b>PLANNING &amp; ZONING ORD. # 2014-0023</b> |               | <b>Appointed</b> | <b>Expires</b> | <b>Appoints</b> |
|-----------------------------------------------|---------------|------------------|----------------|-----------------|
| 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               |
| <b>ALTERNATES</b>                             |               |                  |                |                 |
| #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: treneagriffin1@gmail.com

Profession: CEO/FOUNDER

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

**Other Information (Civic Activities):**

KHAMBEEL FOUNDATION RIGHTEDS 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: [Handwritten 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

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**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<br>Marque?                                                    | Yes                                                                                                                                                                          |
| Phone Number                                                                           | 713 202 4751                                                                                                                                                                 |
| Profession                                                                             | Retired Teacher                                                                                                                                                              |
| Special Knowledge or<br>Experience applicable to<br>City Board/Commission<br>function: | Working as a part-time Real Estate agent with Etheredge Real<br>Estate in Texas City. I enjoy promoting the city of LaMarque as<br>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

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**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<br>Facilitate Grief and Bereavement Ministry, First Baptist Church<br>Texas City |
| Disclaimer                                                                    | I understand and agree,                                                                                                            |
| Disclaimer                                                                    | I understand and agree.                                                                                                            |



## Robin Eldridge

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**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

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**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                                                                                                                         |