



**CITY OF LA MARQUE
CITY COUNCIL
REGULAR AGENDA
of
April 24, 2023**

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a **Regular Meeting** on **April 24, 2023**, beginning at **6:00 PM** in the **Council Chambers** at **1109-B Bayou Road La Marque, Texas as well as via videoconference hosted through Zoom (<https://zoom.us/j/92493940502>)**. In accordance with Section 551.127(b) of the Texas Local Government Code the presiding officer and a quorum of the La Marque City Council intend to be and will be physically present at 1109-B Bayou Road, La Marque, Texas. This location will be open to the public and the meeting will be broadcast at this location, on Channel 16, and via YouTube (<https://www.youtube.com/watch?v=L6G8ypjyEDo>).

The Council will meet for the purpose of considering the following agenda:

1. CALL MEETING TO ORDER
2. ROLL CALL
3. INVOCATION AND PLEDGE OF ALLEGIANCE
4. PRESENTATIONS
 - o Proclamation- Autism Acceptance Month

Documents:

[PROCLAMATION- AUTISM AWARENESS MONTH 2023.PDF](#)

5. CITIZENS PARTICIPATION
LIMITED TO THREE MINUTES PER PERSON

Comments from the public will be heard at this time. Any person with city-related business who has signed up may speak to Council (limited to three (3) minutes). If wishing to speak give the Mayor or presiding officer your full legal name and the item you wish to speak about. In compliance with Texas Open Meeting Act, the City 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, press the unmute button if attending via zoom on a smartphone, tablet or computer, or stand if attending in person, and the mayor will call on you in turn.*

6. MINUTES

- Regular Meeting Minutes of April 10, 2023
- Special Meeting Minutes of February 13, 2023

Documents:

[04.10.2023 REGULAR DRAFT MINUTES.PDF](#)
[02.13.2023 SPECIAL DRAFT MINUTES.PDF](#)

7. PUBLIC HEARINGS

Conduct Public Hearing to hear public input on:

7.I. Ordinance No. O-2023-0002

Amending Chapter 14, Buildings and Building Regulations, Article XI, entitled "Registration for Rental Units Required," making various findings and provisions related to the subject; and providing for an effective date

Documents:

[2023 RENTAL REGISTRATION ORDINANCE.PDF](#)

8. ORDINANCES

Discussion/ possible action regarding approving:

8.I. Ordinance No. O-2023-0002

Amending Chapter 14, Buildings and Building Regulations, Article XI, entitled "Registration for Rental Units Required," making various findings and provisions related to the subject; and providing for an effective date

THIS IS THE SECOND AND FINAL READING

Documents:

[2023 RENTAL REGISTRATION ORDINANCE.PDF](#)

8.II. Ordinance No. O-2023-0003

Amending the City's zoning map and comprehensive plan by changing the zoning regulations of real property commonly known as 5401 FM 1765 La Marque, TX 77568

THIS ITEM WAS TABLED APRIL 10, 2023

Documents:

[AGENDA FORM - 5401 FM 1765 - REZONE.PDF](#)
[5401 FM 1765 REZONE.PDF](#)
[PANDZ STAFF REPORT - 5401 FM 1765 REZONE.PDF](#)
[PAND Z - REZONE APP.PDF](#)

9. RESOLUTIONS

Unless otherwise specified, the City Manager is authorized to execute all necessary documents upon final approval by the City Attorney.

9.I. Resolution No. R-2023-0024

Approving a Maintenance Agreement with Android Construction for emergency repairs to Water and Sanitary Sewer pipelines on an as needed basis

Documents:

[AGENDA FORM - ANDROID CONSTRUCTION AGREEMENT.PDF](#)
[RESOLUTION -ANDROID MAINTENANCE AGREEMENT.PDF](#)
[BRANCH CONSTRUCTION PROPOSAL.PDF](#)
[RAM ROD QUOTE LA MARQUE.PDF](#)
[ANDROID CONSTRUCTION SERVICES - MAINTENANCE CONTRACT - CITY OF LA MARQUE.PDF](#)

9.II. Resolution No. R-2023-0025

Issuing a Purchase Order to Adico Engineering to complete a Utility Impact Fee Analysis for Water & Sewer Development Impact Fees

Documents:

[AGENDA FORM- IMPACT FEE ANALYSIS.PDF](#)
[RESOLUTION -ADICO IMPACT STUDY.PDF](#)
[2018 IMPACT FEE STUDY.PDF](#)
[APA POLICY GUIDE ON IMPACT FEES.PDF](#)
[COLM - WORK ORDER 2022-06 IMPACT FEE STUDY AMENDMENT 2022_V2_SIGNED.PDF](#)
[IMPACT FEE ORDINANCE.PDF](#)
[VALUE CAPTURE_ CAPITALIZING ON THE VALUE CREATED BY TRANSPORTATION - FAQS IMPACT FEES.PDF](#)

10. CITY MANAGER REPORT

a submitted report to update Council and Community on the standard operations of the City, report can be acknowledged as whole or discussed at the pleasure of Council.

- Memo- Procurement Cards
- Memo- LMPD Approaches to Crime (response to 4/18/2023 incident)
- Memo- Response to PD Audit
- Memo-Vision 2050

Documents:

[PROCUREMENT CARD CHANGE.PDF](#)
[LMPD APPROACHES TO CRIME.PDF](#)
[VISION 2050 - LAUNCH MEMO.PDF](#)
[STRATEGIC PLANNING IN SMALL COMMUNITIES FINAL_1.PDF](#)
[THREE FIVE YEAR GOALS AND OBJECTIVES--LMPD \(EFF FY 2023-2024\) - DRAFT.PDF](#)
[STRATEGIC PLAN VISION-LA MARQUE-COURTS - DRAFT.PDF](#)
[RESPONSE TO PD AUDIT.PDF](#)
[MEMO 21 REVIEW AND PATH FORWARD REGARDING 2022 LMPD AUDIT.PDF](#)
[TEXAS ACCREDITATION PROGRAM TENTATIVE ACTION PLAN FOR LMPD EFF4-14-2023.PDF](#)
[THREE FIVE YEAR GOALS AND OBJECTIVES--LMPD \(EFF FY 2023-2024\) - DRAFT.PDF](#)

11. NEW BUSINESS

Items presented to the Council for discussion and possible action:

11.I. Investment Quarterly Report

Discussion/possible action regarding accepting the quarterly investment reports for First Quarter 2023

Documents:

[INVEST FIRST QUARTER 2023.PDF](#)

11.II. Cinco De Mayo Event Fee Waiver Request

Discussion/possible action regarding consideration of a Fee Wavier request by LULAC for a Cinco de Mayo Event at Highland Bayou Park

Documents:

[AGENDA FORM- HBP FEE WAVIER.PDF](#)
[CINCO DE MAYO FEE WAIVER REQUESTS.PDF](#)
[COMPLETED SPECIAL EVENT APPLICATION WITH BACKUP DOCUMENTATION.PDF](#)
[HBP 05052023.PDF](#)
[SPECIAL EVENT APPLICATION - BLANK.PDF](#)

11.III. CirclesX

Discussion/ possible action regarding information involving certain producers and midstream providers of natural gas resulting in economic harm to end users, including governmental entities and proposed litigation therefore, and consider for approval instruction to City Manager to make assignment on City of La Marque, Texas's behalf to CirclesX LLC

11.IV. Council Residency

Discussion regarding council residency requirements in the City of La Marque, Texas concerning District C

11.V. Items For The Good Of The Order

Additional items to bring awareness to Council and the Community as well as future agenda item requests are accepted at this time.

11.VI. Upcoming Events

City Events and Important Dates for Community Awareness:

- o Early Voting April 24-May 2, 2023
- o Catalytic Converter Event - April 26, 2023
- o Hurricane Huddle - April 29th, 2023
- o Election Day May 6, 2023
- o Salvation Army Food Giveaway - May 20, 2023
- o Keep La Marque/ Texas City Beautiful Clean Up Event - May 20, 2023

Documents:

[CATALYTIC CONVERTER EVENT.PDF](#)

12. EXECUTIVE SESSION

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development)

12.I. Section 551.071 (Consultation With Attorney)

Advice regarding the information related to Certain Producers And Mid Stream Providers Of Natural Gas Resulting In Economic Harm To End Users Including Governmental Entities

13. ACTIONS TAKEN FROM EXECUTIVE SESSION

13.I. Section 551.071 (Consultation With Attorney)

Advice regarding the information related to Certain Producers And Mid Stream Providers Of Natural Gas Resulting In Economic Harm To End Users Including Governmental Entities

14. ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on April 20, 2023 at _____.

Kierra K. Nance, TRMC

City Clerk

Office of the Mayor
for the City of La Marque

PROCLAMATION

WHEREAS, autism is the leading and fastest-growing developmental disability in the United States, affecting 1 in 36 children; and

WHEREAS, autism impacts areas of the brain that control socialization and various cognitive functions, which, while at times may be difficult, does not inherently diminish the quality of life of those who are affected; and

WHEREAS, while there is currently no identified cause or cure for autism, organizations like Hope For Three advocate, educate, and provide resources for communities and families of individuals with autism; and

WHEREAS, Autism Acceptance Month is a month-long event to promote the inclusion and acceptance of those with Autism; and

WHEREAS, the 2023 theme for Autism Acceptance Month is "Contribution of Autistic People at Home, at Work, in the Arts and in Policymaking"; and

WHEREAS, The City of La Marque has honored Autism Acceptance Month throughout the month of April by participating in the Light It Up Blue! Campaign, by lighting various city facilities in blue; and

NOW, THEREFORE, we the Mayor and City Council by virtue of our authority vested by the City of La Marque, Texas do hereby proclaim the month of April 2023 as:

"AUTISM ACCEPTANCE MONTH"

in the City of La Marque and do hereby urge all the citizens of La Marque to recognize this month by seeking education relating to Autism.

In testimony whereof, witness my hand and the Seal of the City of La Marque, this the 3rd day of April 2023.



Keith Bell, Mayor



**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MINUTES
of
April 10, 2023**

Minutes of a **Regular Meeting** held in the **Council Chambers** at **1109-B Bayou Road La Marque, Texas as well as via videoconference hosted through Zoom** on **April 10, 2023**, beginning at **6:00 PM** :

4/10/2023 - Minutes

1. CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 6:03 p.m.

2. ROLL CALL

All council members were present, with Councilmember Carlson attending virtually from 3801 Kell Blvd Wichita Falls, TX 76308.

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Councilmember Yancy gave the invocation and Councilmember McAuliffe led the pledge.

4. PRESENTATIONS

Citizen Ana Lopez was given a certificate of appreciation to thank her for her hard work restoring the rock garden at a local park after it was vandalized.

Mayor Bell presented La Marque Public Works Department representatives with a proclamation to celebrate Work Zone Awareness Week.

Representatives from the Court Appointed Special Advocate Program (CASA) received a Child Abuse Awareness Prevention Month proclamation.

Mayor Bell read into the record a Fair Housing Awareness Proclamation.

Lead Telecommunicator Sheila Maya received a proclamation to celebrate National Telecommunicators Week.

City Manager Cesar Garcia shared that Officer Dana Thomasson received state recognition for her service, receiving a visit from State Representative Terri Leo Wilson.

New officers Marco Hernandez and Oleana Buentello were introduced to the community.

Dr. Penn gave a brief overview of the results seen at La Marque High School due to the Teen and Police Service Academy and shared that the Texas Education Agency has approved the program to qualify for one high school credit.

Representatives of the College of the Mainland gave a presentation regarding the current status of the College of the Mainland.

5. CITIZENS PARTICIPATION

- W.T. Ethridge (4201 Blackhawk Dr, Texas City, TX) supported the Rental Registration fee and the cost reduction. He shared his concerns regarding the differentiation between single and multi-family homes in terms of pricing, and he feels that the fee should be equal across the board and the potential to expand the fees beyond just investment properties but for residential homeowners as well.
- Clarence Caldwell (3608 Prairie) spoke about the corner of Prairie St and Volney with overgrown tree limbs, a vacant lot on the opposite side with dead limbs hanging over the street, issues with the trash collectors not collecting trash from the recycling cans, and ditches not being cleaned by Public Works.
- Robert Michetich (24 N Curlew) spoke regarding the debt services update, which he says has not happened since 2021. He requested project tracking on grant funds. He congratulated Councilmember Carlson on his new job and expected a special election be called at the next meeting to fill his seat.
- Bill McGarvy (808 Buttonwood Dr. Texas City, TX) spoke to share his support of the College of the Mainland bond and also share his support of the agenda item to reduce the rental registration fees.

6. MINUTES

Mayor Pro Tem Compian made a motion to approve the minutes as submitted. Councilmember McAuliffe seconded the motion. **MOTION PASSED UNANIMOUSLY.**

7. ORDINANCES

7.I. Ordinance No. O-2023-0002

Mayor Pro Tem Compian spoke about the purpose of the Rental Registration Ordinance, which was to curb and make suggestions regarding the uniformity of the fee and create a "flat" fee of \$50 each, regardless of type. He also questioned the penalty for violations under this ordinance and questioned the program's effective date and if the fee is prorated throughout the year.

City Attorney Knebel clarified that Section 1-7 of the Code of Ordinances is the overarching penalty provision and can be added to the ordinance, and assured that the effective date correlates with the program's renewal date.

Councilmember McAuliffe shared her support of the current fee structure but also understands her fellow councilmembers' concerns. She clarified with staff the rationale behind the difference in fees for single and multi-family homes: the amount of work required to verify each home.

Mayor Bell shared his concerns regarding the lack of participation from property owners, as it is shared that only approximately 60 percent of owners are registered, and that there is value in the statements made by the citizens tonight. He feels that the top priority should be to capture the remaining 40% of owners who are not enrolled in the program.

Councilmember Carlson spoke to the citizens who requested \$50 across the board, he shared that duplexes at the current rate pay \$60, triplexes \$90, and so forth, but he has no issue with \$50 for all. He also reminded Council and staff that his initial intent in bringing this item before Council was to remove the application fee.

Mayor Pro Tem Compian made recommendations regarding notifying owners and utilizing measures such as online applications and email notifications.

Mayor Pro Tem made a motion to adopt Ordinance No. O-2023-0002, with a uniform fee of \$50 per unit and an added section in regard to penalties. Councilmember Carlson seconded the motion. **MOTION PASSED WITH 4 AYES AND 1 NAY (MCAULIFFE).**

7.II. Ordinance No. O-2023-0003

Discussions relating to the location of the property ensued. Members of the Council shared concerns regarding the location being "in the middle" of a subdivision, while others, including Councilmember Yancy, District Representative for the area, shared their support and a need for commerce in the area. The council discussed the need to hear from more of the citizens in that area.

Mayor Pro Tem Compian made a motion to table this item. Councilmember McAuliffe seconded the motion. **MOTION PASSED UNANIMOUSLY.**

8. RESOLUTIONS

8.I. Resolution No. R-2023-0023

***Mayor Pro Tem Compian exited the room at 7:42 p.m.*

Public Works Director Sailer gave a brief overview of the bid and disclosed that this is Phase 1 of a multiphase project.

Councilmember McAuliffe made a motion to adopt Resolution No. R-2023-0023. Councilmember Yancy seconded the motion. **MOTION PASSED 4 AYES (COMPIAN ABSENT).**

9. CITY MANAGER REPORT

***Mayor Pro Tem Compian returned at 7:45 p.m.*

Councilmember McAuliffe requested additional data regarding race and ethnicity in the future. Mayor Pro Tem Compian shared her sentiments in addition to questions regarding "Theft under \$100" citations issued and juvenile accidents.

10. OLD BUSINESS

10.I. Naming Policy

Mayor Pro Tem Compian requested clarity of a section that references "Council Committee", it was clarified by City Clerk Nance **VIDEO**

CM - Naming Committee comprised of the chairperson of boards and commissions

Fees for each naming structure. and differentiate process for councilmembers.

No action was taken on this item.

11. NEW BUSINESS

11.I. Special Meeting May 15, 2023

City Clerk Nance informed the council that a special meeting would need to be called in order to

canvass the results for the May 6, 2023 election.

Councilmember McAuliffe questioned if this would be in lieu of the Regular Meeting scheduled on May 22, 2023, or in addition. City Manager Garcia clarified that it would be in addition. However, the intent is to be very efficient at the May 8, 2023, meeting and not need the May 22 meeting.

Mayor Pro Tem Compian made a motion to call a Special Meeting on May 15, 2023. Councilmember Yancy seconded the motion. **MOTION PASSED UNANIMOUSLY.**

11.II. Items For The Good Of The Order

MC- Thanked the Citizen who requested he stepped down, VIDEO. thank you to staff, boards and commissions, and council

Councilmember McAuliffe wished everyone a Happy Easter and Passover and gave a thank you to everyone on Council and Staff.

Mayor Pro Tem Compian congratulated Councilmember McAuliffe and Galveston's Own Farmers Market for their collaboration with local schools and the Young Gardeners Program. He also congratulated a citizen who took a vow to become a priest. He reminded the community that early voting is from April 24 to May 2, and Election Day is May 6. He also requested that the Council review their property tax exemptions as we prepare this next budget session.

Councilmember Yancy shared that she is so excited to see the TAPS Program, born of the Safe City Initiative. She spoke of a citizen who appreciates the hard work done by the city to clean up the crime on Pirtle Street and shared that he will be attending the next council meeting. She announced Stop the Violence Week, being held from April 23-29 and encouraged the citizens to get involved to join the fight to beautify the City. She is proud to be a citizen of La Marque, Texas.

Mayor Bell requested a plan from the City Manager to capture the other 40% of rental registration revenue and the comprehensive La Marque 2050 parameters for the next council meeting. He shared that on April 15th, the one-year anniversary of the Community Policing Program celebration will be at Queen of Peace Church at 11:30 a.m.

11.III. Upcoming Events

City Manager Garcia notified the public of Hurricane Huddle on April 29, 2023, Spring Clean Up scheduled for April 22, 2023 and gave a brief recap of the food giveaway that was held the previous week.

12. EXECUTIVE SESSION

There was no executive session.

13. ACTIONS TAKEN FROM EXECUTIVE SESSION

No action was taken.

14. ADJOURNMENT

Councilmember McAuliffe made a motion to adjourn. Councilmember Yancy seconded the motion. **MOTION PASSED UNANIMOUSLY.**

*** Meeting was adjourned at 8:19 p.m.*

Keith Bell

Mayor

Kierra K. Nance, TRMC

City Clerk



**CITY OF LA MARQUE
CITY COUNCIL
SPECIAL MINUTES
of
FEBRUARY 13, 2023**

Minutes of a Special Meeting held in the Council Chambers at 1109-B Bayou Road La Marque, Texas as well as via videoconference hosted through Zoom on February 13, 2023, beginning at **1:00 PM** :

2/13/2023 - Minutes

1. CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 1:22 p.m.

2. ROLL CALL

Keith Bell, Mayor

Joe Compian, Mayor Pro Tem

Kimberley Yancy, Councilmember District A

Michael Carlson, Councilmember District C (11611 IH10 Katy, TX)

Casey McAuliffe, Councilmember District D was not present at this meeting.

3. PRESENTATION

***Mr. Tidwell's presentation occurred after the initial discussions between Council and the Police Administrative Staff due to scheduling conflicts.*

Mr. Tidwell gave a brief assessment overview and shared that the results "did not surprise" him. While the department appears to not be as trusting of the city or lieutenants and higher-ranking officials, they implicitly trust their sergeants. There is an overwhelming feeling that the officers are "not being heard," and there is a lack of accountability.

Mr. Tidwell agreed that there is an average process of 3-5 years to change a culture, which begins with building trust and implementing standards.

Mayor Pro Tem Compian inquired about statements made in the assessment report regarding training and civilian access and security.

Councilwoman Yancy inquired if she is correct in understanding that there is a lack of innovation in the department. Mr. Tidwell stated that he saw more of a lack of trust than innovation. After discussion, Mr. Tidwell agreed that there could be a missed opportunity regarding access to new information.

Mr. Tidwell assured the council that he in no way feels that the department is a "bad" department and joked that if he still was an active chief, there are members that he would be looking to recruit as the city has some great officers, who truly care about their profession and community.

Mayor Bell focused on some of Mr. Tidwell's comments regarding communication between the administration and the staff. Mr. Tidwell reiterated that one of the biggest hurdles is bridging the gap between the two sectors. Mayor Bell followed up with questions regarding creating measures to track officer activity. Mr. Tidwell shared that since the assessment began a process has been implemented to measure officer activity, a process that was not occurring in the past. Mayor asked Mr. Tidwell if he had any observations regarding why the department is losing staff. He shared that in his discussion with a few former members, he gathered that they wanted to move to a less frustrating department.

***Mayor Bell called for a brief recess at 3:20 p.m.*

4. NEW BUSINESS

4.1. Assessment Report

City Manager Cesar Garcia introduced the report, stating that a similar assessment was conducted in 2019 and shared how staff participation was achieved.

Mayor Bell opened the floor for general discussion amongst the Council.

Mayor Pro Tem Compian acknowledged that a similar report was completed in the past and addressed the topics of the morale in the department, as well as the statements of fear of retribution that were mentioned in the report. He also clarified that this report would be publicly available, unlike the previous report that previous administrations administered. He goes on to speak to the need for additional training that was discussed. He shared great concern with the officers not being aware of the department's mission statement. He addressed the City Manager and spoke to the need for a direct link to the website for the department outside of navigating through the city's main website, and gave an example of an effective mission statement, including (6) pillars of policing.

Chief Aragon shared his perspective, revealing that upon his arrival, he received the same information that is in the report, sharing that the results are residuals of the previous department administration, stating that it takes 3-5 years to change organizational culture, but it will be fixed. There are many factors that have been implemented that are already showing improvements, community policing, jail improvements, accreditation process, etc.

Councilmember Carlson is concerned that the same things brought up in 2019 are still in effect today. He shared that fears of retaliation should not prevent an open-door policy with the city administration, and there needs to be a cultural shift within the department.

Deputy Chief Waggoner shared that there is also a means for discussion regarding grievances etc, by utilizing the union.

Councilmember Yancy shared that there is a "culture issue" in the department, but she has seen positive changes in the department, such as community policing, and having accessible officers, something that was not available before. She asked the Chief why responses said they would not recommend the department to others. Chief Aragon rebutted that is not the current status of the department. However, the working conditions are a major contributor to this scenario. She questioned the amount of overtime required, if that contributed to the department's morale, and shared that there are resources to assist in this area. She emphasized that this meeting is not only to discuss the problems but to look towards solutions.

Mayor Bell began his statement by saying, "two things can be true at the same time". He acknowledged that while crime is down and has been dropping for the past two years, the department is in need. Many of these areas point to issues in leadership. He also shared his concerns about

department morale, citing the responses indicated in the report as the basis of his assertions. Chief Aragon once again asserted that changes have been made since the initial survey has been made, improvements are being seen; awards are being won, and the community is supportive of what the department is trying to accomplish.

Mayor Pro Tem began a discussion regarding evidence, how much assistance can be given by civilians, and shared concerns regarding the need for the destruction of weapons.

Councilmember Carlson thanked Deputy Chief for his comments and shared that he is not looking to "hammer" the staff and sees the progress being made. He just is sharing that there are some things that may need to change.

Mayor Bell brought to the department leadership a comment in the report about "proper training" and gave them a chance to respond, asking if it is true that the department is hiring and promoting individuals without proper training. Chief Aragon refuted the statements, sharing that the department hires those best qualified for the position. He followed with another response regarding leadership within the department. Chief Aragon again responded that this survey was taken early in his tenure and stated that if asked again within a year or so, the responses will be different.

Mayor Bell shared a massive concern regarding statements of potential sexual harassment within the department. Chief Aragon shared that until this assessment he had no idea that this was even allegedly going on. The chief has a 0 tolerance policy for the issue, and since, there have been investigations in this area. Mayor Bell shared that he appreciated the chief for his service and is grateful for all that he has been able to accomplish.

Mayor Pro Tem Compian asked both the Chief and Deputy Chief if they have attended any training in the past year. Both stated they have received continuing education, as required by the profession, with Chief Aragon receiving some additional training through TML and other organizations. Mayor Pro Tem used this as an example of an opportunity expressed by the report. While the department receives the required training, there is not much training completed outside of the requirement.

***Mayor Bell Reconvened the meeting at 3:29 p.m.*

Both Lieutenants Gandy and Rodriguez approached to answer questions regarding the department. While Union President King was in attendance, as an on duty officer it would have been inappropriate for him to speak in his capacity as a union leader.

When asked about the department's organization it was relayed that the structure is comprised of Chief Aragon, Deputy Chief Waggoner, 3 Lieutenants (1 vacancy) , 5 Sargents (one of whom is assigned to a task force) , **watch video.**

When asked about additional training each Lieutenant has received, both are working in FBI training courses for different leadership or "train the trainer" disciplines, and two patrol sergeants are enrolled in front-line supervisor training. Both also are involved in recruitment efforts.

5. EXECUTIVE SESSION

There was no executive session.

6. ACTIONS TAKEN FROM EXECUTIVE SESSION

There was no executive session.

7. ADJOURNMENT

made a motion to adjourn. seconded the motion. **MOTION PASSED UNANIMOUSLY.**

***Meeting was adjourned at*

Keith Bell

Mayor

Kierra K. Nance, TRMC

City Clerk

ORDINANCE NO. O-2023-00

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, ARTICLE XI, ENTITLED “REGISTRATION FOR RESIDENTIAL RENTAL UNITS REQUIRED” MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of La Marque, Texas desires to amend its rental registration ordinance to update the fees charged for registration;

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

Section 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council of the City of La Marque, Texas and made a part hereof for all purposes.

Section 2. That Section 14-423 is amended to read as follows:

Sec. 14-423. Definitions.

In this article, the following definitions shall be observed:

- (1) *Rental unit* means a single dwelling unit, including a single-family home, rented, leased, let, or hired out to be occupied for living purposes including a multi-family apartment complex, duplex, triplex or townhome unit. Rental unit shall not include any dwelling unit in a jail, licensed nursing home, hotel, or motel.
- (2) *Owner* means any person holding title according to the deed records of the Galveston County Clerk or tax records of the Galveston Central Appraisal District, or the duly authorized agent of the person holding title.
- (3) *Person* is defined in section 1-2.
- (4) *Tenant* means a person, corporation, partnership, or group other than the owner occupying a rental unit.

Section 3. That Section 14-424 is amended to read as follows:

Sec. 14-424. Registration required.

- (a) An owner who rents or leases a rental unit to a tenant shall file a written registration with the city.
- (b) The registration shall be on a form prescribed by the ~~code enforcement officer~~ Code Compliance Division and shall at a minimum contain the following information:
 - (1) The names, addresses, and telephone numbers of the owner;
 - (2) The name, address, and telephone number of any property manager, and/or real estate agent responsible for maintenance and/or rental of the property for the owner;
 - (3) The name and physical address of designated employees or authorized representatives of the owner and property manager who shall be assigned to respond to emergency conditions (fire, natural disaster, flood, burst pipes, collapse hazard, and violent crime) at the rental unit, and a telephone number where those employees or representatives can be contacted during any 24-hour period.
 - (4) A written certification by the landlord that every rental unit is equipped with a smoke detector device in proper working order.
- (c) If any change in the information required by this section occurs then the owner shall notify the Code Compliance Division in writing within 30 days of the change.
- (d) In October of every year the Code Compliance Division may notify all registered rental property owners by mail as a reminder to register and will include a registration form, a smoke detector verification form, and affidavit of non-ownership form.

Section 4. That Section 14-425 is amended to read as follows:

Sec. 14-425. Registration fees.

- (1) Each registration shall include a registration application and a permit fee of \$50.00 for each single-family dwelling that is, leased, let or hired out to be occupied for living purposes.
- (2) Multi-family apartments, duplexes, triplexes or townhomes shall include a registration application and shall pay a fee of \$50.00 per rental unit or apartment.
- (2) A rental registration is valid for one year beginning January 1st of each year after application is submitted to the office of the Code Compliance Division, and payment of the registration permit fees for that year have been paid in full. All registrations expire on December 31st of the year issued, a late fee of \$15.00 per dwelling or unit shall be added for all registrations submitted more than 30 days after the December 31st expiration date.

- (3) A registration is not assignable or transferable and the fees shall not be prorated. If a change of ownership of the rental unit occurs during the period that a registration is otherwise valid, the new owner of the property shall have 30 days from the date the change of ownership occurred to file a new registration with the Code Compliance Division and pay a new registration fee.
- (4) If a property owner presents a written statement that the dwelling or unit is occupied by a family member within the third degree of consanguinity or the second degree of affinity, the registration fees shall be waived.

Section 5. It is hereby declared to be the intention of the City Council of the City of La Marque, Texas that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

Section 6. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

Section 7. This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code provision, except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

Section 8. This Ordinance shall be effective on December 31, 2023, after final passage by City Council, a public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this ordinance.

PASSED AND APPROVED by the City Council of the City of La Marque on First Reading this 10th day of April 2023; and

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on Second and Final Reading this _____ day of _____, **2023**; and

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra Nance, TRMC, City Clerk

APPROVED AS TO FORM:

Gus Knebel
Consulting City Attorney

ORDINANCE NO. O-2023-00

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, ARTICLE XI, ENTITLED “REGISTRATION FOR RESIDENTIAL RENTAL UNITS REQUIRED” MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of La Marque, Texas desires to amend its rental registration ordinance to update the fees charged for registration;

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

Section 1. The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council of the City of La Marque, Texas and made a part hereof for all purposes.

Section 2. That Section 14-423 is amended to read as follows:

Sec. 14-423. Definitions.

In this article, the following definitions shall be observed:

- (1) *Rental unit* means a single dwelling unit, including a single-family home, rented, leased, let, or hired out to be occupied for living purposes including a multi-family apartment complex, duplex, triplex or townhome unit. Rental unit shall not include any dwelling unit in a jail, licensed nursing home, hotel, or motel.
- (2) *Owner* means any person holding title according to the deed records of the Galveston County Clerk or tax records of the Galveston Central Appraisal District, or the duly authorized agent of the person holding title.
- (3) *Person* is defined in section 1-2.
- (4) *Tenant* means a person, corporation, partnership, or group other than the owner occupying a rental unit.

Section 3. That Section 14-424 is amended to read as follows:

Sec. 14-424. Registration required.

- (a) An owner who rents or leases a rental unit to a tenant shall file a written registration with the city.
- (b) The registration shall be on a form prescribed by the ~~code enforcement officer~~ Code Compliance Division and shall at a minimum contain the following information:
 - (1) The names, addresses, and telephone numbers of the owner;
 - (2) The name, address, and telephone number of any property manager, and/or real estate agent responsible for maintenance and/or rental of the property for the owner;
 - (3) The name and physical address of designated employees or authorized representatives of the owner and property manager who shall be assigned to respond to emergency conditions (fire, natural disaster, flood, burst pipes, collapse hazard, and violent crime) at the rental unit, and a telephone number where those employees or representatives can be contacted during any 24-hour period.
 - (4) A written certification by the landlord that every rental unit is equipped with a smoke detector device in proper working order.
- (c) If any change in the information required by this section occurs then the owner shall notify the Code Compliance Division in writing within 30 days of the change.
- (d) In October of every year the Code Compliance Division may notify all registered rental property owners by mail as a reminder to register and will include a registration form, a smoke detector verification form, and affidavit of non-ownership form.

Section 4. That Section 14-425 is amended to read as follows:

Sec. 14-425. Registration fees.

- (1) Each registration shall include a registration application and a permit fee of \$50.00 for each single-family dwelling that is, leased, let or hired out to be occupied for living purposes.
- (2) Multi-family apartments, duplexes, triplexes or townhomes shall include a registration application and shall pay a fee of \$50.00 per rental unit or apartment.
- (2) A rental registration is valid for one year beginning January 1st of each year after application is submitted to the office of the Code Compliance Division, and payment of the registration permit fees for that year have been paid in full. All registrations expire on December 31st of the year issued, a late fee of \$15.00 per dwelling or unit shall be added for all registrations submitted more than 30 days after the December 31st expiration date.

- (3) A registration is not assignable or transferable and the fees shall not be prorated. If a change of ownership of the rental unit occurs during the period that a registration is otherwise valid, the new owner of the property shall have 30 days from the date the change of ownership occurred to file a new registration with the Code Compliance Division and pay a new registration fee.
- (4) If a property owner presents a written statement that the dwelling or unit is occupied by a family member within the third degree of consanguinity or the second degree of affinity, the registration fees shall be waived.

Section 5. It is hereby declared to be the intention of the City Council of the City of La Marque, Texas that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

Section 6. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

Section 7. This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code provision, except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

Section 8. This Ordinance shall be effective on December 31, 2023, after final passage by City Council, a public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this ordinance.

PASSED AND APPROVED by the City Council of the City of La Marque on First Reading this 10th day of April 2023; and

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on Second and Final Reading this _____ day of _____, **2023**; and

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra Nance, TRMC, City Clerk

APPROVED AS TO FORM:

Gus Knebel
Consulting City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: April 24, 2023
Prepared by: Kathleen Van Stavern
Department: Development Services

Agenda item: _____
Reviewed by: Kathleen Van Stavern

AGENDA ITEM DESCRIPTION: Discussion / possible action to issue a final report and provide a recommendation to City Council on a request to change the zoning district from (R-1) Single Family Residential to (C-1) General Commercial for a tract of land out of the S. F. Austin League Sur Tract, abstract 2 Page 1 & 4 Tract No. 99, 2.098 Acres, Property ID #131496
Street address: 5401 FM 1765 La Marque, TX 77568

THIS ITEM WAS TABLED APRIL 10, 2023

ATTACHMENTS FOR REFERENCE:

1. Rezone Application with required documents submitted for rezone
2. Planning and Zoning Commission Report

STAFF BRIEFING:

- Staff recommends approval of rezone to C-1 General Commercial.
- The Planning and Zoning Commission recommended approval of the rezone request from R-1 Single Family Residential to C-1 General Commercial.

HISTORY:

- 02/01/2023 - A Pre-development meeting was held to discuss this project, city staff advised developer that a rezone from R-1 single family residential to C-1 General Commercial or C-3 Corridor Commercial would be required for retail development.
- 02/23/2023 - Developer submitted a rezone application and all required documents.
- 03/28/2023 - Planning & Zoning meeting recommended approval of the rezone request from R-1 Single Family Residential to C-1 General Commercial

TARGET IMPLEMENTATION: Upon City Council approval after 1st and 2nd reading.

SIGNIFICANT ACTION DATES: N/A

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



CITY COUNCIL AGENDA FORM

ACTION:

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

Other Funding	
--------------------------	--

STAFF'S RECOMMENDATION: Motion to approve the rezone request from R-1 Single Family Residential to C-1 General Commercial for a retail business center.

FISCAL IMPACT: N/A

ORDINANCE NO. O-2023-00

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS AMENDING THE CITY’S ZONING MAP AND COMPREHENSIVE PLAN BY CHANGING THE ZONING REGULATIONS OF REAL PROPERTY COMMONLY KNOWN AS 5401 FM 1765 LA MARQUE, TX 77568, TEXAS PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION; PROVING AND EFFECTIVE DATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, The Owner of a tract of land out of the S. F. Austin League Sur Tract, abstract 2 Page 1 & 4 Tract No. 99, 2.098 Acres, Property ID #131496 and commonly known as 5401 FM 1765 La Marque, TX 77568 (the “Property”) submitted an application for the City to amend the zoning district of Owner’s property, from Single Family Residential to General Commercial.

WHEREAS, the City Council has received and reviewed the Planning and Zoning Commission report on the requested rezoning of the Property.

WHEREAS, The City Council has conducted, in the time and manner required by law, a public hearing on the proposal to change the zoning for the Property.

WHEREAS, the City Council finds the proposed change in zoning district is consistent with the City’s comprehensive plan, and the comprehensive plan and zoning map of the City should be amended.

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

Section 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. That the adopted zoning map of the City is amended by changing the zoning district applicable to the Property from Single Family Residential (R-1) to General Commercial (C-1).

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

Section 4. Penalty. As provided by Section 71-3 of the City Code, any person who shall violate any of the provisions of this ordinance 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 hereunder, 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. Repeal. This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code provision, except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

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 for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 7. Publication and Effective Date. This Ordinance shall be effective immediately upon adoption, public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in accordance with Chapter 52 of the Texas Local Government Code and Article II of the City Charter.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on First Reading this ____ day of _____, **2023**; and

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on
Second and Final Reading this _____ day of _____, **2023**; and

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra Nance, TRMC, City Clerk

APPROVED AS TO FORM:

Gus Knebel
Consulting City Attorney



City of La Marque Planning & Zoning Commission

STAFF REPORT

Meeting Date: March 28, 2023

Agenda Item: Discussion / possible action regarding on a request to change the zoning district from (R-1) Single Family Residential to zoning district (C-1) Commercial or (C3) Corridor Commercial for a tract of land out of the S. F. Austin League Sur Tract, abstract 2 Page 1 & 4 Tract No. 99, 2.098 Acres, located at 5401 FM 1765 (Galveston County Property ID #131496 Street address: 5401 FM 1765 La Marque, TX 77568

Item Type: ZONE CHANGE

Standard for Approval:

Either the general welfare of the city affected by the area to be changed will be enhanced, or that the property is unusable for the purposes allowed under existing zoning.” See City Code Sec. 71-26(k)

References: City Code Chapter 71;
Chapter 212, Texas Local Government Code

Council approval: Required, 1st and 2nd reading for final approval.

Public comments: None

Recommendation:

Motion to recommend approval of a zone change from (R-1) Single Family Residential to (C-1) General Commercial or (C-3) Corridor Commercial for a tract of land out of the S. F. Austin League Sur Tract 99, being 2.098 acres, Abstract No. 2, page 1 & 4 located at 5401 FM 1765 (Galveston County Property ID # 131496, Street address: 5401 FM 1765 La Marque, TX 77568

Planning & Zoning Commission Decision:

Motion was unanimously approved to allow a re-zone from (R-1) Single Family Residential to (C-1) General Commercial for a tract of land out of the S. F. Austin League Sur Tract 99, being 2.098 acres, Abstract No. 2, page 1 & 4 located at Street address: 5401 FM 1765 La Marque, TX 77568 (Galveston County Property ID # 131496)



CITY OF LA MARQUE
"Gateway to the Gulf"
1130 1st St., La Marque, TX 77568
409-938-9204 Permits@CityofLaMarque.org

Rezone Application

Application Date: 02/15/2023 Smart Gov Project # _____
Name of Agent: Michael Haapaniemi (Piney Point Development, LLC) Phone: 713.304.7552
Address: 1220 Blalock Rd., STE 300 City: Houston Zip Code: 77055
Name of Owner: Piney Point Development, LLC Phone: 713.304.7552
Address: 1220 Blalock Rd., STE 300 City: Houston Zip Code: 77055
Property Legal Description: ABST 2 PAGE 1 & 4 S F AUSTIN SUR TR 99 2.098 ACRES Parcel ID #: 131496 (Galveston CAD Property ID)
Property Address: 5401 Texas Ave, La Marque, TX 77568
Plot of Area Attached: ☒ Yes ☐ No Metes and Bounds Attached: ☒ Yes ☐ No
Present Zoning: ☐ L1 ☐ L2 ☐ C1 ☐ C2 ☐ C3 ☐ C4 ☒ R1 ☐ R2 ☐ R3 ☐ A ☐ MHP ☐ RCZ ☐ PD1 ☐ PUB
Reason for Zone Change: Site not suitable or efficient for single family development; developer seeks to explore either retail center or business park application
Desired Outcome: Rezone to C1 or C3

APPLICATION CHECKLIST:

- ☒ SITE PLAN (TO SCALE) WITH EXISTING IMPROVEMENTS, DEVELOPMENTS AND PROPERTY LINES
(SIZE: 8.5 x 11, if larger than 8.5 x 11, please fold to appropriate size)
- ☒ SURVEY (2 COPIES THAT ARE TO SCALE)
- ☒ 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) FEE SCHEDULE ATTACHED

(THIS SECTION FOR CITY OFFICE USE ONLY)

Submitted to the Board on: MARCH / 28 / 2022
Approved: YES Denied: _____ Other: _____
Comments: Rezone to C-1 General Commercial was unanimously approved by P & Z commission. 1st reading and approval by City Council is pending the April 10th Council meeting and second reading at the Council meeting on April 24th, 2023.

APPLICANTS CERTIFICATE

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

Signature of Applicant: [Signature] Date: 2/15/23





CITY OF LA MARQUE
"Gateway to the Gulf"
1130 1st St., La Marque, TX 77568
409-938-9204 Permits@CityofLaMarque.org

Rezone Application

NOTE: ALL PLANNING & ZONING MEETINGS are held on the 4th TUESDAY OF THE MONTH.
Applications for a REZONE must be RECEIVED 30 DAYS prior to the 4th Tuesday of the month to be considered for the next Planning & Zoning Commission Meeting.

THE FOLLOWING SCHEDULE OF FEES SHALL APPLY FOR A ZONING CHANGE REQUESTS

A. 0 – 25 ACRES:

1. \$600.00 plus \$50.00 for each type of rezoning requested; or
2. \$740.00 if planned development unit

B. 26 – 50 ACRES:

1. \$700.00 plus \$50.00 for each type of rezoning requested; or
2. \$850.00 if planned development unit

C. 51 – 75 ACRES:

1. \$800.00 plus \$50.00 for each type of rezoning requested; or
2. \$1050.00 if planned development unit

D. 76 – 100 ACRES:

1. \$900.00 plus \$50.00 for every type of rezoning requested; or
2. \$1050.00 if planned development unit

E. 100 + ACRES:

1. \$1000.00 plus \$50.00 for every type of rezoning requested;
or
2. \$1250.00 if planned development unit

F. Re-Plats: NO CHARGE

G. Zoning Letter / Certificate of Compliance: \$50.00

H. Notification fee per owner: \$9.00 = cost per notice mailed

I. Published Notice:(Per LGC Section 231.017) \$150.00 cost per newspaper AD





1000

205

0-7-10-89888-1

2
3AC

DELANEY ROAD (75' PUBLIC R.O.W.)

(100' PUBLIC ROW)

IMPORTANT: This document is prepared by the U.S. Environmental Protection Agency pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and is being made available to you under the provisions of FOIA. It contains information that was withheld from public release by the EPA because it was exempt from disclosure under one or more of the exemptions provided in FOIA. The exemption(s) cited at the top of each page of this document indicate the reason(s) why the information was withheld from public release. The exemption(s) do not necessarily reflect the views of the EPA, nor does the agency's decision to withhold information constitute an endorsement or approval of the information.

PROPERTY TO WHICH PROCESS IS APPLIED IS: _____, ACCORDING TO FILED MAP NO. _____.

SUBJECT: _____ DATE: 05-12-2011 BY: CLARKE/MS PLATTING ONLY. VS

DO NOT ASSUME RESPONSIBILITY FOR EXACT REPRESENTATION.

REVIEW AND RECALCULATE PLANNED, DESIGN, OR CONSTRUCTION IS EXPLICIT, SEE COMMENTS, CITY AND COUNTY RECORDS, AND COUNTY ROAD DEPT. TO CORRECTS. THE CORRECTS ARE NOTED UNDER PLANNED PLAN AND LOCATION. CORRECT TYPE: CORRECT BY FILED MAP NO. 05-12-2011 (REVISIONS)

[illegible][illegible]

SURVEY OF

[illegible]

SHEET: _____

JOB NO: R143-82

DATE: 11-8-2022

SCALE: 1" = 30'

SHEET 1 OF 1

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Toll Free Number: 1-800-344-9000

JOB NO: 2143-22

M 00.50.17 N

BLOCK 1
LANDING AT DELANY COVE
SEC 2
PLAT NO. 2015030502

295.16'

2.0000 ACRES
(87,119 SQ. FT.)
VACANT TRACT

S 89°15'45" W

295.16'

POINT OF BEGINNING

POINT OF COMMENCING

BLOCK 1
 LANDING AT DELANY COVE
 SEC 2
 PLAT NO. 2015030502

S 00.50.17 E

295.16'

295.16'

F.M. HIGHWAY NO. 1765
(100' PUBLIC R.O.W.)

CALLED 102.19 ACRES
 C.F. NO. 9956861

 N 00°50'17" W
 295.16'

 CALLED 10.981 ACRES
 C.F. NO. 2018046352

 BLOCK 1
 LANDING AT DELANEY COVE
 SEC 2
 PLAT NO. 2015030502

 RESTRICTED RESERVE "A"
 CALLED 0.16 ACRES

 N 89°13'45" E
 295.16'

 2.0000 ACRES
 (87,119 SQ. FT.)
 VACANT TRACT

 S 00°50'17" E
 295.16'

 BLOCK 1
 LANDING AT DELANEY COVE
 SEC 2
 PLAT NO. 2015030502

295.16'

 RESTRICTED RESERVE "A"
 CALLED 0.16 ACRES

 S 89°13'45" W
 295.16'

POINT OF BEGINNING

POINT OF COMMENCING

F.M. HIGHWAY NO. 1765
 (100' PUBLIC R.O.W.)

DELANEY ROAD
(75' PUBLIC R.O.W.)

POINT OF COMMENCING

POINT OF BEGINNING

BLOCK 1
LANDING AT DELANY COVE
SEC 2
PLAT NO. 2015030502

RESTRICTED HIGHWAY 7A
CALLED 0.116 ACRES

295.16'

N 89°13'45" E

BLOCK 1
LANDING AT DELANY COVE
SEC 2
PLAT NO. 2015030502

S 00°50'17" E

295.16'

2.0000 ACRES
(87,119 SQ. FT.)
VACANT TRACT

295.16'

S 89°13'45" W

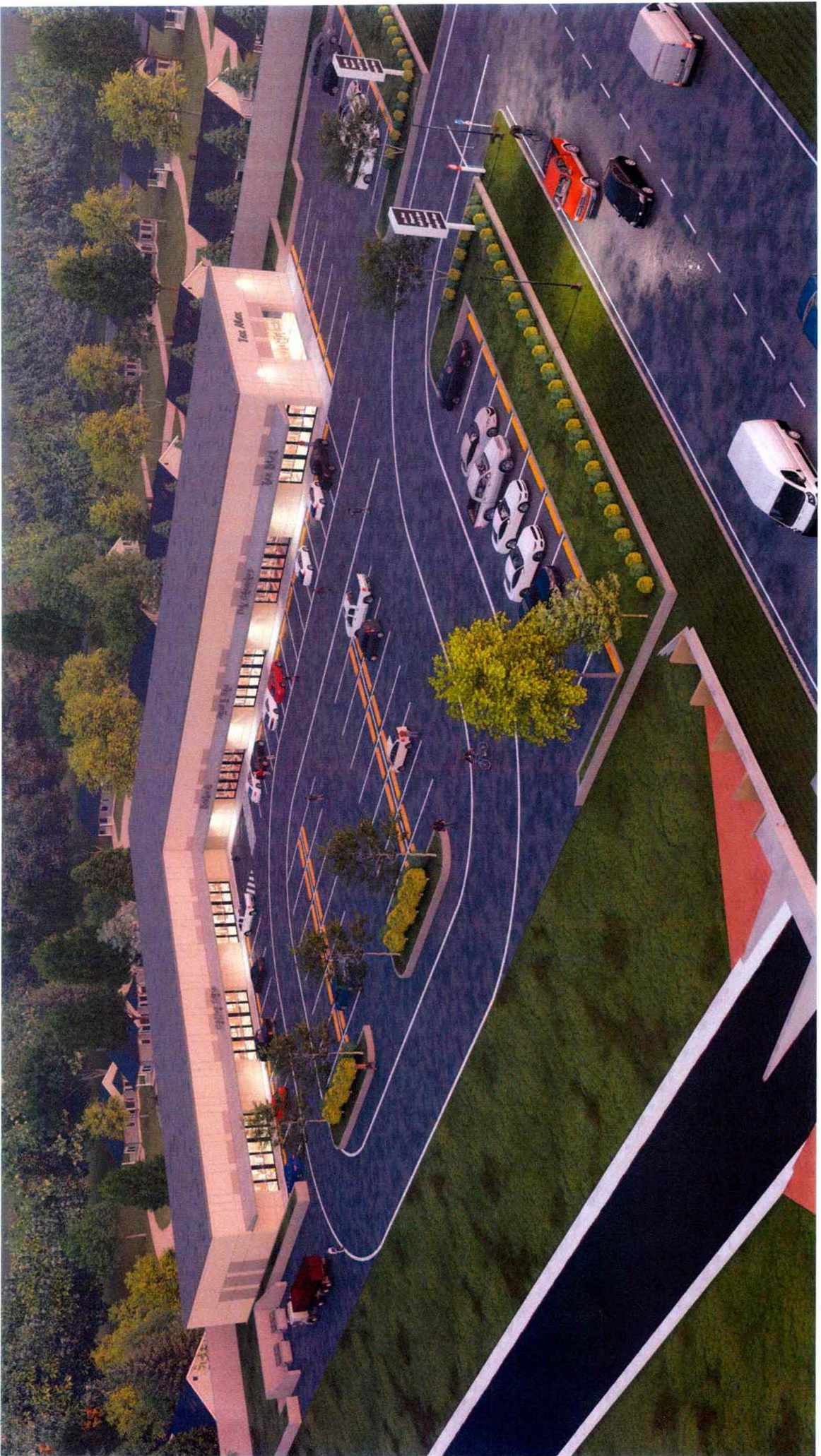
N 00°50'17" W

295.16'

(CALLED N 00°49'00" W)
(CALLED N 00°10'00" W)

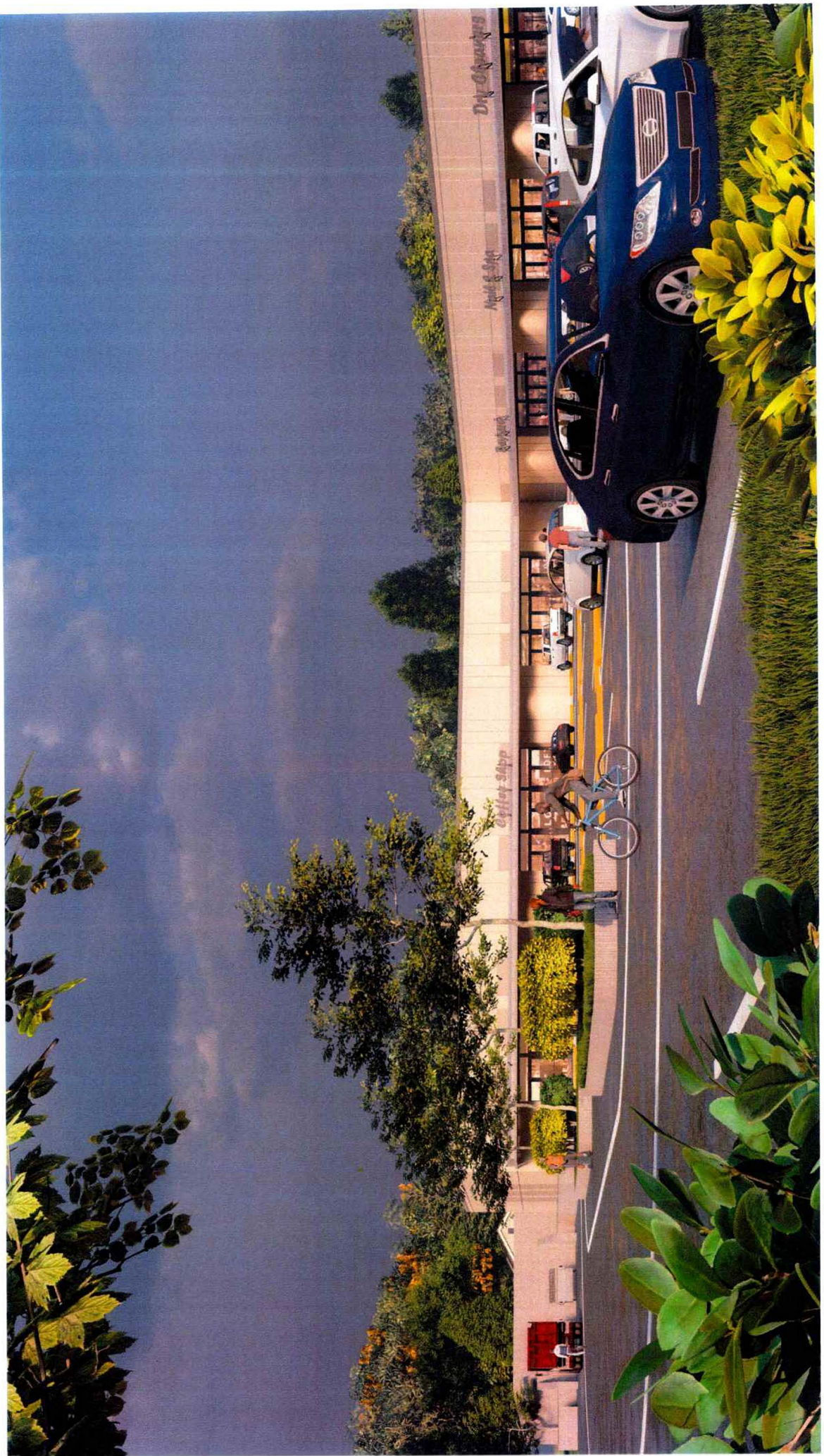
CALLED 102.19 ACRES
C.F. NO. 9956861

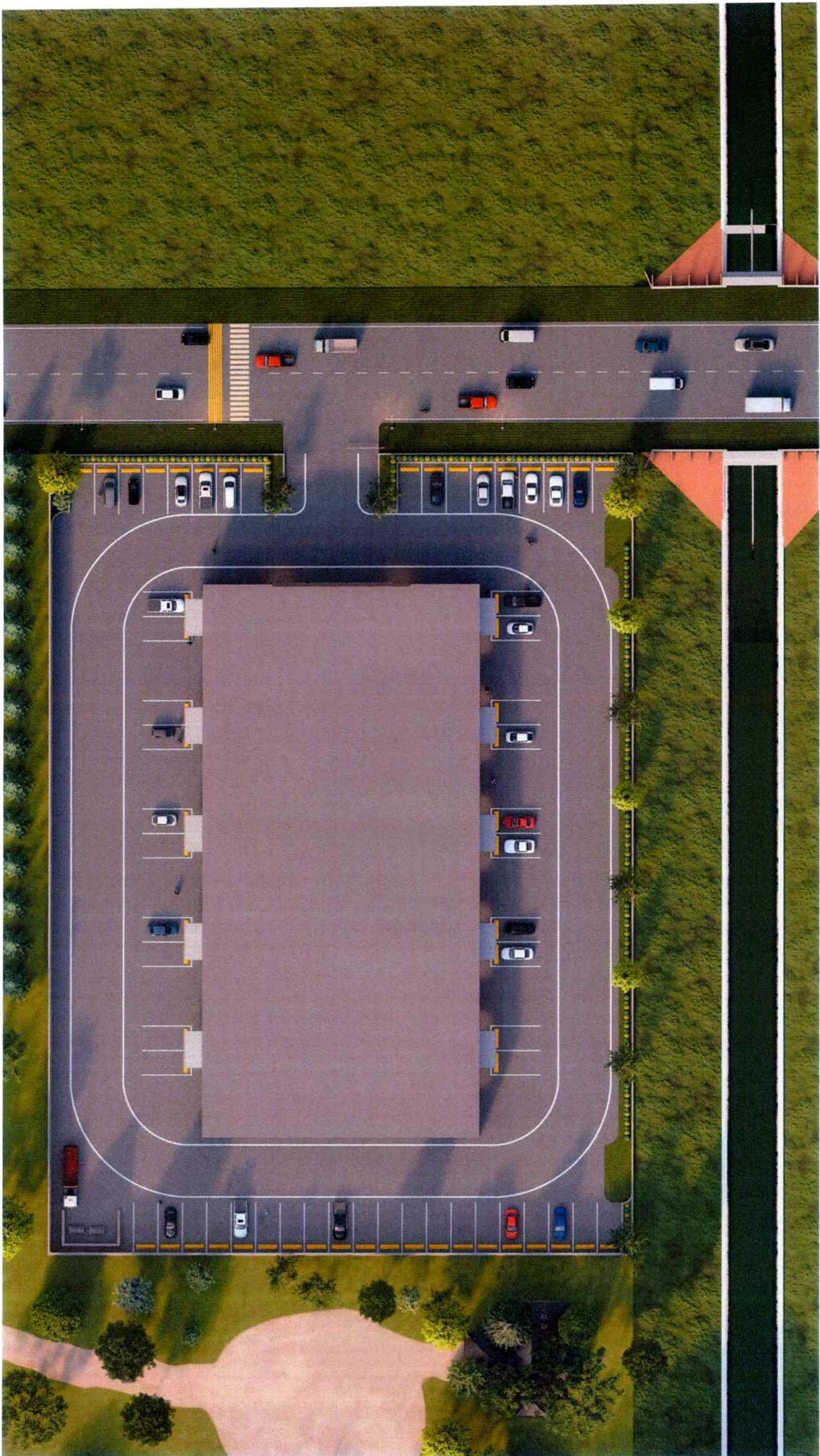
F.M. HIGHWAY NO. 1765
(100' PUBLIC R.O.W.)

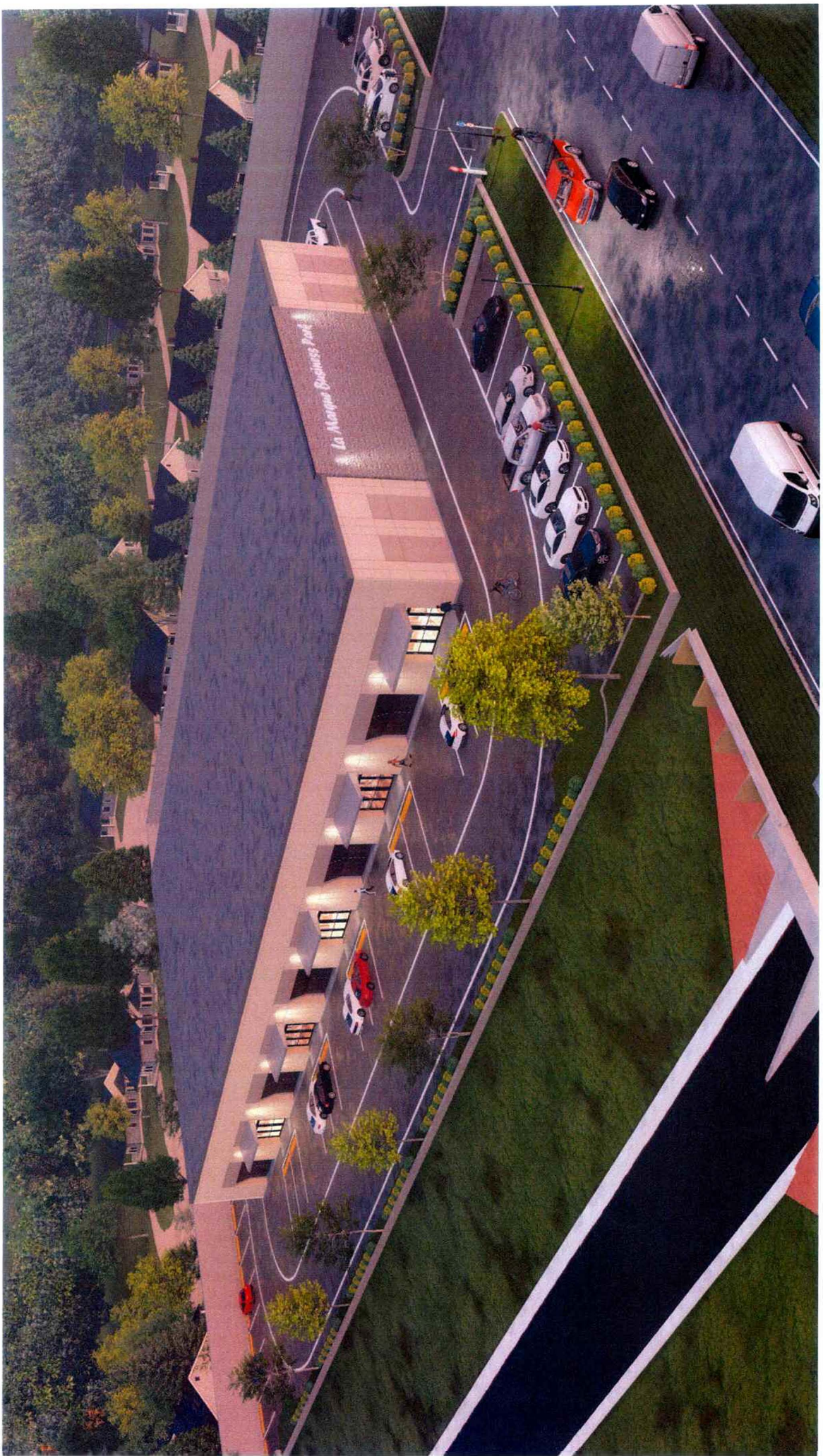


















CITY COUNCIL AGENDA FORM

Meeting Date: **April 24, 2023**

Prepared by: Rick Sailer

Department: Public Works

Agenda item: _____

Reviewed by: _____

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding approval of Maintenance Agreement with Android Construction for emergency repairs to Water and Sanitary Sewer pipelines on a 'as needed' basis

☒

ATTACHMENTS FOR REFERENCE:

1. Services Agreement - Android Construction
2. Services Proposal - Branch Construction
3. Services Proposal - Ram Rod Utilities

STAFF BRIEFING:

- Android Construction has been a dependable, reliable and qualified contractor performing multiple repairs on City infrastructure over the last 10 years.
- The current rate of \$3200/day will be reduced to \$2400/day with the Maintenance Agreement.
- Branch Construction provided a similar Proposal at \$5000/day rate.
- Ram Rod Utilities provided a Proposal at \$3900/day
 - City Manager has reviewed and approved.
 - Finance Director has reviewed and approved.
 - City Attorney has reviewed and approved.
 - City Engineer has reviewed and approved.

TARGET IMPLEMENTATION: April 25, 2023

STAFF'S RECOMMENDATION: Motion to approve Maintenance Agreement with Android Construction for 'as needed' repairs to water and sewer pipelines.

FISCAL IMPACT: Variable - only applies on an 'As Needed' basis. Approximately \$250,000 annually

RESOLUTION NO. R-2023-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS AUTHORIZING A MAINTENANCE AGREEMENT WITH ANDROID CONSTRUCTION FOR EMERGENCY REPAIRS TO WATER AND SANITARY SEWER PIPELINES ON AN "AS NEEDED" BASIS

WHEREAS, the Public Works Department is responsible for waterline repairs.

WHEREAS, Android Construction is the primary contact for assistance with waterline repairs.

WHEREAS, Android Construction has been a dependable, reliable, and qualified contractor performing multiple repairs on City infrastructure over the last 10 years.

WHEREAS, three quotes were obtained from Android Construction, Branch Construction, and Ram Rod Utilities.

WHEREAS, the maintenance agreement will reduce the current rate of \$3200 per day of service to \$2400 per day realizing significant savings.

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

The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

The City Manager is authorized to execute payments in order to settle the invoice.

In the event any clause, phrase, provision sentence, or part of this Resolution or the application of the same to any person or circumstance for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Resolution as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

DULY PASSED by a majority vote of all members of the City Council of the City of La Marque on the _____ day of _____ 2023.

Kierra Nance, TRMC
City Clerk

Keith Bell
Mayor



Project Proposal

Company: City of LaMarque
Name: Mr. Rick Sailer
Phone:
Email: r.sailer@cityoflamarque
Date: August 7, 2022
Reference: Crew Rates
SO# 2041

TIPS Contract Number- 200201-3132

Scope

Daily Crew Rate for Repairs: \$5,000

- 3-man crew with foreman for 10-hour day.
- Truck, trailer, mini excavator.
- All hand tools and pump to perform repair work.
- If additional larger pumps are needed the cost, is a pass-through charge.
- Material supplied by BCG is a pass-through charge.
- Boring for repair is an additional cost.
- Line stops and TS&V are an additional cost.

Emergency Crew Rate for Repairs:

- \$1000 per hour for 3-man crew. (Time starts from moment of phone call received)
- \$567 flat charge for equipment. (mini excavator)
- \$250 flat charge for fuel.
- Material supplied by BCG is a pass-through charge.
- A representative of BCG onsite within 2 hours.
- Boring for repair is an additional cost.
- Line stops and TS&V are an additional cost.

Scheduled Projects:

- Scheduled jobs will be quoted according to the plans or scope of work.



Project Proposal

- **Proposal is valid for 15 days from date of issuance.**
- Delays not caused by Branch Construction Group will be billed at the applicable rate.
- If non-standard working hours are requested additional charges will be applied unless previously agreed on. Definition - Night Work 5:30PM – 7AM or Weekend Work Saturday/Sunday at applicable rate.
 - Pricing does not include boring through rock, compensation for utility conflicts, locating services or delays not caused by Branch Construction Group. See unit pricing below for individual rates and charges.
 - Additional \$3.00/Lf will be charged for boring through rock, shale, slate, and similar materials
 - Mobilization will be billed at \$2.50/mile for boring rig setup if applicable.
 - Mobilization will be billed at \$1.50/mile for manpower mobilization if applicable

Assumptions

- Assumes that private utilities (e.g., sprinklers etc.) are marked by customer; Branch Construction Group will use reasonable precautions but will not be responsible for damage to unmarked/incorrectly marked utilities.
- Customer responsible for all temporary/permanent fence removal/replacement.
- Job schedule must be mutually agreed upon.
- Work site will be cleaned by backhoe – will NOT include pressure wash/reclaimed water, street brush, etc.
- Well Point/Pump Systems not included; if necessary, incremental expense to be charged to customer.
- Branch Construction Group is not responsible for engineering drawings, city drawings, or any plans used for construction purposes. If there are errors or omissions and job cannot be completed – Branch Construction Group will receive payment for work completed.
- All work to be done during normal construction hours (M-F, 7AM-5:30PM)

Terms

- Net 30 days.



Project Proposal

Termination

- If the Client terminates this Contract after Branch Construction Group has commenced its work, the Client shall be responsible for the following:
 - The Client shall pay Branch Construction Group the Contract price of the fittings, or specialized materials once production has commenced or the items have been purchased.
 - The Client shall pay Branch Construction Group a 25% restocking fee in the event the job is cancelled for standard fittings have been ordered.
 - The Client shall reimburse Branch Construction Group for all reasonable out-of-pocket mobilization expenses incurred by Branch Construction Group (including travel and transportation costs for Branch Construction Group personnel to the job site and an hourly rate of \$95.00 for each person mobilized by Branch Construction Group if Branch Construction Group has mobilized its personnel or agents in connection with the project.
 - On certain occasions Branch Construction Group can return special or not normal size fittings. However, this will require 70% restocking fee if job cancels or pipe size changes after fittings are ordered.

Indemnification

- BRANCH CONSTRUCTION GROUP (HEREAFTER "BCG") SHALL INDEMNIFY CLIENT FOR DAMAGES ARISING OUT OF THE PERFORMANCE OF WORK, BUT ONLY TO THE EXTENT CAUSED BY THE NEGLIGENT ACTS, ERRORS OR OMISSIONS OF BCG AND THE TOTAL LIABILITY TO CLIENT AND ANYONE CLAIMING BY, THROUGH, OR UNDER CLIENT FOR ANY COST, LOSS, LEGAL FEES OR DAMAGES SHALL NOT EXCEED THE PERCENTAGE SHARE THAT BCG'S NEGLIGENCE BEARS TO THE TOTAL NEGLIGENCE OF CLIENT, BCG, AND ALL OTHER NEGLIGENT ENTITIES AND INDIVIDUALS.
- BY WAY OF FURTHER LIMITATION, BCG SHALL NOT BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES, WHETHER GROUNDED IN TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY, OR CONTRACT, AND UNDER NO CIRCUMSTANCES WILL BCG'S LIABILITY EXCEED THE PROJECT PROPOSAL PRICE CLIENT PAID BCG FOR THE GOODS OR SERVICES UPON WHICH LIABILITY IS CLAIMED. ANY ACTION FOR BREACH OF CONTRACT MUST BE COMMENCED WITHIN ONE (1) YEAR AFTER THE CAUSE OF ACTION HAS ACCRUED.



Project Proposal

Accepted by:

Company Name: _____

Signature: _____

Name Printed: _____

Date: _____

Ram Rod Utilities, LLC

26119 Interstate 45 N. STE #215
Spring, TX 77380
832-418-7951

Estimate # 151

Date: 3/29/2023

To

City of La Marque

Emergency Response

Item No.	UNIT	Item Description	QTY	Unit Price	Total
1	LS	Day Rate (Crew and Equipment)	1	\$ 3,900.00	\$ 3,900.00
2		Trench Safety (As Needed)		\$ -	\$ -
3		Traffic Control (As Needed)		\$ -	\$ -
4		Bypass (As Needed)		\$ -	\$ -
5		Material (As Needed)		\$ -	\$ -
6		Deeper than 8-feet (As Needed)		\$ -	\$ -
7		CCTV (As Needed)		\$ -	\$ -
					\$ -
Subtotal					\$ 3,900.00
Tax Rate					0%
Total Cost					\$ 3,900.00

If you have any questions concerning this quote, use of the following contact information:

Daniel Hernandez, (832) 418-7951, daniel@ramrodutilities.com

Thank you for your business!

SPECIAL CONDITIONS:

As Needed Line Items will be added to final cost if utilized.



Android Construction Services, LLC
16195 S. Hwy. 288 B
Angleton, TX. 77515
OFFICE - 713-236-0600 - FAX - 713-456-2658

Maintenance Contract for the City of La Marque

This Agreement ("Agreement") is made and entered into this ____ day of _____, 20__ by and between the City of La Marque, Texas 77568 ("Owner") and Android Construction Services, LLC ("Contractor"), for the Maintenance Repair Work for the City of La Marque, Texas.

1. Regularly Scheduled Work Hours: **7:00 AM to 3:30 PM** – Daily Rate: **\$2,400.00** Per Day which includes: **A Crew of 3 Crew Members and 1 Mini Excavator** (A Day is defined as a 8 Hours anything over 8 hours is considered Overtime at the Rate of **\$300.00** per Hour.
2. Emergency Repair Work After Hours
 - A. Emergency Call Out After Hours Mobilization Fees **\$1,000.00**
 - B. Emergency Repairs After Hours Fee **\$1,000.00** Per Hour
 - C. Android will Mobilize within 2 ½ Hours for Emergency Repair after Notification

This Contract Document accurately and fully describes the terms and conditions upon which Contractor shall furnish labor, tools, * equipment listed, services, and perform the Work called for by the City of La Marque.

The City of La Marque ("Owner") will be responsible for the Cost of **ALL Material**, whether The City of La Marque furnishes the Materials or Android purchases the Material and gets reimbursed for the cost of the purchased materials.

The City of La Marque ("Owner") will furnish the Cost of **Any additional Equipment** that is not listed on the Equipment List for Android Construction Services, LLC ("Contractor"). Android should have Verbal confirmation of the Rental Equipment that needs to be brought in to complete certain jobs.

***Equipment List:**

Mini Excavator	All Hand Tools	Generators
Air Compressors	Piercing Tool for Long Service	Jack Hammer
Trailers for Material Deliveries	Traffic Control Devices & Signage	2"-4" Water Pumps w/Hoses
Dump Trailers	Light Towers	Jumping Jacks for Compaction



CITY COUNCIL AGENDA FORM

Meeting Date: **April 24, 2023**

Prepared by: Rick Sailer

Department: Public Works

Agenda item: _____

Reviewed by: _____

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding the issuance of a Purchase Order to Adico Engineering to complete a Utility Impact Fee Analysis for Water & Sewer Development Impact Fees

ATTACHMENTS FOR REFERENCE:

☒ X

1. Work Order - Adico Engineers LLC
2. City Ordinance 2019-003 (Current)
3. 2018 Impact Fee Study
4. FHWA Impact Fee FAQ
5. American Planning Association Impact Fee Policy Guide

STAFF BRIEFING:

- The City conducted an Impact Fee Study in November 2018, completed by ARKK Engineers LLC
- Impact Fees should be reviewed and revised if needed every
- Service Connections have exceeded 2027 estimate in the 2018 Study
- Adico Engineers as City Engineer has best ability to conduct the Analysis and recommend adjustments based on current and future growth potential.
- The cost to complete the Project is \$42,000;
 - City Manager has reviewed and approved.
 - Finance Director has reviewed and approved.
 - City Attorney has reviewed and approved.
 - City Engineer has reviewed and approved.
 - Development Services Director has reviewed and approved.

TARGET IMPLEMENTATION: October 2023

SIGNIFICANT ACTION DATES:

- April 30, 2023 - Issuance of Purchase Order
- August 15, 2023 - Draft Review
- September 25, 2023 - Final Review & Acceptance



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:

Budgeted	
Actual Bid	
Estimated Expenditure	\$42,000.00
Acct. Name(s)	Impact Fee Analysis
Line Items #	
Other Funding	Impact Fee Revenues

STAFF'S RECOMMENDATION: Motion to issuance of Purchase to Adico Engineers LLC for the completion of Impact Fee Analysis in the amount of \$42,000.00, funded by Impact Fee Revenues

FISCAL IMPACT: \$42,000.00 - Impact Fee Revenues (Fund 67)

RESOLUTION NO. R-2023-00

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS
AUTHORIZING A PURCHASE ORDER TO ADICO,LLC IN THE AMOUNT OF \$42,000.00

WHEREAS, Adico Engineering is the City's contracted engineering firm.

WHEREAS, Impact fees should be reviewed as needed every two years and Sservice connections have exceeded the 2027 estimate as shown in the 2018 Study.

WHEREAS, The Purchase Order totals \$42,000.00

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

The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

The City Manager is authorized to enter into the agreement attached to this Resolution as Exhibit 1.

The City Manager is authorized to execute any payments resulting from the agreement.

In the event any clause, phrase, provision sentence, or part of this Resolution or the application of the same to any person or circumstance for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Resolution as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

DULY PASSED by a majority vote of all members of the City Council of the City of La Marque on the _____ day of _____ 2023.

Keith Bell
Mayor

Kierra Nance, TRMC
City Clerk

WATER AND WASTEWATER IMPACT FEE STUDY

November, 2018



CITY OF LA MARQUE

November, 2018

**ARKK Engineers, LLC
TBPE Firm # F-13872
7322 Southwest Fwy. Ste. 1040**

**WATER AND WASTEWATER IMPACT FEE STUDY
CITY OF LA MARQUE**

NOVEMBER, 2018

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EXHIBITS AND FIGURES

Figure 1 – Service Area Map

Figure 2 – Land Use Assumptions Map

Figure 3 – Capital Improvement Plan – Water and Wastewater

Figure 4 – Development Map



1. INTRODUCTION

ARKK Engineers LLC has been contracted by the City of La Marque to prepare the City's Impact Fee study, for the purposes of establishing a capital recovery fee schedule for new development in the City's water and wastewater service area. The study was conducted in compliance with the State of Texas Local Government Code, Title 12, Planning and Development, Subtitle C, Chapter 395, "Financing Capital Improvements in Municipalities, Counties, and Certain Other Local Governments", herein referred to as "Chapter 395". Under Chapter 395 requirements, the City is required to adopt an ordinance, order, or resolution approving land use assumptions and capital improvements plan ("CIP") prior to considering adoption of a Capital Recovery Fee, also referred to herein as an "impact fee."

The objectives of this study are to:

- a) Estimate the probable growth of the City; both in terms of population increases and geographical location of the anticipated growth.
- b) Estimate the capital improvement costs that will be needed to provide water and wastewater utility service to this growth through the 10 year development horizon;
- c) Calculate the maximum allowable impact fees that may be assessed to new development to defray the cost of the required water and wastewater improvements needed to support the development.

Impact Fees are proposed to be charged by the City of La Marque for each new connection to the City's water and/or wastewater system. Chapter 395 of the Texas Local Government Code prescribes the required process for cities to follow for adoption, amendment, and update of Impact Fees charged. Updates are performed on a five-year cycle. The update process requires engaging a Registered Professional Engineering firm to prepare the aforementioned documents and calculations. The results are then to be presented to an Advisory Committee appointed by the City Council to review and recommend adoption of land use assumptions, population projections, proposed CIP projects, and the amount of the Impact Fees to be considered and adopted by the City.

For purpose of this study, it is recommended that the City adopt a **ten year** planning period from 2018-2027 and consider factors affecting growth rates, intensity of development, known major development projects, and projections by local and state agencies to guide the land use assumptions and resulting CIP. Included in this study is a review of the growth experience during the previous planning period, projects implemented from the CIP, and the actual cost of water and wastewater projects. Water and wastewater studies and reports performed during this period are also reflected herein.

2. SERVICE AREA

The proposed service area is shown on **Figure 1**. The service area includes the area within the City of La Marque's City Limit. In the future, as areas are contemplated for annexation, the Service Area Map should be updated to reflect the annexed area. Areas outside the City Limits in which the City is considering executing a development agreement for water and/or wastewater service should also be incorporated into the service area.

3. LAND USE ASSUMPTIONS AND POPULATION PROJECTIONS

The purpose of the Land Use Map is to provide the basis for provision and requirement for projects to support new development in the service area and to project the number of equivalent service units to fairly allocate the resulting costs through the assessment of Impact Fees. The following factors were considered in developing the Land Use Map:

- The character, type, density and quantity of existing development.
- Proposed land use.
- The Water System Modeling and Planning Study (2016 ARKK Engineers).
- Availability of land for future development.
- Current growth trends in the City.
- Location and configuration of vacant land.
- Known or anticipated development projects.

See **Figure 2 - Land Use Map**

3.1 BASE DATA

The data developed for the Land Use Map was based on aerial mapping and HGAC planning resources. Population data was obtained from US Census data and the 2016 Water Modeling and Planning Study document as shown in the following **Table 1**. A review of U.S. Census data shows that in the period 2010 to 2015, the City grew from a population of 14,509 to a population of 15,908.

TABLE 1
POPULATION DATA

Plan Year	Year End	Est. Annual Number of Connections Added	Total Number of Connections	Projected Population
	2010		5,278	14,509
	2015	102	5,787	15,908
1	2018	102	6,093	16,747
2	2019	102	6,194	17,027
3	2020	102	6,296	17,307
4	2021	102	6,398	17,587
5	2022	102	6,500	17,867
6	2023	102	6,602	18,146
7	2024	102	6,703	18,426
8	2025	102	6,805	18,706
9	2026	102	6,907	18,986
10	2027	102	7,009	19,266

The table above reflects that the City can reasonably expect to have 7,009 water service connections in ten years' time.

**Table 2 - Water Meter Connection Count
(Year End 2017)**

Meter Size:	Number of Connections	Equivalency	Equivalent Connections
5/8 x 3/4	5,524	1	5,524
1"	118	1	118
1.5"	1	1	1
2"	87	2	174
4"	8	4	32
6"	1	10	10
8"	1	30	30
	5,740		5,889

3.2 TEN YEAR GROWTH ASSUMPTIONS

The current rate of growth in terms of equivalent service units (ESU's) for the City is averaging around 93 - 102 new ESU's per calendar year

With the current total connections in the system expressed in ESU's of approximately 6,093, the growth rates in terms of equivalent connections was **1.8%** for the period 2010-2018. It is recommended that for this 2018 Impact Fee Study the City adopt a growth rate of **102 Equivalent Service Connections per year** to the water and wastewater system. This growth rate is consistent with the 2016 Water System Modeling and Planning study. For the projected 10 year period, it is estimated that 1,108 new connections will be added.

3.3 ULTIMATE POPULATION PROJECTIONS

TABLE 3 - Projected Development and Estimated Water Use

Development Area No.	Projected Development Type	Gross Acreage	Est. Acreage Developed with Water Service	Estimated Equivalent Connections per Acre	Estimated Number of New Connections	Est. Average Daily Water Use per Connection	Estimated Daily Water Usage (gpd)
1	Commercial	241.8	181.3	1	181	350	63,471
2	Commercial	81.3	61.0	1	61	350	21,351
3	Commercial	38.4	28.8	2	58	350	20,177
4	Commercial	11.9	8.9	2	18	350	6,258
5	Commercial	74.5	55.9	2	112	350	39,121
6	Commercial	19.3	14.5	2	29	350	10,127
7	Commercial	11.4	8.6	2	17	350	5,988
8	Commercial	3.5	2.6	2	5	350	1,826
9	Commercial	10.8	8.1	2	16	350	5,669
10	Commercial	18.1	13.6	2	27	350	9,491
11	Commercial	16.3	12.2	2	24	350	8,556
12	Commercial	3.5	2.6	2	5	350	1,837
13	Commercial	91.0	68.2	2	136	350	47,761
14	Commercial	54.1	40.5	2	81	350	28,378
15	Commercial	88.1	66.1	2	132	350	46,236
16	Commercial	31.1	23.3	2	47	350	16,342
17	Residential	194.4	145.8	4	583	350	204,069
18	Residential	40.7	30.5	4	122	350	42,688
19	Residential	126.5	94.9	4	379	350	132,808
20	Residential	164.3	123.2	4	493	350	172,514
21	Other - University of Houston property	923.3	692.5	0	0	350	0
					2,528		884,668
Number of Existing Equivalent Connections:					5,889		
Number of Projected New Connections from Development Tracts:					2,528		
Projected Infill Development (Est. 5% of Exist)					<u>294</u>		
Projected Total Connections:*					8,711		
Numbers do not include the following:							
1. University of Houston 923 acre tract in Northwest La Marque							
2. Subdivided but undeveloped lots in southeast La Marque adjacent to Texas City Terminal Railway property							
3. Wetlands Properties in southeast La Marque							

The table above reflects that the City could reasonably be expected to have **8,711** water service connections in the future. The areas of anticipated future development are shown on **Figure 4**.

4. CAPITAL IMPROVEMENT PLAN

The Impact Fee Capital Improvement Plan (CIP) includes projects anticipated to serve growth in the City during the 10-year planning period.

4.1 ELIGIBLE FACILITIES

The impact fee legislation allows those projects necessitated by growth during the planning period to be included in the impact fee calculation. Projects included in the CIP include water distribution lines and water production facilities.

4.2 CAPITAL IMPROVEMENT PROJECTS FOR 2018 IMPACT FEE STUDY

The projects eligible for Capital Recovery Fee consideration are shown on **Table 4 (Water)** and **Table 5 (Wastewater)**. These tables show both proposed future CIP improvements, and existing facilities that have excess capacity which can serve some or all of the projected growth during the study period. For the existing facilities, their design capacity was evaluated against existing demands and projected growth to determine the prorated value for growth during the study period.

The capital improvement project maps are shown on **Figure 3 – Water and Wastewater Capital Improvement Plan**.

5. IMPACT FEE CALCULATION

This section includes a summary of the capital improvement project costs, interest costs, service unit equivalency, and a calculation of the maximum impact fee amount. The capital improvement costs included in the impact fee calculation is the portion of the project cost that is directly related to new growth. Some of the projects include replacement of an existing facility with new capacity added that will be available for future growth. **Tables 4 and 5** on the following pages show the proposed CIP Project Costs Summaries, reflecting costs prorated for new development to be used in the impact fee calculation.

TABLE 4
PROJECT COSTS SUMMARY - WATER

Project Name	Project Cost	Planned Year	Percent of Cost Related to New Development	Project Costs Related to New Development
12" Water Distribution Line, Cedar to Magnolia (Phase 1)	\$397,520	2019	50%	\$198,760
12" Water Distribution Line, Stonewall to IH 45 (Phase 2)	\$1,393,350	2022	75%	\$1,045,013
12" Water Distribution Line, Westward to Newman (Phase 3)	\$1,098,920	2024	75%	\$824,190
12" Water Distribution Line, 12th to Stubbs (Phase 4)	\$1,370,490	2026	5%	\$68,525
Water Supply Capacity Purchase from GCWA to Service 10 Year Growth <i>(Basis - 2015 Purchase of GCWA Mackey Plant surface water capacity, Texas City/League City from NRG)</i>	\$1,223,377	2019	100%	\$1,223,377
				\$0
				\$0
TOTAL WATER	\$5,483,657			\$3,359,864
New Connections Served in 10 Year Period by the Water Capital Improvements:				1,018
Cost Per Connection:				\$3,301
Project Cost Assigned to the 10 Year Period:				\$3,359,864

TABLE 5
PROJECT COSTS SUMMARY - WASTEWATER

Project Name	Project Cost	Planned Year	Percent of Cost Related to New Development	Project Costs Related to New Development
Wastewater Treatment Capacity to Serve 10 Year Projected Growth (<i>Basis - 315 gallons per day per new connection at estimated \$6.00 per gallon treatment cost</i>)	\$1,924,020	2019	100%	\$1,924,020
Influent Lift Station	\$ 3,450,000	2019	15%	\$ 506,000
TOTAL WASTEWATER	\$5,374,020			\$2,430,020
New Connections Served in 10 Year Period by the Wastewater Capital Improvements:				1,018
Cost Per Connection:				\$2,387
Project Cost Assigned to the 10 Year Period:				\$2,430,020

5.1 FINANCE COSTS DETERMINATION

Costs incurred to support the debt service for the CIP list above are eligible for reimbursement in accordance with the Impact Fee Legislation. This study reflects an estimated interest rate of 3.0% per annum on bonds such as TWDB State Revolving Fund loans. On that basis, the total interest expense for the Impact Fee calculation are as follows, based on a 20 year finance term:

TABLE 6
FINANCE COSTS

	<u>WATER</u>	<u>WASTEWATER</u>
Project Cost	\$3,359,864	\$2,430,020
Interest Rate	3.00%	3.00%
Term (years)	20	20
Total Interest	<u>\$1,112,230</u>	<u>\$804,420</u>
Total Eligible Cost w/ Interest	\$4,472,095	\$3,234,440

5.2 SERVICE UNIT DETERMINATION

The equivalent meter comparison is the method used to measure consumption by new growth for impact fee purposes. The 5/8" and 3/4" water meters serve as the service unit for both water and wastewater impact fee calculations. The equivalent meter is defined as the unit equivalent to the hydraulic capacity of a 3/4 inch meter. The 5/8" and 3/4" meters were selected because it represents the water meter size for an average single family dwelling. Equivalency factors were provided for larger meter sizes as developed by the American Water Works Association. **Table 7** provides these equivalency factors.

TABLE 7
Equivalent Meter Factors

METER SIZE (INCHES)	EQUIVALENCY FACTOR
5/8 OR 3/4	1.0
1"	1.67
1 1/2"	3.33
2"	5.33
3" Compound	10.0
4" Compound	16.67
6" Compound	33.33
8" Compound	53.33
10" Compound	76.67

5.3 MAXIMUM IMPACT FEE CALCULATION

The maximum assessable impact fee is determined by dividing the cost of the CIP projects plus interest by the projected increase in equivalent meters for the 10 year planning period. The fee for various meter sizes is then determined by applying the factors provided in **Table 7** for all meters larger than the standard ¾" residential meter. The maximum assessable impact fee for the City of La Marque for water and wastewater is as follows:

WATER

$$\begin{aligned}\text{Maximum Water impact fee} &= (\text{Water Cost} / \text{increase in \# of equivalent meters}) \\ &= (\$4,472,095 / 1,018 \text{ new connections}) \\ &= \mathbf{\$4,393 \text{ per equivalent meter}}\end{aligned}$$

WASTEWATER

$$\begin{aligned}\text{Maximum Wastewater Impact Fee} &= (\text{Wastewater cost} / \text{increase in \# of equiv. meters}) \\ &= (\$3,234,440 / 1,018 \text{ new connections}) \\ &= \mathbf{\$3,177 \text{ per equivalent meter}}\end{aligned}$$

Chapter 395 of the Local Government Code was amended in 2001 to include that the City must provide a credit for the following:

Section 395.014 Paragraph a (7):

(A) a credit for the portion of ad valorem tax and utility service revenues generated by new service units during the program period that is used for the payment of improvements, including the payment of debt, that are included in the Capital Improvements Plan; or

(B) In the alternative, a credit equal to 50 percent of the total projected cost of implementing the capital improvements plan.

The Impact Fee legislation allows the City to charge an impact fee up to the amount shown as the calculated maximum. For this study, the maximum impact fee is calculated based on the simplified accounting method in item (B) above as:

50% of Water CIP Costs per Equivalent Meter = \$4,393 x 50% =	\$ 2,196
50% of Wastewater CIP Costs per Equivalent Meter = \$3,177 x 50% =	\$ 1,588
Total =	\$ 3,784

5.4 CONCLUSIONS AND RECOMMENDATIONS

After discussion and deliberation of the Impact Fee Advisory Committee, the 2018 fee amounts to be recommended to City Council are as shown on **Table 8** below:

TABLE 8 - PROPOSED CAPITAL RECOVERY FEES

	2018 Study Max Fee w/ 50% Credit	Proposed Fee
Water	\$2,196	\$2,190
Wastewater	\$1,588	\$1,580
	\$3,784	\$3,770

MULTIPLYING FACTORS

Single Family Dwelling	= 1.0 ESFC (Single Family Equivalent Unit)
Apartment Complex	= 1.0 ESFC per living unit
Hotel, Motel, Resort	= 0.8 ESFC per unit or room
Mobile Home	= 1.0 ESFC per unit or room

Commercial, Retail, Institutional, Light Industrial, and all other non-residential development:

<u>Meter Size:</u>	<u>Factor</u>	<u>Total Impact Fee</u>
5/8" - 3/4"	1.00 ESFC's	\$3,770
1"	1.67 ESFC's	\$6,296
1.5"	3.33 ESFC's	\$12,554
2", All Types	5.33 ESFC's	\$20,094
3" Compound	10.67 ESFC's	\$40,226
3" Turbine	11.67 ESFC's	\$43,996
4" Compound	16.67 ESFC's	\$62,846
4" Turbine	21.00 ESFC's	\$79,170
6" Compound	33.33 ESFC's	\$125,654
6" Turbine	43.33 ESFC's	\$163,354
8" Compound	53.33 ESFC's	\$201,054
8" Turbine	93.33 ESFC's	\$351,854
10" Compound	76.67 ESFC's	\$289,046
10" Turbine	140.00 ESFC's	\$527,800
12" All Types	176.67 ESFC's	\$666,046

Note 1: When separate dedicated fire system meters and systems are installed, the fire system meters are not charged a separate capital recovery fee.

Note 2: When building fire flow systems are combined with other building water systems, the City Engineer shall determine the equivalency factor based on the meter size that would be required without the fire protection component of the flow.

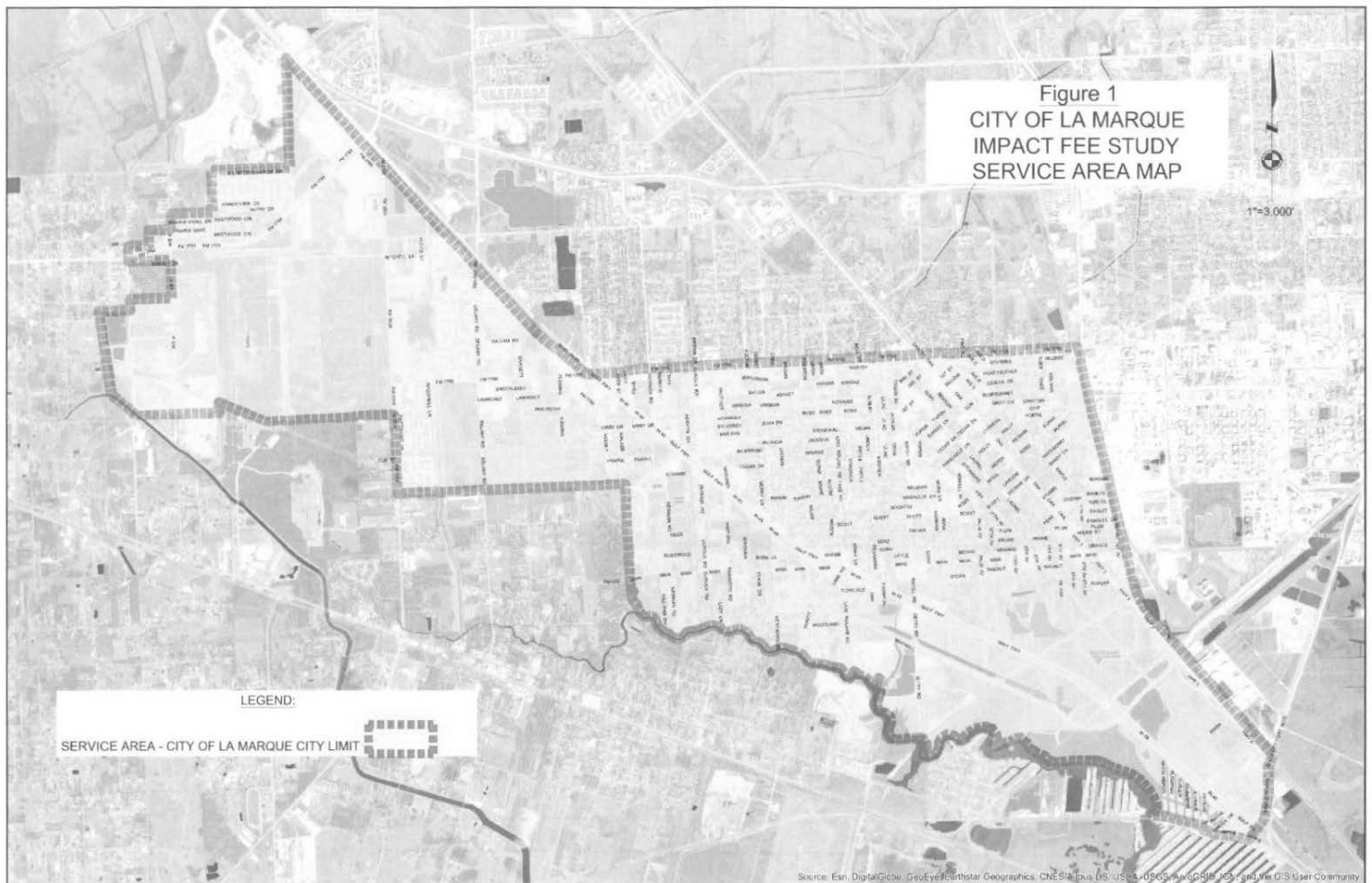
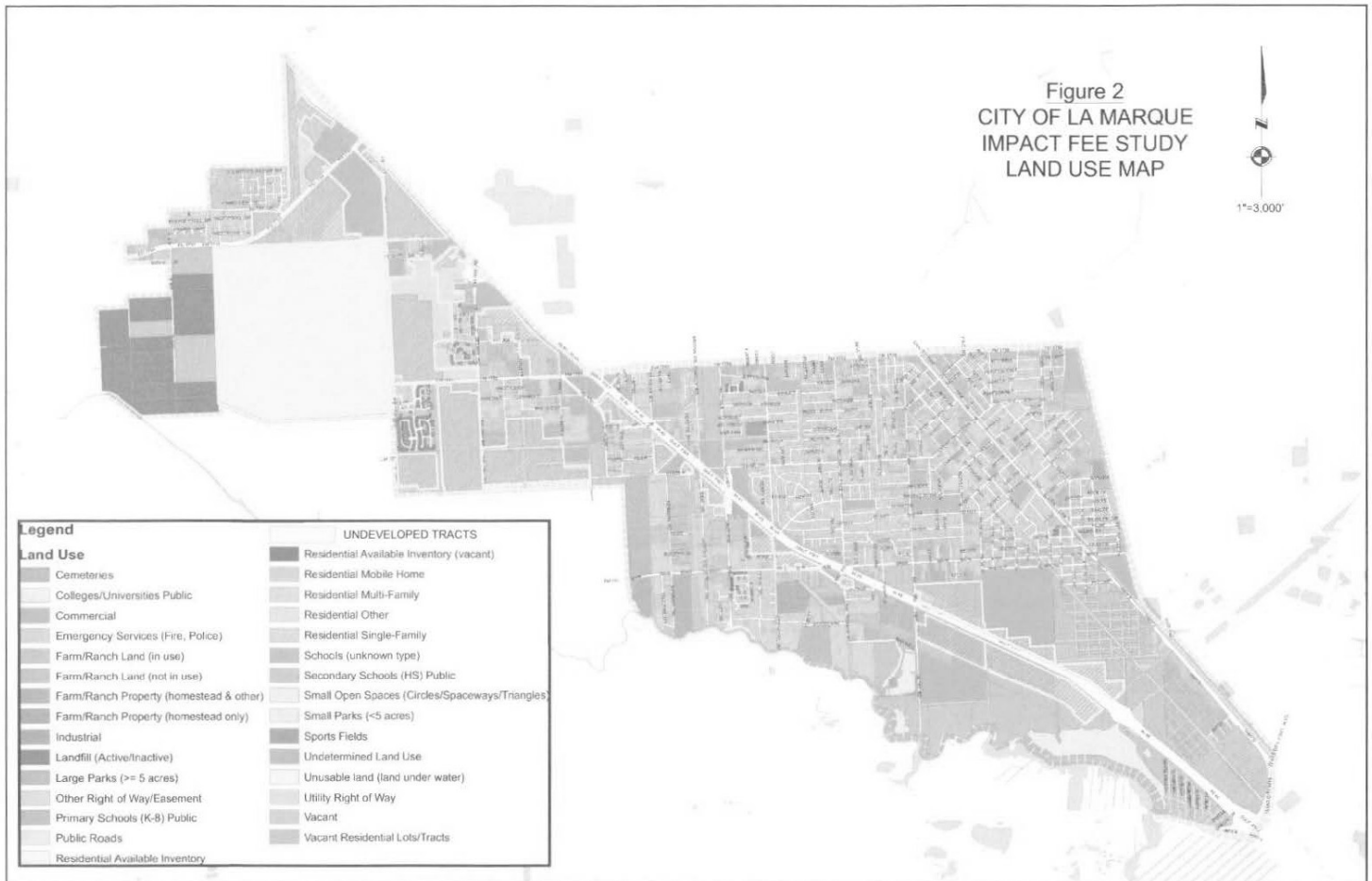


Figure 2
CITY OF LA MARQUE
IMPACT FEE STUDY
LAND USE MAP



Legend	
Land Use	
Cemeteries	Residential Available Inventory (vacant)
Colleges/Universities Public	Residential Mobile Home
Commercial	Residential Multi-Family
Emergency Services (Fire, Police)	Residential Other
Farm/Ranch Land (in use)	Residential Single-Family
Farm/Ranch Land (not in use)	Schools (unknown type)
Farm/Ranch Property (homestead & other)	Secondary Schools (HS) Public
Farm/Ranch Property (homestead only)	Small Open Spaces (Circles/Spaceways/Triangles)
Industrial	Small Parks (<5 acres)
Landfill (Active/Inactive)	Sports Fields
Large Parks (>= 5 acres)	Undetermined Land Use
Other Right of Way/Easement	Unusable land (land under water)
Primary Schools (K-8) Public	Utility Right of Way
Public Roads	Vacant
Residential Available Inventory	Vacant Residential Lots/Tracts



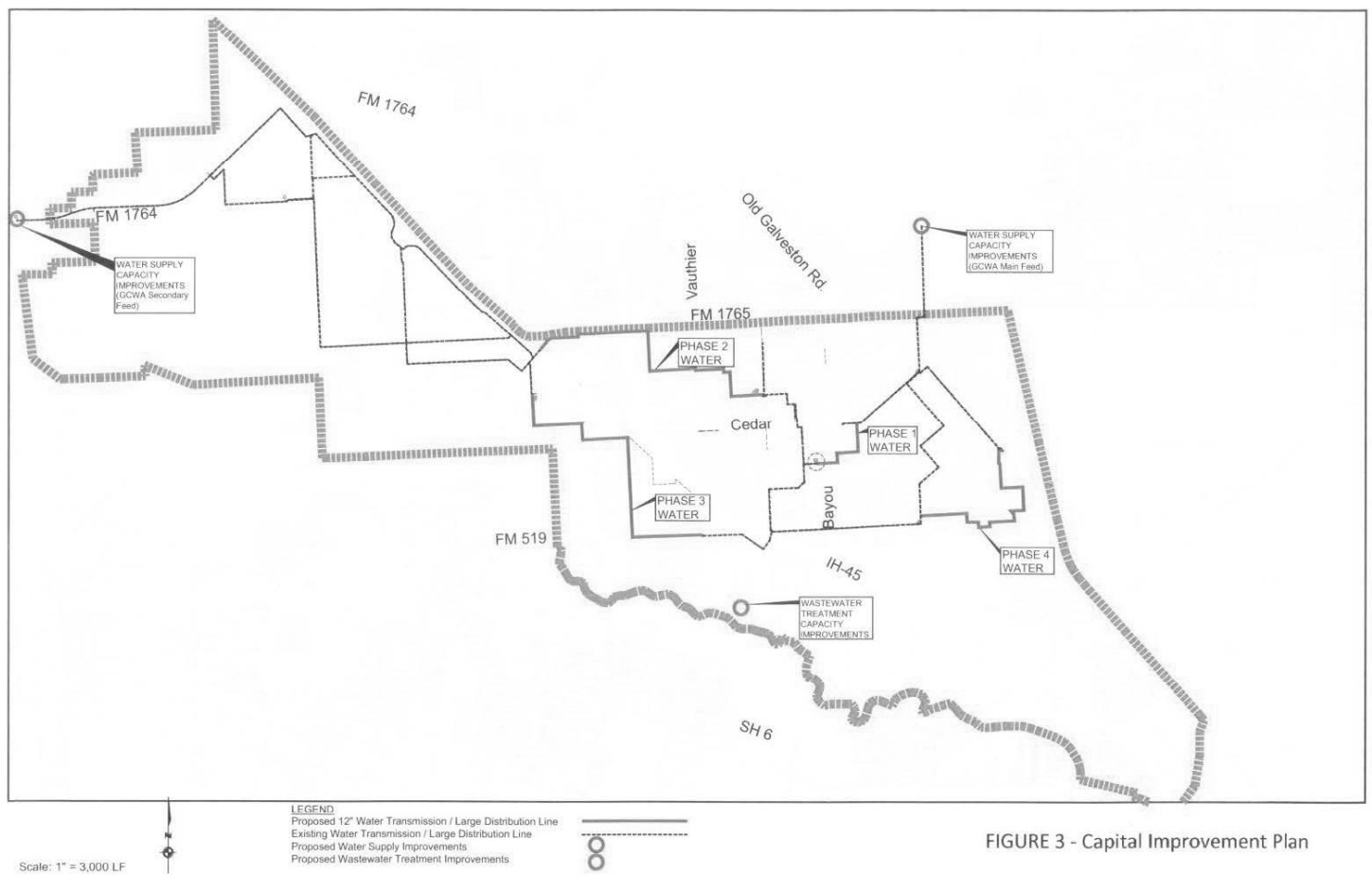
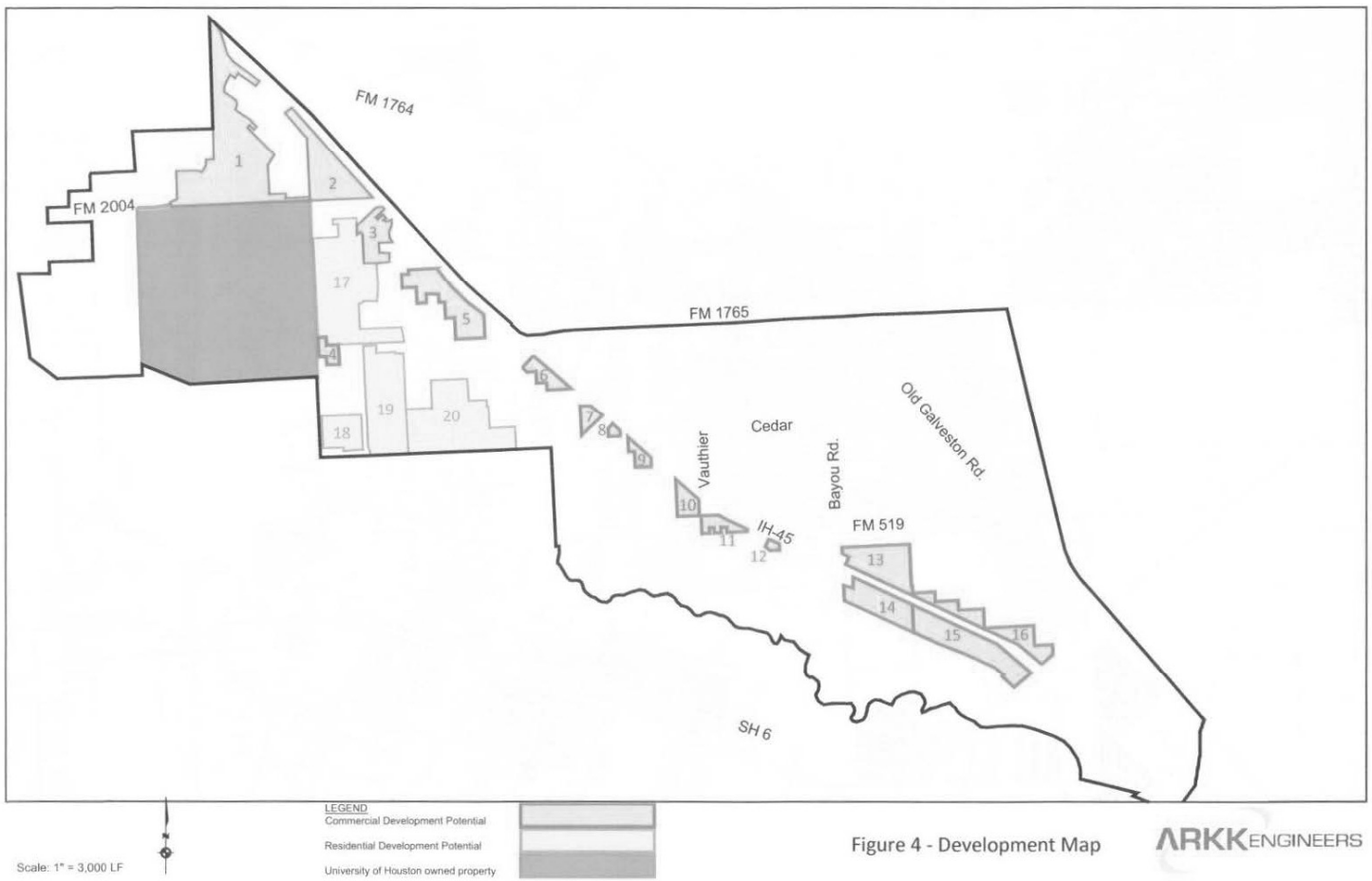


FIGURE 3 - Capital Improvement Plan





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APA Policy Guide on Impact Fees

Ratified by Board of Directors, October 1988, Cincinnati

Revised and updated, April 1997, San Diego

Ratified by Board of Directors, April 1997, San Diego

Findings

Impact fees are payments required by local governments of new development for the purpose of providing new or expanded public capital facilities required to serve that development. The fees typically require cash payments in advance of the completion of development, are based on a methodology and calculation derived from the cost of the facility and the nature and size of the development, and are used to finance improvements offsite of, but to the benefit of the development.

Local governments throughout the country are increasingly using impact fees to shift more of the costs of financing public facilities from the general taxpayer to the beneficiaries of those new facilities. As a general matter, impact fees are capitalized into land values, and thus represent an exaction on the incremental value of the land attributable to the higher and better use made possible by the new public facilities. Some commentators have argued that, under certain circumstances, others may instead bear the incidence of the fee (these may include the original landowner, the developer, or the consumer). There has been little to demonstrate that the imposition of a fee system has stifled development. The fees supplement local government resources that otherwise have decreased because of diminished state and federal transfers of funds. Local governments have also used impact fees to delay or as a substitute for general property tax increases.

Impact fees, when based on a comprehensive plan and used in conjunction with a sound capital improvement plan, can be an effective tool for ensuring adequate infrastructure to accommodate growth where and when it is anticipated. It is important that communities rely on zoning and other land use regulations, consistent with a comprehensive plan, to influence patterns of growth and to more accurately predict new infrastructure needs. However, in areas facing development moratoria because of the lack of adequate public facilities, impact fees may be viewed not as growth stopping measures, but rather as growth facilitators. Impact fees should not be considered a panacea for the funding of general capital improvements, nor should they be used to "stop growth." They can do neither.

Local government experimentation with impact fees has been paralleled by increasing state court involvement in the review of these fees. A general trend in the state courts has been to require a "rational nexus" between the fee and the needs created by development and the benefits incurred by the development. This analysis is a moderate position between a standard that requires that the fee be "specifically and uniquely attributable" to the needs created by new development, and the relaxed standard that the fee be "reasonably related" to the needs created by development.

Impact fees have been criticized as being an inequitable means to finance public facilities. By requiring new development to pay for new facilities without benefiting from existing facility capacity, local governments may be bypassing the traditional practice of intergenerational contribution toward public facilities. Some commentators have argued that, when set at high levels, impact fees may also tend to be regressive. Certain public facilities may be considered "public goods" that should be financed by the entire community, such as general government, police, or schools. To the extent that impact fees are paid by those who are most likely to benefit from the public facilities provided therefrom, however, impact fees are equitable.

Many local communities have expanded the use of impact fees to finance a wide variety of public facilities. The most widespread use of these fees is for sewer and water facilities, parks, and roads. Impact fees are also being used for schools, libraries and public facilities. In recent years, rulings at the state court level have defined how impact fees may be applied and utilized. Thus, there are numerous standards and guidelines available to assist local and regional governmental agencies on the planning processes that must be undertaken to develop a legally defensible impact fee program. Approximately half the states have enacted enabling legislation for impact fees, some of which have specifically included language that governs how these programs are to be implemented. To be most effective and legally valid, impact fees must be carefully designed and documented.

Policy Guide

POLICY 1. APA National and Chapters support state enabling legislation that establishes clear and concise standards for the adoption and use of impact fees consistent with this policy.

Reasons to Support #1

Since there is substantial case law on impact fees around the country, the courts have been specific in developing the criteria for an equitable and legally defensible impact fee system. By encouraging enabling legislation that delineates these standards, state, regional and local government will be required to follow the planning process needed to develop the proper methodology for calculating fees that are valid and well documented. While following these standards will not eliminate costly litigation challenging the fees, it places a greater burden of proof on the party challenging the imposition of the fee. Further elaboration on specific issues can be found in the following policies and a list of applicable standards are appended to this Policy Guide.

POLICY 2. APA National and Chapters encourage consideration of the use of impact fees as a means to provide additional resources for an adequate public infrastructure and services only as they relate to the needs of new development.

Reasons to Support #2

Given the diminishing level of support for infrastructure improvements from state and local governments, coupled with the significant costs involved, regional and local governments are limited in where they can turn to secure funding for new infrastructure projects to accommodate new growth. Moreover, since impact fees cannot be used to cover the staggering costs of maintaining and repairing the existing infrastructure, they can augment resources available for new infrastructure necessary to accommodate new growth, for which general revenue funding must be made available.

POLICY 3. APA National and Chapters support the use of impact fees as a standardized method for ensuring that new development pays its fair share of the cost of public infrastructure.

Reasons to Support #3

While the development community has yet to rally behind the concept of impact fees, it seeks predictability and consistency in the permitting and approval process. When local governments attempt to obtain off-site improvements that do not relate to the impacts of a specific development, a system of negotiating exactions with developers is created that has no "rational nexus" because it is not based upon a sound planning process. Impact fee programs designed as described in this Policy Guide must be based on a planning process for capital improvements to ensure that the infrastructure needs of new development are met. This lends credibility to the planning process.

POLICY 4. APA National and Chapters encourage the use of impact fees to pay for facilities where a rational nexus can be established.

Reasons to Support #4

Impact fees should only be utilized when a connection can be made between the impact of new development and the need for new infrastructure to accommodate that development. Proper planning and analysis can demonstrate the nexus between future build-out and the capital needs to support that growth.

POLICY 5. APA National and Chapters believe that impact fees should be used in the context of community-wide plans and programs for financing public facilities and services, and ensure the adequacy of public facilities to serve future development.

Reasons to Support #5

New development should not be responsible for financing an inordinate share of the expense of the future facilities and services needed by the municipality. Community-wide capital improvement planning is necessary in order to properly plan for required improvements and long-term maintenance. This type of planning process should be a pre-requisite to the imposition of impact fees to ensure that fees from new development are not used to finance improvements that are legitimately in the purview of the local government and will benefit the community-at-large.

POLICY 6. APA National and Chapters oppose requiring voter approval to establish fees for mitigation of impacts on public facilities and services where such fees are imposed pursuant to a legislatively approved program in compliance with APA standards for the adoption and use of impact fees.

Reasons to Support #6

If an impact fee program has been adopted and implemented in a manner that is consistent with this Policy Guide, and has already been approved as a matter of law, such programs can be subverted by requiring voter approval. In addition to being administratively cumbersome, it raises constitutional issues of fairness and equal protection. This issue has been raised in several states.

POLICY 7. APA National and Chapters support continued dialogue between local planning agencies, the general public, and the development community to discuss the public costs associated with new development, reaching an understanding on the calculation of such costs, and establishing alternative means for financing these costs, including the use of impact fees.

Reasons to Support #7

APA should continue its training and educational efforts on impact fees and capital improvement planning in order to build a better body of knowledge about the planning, economic, and legal implications of the varying methods of financing major infrastructure improvements.

POLICY 8. As a framework for imposing fees, local jurisdictions are encouraged to develop, adopt, and implement capital improvement programs consistent with an adopted comprehensive plan with consideration given to other funding alternatives.

Reasons to Support #8

Only a capital improvement plan can provide a comprehensive summary of the capital requirements of the jurisdiction. Impact fees will only be able to finance a percentage of those needs. The plan is necessary in order to prioritize expenditures and should relate them to the source of funding.

Impact Fee Standards

- The imposition of a fee must be rationally linked (the "rational nexus") to an impact created by a particular development and the demonstrated need for related capital improvements pursuant to a capital improvement plan and program.
- Some benefit must accrue to the development as a result of the payment of a fee.
- The amount of the fee must be a proportionate fair share of the costs of the improvements made necessary by the development and must not exceed the cost of the improvements.
- A fee cannot be imposed to address existing deficiencies except where they are exacerbated by new development.
- Funds received under such a program must be segregated from the general fund and used solely for the purposes for which the fee is established.
- The fees collected must be encumbered or expended within a reasonable timeframe to ensure that needed improvements are implemented.
- The fee assessed cannot exceed the cost of the improvements, and credits must be given for outside funding sources (such as federal and state grants, developer initiated improvements for impacts related to new development, etc.) and local tax payments which fund capital improvements, for example.
- The fee cannot be used to cover normal operation and maintenance or personnel costs, but must be used for capital improvements, or under some linkage programs, affordable housing, job training, child care, etc.
- The fee established for specific capital improvements should be reviewed at least every two years to determine whether an adjustment is required, and similarly the capital improvement plan and budget should be reviewed at least every 5 to 8 years.
- Provisions must be included in the ordinance to permit refunds for projects that are not constructed, since no impact will have manifested.
- Impact fee payments are typically required to be made as a condition of approval of the development, either at the time the building or occupancy permit is issued.

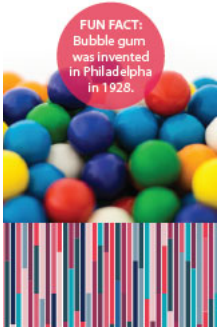


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**CITY OF LA MARQUE
WORK ORDER – No. 2022-06**

**Professional Engineering Services for 2022 Impact Fee Study
Amend the City of La Marque Land Use Assumptions,
Capital Improvements Plan and Impact Fees for Water and Wastewater System**

PROJECT DESCRIPTION:

Adico, LLC (“**ADICO**”) is pleased to present this proposal to perform professional engineering services to the City of La Marque (“**City**”). The proposed project will consist of updating the City of La Marque Impact Fee Study, including the Land Use Assumptions, Capital Improvements Plan and Impact Fees for the Water and Wastewater System.

Perform an amendment to the City of La Marque’s water and wastewater Land Use Assumptions, Capital Improvements Plan and Impact Fee Calculation within the corporate limits of the City of and associated service areas. This amendment task will be based upon review of the latest study and the review of revisions to the Capital Improvement Plan to include new projects added to the Plan since the original adoption of the Impact Fee Ordinance. Adico will obtain input from City Staff as to status of previous capital improvement projects and the development of additional capital improvement projects within the designated improvement areas and input from the Impact Fee Advisory Committee for the project. The following tasks outline the anticipated scope:

SCOPE OF SERVICES

1. Meet with staff to review the status of previously defined capital improvement projects and proposed additions to the Capital Improvement Plan (CIP) developed since the original adoption and any required additions or changes to previously defined service areas.
2. Obtain cost data for completed projects identified in the CIP and updated estimates for additional projects and costs.
3. Review the service unit assumptions by evaluating recent water use and wastewater flow data from sample areas of residential, commercial, industrial, and other types of development.
4. Review the population projections provided in the 2018 report and review the growth records from building permits, water meter data and other sources provided by the City. Provide the projected increase in equivalent service units anticipated for the planning period to be used in the impact fee calculation.
5. Review the Land Use Assumptions, Capital Improvements Plan and Impact Fee Ordinance for the City of La Marque as provided in the 2018 Study.
6. Review Surface Water Supply Plan and Wastewater Treatment Plan for the entire City to revise city-wide Impact Fee Components associated with the costs of these elements.
7. Convene the Capital Improvement Plan and Impact Fee Advisory Committee to discuss the proposed amendments and gain input.

8. Prepare Report revisions with amendments to the Land Use Assumptions, Capital Improvements Plan and proposed Maximum Allowable Fees.
9. Review the amended Land Use Assumptions, Capital Improvements Plan and Impact Fees with the Capital Improvements Plan and Impact Fee Advisory Committee and incorporate required appropriate changes. This review is anticipated to occur in one (1) meeting.
10. Coordinate and participate in the public hearing process required for amendment of the updated Land Use Assumptions, Capital Improvements Plan and Impact Fees.
11. Provide required revisions to the report and participate in presenting the amended Land Use Assumptions, Capital Improvements Plan and Impact Fees to the City Council for action. This presentation is anticipated to occur in one (1) meeting.
12. The City of La Marque will absorb all costs for publication of all public notices and conducting all hearings.
13. The City of La Marque will provide the following if required:
 - Most recent land use assumption data as prepared by others.
 - Recent (last 3 years) water consumption and wastewater flow data.
 - Estimated improvement requirements for the subject area.
 - Financing assumptions for Capital Improvement Plan projects.
 - Costs associated with water supply and wastewater treatment.
 - Anticipated Equivalent Service Unit Growth of which the City is aware.
 - All ordinances relating to impact fees.
 - Copies of any required prior impact fee studies.
 - Any required data files of current mapping.
14. Meetings - Other than general coordination meetings with City staff, this proposal anticipates the number of official meetings will be limited to the following:
 - 2 meetings - Meetings with the Capital Improvement Plan and Impact Advisory Committee.
 - 1 meeting - Public Hearing for Presentation and Review with the Capital Improvements Plan and Impact Fee Advisory Committee.
 - 1 meeting - Presentation to City Council

In the event additional presentations, public hearings or meetings are required, such meetings will be considered additional services.
15. Additional Services - Additional tasks added to the Scope of Services will be billed on a "time and materials" basis. Such services will not be performed or invoiced until authorized by the City of La Marque.

COMPENSATION

The estimated fee for the basic services outlined above is not to exceed \$42,000 and will be billed on a lump sum fee based on percentage of completion per month. All reimbursable expenses will be charged at cost plus 10%. All labor will be charged at an hourly rate according to the attached rate schedule for tasks outlined above.

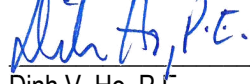
Any authorized additional labor services shall be billed on an hourly basis at the above rate.

If you are in agreement with the professional engineering services that Adico, LLC will provide to the City of La Marque for engineering fee and basis of compensation for our services, please sign both copies of this work order and return one copy to me.

Thank you for considering our firm for your professional engineering services.

Very truly yours,

Adico, LLC



Dinh V. Ho, P.E.

6/20/2022

Date

Accepted: City of La Marque, Texas

Mr. Rick Sailer, Public Works Director

Date

EXHIBIT 'A'

ADICO, LLC
SCHEDULE OF HOURLY RATES

EFFECTIVE JANUARY 2022

<u>DESCRIPTION / TITLE</u>	<u>HOURLY RATES</u>
Principals/PMs	
Principals, Directors	\$235.00
Sr. Project Managers	\$215.00
Project Managers	\$195.00
Engineers/Designers	
Engineer I	\$130.00
Engineer II	\$150.00
Sr. Engineer	\$195.00
Designer	\$110.00
Designer II	\$125.00
Cadd Technicians	\$100.00
Construction Management	
Construction Administrator	\$145.00
Construction Project Representative	\$110.00
Construction Management	
Administrative Assistant	\$70.00
Clerical/Secretaries	\$85.00

IN HOUSE REPRODUCTION COSTS (NO MARK-UP INCLUDED):

Xerox	\$ 0.20 per Copy (8 ½" x 11")
Xerox Prints	\$3.00 per Square Foot

Subconsultants and other miscellaneous expenses at cost plus 10%

WATER AND WASTEWATER IMPACT FEE STUDY

November, 2018



CITY OF LA MARQUE

November, 2018

**ARKK Engineers, LLC
TBPE Firm # F-13872
7322 Southwest Fwy. Ste. 1040**

ORDINANCE NO. O-2019-003

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, AMENDING THE CODE OF ORDINANCES OF CITY OF LA MARQUE, TEXAS, BY ADDING CHAPTER 42, "IMPACT FEES;" PROVIDING RULES AND REGULATIONS GOVERNING SAME WITHIN THE CITY; MAKING OTHER PROVISIONS RELATED TO THE SUBJECT, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Texas Local Government Code § 395.001 et seq., authorizes cities to enact or impose impact fees on land within their corporate boundaries, as charges or assessments imposed against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to such new development; and

WHEREAS, the City Council of the City of La Marque (the "City") appointed an advisory committee ("Impact Fees Advisory Committee") to study the land use assumptions, capital improvements plan and implementation of impact fees within certain areas of the City;

WHEREAS, the City Council has employed ARKK Engineers, LLC to prepare its land use assumptions, capital improvements plan, and impact fees for water and wastewater facilities for the City;

WHEREAS, each was considered by the City's Impact Fees Advisory Committee, and such assumptions, plan, and proposed fees were filed with the City Council, along with the Impact Fees Advisory Committee's comments;

WHEREAS, ARKK Engineers, LLC and City staff received written comments from the Impact Fees Advisory Committee on the land use assumptions, capital improvements plan and impact fees;

WHEREAS, the City Council has reviewed and evaluated its land use assumptions, capital improvements plan, and impact fees for water and wastewater facilities in the time and manner required by law;

WHEREAS, consistent with input from the Impact Fees Advisory Committee, the citizens, and the City Council, City staff and consultants have updated the City's Land Use Assumptions and Capital Improvements Plan and calculated a resulting impact fee contained in **Exhibit A**, attached and made a part hereof for all purposes;

WHEREAS, the City Council held public hearings on the city's Land Use Assumptions, Capital Improvements Plan and proposed impact fees on December 10, 2018 and January 14, 2019 and provided notice of such hearings by publication in a newspaper of general circulation before the 30th day before the date of the hearing and otherwise in accordance with Section 395.044 of the Texas Local Government Code;

WHEREAS, the City Council adopted the land use assumptions and capital improvement plan on December 10, 2018 and now desires to adopt impact fees for water and wastewater facilities, all in accordance with Chapter 395, of the Texas Local Government Code; and

WHEREAS, the City has determined that it is in the best interest of the general public to adopt impact fees for water and wastewater facilities;

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

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

Section 2. The Code of Ordinances of the City of La Marque, Texas, is hereby amended by adding a Chapter 42, "Impact Fees," to read and provide as follows:

"Chapter 42 - IMPACT FEES

Article I. - In General

Sec. 42-1. Title.

This article shall be known and cited as the "City of La Marque Impact Fee Ordinance."

Sec. 42-2. Purpose.

This article is intended to impose and levy water and wastewater facilities impact fees on new development, as established in this article, in order to finance public facilities, the demand for which is generated by new development in the designated service areas. The designated services areas are as shown in the attached **Exhibit A**.

Sec. 42- 3. Authorization.

(a) The city is authorized to enact this article in accordance with Chapter 395, Texas Local Government Code, which authorizes cities to enact or impose impact fees (capital recovery fees) on land within their corporate boundaries, as charges or assessments imposed against new development in order to generate revenue for

funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to such new development.

(b) "New development" means the subdivision of land; the construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of any structure; or any use or extension of the use of land; any of which increases the number of service units.

Sec. 42- 4. Land use assumptions.

The land use assumptions included in the Water and Wastewater Impact Fee Study, referenced herein as **Exhibit A** and made a part hereof for all purposes, are hereby in all things approved and adopted.

Sec. 42-5. Capital improvements plan.

The capital improvements plan included in the Water and Wastewater Impact Fee Study, referenced herein as **Exhibit A** and made a part hereof for all purposes, are hereby in all things approved and adopted.

Sec. 42-6. Impact fees.

(a) The impact fees set forth in the Water and Wastewater Impact Fee Study, referenced herein as **Exhibit A** and made a part hereof for all purposes are hereby levied against new development on lands located within the corporate boundaries of the city.

(b) For new development which is platted in accordance with the City's subdivision regulations before the adoption of this article, an impact fee may not be collected on any service unit for which a valid building permit is issued within one year after the date of adoption of the impact fee.

Sec.42-7. Assessment of impact fees.

(a) Impact fees are hereby assessed against new development in order to generate revenue for funding or recouping the costs of capital improvements or facility expansions necessitated by and attributable to the new development. Assessment of impact fees for new development shall be made as follows:

(1) For land on which new development occurs or is proposed to occur, and for which no platting or replatting is required pursuant to the city's subdivision regulations prior to development, assessment shall

occur at the time application is made for the building permit or utility connection, whichever occurs first, and shall be the amount of the maximum impact fees per service unit applicable to the respective service area(s) in which the development is located.

(2) For new developments that have filed applications for approval pursuant to the City's subdivision regulations or for which replatting results in an increase in the number of service units after such date, assessment shall be at the time of the final plat is recorded, and shall be the amount of the maximum impact fee per service unit applicable to the respective service area(s) in which the development is located.

(b) Following initial assessment of impact fees for a new development, the amount of the maximum impact fee per service unit for any such development may not be increased unless the owner proposes to change the approved development and increase the number of service units, in which case the impact fee shall be reassessed and the impact fee then in effect shall be imposed for such additional service units, and shall be limited to the amount attributable to the additional service units.

(c) Following the lapse or expiration of approval of a new development, a new assessment shall be performed at the time a new application for such development is filed.

Sec. 42-8. Collection of impact fees.

(a) For all developments platted after the effective date of the ordinance from which this article is derived, the impact fees due shall be collected at the time of application for a building permit, or at the time of application for a utility connection, whichever occurs first. If the building permit for which an impact fee has been paid has expired, and a new application is thereafter filed, the impact fees due shall be computed using the impact fee then in effect, and previous payments of impact fees shall be credited against the new fees due.

(b) For all developments platted in accordance with the City's Subdivision ordinance prior to the effective date of the ordinance from which this article is derived, the impact fees shall not be collected on any service unit for which a valid building permit is issued within one year after the effective date of the ordinance.

(c) For water and wastewater fees, if the city has water and wastewater capacity available, the impact fee shall be collected at the time the city issues a building permit or approves an application for a utility connection, whichever occurs first.

(d) In areas where services are not currently available, fees may be assessed but may not be collected, except as provided by state law. Where state law requires a commitment by the city to commence construction of a capital improvement or facility expansion, and to have the service available within a specified time frame in order to collect the fees, the city manager is empowered to make this commitment on behalf of the city after consultation with the city's engineer.

(e) A school district is not required to pay impact fees imposed under this article unless the board of trustees of the district consents to the payment of the fees by entering into a contract with the city.

(f) Notwithstanding the above, the city may enter into an agreement with the owner of a tract of land for which the plat has been recorded providing for the time and method of payment of the impact fees.

Sec. 42-9. Establishment of accounts.

(a) Impact fee funds shall be deposited in interest-bearing accounts clearly identifying the category of capital improvements or facility expansions within the service area for which the fee was adopted.

(b) Interest earned on the account into which the impact fees are deposited shall be considered funds of the account and shall be used solely for the purposes authorized in Section 42-10.

(c) The City shall establish adequate financial and accounting controls to ensure that impact fees disbursed from the account are utilized solely for the purposes authorized in Section 42-10. Disbursement of funds shall be authorized by the city at such times as are reasonably necessary to carry out the purposes and intent of this article.

(d) The city shall maintain and keep financial records for impact fees, which shall show the source and disbursement of all fees collected in or expended within the service area. The records of the account into which impact fees are

deposited shall be open for public inspection and copying during ordinary business hours.

Sec. 42-10. Use of proceeds of impact fee accounts.

(a) The impact fees collected for each service area pursuant to these regulations may be used to finance or to recoup the costs of any capital improvements or facility expansion identified in the applicable capital improvements plan for the service area, including but not limited to the construction contract price, surveying and engineering fees, land acquisition costs (including land purchases, court awards and costs, attorney's fees, and expert witness fees). Impact fees may also be used to pay the principal sum and interest and other finance costs on bonds, notes or other obligations issued by or on behalf of the city to finance such capital improvements or facility expansions. Impact fees also may be used to pay fees actually contracted to be paid to an independent qualified engineer or financial consultant for preparation of or updating the impact fee capital improvements plan.

(b) Impact fees collected pursuant to this article shall not be used to pay for any of the following expenses:

- (1) Construction, acquisition or expansion of capital improvements or assets other than those identified in the applicable capital improvements plan;
- (2) Repair, operation, or maintenance of existing or new capital improvements or facility expansion;
- (3) Upgrade, expansion or replacement of existing capital improvements to serve existing development in order to meet stricter safety, efficiency, environmental or regulatory standards;
- (4) Upgrade, expansion, or replacement of existing capital improvements to provide better service to existing development; provided, however, that impact fees may be used to pay the costs of upgrading, expanding or replacing existing capital improvements in order to meet the need for new capital improvements generated by new development; or
- (5) Administrative and operating costs of the city

Sec. 42-11. Refunds and rebates.

On the request of an owner of property on which an impact fee has been paid, impact fees shall be refunded if existing facilities are available and service is denied, or, if the city failed to commence construction of facilities required for service within two years of payment of the fee, or if construction is not complete within a reasonable time considering the type of capital improvements or facility expansion to be constructed, but not in any event more than five years from date of payment of the fee.

(a) Any impact fee funds not expended within ten years after payment shall be refunded.

(b) Refunds shall bear interest calculated from the date of collection to the date of refund at the statutory rate set forth in Section 302.002 Texas Finance Code or its successor statutes.

(c) All refunds will be made to the owner of record at the time the refund is paid. If, however, the impact fees were paid by another political subdivision or governmental entity, payment shall be made to the political subdivision or governmental entity.

Sec. 42-12. Appeals.

Upon written application of the owner of property upon which impact fees were assessed, the City council shall consider appeals to the interpretations of or errors in the application of the impact fee regulations or schedules used to calculate the fees or credits.

Sec. 42-13. Credits and offsets.

(a) Any construction of, contributions to, or dedications of any facility appearing on the capital improvements plan which is required by the city to be constructed by the owner as a condition of development shall be credited against the impact fees otherwise due from the development. Credit for impact fees due an owner in one category of impact fees may not be used to offset impact fees in another category.

As an alternative to the foregoing, the city and owner may enter into an agreement providing that, in addition to the credit, owner will be reimbursed for all or a portion of the costs of such facilities from impact

- (b) fees received from other new developments that will use such capital improvements of facility expansions.
- (c) An owner shall be entitled to a credit against any category of impact fee provided in any written agreement between the city and the owner.
- (d) No credit for construction of any facility shall exceed the total amount of impact fees due from the development for the same category of improvements.

Sec. 42-14. Advisory Committee.

- (a) The capital improvements advisory committee (advisory committee) shall consist of the Planning & Zoning Commission. If the Commission does not include at least one representative of the real estate, development or building industry who is not an employee or official of a political subdivision or governmental entity, the City Council shall appoint at least one such representative as an ad hoc member of the advisory committee.
- (b) The advisory committee serves in an advisory capacity and is established to:
 - (1) advise and assist the adoption of land use assumptions;
 - (2) review the capital improvements plan and file written comments;
 - (3) monitor and evaluate implementation of the capital improvements plan;
 - (4) file semi-annual reports with respect to the progress of the capital improvements plan and report to the City Council any perceived inequities in implementing the plan or imposing the impact fees; and
 - (5) advise the city staff and Council of the need to update or revise the land use assumptions, capital improvements plan and impact fee.

All professional reports concerning the development and implementation of the capital improvements plan shall be made available to the advisory committee.

(c) The advisory committee shall elect a chairperson to preside at its meetings and a vice-chairperson to serve in their absence.

(d) The land use assumptions and Capital Improvements Plan shall be updated at least every five (5) years. Alternatively, the City Council may, pursuant to the provisions of the Texas Local Government Code § 395.0575, make a determination that no such update is necessary."

Section 3. 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 or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

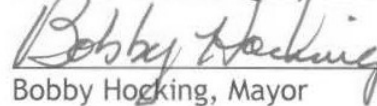
Section 4. This ordinance is intended to be cumulative and shall not repeal any previous ordinance except to the extent that any provision of such ordinance is inconsistent and cannot be reconciled with any provision contained herein.

Section 5. This ordinance shall be effective immediately upon the Second and Final reading and adoption by the City Council of La Marque.

PASSED AND APPROVED by City Council of the City of La Marque, Texas on FIRST READING this 14th day of January, 2019.

PASSED, APPROVED AND ADOPTED by City Council of the City of La Marque, Texas on SECOND AND FINAL READING this 11 day of February, 2019.

CITY OF LA MARQUE, TEXAS

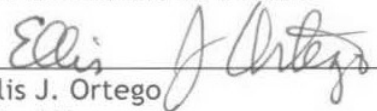

Bobby Hocking, Mayor

ATTEST:



Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:



Ellis J. Ortego
City Attorney

Frequently Asked Questions – Impact Fees

GENERAL INFORMATION

What is an impact fee?

An impact fee is a one-time capital charge imposed on developers by municipalities to help fund the capital cost of the additional public services, infrastructure, or transportation facilities necessitated by, and attributable to, new development. Impact fees are not required or authorized by Federal law; rather, they are enabled by State or local laws.

What is a traffic impact fee?

A traffic impact fee is used to pay for transportation projects needed to accommodate the demands on the transportation system created by new development. Examples include street and sidewalk improvements, new highway capacity, bicycle and pedestrian facilities, new traffic signals, and transit facilities. A traffic impact fee ensures that new development and redevelopment projects pay their fair share of the improvements needed to mitigate the added burden they will impose on the transportation system. They relieve a portion of the burden for the general taxpayer.

Are impact fees referred to by any other names?

In California and Washington, impact fees are often known as mitigation fees; in Florida, as mobility fees; in Oregon, as system development charges; in Minnesota, as service availability charges; and in North Carolina, as facility fees. In States such as Kansas, Colorado, and Tennessee, impact fees are referred to as adequate facility taxes or excise taxes. Developer contributions are also sometimes known as fair-share fees, developer exactions, or cash proffers. However, in most places, they are generally referred to as development fees or impact fees. Impact fees are not as common in transit.

What are the advantages of impact fees?

Impact fees have been in use for decades, are relatively easy to implement, and may encounter little public resistance. In addition,

Disclaimer: The contents of these Frequently Asked Questions (FAQs) do not have the force and effect of law and are not meant to bind the public in any way. These FAQs are intended only to provide information and clarity to the public regarding existing requirements under the law or agency policies.

because they are collected up front, public agencies can access these funds earlier than with post-project incremental tax growth or property tax revenues generated by new economic activity. Impact fees also foster timely investments in local community infrastructure. Supporters of impact fees believe that they are economically efficient and equitable, because they directly link those paying for and those receiving benefits.

Because impact fees are applied similarly across all new developments within a jurisdiction, they help create a level playing field, predictability, and certainty for developers. If applied in areas that lack infrastructure capacity, they can help re-direct development to areas where existing capacity can already accommodate new development. In addition, research has shown that impact fees increase the supply of buildable land for developers. Without impact fees, municipalities may not be able to make the required investments in infrastructure to accommodate growth. Impact fees allow municipalities to pay for necessary water, sewer, and transportation infrastructure to open new parcels for land development.

What are some of the challenges with using impact fees?

Impact fees increase the cost of development by shifting some of the cost of infrastructure improvements from taxpayers to developers. As a result, impact fees sometimes face resistance

from developers and landowners. In addition, the public could perceive an impact fee as a new tax if they are not aware of who will pay the fee and how the proceeds will be used. Another challenge is that impact fees are unlikely to fund the entire cost of the public infrastructure or service necessitated by new development. Also, impact fees must be related to, and proportional to, the anticipated costs of accommodating the new development. It can be challenging to estimate the incremental cost impact of a new development on transportation facilities or services. Another challenge is that municipalities typically must create and maintain reports documenting the capacity of existing surface transportation infrastructure and the impact of new development on that capacity.

How many States have enacted laws to enable the use of impact fees?

As of 2015, 29 States had explicit enabling legislation for impact fees. Other States have upheld municipalities' authority to charge impact fees. States such as California, Colorado, Florida, Georgia, Massachusetts, Missouri, Ohio, Oregon, Pennsylvania, Texas, and Virginia, as well as the District of Columbia, are using value capture options successfully.

How do impact fees differ from taxes?

An impact fee is not a tax. Taxes are generally paid by all and collected to fund general government services. Impact fees are paid by developers as part of the development approval process. The fee is intended to help pay for the impacts of new development on public infrastructure such as roadways, sewer, water, police, fire, and schools. The primary purpose is to recover costs and not to generate revenue. State laws generally require that municipal impact fees not exceed the cost of providing the services and that the fee payers receive a benefit. Local impact fees must adhere to State requirements regarding the timing of the infrastructure improvements, geographic service area, accounting, and expenditure control.

How do impact fees differ from negotiated exactions?

Negotiated exactions follow a similar rationale as impact fees in that they are aimed at helping mitigate the impact of new development on infrastructure. However, negotiated exactions are determined on an ad hoc, project-by-project basis through the development approval process. Impact fees, in contrast, are based on objective fair-share studies and standardized pro-rata formulas.

How long have impact fees been in use?

Impact fees came into existence in the mid-1900s and were implemented in Florida and California during the late 1970s in response to new limitations on local property taxes and reductions in Federal and State aid for local infrastructure. Since that time, their use and popularity have spread. Texas was the first State to enact specific legislation authorizing local governments to levy impact fees on new development in 1987.

STRUCTURE AND APPLICATION OF IMPACT FEES

What are the legal standards that impact fees must meet?

Federal court decisions addressing the constitutionality of impact fees generally require the impact fees to meet the "rational nexus" and "rough proportionality" tests. See, e.g., *Koontz v. St. Johns River Water Mgmt. Dist.*, 570 U.S. 595, 614 (2013); *Nollan v. Cal. Coastal Comm'n*, 483 U.S. 825 (1987); and *Dolan v. City of Tigard*, 512 U.S. 374 (1994). These cases and others mandate a reasonable connection between new development and the "need" for additional facilities. Second, it must be shown that the fee payer will "benefit" in some way from the fee. Finally, the calculation of the fee must be based on a proportionate "fair-share" formula. Additional legal standards may exist under applicable State or local law.

Municipalities contemplating the creation of a new impact fee should consult with their legal

counsel to ensure the proposed impact fee meets all relevant legal standards.

Are impact fees levied on both residential and commercial development?

Impact fees are typically levied on both residential and commercial development, but the fee amounts are usually calculated differently for each land use, based on the differing impacts that each kind of development is expected to have on the use of local transportation facilities.

Do impact fees change from year to year?

Impact fee updates are conducted as required by city ordinance. Most cities require that impact fees be reviewed and updated at least every three to five years. Sometimes, updates are done every year. For example, the City of Bellingham, WA, bases its transportation impact fee calculations on a rolling 12-year window. The rate changes every year as old project costs are taken out and new project costs are added to the calculations.

Why don't impact fees necessarily cover 100 percent of the increased cost of surface transportation infrastructure or services?

In principle, impact fees are supposed to recover only for the incremental cost imposed on the system by new development. For example, if a project will remedy an existing roadway deficiency as well as add capacity, only the cost of the added capacity can be recovered through the impact fee. State laws dictate the maximum proportion of costs that can be imposed on developers. Other limits that State laws may establish include, but are not limited to, the designated impact zone's geographic boundaries and the timing of impact costs (e.g., the 10-year Capital Improvement Plan), among others. There are examples in which impact fees have funded the full cost of a transportation improvement.

PAYMENT OF FEES

How are impact fees calculated?

The calculation of impact fees typically relies on land use and population projections and the 10-

year impact fee capital improvement plan (CIP). The costs associated with existing development and growth after the 10 years are then removed from the CIP to estimate the "recoverable" cost of the CIP. The impact fee per service unit is estimated by dividing the recoverable cost of the CIP by the estimated number of new service units in the development.

How much is the average impact fee?

Impact fees vary greatly by region and by the type of public facility that is the basis for the fee.

When are impact fees paid?

Impact fees are generally one-time charges. They are typically imposed as a condition of approval of the development, either when the construction or development permit is issued or when the occupancy permit is issued.

USE OF IMPACT FEE RECEIPTS

For which purposes can impact fees be used?

Impact fees are used for capital expenses. Impact fees should be segregated from general funds, deposited in dedicated, interest-bearing accounts, and used solely for allowable purposes. Those purposes normally are closely linked to the impact the fees were intended to mitigate.

Who determines where the impact fee receipts will be spent and for what public services?

Impact fees may be managed by different agencies, depending on purpose. Those related to the water or sewer system may be managed by utility commissions. Transportation impact fees may be managed by transportation or public works departments.

OTHER

Is public involvement required to establish an impact fee?

State enabling laws typically include requirements for public hearings or other forms of public involvement.

Do impact fees increase the cost of housing or property taxes?

Impact fees could affect the cost of new homes. However, the housing market determines the value of property. In general, in an economic upcycle, impact fees are passed on to homebuyers, and in an economic downturn, they are assumed by the developer.

RESOURCES

FHWA EDC-5 Value Capture: Capitalizing on the Value Created by Transportation

https://www.fhwa.dot.gov/innovation/everydaycounts/edc_5/value_capture.cfm

FHWA Center for Innovative Finance Support – Value Capture

https://www.fhwa.dot.gov/ipd/value_capture



U.S. Department of Transportation
Federal Highway Administration

For additional
information,
please contact:

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FHWA Center for Innovative
Finance Support
(404) 562-3695
Thay.Bishop@dot.gov



FINANCE DEPARTMENT

To: Cesar Garcia, City Manager
From: Suzy Kou, Finance Director
Date: April 21, 2023
Subject: City's procurement card program

Recently we have been experiencing multiple issues with our current procurement cards which resulted in questionable user confidence regarding the reliability level of these cards when they failed to reach expected objectives when being used.

Initially the City joined because the current provider was awarded by the State through a bidding process. Terms and conditions were negotiated based on what best served the State. All entities participated would fall under the umbrella of these terms and conditions for their programs. However, what best serve the State may or may not represent best interests for each individual entity. For example, the State has their customized set of merchant codes they prefer or restricted where cities may have a different list of merchants whom we interact day by day basis. When merchant codes are not on the list, the card will get denied when used. This can cause frustrations each time our employee uses the card.

To have a provider who can customize the package which best fit City of La Marque, we can bid this out based on the best offer we receive from interested bidders. This process will require around 90 days from preparing the RFP (Request of Proposal) document, publications, awarding a contract to best proposal, and fully implementing the procurement card program. Normally, this would be the proper route following best purchasing practice procedures.

We realize with 90 days, it will cause much inconvenience to everyone especially those who travel on business. Under emergencies, Council may waive the bidding process. However, we don't recommend this step unless there is a true emergency. I will respect whatever final decision you and Council arrive to improve the current situation.

Sincerely,

Suzy Kou





Office of the City Manager

COUNCIL MEMORANDUM

Agenda #:

To: City Commission **Date:** April 21, 2023

Through: City Manager, City Manager

From: Chad Waggoner, Deputy Chief

Re: Response to 4/18/23 Shooting and LMPD Approaches to Crime

In response to the recent shooting incident as well as looking forward to any possible rise in crime as summer approaches, the City of La Marque produced a video that depicts a message to the community of how LMPD along with City Government is approaching crime. The Police Department is taking a 3-prong approach including increased patrol, see something say something, and Park Stop and Talk.

1. Extra Patrol- All patrol shifts are directed to increase visibility in areas that are hot spots. These are areas where crime has increased or where some significant event has occurred. Being more visible in the community shows more presence, which is a deterrent to crime. Studies have shown that these intermittent visits have decreased calls for services.

2. See something Say something- This method is a well-known concept that is key in preventing and solving crime. As Community Policing highlights the police department cannot be effective in solving or preventing crime issues in the city alone, this must be a partnership with the community. It is imperative for the police department to act on intel that comes from citizens. Neighbors know much more about what is going on





Office of the City Manager

in the neighborhood than anyone else and the more this information is shared with the police department the more crime can be reduced and/or solved. The La Marque Police Department is asking the community to please report suspicious behavior and such to the police department or La Marque Crime Stoppers as soon as they can.

3. Park/Stop/Talk-This is a method that is a step further than the Extra Patrol. Studies have shown that officers that stop and park patrol vehicles and talk to business owners, employees, and persons outside the business for 15 minutes can reduce crime. Obviously, the extra patrol does help, however, this method shows greater decreases in these specific areas. Officers are encouraged to engage in “consensual encounters” at or around businesses. These are NOT detainments by Law Enforcement. This method alone allows the person being encountered to leave at any time unless of course the officers develop probable cause or reasonable suspicion to move beyond the casual encounter.

All of these methods as well as others that have been implemented are all working in accordance with the Safe City Initiative. Research has shown that half of crime that is committed occurs at 5% of the addresses or street blocks. It is important for the City of La Marque citizens, business owners and visitors to know from the Mayor, City Council and City Manager through the entire Police Department that crime is taken seriously and is being attacked strategically and timely. Although the recent shooting in the 2400 block of FM 1765 was believed to be an isolated incident and someone is in custody (almost 48 hours after the incident), The City of La Marque is not sitting on their heels rather taking approaches that prevent crime from happening in the first place which helps lead to the goal of becoming the safest city in Texas.





Office of the City Manager

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Office of the City Manager

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STRATEGIC PLANNING IN SMALL COMMUNITIES A MANAGER'S MANUAL

September 2022

STEPHANIE DEAN DAVIS, Ph.D.

ABOUT THE AUTHOR



STEPHANIE DEAN DAVIS, PH.D., is a collegiate assistant professor and the program director for the Graduate Certificate in Local Government Management at Virginia Tech in Blacksburg, Virginia.

Prior to her position with Virginia Tech, Davis served in local government for 20 years as a budget and management analyst; finance, human resources, and information technology director; and as vice president/consultant for a national consulting firm. Her research interests include public sector budgeting, regional collaboration, and inter-local relations.

Davis holds a Ph.D. in public policy and administration, a master of public administration, and a bachelor of science in economics. She serves on the Commission on Local Government for the state of the Virginia, the GFOA Budgeting for 2020 and Beyond Task Force, and GFOA's Educational Advisory Committee.

Connect with Stephanie:

sddavis@vt.edu

This report was completed as part of ICMA's Local Government Research Fellowship program. ICMA Research Fellows are practitioners and academics that conduct action-oriented research addressing important trends, drivers, and issues facing local governments. Their work advances ICMA's strategic priority to provide thought leadership and resources that support members and other local government stakeholders in creating and sustaining thriving communities throughout the world.

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Foreword

Like everything else in the time of the pandemic, strategic planning has become more difficult. Between the intensely partisan and divisive politics of 2020 and the complete uncertainty of budget numbers, thinking about mission statements or visionary goals seems superfluous to many elected officials and nonsensical to others. Elected officials find themselves inundated at public hearings by residents demanding answers to national COVID policies, when the virus will be stopped, or when they can go back to their regular life. Residents want to debate the merits of critical race theory and how to address an individual's preferred pronouns in school. Meanwhile, making sure basic services or needs are met or that employees have what is needed to do their work becomes secondary to the headline of the day or the budget crisis du jour.

Who has the time or energy to think about what the community would look like if it were perfect when there is so much energy focused on what is wrong, wrong, wrong in this very moment? Yet, somehow, good government must move past what is wrong and refocus energy on what is right—and what is possible. Our communities are places of unity, cohesion, and pride. In our lifetime, there has never been a harder time to find consensus on a future vision and remain focused on local priorities. Strategic planning, linked to the locality's budget process, allows facts to be known and shared, goals to be established, and priorities to be set. Through this process, small communities can remember what makes them unique, focus their efforts on what unites them, and move toward a better future, and do so in a way that pulls the community closer, rather than drives it apart.

In 2021, in the midst of so much antagonism and angst, ICMA funded this fellowship to help managers remember what they already know—our time and energy, as well as our budgets, should reflect what matters to our

community and what makes the community a better place. Dr. Stephanie Davis, with local government budgeting experience in localities small and large, serving as a professor in the School of Public and International Affairs at Virginia Tech, was the ideal person to bring us all back around to what matters. Strategic planning — that involves the community, incorporates the unique vision and goals of the community, is agreed to by the elected body, and tied firmly to our budgets — will keep residents, staff, and elected representatives focused on the business, as well as the vision, of government and how to make the community a better place. Davis uses data from communities around the country to show the current status of strategic planning in small communities and best practices to refocus the process. She knows of what she speaks. She has facilitated these retreats and held the hands of many managers as they navigate this tumultuous time and sacred duty.

Strategic planning and a better budget process won't solve all your community's problems. But it will help your community remember that while the national debates and discussions over issues of incredible importance matter deeply to us, good governance must go on. Revenues must be predicted, budgets balanced, bills paid, and services rendered. And, if we want to be more than we are already, we must do these things with a future in mind. Otherwise, our community is stagnant. So, in this time of chaos and noise, the way forward is simple and elegant. Processes already exist to assist local governments in refocusing their energies on their mission, vision, and values. This study will help each of us to remember what we know and to find additional tools to do our budgeting and strategic planning better.



Sara McGuffin
Town Manager
Amherst, Virginia

Introduction

“If you don’t know where you are going, you’ll end up someplace else.”

Yogi Berra, former New York Yankees catcher

For many local government managers, the COVID-19 pandemic has shifted the priorities of the local government to mitigation and response to the public health crisis. The ability to set aside time with elected officials, staff, and other key stakeholders to develop a plan for action is severely limited. Quite frankly, strategic planning is just not a priority.

But at some point, strategic planning should be considered a priority. In my experience with small communities in a challenging area of the country, the ability to prioritize resources is essential *because of the lack of resources*. Strategic planning is a necessity to align human and financial resources with the priorities of the community.

A strategic plan is a tool for you, your elected officials, and your residents for the effective and efficient delivery of services in your community. The strategic plan provides you and your elected officials with the answer to the question “Why are we doing this?” The strategic plan is the elected official’s vision for the community and provides the guide for budgeting new resources or reallocating existing ones. Whether created through formal or informal processes, complicated or simple, a strategic plan is unique and tailored to fit your community’s needs.

This report is intended for first-time administrators and/or those working in communities without a strategic plan, specifically for those in small communities with populations 20,000 and below. It provides an overview of the benefits of having a strategic plan from managers who have them, use them, and encourage them. Most importantly, this report provides managers with guidelines on “how to” and items to consider before starting the process. The case studies at the end of the report provide detailed information directly from small community managers on how they built the case for, created, and implemented their own strategic plan.

Report Organization

This report is composed of five sections. **Why Do Strategic Planning** provides an overview of the benefits, including utilizing the plan as an accountability tool, a prioritization tool, and a communication tool. **Strategic Planning in Action** provides the reader with process guidance, examples, and key questions to consider when moving forward with a strategic plan process. **We Have a Strategic Plan, Now What?** details steps of adoption, updates, reporting

on progress, and linking to the budget. **Conducting Performance Management** introduces performance management and how it overlaps with strategic planning. The final section provides five **Case Studies** and an in-depth review of the processes and procedures used by the communities to develop their strategic plan.

Overview of the Research Report and Process

This research report was developed in phases over a period of six months. In July 2021, the academic and professional literature was reviewed. Virtual interviews were conducted with 13 local government officials in Virginia. The purpose of the interviews and the research review was to collect data to inform the development of a survey to be distributed to local governments. The communities who participated in the initial interviews are shown in Table 1 below.

Table 1: Interview Participants

Virginia Local Government	Population	Local Government Official
Pearisburg	2,909	Town Manager
Bedford	6,657	Town Manager
Ashland	7,565	Town Manager
Scottsville	524	Town Manager
Amherst	2,732	Town Manager
Crew	2,465	Town Manager
Bland County	6,270	County Administrator
Alleghany County	15,223	County Administrator
Patrick County	17,608	County Administrator
Norton	3,687	City Manager
Emporia	5,766	City Manager
Falls Church	14,128	Deputy City Manager
Poquoson	12,460	City Manager
Bristol	17,219	City Manager

A strategic planning survey, distributed in August 2021, provided a snapshot of strategic planning initiatives in small communities throughout the United States and is referenced throughout this report. The survey was piloted with International City/County Management Association (ICMA) staff and 14 local government managers in Virginia to review the flow and structure of the survey.¹

The final survey was then distributed in August 2021 by the Virginia Municipal League (VML), Virginia Association of Counties (VACO), Virginia Local Government

Management Association (VLGMA) and ICMA. Data analysis was conducted during the month of September 2021.

The survey was completed by 95 local government officials in 24 states, the District of Columbia, and one international respondent. Tables 2A, 2b, and 2C below detail the types of local government, the population of the representative governments, and the local government official completing the survey.

The respondents included local government managers, assistants or deputy managers, department heads, elected officials, and others, including clerks, interim managers, and retired managers. The respondents represented a balance of city/town and county governments and 70% were from communities with populations less than 10,000.

Local government officials were asked if they had a strategic plan, were in the process of developing one, or had some components of a strategic plan. About half of the officials responding noted they have a strategic plan. A majority of respondents had experience with strategic planning with either some components of a plan or a plan in development. Whether or not they have a complete or partial plan, they were able to offer insights into the advantages and challenges of strategic planning in small local governments.

More information on the strategic planning survey can be found in Appendix A.

Tables 2A, 2B, 2C: Survey Respondent Demographics

Type of Local Government (n=93)	Percentage
City	47%
County	9%
Town	44%

Population Range (n=95)	Percentage
0-5,000	36%
5,001-10,000	34%
10,001-15,000	14%
15,001-20,000	16%

Position Held by Respondent (n=95)	Percentage
County, city, town manager	65%
Assistant or deputy manager	13%
Department head	4%
Elected official	6%
Other (e.g., town clerk, interim appointment, retired manager)	12%

Why Do Strategic Planning?

“The strategic plan helps us decide where our energy and resources go.”

Sara McGuffin, Town Manager, Amherst, Virginia

From the survey, communities with strategic plans identified several benefits to having a strategic plan:

- The strategic plan provides clear guidance on the goals of the governing body to the manager.
- The strategic plan is used as a communication device for staff.
- The strategic plan communicates to employees that what they do is important and has a purpose.
- The strategic plan helps local government managers prioritize the work in the organization and the limited financial resources available during the budget process.
- Local government managers stated the strategic plan has helped the elected officials make decisions on controversial issues.

The benefits of having a strategic plan have been documented in previous reports and articles^{2,3,4,5,6} and are identified in three major categories for the purpose of this research project: as an accountability tool, a prioritization tool, and a communication tool.

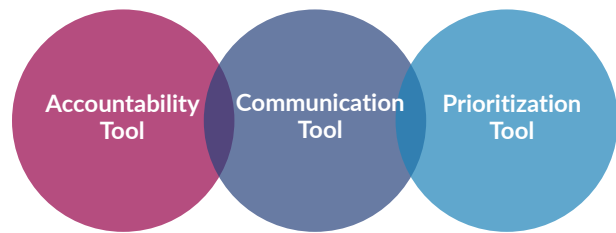
As an Accountability Tool

“We use the strategic plan as an accountability tool in the manager’s and deputy’s annual evaluation.”

Cindy Mester, Assistant City Manager, Falls Church, Virginia

The strategic plan serves as a framework for the local government manager to achieve the goals and priorities of the governing body. From the survey, 91% of local governments who had a strategic plan agree the strategic plan provides clear guidance on the goals of the governing body to the manager. The framework provides the direction, goals, and strategies to accomplish the vision of the elected officials. As such, the strategic plan serves as an accountability tool in several ways. First, local government managers can report progress on goals and strategies in monthly or quarterly reports to the governing body. Reporting progress should be relatively simple, straightforward, and easy to understand. By providing regular updates in the elected officials meeting packets, there are no surprises on progress and elected officials are kept well informed.

Figure 1: Strategic Plan Benefits



Second, elected officials can use the strategic plan as part of their annual evaluation process of the local government manager. Both the manager and the elected officials can discuss the goals achieved or accomplishments over the past year and can discuss improvements, successes, and challenges in the context of the goals and strategies adopted by the governing body.

Finally, providing regular updates in the governing body’s packet also provides updates to the public. Residents can track progress on projects, goals, and strategies on a regular basis. This activity provides a level of transparency as well, giving real-time information on key issues in the community.

As a Prioritization Tool

“If you don’t prioritize, council may prioritize everything and that can’t be done.”

Joshua Farrar, Town Manager, Ashland, Virginia

A key benefit to a strategic plan is the ability to prioritize resources to achieve the goals of the community. Of the respondents to the survey who had a strategic plan, 83% agreed the strategic plan is used as a prioritization tool for the work in the organization, 79% agreed it helped prioritize budget requests, and 85% agreed it helped them prioritize staff and financial resources as the manager. Using a strategic plan as a prioritization tool ensures that the staff, elected officials, and the local government manager are working together on the same goals and works in several ways. First, the local government manager can allocate staff resources to the priorities of the governing body. As vacancies arise, the manager, in consultation with key department heads, can evaluate the position and duties and determine if the position should be reclassified or reallocated to a different department or function to support the goals of the elected officials.

Second, the elected officials can appropriate financial resources through the annual budget process to support

their agreed upon priorities as identified in the strategic plan. Stevenson, Washington, developed a strategic plan to help prioritize and plan for \$16 million in mandated sewer updates that were burdening their already limited budget. The use of the strategic plan in the budget process provides the local government manager with the justification for new positions, new programs, and new initiatives. In addition, as new financial resources are allocated toward the goals defined in the strategic plan, the elected officials can communicate with the community on how their tax dollars are being spent in accordance with the strategic plan.

Finally, the connection to the strategic plan and the financial resource allocation through the budget process also supports transparency in the use of public funds. The staff in the organization understand why dollars are used in certain areas as opposed to others and residents can clearly see how their tax dollars are being used to achieve the overall vision of the community. By utilizing the strategic plan as a “explanatory tool,” we can answer the question, “Why did they do that?”

As a Communication Tool

“For new councilmembers, the strategic plan is really helpful.”

Joshua Farrar, Town Manager, Ashland, Virginia

A strategic plan communicates the vision to both internal and external stakeholders in the community. Of the respondents to the survey who had a strategic plan, 89% agreed the strategic plan is used as a communication device for staff; 79% agreed that the strategic plan is used as a communication device for residents. Falls Church, Virginia, provides an annual report to the community on the progress of achieving the vision called the “Community Report Card.” A strategic plan is used to communicate to residents the vision of the elected officials and what they want to achieve as their representatives. The strategic plan communicates to the local government manager what is important and where to allocate staff and financial resources. Further, the strategic plan communicates to staff why they do what they do and how they support the vision of the governing body. As noted above, a strategic plan is very helpful to new councilmembers as a communication tool of the previous governing body’s vision for the community.

“I have been a city manager in four communities for over 24 years. In every community, a strategic plan was developed

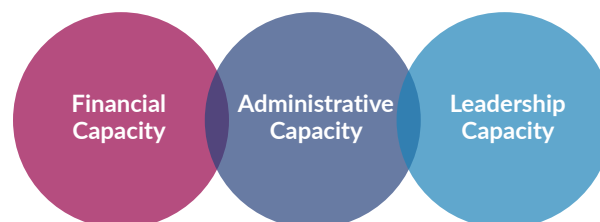
and prioritized. This is my smallest populated community, and the strategic plan still works like it should; providing guidance and focus to local government policies and budget.”

Survey Respondent

Organizational Capacity Challenges in Small Communities

Small communities, defined as cities, counties, and towns with a population of 20,000 or below, face several challenges in the delivery of services in their communities.⁷ In general, they lack organizational capacity for strategic planning initiatives. Organizational capacity is composed of financial capacity, administrative capacity, and leadership capacity.⁸

Figure 2: Organizational Challenges in Small Communities



FINANCIAL CAPACITY

“In a small town, where we live hand to mouth, we can’t help but operate day-to-day. Strategic planning is a luxury we just can’t afford.”

Survey Respondent

Financial capacity refers to the level of financial resources available for local governments to spend on operational and capital needs. With limited financial capacity, local governments prioritize financial resources for mandated and direct services in their communities. For many small communities, the lack of financial capacity for discretionary funding initiatives is a major barrier to strategic planning. When faced with a broken water line or strategic planning services, most small communities understandably will choose to invest in infrastructure and delay the strategic planning process. As shown in Table 3, 64% of local government survey respondents who did not have a strategic plan agreed they do not have the

funding available for a strategic planning process. While the total body of respondents to this series of survey questions is small, results are still included in this section as a complement to interview perspectives.

Table 3: Financial Barriers to Strategic Planning Question

We do not have funding available for a strategic planning process. (n=17)	
Strongly disagree	12%
Somewhat disagree	12%
Neither agree nor disagree	12%
Somewhat agree	29%
Strongly agree	35%

ADMINISTRATIVE CAPACITY

“...lots of things we could do, and we are trying to do...we just don't have the staff time to do everything...”

Survey Respondent

Administrative capacity refers to having the appropriate staff to deliver efficient and effective government services and the capability of those staff in terms of training, skills, and experience. The individual staff member's capacity to take on additional duties, such as support the logistics and planning efforts necessary for a strategic planning initiative, is challenging as they prioritize providing basic services daily.

In small communities, in contrast with large local governments, staff wear “many hats” and are responsible for a wide variety of services and programs. For many small communities, the lack of administrative capacity, in terms of number of staff and capabilities of staff, is a major barrier to strategic planning. Among local governments without a strategic plan shown in Table 4, 44% agreed they do not have the time to do a strategic plan and 42% agreed they do not have the staff expertise to do a strategic plan.

Table 4: Administrative Barriers to Strategic Planning

n=18	We do not have the time to do a strategic plan.	We do not have the staff expertise to do a strategic plan.
Strongly disagree	11%	18%
Somewhat disagree	11%	18%
Neither agree nor disagree	33%	24%
Somewhat agree	33%	18%
Strongly agree	11%	24%

LEADERSHIP CAPACITY

“If they (elected officials) are not ready to put the work in that is needed for strategic planning, it is a waste of time.”

Survey Respondent

Leadership capacity refers to the support of elected officials and local government managers to engage in a particular initiative or activity. Elected officials are the biggest barrier to any new local government initiative and without their support no initiative will be successful. Without elected officials support, there is little chance a new program, initiative or goal can be achieved. Of the respondents who did not have a strategic plan, shown in Table 5, 39% of local governments agreed that elected officials are not interested in developing a strategic plan.

However, an interesting finding from the interviews was that the local government managers who did not have strategic plans believed that their councilmembers or commission members generally agreed on the direction of the local government in terms of policy and budget decisions. Because there is consensus on general issues by the governing body, the local government managers did not believe they needed a strategic plan.

“The current council has a very good rhythm, no major problem, they know what they want.”

Survey Respondent

Local government managers without a strategic plan did say that a plan would be necessary if there was disagreement, or the governing body lacked consensus on issues. For some communities with challenging elected officials and a lack of consensus on the vision of the local government, a strategic plan can help navigate contention and refocus energy on the broad goals of the organization.

Table 5: Leadership Barriers to Strategic Planning

n=18	Elected officials are not interested in developing a strategic plan.	The elected officials cannot agree to do a strategic planning process.
Strongly disagree	17%	28%
Somewhat disagree	11%	11%
Neither agree nor disagree	33%	33%
Somewhat agree	33%	17%
Strongly agree	6%	11%

“Small towns and villages struggle implementing these plans, many times over power struggles that elected officials have, they lose power by committing to a long-term plan...”

Survey Respondent

Strategic Planning in Action

Strategic planning is an active process that engages elected officials and the local government manager and staff to develop a vision for the community.⁹ With over 89,400 general purpose and special purpose governments in the United States, there are 89,400 ways to deliver public services in communities.¹⁰ The findings of the survey and interviews are that each local government conducted a unique strategic planning process.

This section provides a road map for the development of a formal strategic plan for your community. For this report, a formal strategic plan is the document that is developed that details the mission, vision, values, and goals as adopted by the elected officials. Goals are supported by strategies to achieve those goals and serve as operationalized tasks. This model process assumes a fundamental core element of creating a strategic plan that includes a strategic planning committee and a retreat or event where the elements of a plan are developed.

While this report outlines a formal process small communities can follow to create a complete strategic plan, this might not be possible in your community for a variety of reasons. However, there is value in adopting aspects of a full strategic planning process to help steer your community. Some planning is better than none.

Key questions, helpful tips, and examples of strategic planning elements in the field are included throughout the following section, providing strategies to develop the strategic plan and to help everyone, including elected officials, through the process.

Look for these icons throughout the manual:

-  KEY QUESTIONS
-  TIPS
-  EXAMPLES

Initial Steps for Developing the Strategic Plan

DEVELOPING LEADERSHIP SUPPORT

The biggest challenge to strategic planning can be garnering elected official support and buy-in for the process and outcome. The mayor or chair may be key figures in moving the process forward. Have a conversation about some of the challenges your community is facing and how a strategic plan may help to guide resources in the organization to solve some of these key issues.

At this stage, the manager should work with the elected officials to define the purpose of the strategic plan and the audience. Typically, the strategic plan is a document that guides the activities of the organization toward the achievement of a vision for the community. It serves as an internal guide for the manager and staff. It is important for the elected officials to agree on the purpose because this information will inform the other steps in the process. If the terminology of a strategic plan is making your

Figure 3: The Strategic Planning Process



elected officials wary, try giving it a different name or integrating the components into existing structures like the annual budget. As one survey respondent shared, their “board is wary of a single strategic plan, but have essentially participated in developing a group of plans that together provide a strategic vision.”

TIPS

Elected officials can be resistant to developing a strategic plan for a variety of reasons, such as a fear of losing control or a lack of understanding the purpose. At the beginning of the process, take time to outline the benefits of creating a plan with your elected officials, such as:

- Serves as a communication device for elected officials, staff, and the public.
- Helps prioritize organizational work and the limited financial resources available.
- Serves as a decision-making tool for controversial issues.
- Creates clear guidance on the goals of the governing body to the manager and can serve as an accountability tool for their performance.

“We’re fond of saying that we don’t want buy-in, we want ownership. Our elected officials had ownership in the strategic plan because they directed staff to put it together and were involved in the process.”

Dallin Kimble, Administrative Officer, Mariposa County, California

KEY QUESTIONS

Elected Officials’ Support

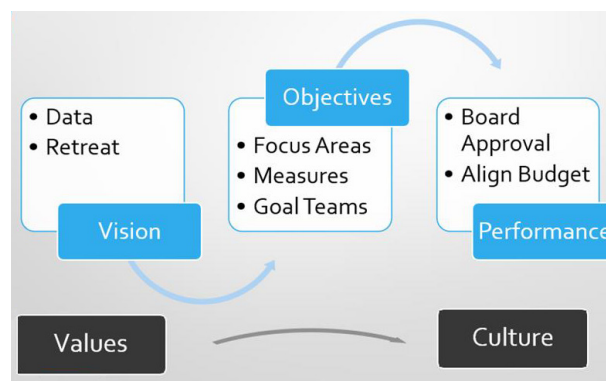
- Is there an advocate on the governing body that can help to garner support for the process?
- Do neighboring communities have a strategic plan?
Is so, share the example.
- Will the strategic plan only be used as an internal document that is developed by the elected officials or as a document that includes resident input to the vision of the community?
- What other existing plans (i.e., budget, comprehensive plan, capital improvement plan) can inform the strategic plan?

ESTABLISHING A STRATEGIC PLANNING COMMITTEE

Once the elected officials have agreed to the idea of developing a strategic plan, a process should be established to guide the activities of the process. Typically, a strategic planning committee will be established for this task. This committee should include the elected officials, the manager, key deputies or assistants, and department heads.¹¹ For small communities, this may be the mayor, town, or city manager and one or two staff members. This committee should begin with a discussion establishing ground rules and defining the roles and responsibilities of the committee.

Figure 4: Mariposa County, California Strategic Planning Process

Source: Mariposa County, 2019



TIPS

Strategic planning processes can be perceived as “top down” and out of touch by staff responsible for implementing the plan. When possible, find ways to include staff from all levels of the organization throughout the process to help develop and check that the plan has meaning and practicality to the daily operations of your local government. This could be accomplished by including front-line staff on the strategic planning committee or by requiring committee members to update and solicit feedback from their staff throughout the planning process.



EXAMPLES

Both Lindenhurst and Mariposa County included staff early in the planning process using focus groups. Lindenhurst began its process with a focus group that included staff and the community that informed their elected body's development of the mission, vision, and values of the community. Mariposa County had staff teams of six-eight members create the goals and strategies of each focus area of their strategic plan



KEY QUESTIONS

Strategic Planning Committee

- Should elected officials be on the planning committee?
- Which staff should be members of the planning committee?
- Who will be the coordinator of the planning committee?
- How frequently will the committee meet?
- Have you clearly defined the roles and responsibilities of the committee? What are the expectations of the committee and what are the deliverables?

DETERMINING THE LEVEL OF COMMUNITY ENGAGEMENT

Determining the elected officials' preferences on community engagement is a key decision for the start of the process.¹² Thinking about community engagement in

the strategic planning process, there are generally four levels: inform, consult, collaborate, and empower.¹³ Local governments often prefer the inform or consult levels of engagement, particularly if this is a new initiative. If the elected officials use the inform method of community engagement, then social media, print materials, fact sheets, and website distribution are key methods to showcase the proposed plan and obtain community input. If the elected officials want to use the consult method of community engagement, then create a community survey and set up town hall meetings and focus groups. For small communities, these activities may be only one or two meetings given the size of the community.

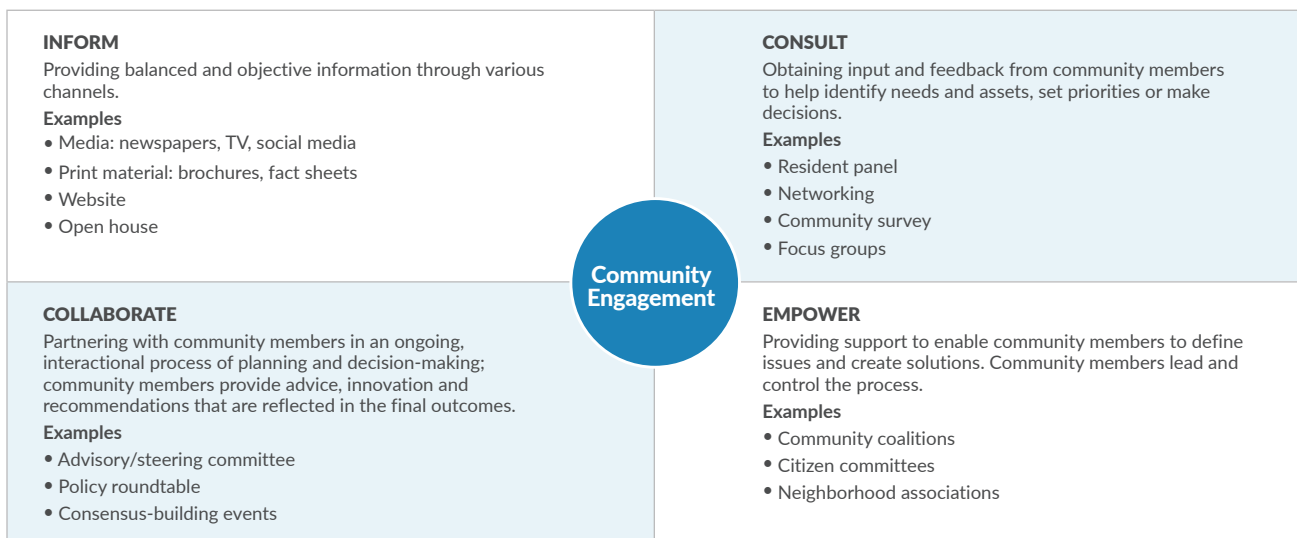


TIPS

The strategic plan is the elected official's vision for the community and the local government organization. Community input, whether formal or informal, provides guidance in the development of the plan, building credibility for residents.¹⁴ Community focus groups can be utilized at different points in the planning process as a way to connect the strategic plan to residents and were common methods of engagement in the case study communities. Whether you use formal or informal engagement, find a clear connection to community input to your strategic plan. At the very least, other initiatives, such as community engagement surveys or comprehensive plans that include an engagement process, can feed into the strategic plan and provide that link.

Figure 5: Levels of Community Engagement

Source: Trent, Sheryl (2021). How to Facilitate Inclusive Community Outreach and Engagement. *Public Management Magazine*.





EXAMPLES

For their initial strategic plan, Stevenson, Washington, leveraged the community input gathered from their comprehensive plan process, but plan to include an improved community engagement process in their next update.

Rolesville, North Carolina, held two facilitated community input sessions at the outset of the planning process to obtain feedback directly from residents and stakeholders in the community about their vision for the future of Rolesville.



KEY QUESTIONS

Level of Community Engagement

- Is the strategic plan seen more as internal guidance, or more of a public document? How should our engagement strategy change?
- Inform: Does the governing body want to develop the strategic plan and then get community input on the plan?
- Consult: Does the governing body want to obtain community perspectives prior to the strategic planning retreat? Where might the public provide the most useful guidance in this process?
- None: Does the governing body feel comfortable moving forward with the process without formal community engagement? If so, what previous processes, if any, are feeding into the strategic plan, and how was the public involved in those processes?

DETERMINING PREFERENCES FOR FACILITATION

A key question for the strategic planning initiative is to determine if an outside facilitator will be engaged in the process. To ease the administrative burden on staff, almost 60% of governments responding to the planning survey used an outside facilitator. Outside facilitation can be expensive, so you will need to develop a request for proposals to obtain service and cost estimates for outside facilitators. You might also consider university and college resources or community members who specialize in group facilitation. Look to resources like your surrounding communities, state associations, or ICMA for sharing information on other community's facilitation experience, including a sample request for proposal.



KEY QUESTIONS

Facilitation

- Should we use a facilitator or in-house staff to facilitate the process? Can we bring in a facilitator at certain points in the process or should they be there from start to finish?
- If we use a facilitator, how much would that cost?
- If we use a facilitator, how will we procure this?
- Are there other communities that have a sample request for proposal as a guide?
- What resources have other local governments used in my region?



TIPS

Choosing to engage a facilitator is one decision, but finding the right facilitator is another. Ideally, you will want someone experienced and familiar with the unique constraints of small communities who can easily build a rapport with your elected officials and key personnel. If you decide to hire a facilitator, engage your strategic planning committee in the process of selecting one and ask potential facilitators these questions:

- What experience do you have working in small communities and within their unique constraints?
- What facilitation style do you utilize? Do you follow academic theory or are you more flexible?
- What kind of questions do you like to ask the group? How do you encourage deep conversation during the planning process?
- How do you move from discussions to action?
- What local governments can we contact for references?

CONSIDERING THE COSTS AND FUNDING AVAILABLE

One challenge for the development of a strategic plan is the cost. The case study communities provided information on the costs of their strategic plan ranging from \$2,000 to \$19,000. This amount does not include staff time or other indirect financial resources utilized for the process.

Many factors can influence the cost of strategic planning, including the level of citizen engagement, use and choice of a facilitator, and the length and location of the process. While there are many ways to structure the process, focusing on intentional community engagement and limiting the time a facilitator is engaged can be key factors in keeping costs low. Finding ways to couple strategic planning with existing processes like the budget may be additional ways to capitalize costs.

? KEY QUESTIONS

Funding the Strategic Plan

- Are you using a facilitator?
- Are you developing a survey for residents?
- Is there a cost for the location/facility for the retreat?
- Do we have funding available for this process? Do we have surplus funds we could use for the process? Do we request additional funding for the process?



EXAMPLES

While a price tag of \$19,000 to create a plan can seem overwhelming, Stevenson made it work with a small investment of \$2,000 by hiring an outside facilitator to run the retreat and using staff to complete other components of the process. Costs listed here include expenses associated with the planning process, such as citizen engagement, facilitation, and retreats.

Table 6: Sample Strategic Planning Budgets

Local Government	Cost	Inclusion
Mariposa County, CA	\$19,000	Consultant facilitator for retreat, community survey
Town of Vinton, VA	\$2,000	Consultant facilitator for retreat
City of Stevenson, WA	\$2,000	Consultant facilitator for retreat
Village of Lindenhurst, IL	\$16,900	University facilitator for retreat and development, community survey, and focus groups
Town of Rolesville, NC	\$16,200	University facilitator for retreat and development, community focus groups

CONDUCTING A STRENGTHS, WEAKNESSES, OPPORTUNITIES, AND CHALLENGES (SWOC) ANALYSIS

Have each elected official individually conduct a SWOC analysis exercise prior to the strategic planning retreat to save time and to ensure complete and thoughtful responses. The purpose of the strengths, weaknesses, opportunities, and challenges analysis is to assess the internal and external factors that impact the local government's ability to achieve the elected officials' vision. Elected officials can brainstorm in a word document or on paper, but the purpose is to gather their perspectives on the challenges and opportunities that are facing the local government, both internally and externally. This analysis will be used as a baseline and guide the development of the strategic plan. You will need to ensure enough time to gather the SWOC analysis data and compile the information prior to the strategic planning retreat.

? KEY QUESTIONS

SWOC Analysis

- Have you developed a template for the SWOC analysis?
- How will you compile the information from all the elected officials?
- Have you allowed for sufficient time for this to be completed and shared prior to the strategic planning retreat?



TIPS

While it may seem daunting to invite input on negative topics, it is critical to clearly define problems facing your community that need to be addressed to achieve your vision. Local governments face complex, multifaceted issues and the SWOC analysis is your opportunity to dissect and clarify these problems. Once a problem is defined, causes and their prospective solutions help create your goals and strategies.



EXAMPLES

The Government Financial Officer Association (GFOA) and ICMA's "Defining the Problem" offers an additional resource to help further define problems more clearly that include six design principals: reject zero-sum thinking, provide procedural justice, create psychological safety, recognize and mitigate cognitive biases, go beyond positions, and understand interests and introduce constraints.

Table 7 shows a simple SWOC analysis framework that has been used in small communities and can be used as is or tailored to your community as needed.

Table 7: SWOC Analysis Framework

Strengths	Weaknesses
What are our major internal or present strengths?	What are our major internal or present weaknesses?
Opportunities	Challenges
What major external or future opportunities do we have?	What major external or future challenges do we face?

PLANNING FOR THE LOGISTICS

Once the committee has been formed and questions related to cost/budget, level of community engagement, and outside facilitator or in-house staff have been determined, the next step is to schedule a strategic planning retreat. There are nuances to discuss with your planning committee on where to hold the retreat.

Table 8: Strategic Plan Components

Strategic Plan Component	Answer the Question	Description
Mission	What do we do today?	The mission states what the local government does now; it communicates to residents, businesses, nonprofits, and other key interest groups what you do on a day-to-day basis.
Vision	What do we want our community to look like in 10-15 years?	The vision states what you want your community to look like in 10-15 years; it communicates to the external environment what you want to achieve and how the governing body sees itself in the future.
Values	What values are important to the governing body when we make a decision?	The values (typically four-five values) communicate guiding principles that the governing body uses to make decisions for the community (ethics, efficiency, equity, etc.).
Goals	What are the goals to make progress toward our vision?	The goals are broad statements or affirmations the governing body agrees on to achieve the vision of the community.
Strategies	What do we need to do now to achieve those goals?	Strategies are action items that establish how you will achieve those goals in the next one-two years.

Generally, the event should be held in a site outside your normal setting to help focus the group on the task at hand. This can be another facility you own or an off-site space, depending on what the budget allows.

If your local government has chosen to use the consult method of community engagement, this is the time to send surveys and hold town halls or focus groups to gather community input. You will need to ensure enough time to gather community input and compile that information prior to the strategic planning retreat.



EXAMPLES

Vinton, Virginia, kept costs low by hosting the retreat in a facility they owned, providing their own supplies like snacks and writing material, hiring a facilitator from a local nonprofit, and limiting on-site time to half a day by emphasizing preliminary work.



KEY QUESTIONS

Planning for the Logistics

- Where will the retreat be held? At an on-site or off-site location?
- What are your open meeting requirements for publicizing and accessibility? Have you reviewed and summarized community engagement data and SWOC analysis if applicable?
- What advance arrangements need to be made for supplies, refreshments, A/V equipment, etc.?

STRUCTURING THE RETREAT

The purpose of the retreat is to develop the strategic plan and the deliverable at the end of the meeting should be a draft that includes a mission, vision, values statement or values, goals, and strategies to achieve the goals. The retreat should include an agenda with time allocations for the individual components of the strategic plan. Appropriate materials such as flip charts, markers, post-it notes, pens, etc., should be provided at the meeting.



TIPS

Don't forget to plan for documenting the discussion, and don't put this burden on those expected to actively contribute to it. Whether the strategic planning retreat is a few hours one afternoon or spans across multiple days, it will be a dense conversation with rich information to pull from. It is important to establish how the meeting will be captured and who is responsible. Outline a record keeping plan with staff or your hired facilitator in advance and clarify deliverables expected following the meeting.



KEY QUESTIONS

Structuring the Retreat

- Have you or the facilitator developed ground rules on the engagement among the elected officials during the retreat (all ideas are judgment free, respect for diverse opinions, etc.)?
- Have you or the facilitator developed an agenda with key components identified?
- Have you or the facilitator planned for time allocated to each component?
- Who will take notes and compile the information during the retreat?
- Who will be responsible for compilation of the strategic plan after the retreat?
- What is the timeline for a draft plan to be developed?

Developing the Strategic Plan

DEVELOPING THE MISSION

The mission statement is typically defined as the reason the local government exists. The mission statement communicates the purpose of the local government to residents, staff, and other key stakeholders. The mission statement clearly states what your local government does, why you provide those services, and for whom. When you draft the mission statement, consider if it answers the questions: “Who are we? What do we do? For whom we do it? Why is it important?” The mission statement should be easily understandable, clear, and concise and does not need to be updated regularly.

KEY QUESTIONS Mission Statement

- What do you do?
- Why do you do it?
- Who do you serve?
- Why is it important?
- Is it clear, concise, and understandable?

Examples of Mission Statements

Village of Lindenhurst, Illinois

The Village of Lindenhurst, in partnership with our community, continuously strives to provide a safe, healthy, and vibrant environment through quality customer service, public safety, progressive leadership, and financial responsibility.

Town of Vinton, Virginia

The Town of Vinton provides valuable services to residents, visitors, and businesses through transparent, efficient, and responsible governance while protecting its unique character and values.

Mariposa County, California

We improve the quality of life in Mariposa County through active community engagement and the efficient delivery of outstanding public services.

Town of Crewe, Virginia

To provide quality services to residents, businesses, and visitors in an efficient, effective, and equitable manner.

Town of Woodstock, Virginia

To encourage and facilitate economic growth, to provide a safe environment for a diverse community, and to provide high quality and efficient services to the public,

while emphasizing the Town's unique character, planning for the future, and leading by example through the implementation of best practices.

DEVELOPING THE VISION

The vision statement reflects the governing body's view of the ideal community in 10-15 years. This statement communicates the governing body's picture of success and serves as the “goal post” to be achieved. The vision statement should answer the question, “Where do you want to be in 15 years?” It should provide a clear picture of the organization's future and does not need to be updated every year.¹⁵

KEY QUESTIONS Vision

- Is it inspiring for the residents and staff?
- Is it believable?
- Does it answer the question: Where do we want to be in 15 years?
- Is it clear, concise, and understandable?

Examples of Vision Statements

City of Williamsburg, Virginia

One Williamsburg that is courageously leading, innovating a modern city, prioritizing safety and wellness, engaging our partners while connecting the world.

Village of Lindenhurst, Illinois

The Village of Lindenhurst endeavors to be the friendliest and most appealing community in Lake County, Illinois; enriched by small-town values and traditions, fostering an atmosphere where residents and businesses can thrive.

City of York, South Carolina

York is an historic city with charming neighborhoods, caring residents, abundant opportunities, and an innovative and inclusive economy.

Town of Rolesville, North Carolina

Genuine community thrives in Rolesville as we seek to build a place that is focused on walkability, with connections to parks, greenways, and gathering spaces.

ESTABLISHING VALUES

The adoption of core values as a part of the strategic plan reflects the foundations underpinning policy decisions and actions taken by the governing body. The values (or values statement) are a tool to build organizational culture and should communicate to the public what is

important to the elected officials when they are making decisions. The values or values statement express the behavioral expectations in the day-to-day operations of the local government, whereas the mission and vision communicate the aspirations of the local government.

? KEY QUESTIONS

Values/Values Statement

- What do the values say about what is important to the governing body?
- What do the values say about what is important to your community?
- Are the values reflected in decision making?

Examples of Values

Town of Ashland, Virginia

Sustainability, Community, Integrity, Equity, and Excellence

Mariposa County, California

Collaboration, Integrity, Sustainability, Transparency, Excellence

Town of Rolesville, North Carolina

Inclusive, Collaborative, Ethical, Transparent, Excellent

DEVELOPING GOALS

Goals are developed and adopted by the governing body and communicate broad initiatives or activities. Goals should be a two-four-year view of priorities that the local government establishes to achieve the vision of the community.

💡 TIPS

There is a tendency to become overly prescriptive when creating goals. As goals look two-four years in the future, there should be room for flexibility to accommodate for changing circumstances.¹⁶ Additionally, goals that are too specific may be rooted in current governmental practices, rather than encouraging innovation and creativity. Focus on creating three-five goals that describe guardrails rather than specific actions.

? KEY QUESTIONS

Goals

- Do the goals support the mission and vision?
- Are the goals realistic?
- Are they easy to read and understand?
- Are they measurable?

Figure 6: Town of Rolesville, North Carolina's Goals or Key Focus Areas

Source: Town of Rolesville, 2020



“We’ve debated back and forth between a thorough plan with estimated budgets, specific performance targets and timelines, and a simpler conceptual plan. For our first time, we opted for simple and now think we should make it even more simple. One page would be ideal to make it a frequent reference that is easy to remember and use.”

Dallin Kimble, Administrative Officer, Mariposa County, California

Examples of Goals

Town of South Boston, Virginia

- Reinvent Riverdale as a gateway park.
- Remove and redevelop blighted and derelict buildings.
- Revitalize downtown/redevelop Randolph Hotel.
- Improve Westside/Westend services.
- Create a succession/contingency plan.

Village of Gambier, Ohio

- Support a vibrant mix of institutional and village-serving land uses that respect environmental restraints, promote a high quality of life, and plan for long-term growth.
- Preserve, enhance, and market Gambier’s natural resources, parks, and trails as vital community assets.
- Preserve existing neighborhoods while increasing opportunities for diverse housing options within the village and conservation development on future residential land.
- Promote an identity that encourages collaboration, fosters community spirit, and capitalizes on Gambier’s historic and environmental strengths.
- Strengthen the built environment to safely and efficiently move people, goods, and services within the village and to regional destinations.

City of Emporia, Virginia

- Pursue economic development opportunities through collaboration and partnerships to increase and improve employment for our residents.
- Support a culture of educational achievement and lifelong learning in order to develop and sustain a productive workforce ready for the 21st century employers.

- Develop cultural facilities while supporting our existing recreational providers.
- Vitalize the overall appearance of the city to create an atmosphere that is attractive and appealing to residents, businesses, and visitors.
- Upgrade infrastructure throughout the city.

Town of Vinton, Virginia

- Enhance the town’s infrastructure and livability.
- Maintain an efficient and high-performing government.
- Ensure the town’s continued financial viability by actively pursuing quality economic development.

City of York, South Carolina

- Resilient Infrastructure
- Economic Development
- Dynamic Community
- Efficient and Effective Government

DEVELOPING STRATEGIES

Strategies are the action steps needed to be taken to achieve the broad goals of the community.¹⁷ The strategies describe specific tasks, outputs and/or outcomes, typically within a one-two-year completion period. The number of strategies assigned to each goal will vary and are typically between three and seven.

KEY QUESTIONS

Strategies

- Are the strategies realistic in terms of budget?
- Do the strategies identify a time frame for completion?
- Have key personnel responsible for those strategies been identified?
- Can you, as the manager, report progress to the elected officials?



EXAMPLES

Rolesville, North Carolina, leadership developed specific workplans that could be addressed to achieve goals in a two-year work period. These initiatives are collected into the Staff Progress Report, which is updated three times a year and provided to the governing board in their agenda packet and publicly posted on the town’s website.

Examples of Strategies

City of York, South Carolina

- Review and deploy advanced meter reading technology through city-wide implementation of a wireless meter reading system.
- Provide tools for customers to better understand utility usage.
- Develop programs to assist low-to-moderate income households with utility bills and infrastructure improvements.

Village of Lindenhurst, Illinois

Explore the possibility of implementing a TIF District to help with redeveloping Linden Plaza/Grand Avenue commercial corridor.

Town of Woodstock, Virginia

- Conduct an economic base analysis.
- Support an evaluation by a qualified firm or other professional to identify strategies that will help the town strengthen economic development opportunities.

Town of Vinton, Virginia

- Aggressively pursue economic development opportunities to enhance local retail and dining options.
- Conduct a thorough organizational efficiency review in municipal offices and implement changes based on results.

City of Stevenson, Washington

- The city will continue working toward lifting the commercial sewer connection moratorium, building efficient, sustainable, and affordable wastewater system updates with added BOD capacity by the spring of 2023.
- The city will partner with Skamania County Fire District 2 and the Skamania County Department of Emergency Management to build a new fire hall that meets the needs of the agencies, is affordable to the community, and is a valued asset of Rock Creek Drive.

We Have a Strategic Plan, Now What?

Developing a strategic plan is just the beginning. Finding ways to integrate the plan into daily processes and decision-making is key to making the plan meaningful. Adjustments will need to be made to keep the strategic plan relevant and a “living document.”

Adopting the Strategic Plan

Provide the draft document to the governing body for any corrections, amendments, or changes. Because the strategic plan reflects the vision of the elected officials, they should have an opportunity to comment on the draft report prior to distribution to the public or others.

If your local government is using the inform method of community engagement, once the governing body has completed review and changes have been incorporated, the draft document should be distributed through the local government's website, social media, and print to gather community input on the draft strategic planning document. If your local government is not utilizing community engagement for the process, the document can be approved at the next governing body meeting and posted to the local government's website, social media, and print media for distribution.



EXAMPLES

Once the Town of Rolesville, North Carolina, had adopted their strategic plan, they focused on regular communication to keep the plan alive and relevant. They created 11" x 17" copies of the plan and placed them in front of the elected officials at all board meetings, hung them on staff bulletin boards, and included copies in their new hire onboarding packets. According to Town Administrator Kelly Arnold, “These easy-to-find copies of the plan help ensure it remains accessible to all and relevant to decision-making.”



KEY QUESTIONS

Adopting the Strategic Plan

- Did the governing body adopt the strategic plan through a formal vote?
- Have you placed the adopted strategic plan on your website?
- Are there copies available in the town hall or administration building?
- Have you posted to the local government's social media pages?
- Can you meet with a local newspaper reporter and conduct an interview on the plan?

Figure 7: Village of Lindenhurst, Illinois Online Dashboard

Source: Village of Lindenhurst, 2022

Community Branding & Engagement		
Goal	% Complete	Notes
Enhance communication & engagement between Village & community		60 Instituted Communications Plan; Began using Buffer and other programs to increase visibility
Work to engage stakeholders to create a community brand & defined identity for Village		5 Using focus group information to jump start brand identity
Capital Infrastructure Planning & Improvements		
Goal	% Complete	Notes
Implement a long term Capital Improvement Plan focused on proactive infrastructure repairs & sustainability		15 Capital improvement plan forecasts certain capital expenditures, reviewing Public Works software for better asset management
Explore possibilities & workable approaches to mitigate flooding issues		50 Instituted Culvert Replacement Program
Prioritize current stormwater needs & develop plan to fund and implement stormwater projects		80 Projects prioritized and list is funded partially annually
Business Recruitment & Retention		
Goal	% Complete	Notes
Explore the possibility of implementing a TIF district to help with redeveloping Linden Plaza/ Grand Commercial corridor		100 TIF Adopted 5/9/22
Identify and explore business attraction strategies		50 N/A
Develop and implement a redevelopment plan for Linden Plaza and Grand Avenue commercial corridor		40 May be included in feasibility study
Execute identified business attraction strategies		10 N/A
Responsible Growth & Development		
Goal	% Complete	Notes
Exploring annexing property, especially at Routes 132 & 45 to establish defined boundaries		20 Initial conversations have been conducted
Innovative Planning & Practices		
Goal	% Complete	Notes
Conduct an organizational review and advancement study to evaluate staff roles and responsibilities; identify efficiencies, explore technology upgrades and improvements		15 N/A
Continue to explore and evaluate potential additional revenue sources		20 Enterprise fund fees and charges evaluated

Reporting on Progress

Timelines, staff responsibilities, and budget impacts should be included within the plan or as supplementary resources. This can be used by the local government manager to report progress to the governing body. In addition, local government managers can use this as a discussion tool in the annual evaluation meeting with the elected officials.



TIPS

Sometimes included goals become outdated and are no longer relevant. When reporting on the strategic plan, take time to identify any goals that are no longer serving the mission, vision, or values of the community and exclude them moving forward.



KEY QUESTIONS

Reporting on Progress

- Have your elected officials communicated how they would like progress reported?
- Will you report quarterly, monthly, once a year?
- What format will you use to report progress on the strategic plan?
- Will you use progress updates in your annual evaluation process?
- How will residents know about progress on goals and strategies in the community?

Table 9: Town Council Planning Retreat Summary – Saturday, January 12, 2019

Source: Town of Amherst, Virginia

Topic Area	Items to Accomplish by June 30, 2019	Work Plan for July 1, 2019-June 30, 2020	Goals for December 31, 2020	Long-Term Goals
Recodification	Town code recodification completed	Zoning and subdivision ordinance recodification	All code in Municode	
Pay Policies and Practices	Career development policy and COLA + merit (Step) policy implemented	Policies and practices implemented		
Brockman Park	Marketing material updated via Sweet Briar Partnership	Implement new marketing plan		Full capacity at Brockman Park
Town Park	Park available for "initial" public use	Formulate vision of park and implement vision	Create park and trail master plan	Implement park master plan
Town Square	Resurrect the project, work with stakeholders	Work with CVPDC to identify grant funding for the project	Project implementation	Implement town square
Trail	Complete project scope for water and sewer relocation	Relocate water and sewer	Construct the pedestrian/ bike trail to college	Provide recreational opportunities
Downtown	Create a vision for downtown	Identify strategies to implement vision for downtown	Implementation of vision for downtown	Effect downtown revitalization
Utilities		Committee to reconvene and start new negotiations	Implement new arrangements re water service to college	Implement new arrangements re sewer service to college
Police Department Building Renovation	Determine space utilization and develop RFP	Construction project out for bid, complete constructions		
Various	Move to paperless agendas; utilize tablets			Add attractions for young adults, new businesses, and housing options (i.e., for senior residents)
	YMCA: complete market analysis			More downtown events
	Improved capital improvement plan (CIP)			



EXAMPLES

Table 9 is an example of a small community's strategic plan with timelines. The manager uses this document to report to the town council monthly and uses this document during their annual evaluation. This is a simple spreadsheet that is easy to understand and easy to update.

Linking to the Budget

Once the strategic plan has been adopted, using the document to inform budget decisions is a key implementation tool for the local government. Over 80% of the respondents to the survey stated that the strategic plan is used to prioritize and justify budget requests during the annual budget process. For small communities, it may be a challenge to formally link the budget to the strategic plan but there are simple ways to accomplish this goal.

At the beginning of the budget process, review the strategic plan goals and strategies with the elected officials. Identify and prioritize budget requests and funding needs based on how they align with the goals and strategies in the strategic plan. A simple spreadsheet that lists the funding requests and identifies the corresponding goal is sufficient to communicate this information.¹⁸



KEY QUESTIONS

Linking to the Budget

- Have you identified funding requests and budget priorities prior to the start of the budget process?
- What format will you use to communicate funding allocations that support the goals of the governing body?
- Have you worked with department directors; do they understand how to connect their budget and funding requests to the strategic plan?



EXAMPLES

Rolesville, North Carolina, has been recognized by GFOA for their effort to incorporate their strategic plan into their annual budget conversation. Department heads are required to tie requests for new initiatives to the strategic plan. These linkages are further reinforced within the annual budget document to help communicate to the public how the strategic plan is being accomplished.

Table 10 consolidates the annual budget requests from departments for the town. Three of the five budget request support town goals/topic areas from the example used in the "reporting on progress" section above. Elected officials can quickly see all requests, identify the connections to the strategic plan, and prioritize funding based on the connections to the strategic plan.

Table 10: Town Annual Budget Requests

Source: Town of Amherst, Virginia

Goal	Department	Budget Request	Funding Requested
Town Park	Parks and Recreation	Park and Trail Master Plan Development	\$50,000
Recodification	Administration	Municode Update	\$5,000
Brockman Park	Economic Development	Marketing Material	\$2,500
Utilities	Utilities	Administrative Assistant	\$30,000
Various	Administration	Internship Program	\$3,000

Updating the Strategic Plan

Once the initial plan has been developed, elected officials and managers inquire as to the frequency of updates to the strategic plan. Having a strategy for reviewing and updating your strategic plan is helpful—but this process is dependent on the local government, and as demonstrated in the report, all local governments are unique.

In the survey, local governments reported updating their strategic plans anywhere from annually up to every five years (Q8, Appendix A).



EXAMPLES

Rolesville, North Carolina, operates on a two-year cycle to correspond with local elections. This allows new the new town board to set their own short-term direction as they start their terms. While the mission and vision doesn't need to be updated annually, it may be appropriate to look at these components with a new board. Mariposa County set out hoping to update their plan annually but found in practice their first update happened 2.5 years after the initial adoption. Remaining flexible allowed them to spend limited staff time and resources when it will have the most impact.



TIPS

Avoid having your review process become too routine or just to “check a box.” Strategic plans and their goals should be flexible and shift when appropriate. Try different approaches to reviewing your strategic plan each time you update, focusing on key issues or aspects of the plan that invite conversation and change moving forward.



KEY QUESTIONS

Updating the Strategic Plan

- Has the governing body communicated to you, as the manager, when they want to update the full strategic plan?
- How will the update be similar to and different from the first strategic planning process?
- Do you need to plan for financial resources for the update in the upcoming budget?
- Will you need to hire a facilitator for the next update?
- What is a realistic timeline for you, as the local government manager, given the organizational capacity challenges in your community?

Conducting Performance Management

What is Performance Management?

“Performance management includes identifying, collecting, analyzing, and reporting on indicators that show how well the organization performs, both internally and in the delivery of services to the public, and how that performance compares with its targets or with peer organizations. More importantly, as a management tool, performance data is intended not as an end result, but rather as a means to more informed decision making and a more engaged community”

ICMA, *Getting Started in Performance Management*¹⁹

For small communities with limited financial and administrative capacity, the idea of a formal performance management system is overwhelming. The focus of this report is on developing a strategic plan and utilizing the plan in the budget process to inform decision-making and to support communities. However, performance management is often an important component of strategic planning and connects strongly to the goals and strategies of the strategic plan.^{20,21} As such, this report seeks to provide guidance to small communities on how to implement performance management easily, concisely, and clearly.

First, interviews with the local government managers revealed that performance management does take place in small communities, but it is often on an ad hoc or as needed basis as opposed to a formal, annual process. Managers reported that the task of collecting and analyzing data takes place when an issue arises.

What do small communities need to conduct ad hoc performance management?

Small communities reported in interviews that they recognize performance management in their day-to-day work, and for many local governments performance management means answering questions, such as:

- Are we coming in under budget?
- Did we meet our fund balance target?
- How long did it take to fix the water main break?
- What is our police department's response time?
- How many people are participating in the summer program?

- How many books are being checked out at the library?
- How much is the city paying entry level police officers?

All those questions and ones like them can be a small community's version of performance management. But small communities can start measuring performance by thinking about those questions in different ways, such as:

- What are our general fund budget and tax rates compared with other communities?
- What is our fund balance percentage as compared with other communities?
- How long does it take other communities to fix water main breaks?
- What are the response rates for police in other communities?
- Do other communities have summer programs? What kind? How long?
- What services do other community's libraries provide?
- What are other communities paying entry level police officers?

By thinking about the issue your community is having and changing the question to “What are other communities doing?,” you can compare your local government to other communities that are similar in size and service to gauge your performance.

IDENTIFY BENCHMARK COMMUNITIES.

The first step is to identify benchmark communities. Benchmark communities are local governments that your local government competes with in terms of new employees, they share a border with your jurisdiction, and they are similar in size, budget, and services. Typically, local governments will identify five-seven local governments for comparison purposes.

Local government managers and key staff should develop a professional relationship with their counterparts in the benchmark communities to share data and information. Make sure you have their contact information for requesting information.

? KEY QUESTIONS

Benchmark Communities

- Who do we “compete” with for employees and business?
- Which local governments do we share a jurisdictional boundary with?
- What other local governments have a similar population, budget, and service portfolio?

IDENTIFY COMMON QUESTIONS TO DEVELOP AN ANNUAL LIST OF PERFORMANCE MEASURES.

The next step is to identify frequently asked questions that are requested by the elected officials (i.e., tax rates, number of employees) and collect that data on an annual basis. Identify frequently asked questions by the manager to department heads (i.e., number of sidewalks maintained, capacity of wastewater treatment plan). The data collection will also provide your local government with trend information as you build three-five years of data. Managers and department heads should offer to share the information with the benchmark communities as well and can include findings in annual documents like the budget.

? KEY QUESTIONS

Frequently Asked Questions

- What questions do I get asked frequently from elected officials?
- What information do I need from other local governments?
- What statistics are important to the elected officials?
- What data do we need on an annual basis, during the budget process, during the year?
- What are our general fund budget and tax rates compared with other communities?
- What is our fund balance percentage as compared with other communities?
- How long does it take other communities to fix water main breaks?
- What are the response rates for police in other communities?
- Do other communities have summer programs? What kind? How long?
- What services do other community's libraries provide?
- What are other communities paying entry level police officers?

PREPARE FOR AD HOC REQUESTS AT ANY GIVEN TIME BY STARTING SMALL.

With a list of benchmark communities and key contacts, local governments are now able to respond to ad hoc requests from elected officials or other key stakeholders for performance data. Most importantly, make sure you are asking the right question to the benchmark communities.

There are hundreds of performance measures that could be and are being compiled by local governments. Develop a list of 10 or fewer to begin with; think about the most frequent questions and start there.

CONSIDER WHAT TYPES OF MEASURES TO USE.

Table 11 below identifies three common performance measures, what they are measuring, and basic examples.²² It is important to recognize that one data point is insufficient to gather information; trend data meaning collection of data over a three-five-year period will inform you and the elected officials on activity—is it increasing, decreasing, or remaining stable. Starting now, your local government can begin to build a robust set of data for answering the most frequently asked questions.

Table 11: Sample Measure Types

Types of Measures	What are they measuring?	Examples
Workload	How many of something; raw counts of outputs	Calls received, work orders completed, zoning applications processed
Efficiency	Ratio, relationship between outputs and inputs, can be expressed in percentage	Cost per job reviewed, cost per capita, application processed per analyst, calls per police officer, building permits per inspector
Outcome	Effectiveness, obtains quality, if a program or service is having an impact	Resident satisfaction, impact of a program, response time of 5 minutes or less



EXAMPLES

Lindenhurst, Illinois, staff identified some measures that indicate performance with their overarching strategic planning themes. They update this data monthly to show elected officials and the broader public how they are performing in specific areas. Internally, their staff have a quarterly discussion to report on progress with action steps identified by the village's strategic plan.

Case Studies/Best Practices

As part of the survey distributed to local governments, respondents were asked to share their strategic plans and if they would be willing to serve as best practice communities for the report. After the data analysis was completed, five local governments from across the country were selected for more in-depth analysis of their process. The five local governments describe their strategic planning process in detail in the following section.



Mariposa County, California (Home of Yosemite)

Population: 17,100

Dallin Kimble, County Administrative Officer
(January 2017 – Present)

<https://www.mariposacounty.org/1780/Strategic-Plan>

What was the process?

Our strategic planning process began with data collection, including a community survey. After several informative presentations about different aspects of the county, the board of supervisors met with department heads and

then on their own to complete a facilitated analysis of strengths, weaknesses, opportunities, and challenges. The board identified our mission, vision, values, and focus areas, along with a few key objectives for the future.

Staff then organized interdepartmental committees of six-eight staff for each focus area to flesh out the objectives and initiatives. The work of the committees was presented to the department heads and the CAO, who made a few minor tweaks primarily removing duplicates that appeared in multiple focus areas. The final draft was considered and approved by the board.

How did you obtain elected officials buy-in?

We're fond of saying that we don't want buy-in, we want ownership. Our elected officials had ownership in the strategic plan because they directed staff to put it together and were involved in the process.

How much did the process cost and did you use an outside facilitator?

We spent about \$11,000 on a community survey and about \$8,000 on a facilitator. We used primarily in-house staff except for the resources/costs noted above.

How much time to do the strategic planning process?

Our strategic plan took about six months to put together.

Did you engage residents in the process?

The county had recently completed a community-by-community process to gather input for the economic vitality strategy. Staff also conducted our first community survey, sought input on social media, and received public comment at various meetings along the way.

Did you use a Strengths, Weaknesses, Opportunities, and Challenges (SWOC) analysis?

Yes.

Table 12: Comparison of Case Study Local Governments

Local Government	Population	Cost	Time for the Process	Facilitation	Community Engagement	SWOC Analysis	Updates	Reporting
Mariposa County, CA	17,100	\$8,000	6 months	In-house staff	Consult using survey data prior to the plan's creation	Yes	Annually	Annually
Town of Vinton, VA	8,128	\$2,000	6 months	Consultant	Inform residents after the plan was created	Yes	Annually	Annually
City of Stevenson, WA	1,700	\$2,000	9 months	Consultant	None	No	Annually	Annually
Village of Lindenhurst, IL	14,406	\$16,900	10 months	University	Consult using survey data and focus groups prior to the plan's creation	Yes	3-4 years	Monthly and Quarterly
Town of Rolesville, NC	9,359	\$16,200	3 months	University	Consult using community input sessions	Yes	2 years	Quarterly

How often do you update the strategic plan?

We aspire to update the strategic plan annually. In practice, we're beginning our first update of the plan about 2.5 years after adoption.

How often do you report progress on the strategic plan?

Progress on the strategic plan is reported annually and as significant milestones are reached.

Lessons learned or what you would do differently?

We've debated back and forth between a thorough plan with estimated budgets, specific performance targets and timelines, and a simpler conceptual plan. For our first time, we opted for simple and now think we should make it even more simple. One page would be ideal to make it a frequent reference that is easy to remember and use.

The right facilitator makes a big difference. We're glad we used a facilitator when we did; in the future, we would use facilitators in the staff committees as well. Along the way, we met several facilitators who were too academic or would not have been a good fit with our community and/or our staff. We also met a few who did, or we felt would have done excellent work consistent with our community.



Town of Vinton, Virginia

Population: 8,128

Richard "Pete" Peters, Town Manager
(January 2021 – Present)

[https://www.vintonva.gov/486/
Town-of-Vinton-Strategic-Plan-2020-2025](https://www.vintonva.gov/486/Town-of-Vinton-Strategic-Plan-2020-2025)

What was the process?

Over the past decade, Vinton had primarily conducted yearly planning retreats with members of staff and town council to develop annual goals and targets for establishing operating and budget priorities for the upcoming fiscal year. In 2020, the town underwent a

more comprehensive strategic plan update, with a desire to establish operating and budget priorities for the next five years (2021-2025).

How did you obtain elected officials buy-in?

Council supported the concept of establishing a longer-term planning document to provide more mid-range guidance to staff for CIP and operational planning. Annual planning to establish immediate priorities had been sufficient in recent years due to flat revenues—although given new revenue growth attributed to economic development projects, such as new restaurants and pari-mutuel gaming—a longer-term approach was necessary.

How much did the process cost and did you use an outside facilitator?

The town used a facility that it owned for the half-day retreat and the only expenses associated were snacks and the consultant contracted to facilitate the discussion and draft the written plan. The town contracted with Council of Community Services, a not-for-profit organization located in Roanoke that facilitates many community service activities on behalf of various local and state governments. The contract rate was \$2,000 for their work.

How much time to do the strategic planning process?

Council and staff met with the consultant over a half day, although the consultant had sent out surveys to participants several days in advance to establish much of the preliminary work.

Did you engage residents in the process?

Once a draft plan was created, council solicited feedback via requesting public comment on the concepts and direction of the strategic plan.

Did you use a Strengths, Weaknesses, Opportunities and Challenges (SWOC) analysis?

A SWOC was used as part of the preliminary feedback gathered by the initial surveys sent to council and staff.

How often do you update the strategic plan?

The plan is reviewed annually as part of the annual operation and CIP budget development, as budget priorities are being tied back to strategies associated with the strategic plan.

Lessons learned or what you would do differently?

The method that we undertook to develop the plan went extremely well and was a very efficient process. Council has been very supportive of the annual updating practices being tied to the annual budget adoption and are very pleased with the outcomes being accomplished by the document and the activities the plan has generated.



City of Stevenson, Washington

Population: 1,700

Leana Kinley, City Administrator
(September 2017 – Present)

<https://www.ci.stevenson.wa.us/citycouncil/page/council-strategic-goals>

What was the process?

Historically, the city goals and priorities were presented by department heads and discussed during the budget process. Leading up to the city's first strategic planning process, there were multiple projects that identified a need for the city to have a better long-range plan. During the update of the general sewer plan and facilities plan, the estimated cost to upgrade the city's system was \$16M and the residential base rates were projected to reach \$185/month. The upgrades were mandated by a state Department of Ecology Administrative Order issued to the city in 2017 for violations of its National Pollutant Discharge and Elimination System (NPDES) permit. At the same time, the city recently purchased land and was looking to design and build a new fire hall. There were also two recent street rebuild projects that moved forward without adequate improvements to the underlying water and sewer infrastructure. With limited staff and resources, decisions needed to be made on which projects were a priority and what needed to be pushed out or delayed.

With a new mayor and city administrator, we were looking to improve the planning process. Our first step was a half-day council retreat, facilitated by a community member, to set the stage for a strategic planning session. This was conducted two months into the mayor's first term (February 2018) and was a good starting off point to establish overall council direction.

In October of the same year, we held our day-and-a-half strategic planning retreat. Prior to the retreat, we sent out a survey on goals, priorities, and other feedback. It

consisted of an initial half-day session where we reviewed the previous goals from February, reviewed the survey, and proposed new goals and priorities. The next day, we reviewed the previous day, prioritized the goals, and developed strategies for meeting those goals. This was done by an outside facilitator and the result was a five-year strategic plan with a vision, mission, and SMART goals.

How did you obtain elected officials buy-in?

The mayor was on board to begin with and recent events at the city created the impetus for council to change direction and look at a better way to plan for the future.

How much did the process cost and did you use an outside facilitator?

We used a consultant who facilitated meetings for another local group. The cost was \$2,000 for their services.

How much time to do the strategic planning process?

The initial meeting was a day-and-a-half.

Did you engage residents in the process?

We have not engaged residents in this process yet. We are in the process of developing a community engagement and public participation plan that will be incorporated into this process.

Did you use a Strengths, Weaknesses, Opportunities and Challenges (SWOC) analysis?

No.

How often do you update the strategic plan?

Annually. Every year council holds a retreat, ideally in Q1, and goes over the progress on the plan and discusses changes. These are then reviewed and confirmed at the beginning of the budget process. All plans and updates can be found on our website <https://www.ci.stevenson.wa.us/citycouncil/page/council-strategic-goals> and the progress of past goals are listed in each subsequent plan.

How often do you report progress on the strategic plan?

Annually, see above.

Lessons learned or what you would do differently?

Going forward, there is a need to better involve the community on the strategic plan. Goals and priorities on the list were compared to the city's comprehensive plan, which has an engagement process, and they were not in conflict, but there was no public component of the strategic plan. When we come up on the end of the initial five-year plan, a reset will be needed, and we can incorporate an improved community engagement process to inform a new strategic plan.



Village of Lindenhurst, Illinois

Population: 14,406 (2020)

Clay Johnson, Village Administrator
(September 2017 – Present)

<https://www.lindenhurstil.org/departments/division>

What was the process?

After contracting with the Center for Governmental Studies out of Northern Illinois University (NIU), the Village of Lindenhurst reached out to various community stakeholders, staff, and residents to set up a series of focus groups to gain feedback on village performance and direction. The feedback from those focus groups was compiled into a single document and presented to the village board in a planning workshop.

Using the information gained from the focus groups, the mayor and village trustees went through a number of analytical exercises during a workshop session to develop a series of priorities that respond to the themes of the focus groups and analyses. In that same workshop, the priorities were organized in terms of their completion date and complexity. Our partners at NIU took these goals, and then sent them to our elected officials to rank in terms of priority. The results of the prioritization were then shared with elected officials and staff.

Once again with the help of the representatives from NIU, staff reviewed the newly developed goals and prepared a series of action steps that led to accomplishing a particular goal. Each action step was assigned a primary staff lead and timelines were established for updates and goal completion. The action steps also included any resources or outside agency assistance that may be needed.

Finally, after all goals and action steps were completed, the full strategic plan was publicized and adopted by the village board. After adoption, staff sent the strategic plan to all those who participated in the planning process.

How did you obtain elected officials buy-in?

Our village board has always prioritized long-term planning, but never took the time to solicit feedback from stakeholders and staff to drive the strategic initiatives of the village. Convincing the board to move in this direction was not a challenge as we sought to engage our public to a greater degree and increase transparency of village initiatives.

How much did the process cost and did you use an outside facilitator?

The village used the Center for Governmental Studies at NIU as consultants for our strategic planning process. Their representatives coordinated with village staff and led all focus groups and facilitators of our strategic planning workshop. Once all the data was collected, our partners drafted the strategic plan and worked with staff on action steps that would be used to meet the overall tenets of the plan. Cost was \$16,900.

How much time to do the strategic planning process?

From the moment we began to collaborate with NIU, the process took about 10 months.

How did you engage residents?

Before we began our strategic planning process, the village engaged a company to conduct a statistically significant community survey that would indicate how the community feels about various aspects of our local governments' approach and services. The community survey was then used as a data point in our strategic planning session. One of the first steps of the strategic planning process was the creation of three focus groups to provide their feedback on a variety of areas. Each focus group was facilitated by a representative of NIU and no village elected staff or management were present in the room during discussion. One focus group was composed of village staff, another with community stakeholders (schools, park districts, Chamber of Commerce), and the final group was with Lindenhurst residents.

Did you use a Strengths, Weaknesses, Opportunities and Challenges (SWOC) analysis?

Yes, village board members, staff, and any attending public were divided into groups to each develop items that fit into a SWOC analysis. The group then reconvened to share their thoughts and ideas.

How often do you update the strategic plan?

We have not updated the plan as of yet, but we will likely update it every three-four years.

How often do you report progress on the strategic plan?

Village staff identified some measures that indicate performance with our overarching strategic planning

themes. We update this data monthly to show our elected officials and the broader public how we are performing in these specific areas. Internally, our staff has a quarterly discussion to report on progress with action steps identified by the village's strategic plan.



Town of Rolesville, North Carolina

Population: 9,359

Kelly Arnold, Town Administrator
(June 2018 – Present)

Amy Stevens, Finance Director
(2012 - Present)

<https://www.rolesvillenc.gov/strategic-plan>

What was the process?

Rolesville's governing board embarked on the development of a comprehensive strategic plan in late 2019. Since early 2017, the town had identified a simple series of goals and objectives that were updated annually through an informal process. These goals were generally completed as part of an annual budget retreat with the town board and town manager.

With a relatively new manager and board taking office after the November 2019 election, the town targeted the period of November 2019 through February 2020 to initiate and complete a more comprehensive, long-term strategic plan with a two-year work program.

After the November 2019 election, town staff worked with the consultant to create a systematic approach that would produce the desired product over a three-month span. The February 2020 completion time frame would allow the strategic plan to be used and featured in the budget development for the 2020-21 fiscal year, which started July 1, 2020.

Over the course of the three-month period, the following activities took place:

- Initial full-day retreat with the governing board, consultant, and lead staff to conduct a regional forecasting exercise and a SWOC analysis of the community and organization. The group began creating consensus around a community vision and high-level goals.
- Two facilitated community input sessions to obtain feedback directly from residents and stakeholders in the community about their vision for the future of Rolesville. To maximize participation, one session was held during the business day and one session was held in the evening.
- Half-day facilitated discussion with town manager and department heads to create consensus around a mission statement and core values, which are the more internally focused components of the town's strategic plan.
- Final full-day retreat with the governing board, consultant, and lead staff to review the work from the community and staff input sessions. The primary objective of this session was to refine and finalize the essential elements of the strategic plan.
- Presentation and adoption of the strategic plan components at the governing board meetings in March 2020, which led to the development of materials that are now used as part of the strategic plan.

The primary components of the adopted strategic plan that are essential to implementation are: the vision statement, four key focus areas, 16 goals, and the mission and core values of the internal organization.

How much did the process cost and did you use an outside facilitator?

In the fall of 2019, the board initiated a consultant selection process. This process called for experienced consultants to submit a request for proposal to assist with the development of the plan. A subcommittee with representation by the mayor, a town commissioner, and staff was formed, and this subcommittee conducted an interview process with the top candidates. The University of North Carolina School of Government was chosen for their experience, proposed process, and pricing. Their proposed process called for the School of Government consultants to direct development of the planning process, lead the facilitation of governing board and community input, and create the framework for the strategic plan. The cost for the services and materials was \$16,200.

How often do you update the strategic plan?

Over the course of the past two years, the strategic plan has been treated as an important roadmap providing clear guidance for the decision-making process regarding policy

adoption and budget development. The plan is referenced as part of cover memos that are written for governing board agenda items, and staff members routinely develop recommendations based upon whether the policy is in alignment with the strategic plan.

How often do you report progress on the strategic plan?

After the adoption of the strategic plan, town leadership further developed specific work plan priorities that could be addressed over the immediate two-year work period. These initiatives were collected into the staff progress report, which is updated three times a year and provided to the governing board in their agenda packet and posted on the town's public website.

Regular communication has been an important factor in keeping the plan alive and relevant. The key components were formatted into an 11" x 17" document that could be folded and used as a brochure or opened and used as a desk blotter or poster. A laminated version of the plan sits in front of elected officials at all board meetings. Copies of the plan were made available to staff and are part of the new hire onboarding packet. Staff members have copies of the strategic plan hanging on walls and bulletin boards. These easy-to-find copies of the plan help ensure it remains accessible to all and relevant to decision-making.

The strategic plan has been incorporated into the annual budget conversation. Department heads know that requests for new initiatives and staff should be tied to the strategic plan to be successful. These linkages are further reinforced within the annual budget document. With the

receipt of the Government Finance Officers Association (GFOA) 2021 Distinguished Budget Presentation Award, the town was recognized for meeting their standards for clearly communicating its strategic goals and the action plans developed to accomplish those goals.

Next Strategic Plan Cycle

For Rolesville, there is a two-year cycle associated with the strategic plan. While the vision statement is focused on the long-term development of the community, the specific goals and work plans are more suited to a shorter cycle of review and modification. A two-year cycle nicely corresponds with local elections and allows a new town board to set their own short-term direction as they start their terms.

The next strategic plan update, scheduled for late 2021, will follow a similar November through February time frame, but it will be more focused on minor modifications. Since this is a more limited scope of work, it will be facilitated by staff instead of an outside consultant. In the future, a more significant strategic plan process will proceed either due to the passage of time (i.e., the strategic plan is at least four years old) or a significant change of town board membership.

Going forward, there is a desire for the next major iteration of the strategic plan to include more participation of the staff leadership team, improved development of metrics to identify plan success, and incorporation of a biannual community survey in the alternating years.

Appendix A

Strategic Planning for Small Communities Survey

The strategic planning survey, distributed in August 2021, provided a snapshot of strategic planning initiatives in small communities throughout the United States. The survey was completed by local government officials in 24 of the 50 States, the District of Columbia and one international respondent.

The respondents included local government managers, assistants or deputy managers, department heads, elected officials and others including clerks, interim managers, and retired managers. The respondents represented a balance of city, county, and town local governments and over 68% were from communities with populations less than 10,000.

Q1 Is your local government a city, county, or town?		
Local Government Type	Percentage	Number
City	47.3%	44
County	9.7%	9
Town	43.0%	40
Total	100%	93

Q2 What is your local government's population?		
Answer	Percentage	Number
0-5,000	35.8%	34
5,001-10,000	33.7%	32
10,001-15,000	14.7%	14
15,001-20,000	15.8%	15
Total	100%	95

Q3 What state or country represented?	
Answer	Number
Alaska	3
California	4
Colorado	2
Connecticut	1
Delaware	1
Florida	2
Illinois	5
Indiana	1
Iowa	2
Maine	2
Maryland	2
Massachusetts	1
Michigan	2
Minnesota	2
Missouri	2
Nebraska	2
New York	1
North Carolina	3
Ohio	5
Oregon	1
Pennsylvania	3
South Carolina	2
Tennessee	1
Virginia	28
Washington	4
Wisconsin	2
I do not reside in the United States	1
Total	85

Q4 | What is your position?

Answer	Percentage	Number
County, city, town manager	65.3%	62
Assistant or deputy manager	12.6%	12
Department head	4.2%	4
Elected official	6.3%	6
Other (please specify)	11.6%	11
Total	100%	95

Q5 | A strategic plan is defined as a plan that is adopted by the governing body and includes a mission, vision, values or value statement and goals and objectives for the organization and community. Does your local government have a strategic plan?

Answer	Percentage	Number
Yes	49.6%	55
No	21.6%	24
We are in the process of developing a strategic plan.	10.8%	12
We have some components of a strategic plan but not all as defined above.	18.0%	20
Total	100%	111*

* Some respondents answered only this question and did not complete the full survey.

The following questions were answered by local government officials stating they had a strategic plan.

Q6 | What do you view as the benefits of having a strategic plan for the organization and the community?

Question	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Total
The strategic plan provides clear guidance on the goals of the governing body to the manager.	5.7%	0.0%	2.9%	20.0%	71.4%	35
The strategic plan is used as a communication device for staff.	5.7%	2.9%	2.9%	25.7%	62.9%	35
The strategic plan helps me to prioritize the work in the organization.	5.7%	2.9%	8.6%	28.6%	54.3%	35
The strategic plan communicates to employees that what they do is important and for a purpose.	5.9%	5.9%	14.7%	20.6%	52.9%	34
The strategic plan is used to prioritize budget requests.	8.8%	2.9%	8.8%	29.4%	50.0%	34
The strategic plans serves as an accountability tool for the governing body during the manager's evaluation.	6.1%	12.1%	24.2%	21.2%	36.4%	33
The strategic plan serves as a communication device for the citizens in the community on the goals of the governing body.	5.9%	2.9%	11.8%	38.2%	41.2%	34
The strategic plans helps me, as the manager, prioritize staff and financial resources.	5.9%	2.9%	5.9%	29.4%	55.9%	34
The strategic plan prioritizes resources from a organizational-wide perspective.	5.9%	2.9%	14.7%	41.2%	35.3%	34

Q7 | The strategic plan is a resource for local governments during times of crisis. Consider the following questions and select your level of agreement.

Question	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Total
The strategic plan helped prioritize services during the COVID-19 pandemic.	20.6%	11.8%	41.2%	20.6%	5.9%	34
The strategic plan helped to prioritize funding when revenues declined during the pandemic.	23.5%	8.8%	29.4%	26.5%	11.8%	34
The strategic plan is helping to prioritize funding allocation through the American Rescue Plan Act (ARPA).	23.5%	2.9%	32.4%	23.5%	17.7%	34
The strategic plan has helped prioritize resources during economic crisis.	20.6%	5.9%	26.5%	26.5%	20.6%	34
The strategic plan has helped the elected officials make decisions on controversial issues.	11.8%	8.8%	23.5%	26.5%	29.4%	34
The strategic plan has helped prioritize resources as a result of a natural disaster in our community.	17.1%	17.1%	37.1%	20.0%	8.6%	35

Q8 | How often does the governing body update or review the strategic plan?

Answer	Percentage	Number
Annually	25.7%	9
Every two years	31.4%	11
With each election	8.6%	3
Other	34.3%	12
Total	100%	35

Q9 | At what stage of the strategic planning process is your local government?

Answer	Percentage	Number
Strategic plan is adopted and available.	45.7%	16
Strategic plan is completed and available and the budget is tied to strategic priorities.	40.0%	14
Strategic plan is completed, we appropriate funds for strategic priorities and we have developed performance measures to track strategic goals and priorities.	14.3%	5
Total	100%	35

Q10 | Was your strategic plan developed with in-house staff or with an outside facilitator?

Answer	Percentage	Number
In-house staff	42.9%	15
Outside facilitator	57.1%	20
Total	100%	35

Q11 | Did you conduct any citizen engagement (surveys, town hall meetings, emails) to gather citizen input on the mission, vision or goals for the local government during the strategic planning process?

Answer	Percentage	Number
Yes, we gathered citizen input	60.0%	21
No, we did not gather citizen input	40.0%	14
Total	100%	35

Q12 | If you did not conduct any citizen engagement to inform the strategic plan process, identify the reasons below. (select all that apply)

Answer	Percentage	Number
In a small local government, citizen engagement happens daily.	85.7%	12
Our elected officials work closely with citizens because we are small and can communicate their needs sufficiently.	78.6%	11
Not enough time.	28.6%	4
We did not have staff resources to conduct citizen engagement.	64.3%	9
Other	21.4%	3
Total		14

The following questions were answered by local government officials who stated they did not have a strategic plan at all. Not all questions were displayed to each official depending on their answers to previous questions.

Q13 | What are some challenges for your local government to developing a strategic plan?

Question	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Total
Elected officials are not interested in developing a strategic plan.	16.7%	11.1%	33.3%	33.3%	5.6%	18
We do not have the time to do a strategic plan.	11.1%	11.1%	33.3%	33.3%	11.1%	18
We do not have the staff expertise to do a strategic plan.	17.7%	17.7%	23.5%	17.7%	23.5%	17
We do not have funding available for a strategic planning process.	11.8%	11.7%	11.8%	29.4%	35.3%	17
We feel the comprehensive plan is sufficient for strategic planning.	17.7%	29.4%	29.4%	17.7%	5.9%	17
We use a priority setting process during the budget process in lieu of a strategic plan.	5.9%	5.9%	29.4%	52.9%	5.9%	17
The elected officials cannot agree to do a strategic planning process.	27.8%	11.1%	33.3%	16.7%	11.1%	18

Q14 | If you wanted to do a strategic plan, what resources would you need?
(select all that apply)

Answer	Percentage	Number
Financial resources - money to do it.	38.9%	7
Staff resources - staff to help pull the document together.	44.4%	8
Time resources - dedicated time outside the office to hold a strategic planning workshop.	61.1%	11
Elected officials buy-in - having the elected officials agree to hold a strategic planning workshop.	50.0%	9
Outside facilitator - someone neutral to facilitate the process.	50.0%	9
Other	0.0%	0
Total		18

This section was completed by local government officials who identified having some components of a strategic plan or were in the process of developing a strategic plan. Not all questions were displayed to each official depending on their answers to previous questions.

Q15 | At what stage of the strategic planning process is your local government?

Answer	Percentage	Number
Strategic planning process has been initiated but not complete. (Please note in the box what activities have been initiated.)	42.9%	3
We have some components of the strategic plan but not all. (Please note in the box below what components are available.)	28.6%	2
The governing body has not adopted the strategic plan at this time, but they held a strategic planning retreat.	28.6%	2
Total	100%	7

Q16 | What are some challenges for your local government to developing a strategic plan?

Question	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Total
Elected officials are not interested in developing a strategic plan.	66.7%	33.3%	0.0%	0.0%	0.0%	3
We do not have the time to do a strategic plan.	0.0%	33.3%	0.0%	66.7%	0.0%	3
We do not have the staff expertise to do a strategic plan.	0.0%	33.3%	0.0%	66.7%	0.0%	3
We do not have funding available for a strategic planning process.	0.0%	50.0%	0.0%	50.0%	0.0%	2
We feel the comprehensive plan is sufficient for strategic planning.	0.0%	33.3%	66.7%	0.0%	0.0%	3
We use a priority setting process during the budget process in lieu of a strategic plan.	0.0%	0.0%	33.3%	66.7%	0.0%	3
The elected officials cannot agree to do a strategic planning process.	0.0%	66.7%	33.3%	0.0%	0.0%	3

Q17 | Will your strategic plan be developed with in-house staff or with an outside facilitator?

Answer	Percentage	Number
In-house staff	20.0%	1
Outside facilitator	80.0%	4
Total	100%	5

Q18 | Will you conduct any citizen engagement (surveys, town hall meetings, emails) to gather citizen input on the mission, vision or goals for the local government during the strategic planning process?

Answer	Percentage	Number
Yes, we will (or we did) gather citizen input	60.0%	3
No, we will (or we did) not gather citizen input	40.0%	2
Total	100%	5

Q19 | If you will not (or did not) conduct any citizen engagement to inform the strategic plan process, identify the reasons below. (select all that apply)

Answer	Percentage	Number
In a small local government, citizen engagement happens daily.	50.0%	1
Our elected officials work closely with citizens because we are small and can communicate their needs sufficiently.	50.0%	1
Not enough time.	100.0%	2
We will not have staff resources to conduct citizen engagement.	50.0%	1
Other	100.0%	2
Total		2

Q20 | Why did your local government engage in the strategic planning process?

Question	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Total
The strategic plan will provide clear guidance on the goals of the governing body to the manager.	0.0%	25.0%	0.0%	25.0%	50.0%	4
The strategic plan will help the manager to prioritize the work in the organization.	25.0%	0.0%	0.0%	50.0%	25.0%	4
The strategic plan will communicate to employees that what they do is important and for a purpose.	0.0%	0.0%	25.0%	50.0%	25.0%	4
The strategic plan will be used to prioritize budget requests.	0.0%	0.0%	0.0%	75.0%	25.0%	4
The strategic plans will serve as an accountability tool for the governing body during the manager's evaluation.	0.0%	0.0%	25.0%	50.0%	25.0%	4
The strategic plan will help to prioritize staff and financial resources.	0.0%	0.0%	20.0%	40.0%	40.0%	5
The pandemic has changed what we do and how we do it.	20.0%	0.0%	20.0%	60.0%	0.0%	5
We had an election and new members were elected to the governing body.	20.0%	20.0%	0.0%	40.0%	20.0%	5
The governing body has differing views on the overall direction of the local government.	20.0%	40.0%	20.0%	20.0%	0.0%	5
We needed an overall plan for American Rescue Plan Spending (ARPA funding)	50.0%	0.0%	0.0%	25.0%	25.0%	4
We are in a financial crisis.	50.0%	0.0%	0.0%	50.0%	0.0%	4
We need consensus from the governing body on controversial issues.	0.0%	33.3%	0.0%	66.7%	0.0%	3

Q21 | What components of the strategic plan do you currently have? (select all that apply)

Answer	Percentage	Number
Mission Statement	15.4%	2
Vision Statement	30.8%	4
Values or values statement	30.8%	4
Goals	76.9%	10
Objectives	61.5%	8
Other (please describe)	15.4%	2
Total		13

Q22 | Many small communities use other resources or documents to serve as the local government's strategic plan. What type of document or resource serves as your local government's strategic plan? (select all that apply)

Answer	Percentage	Number
Comprehensive Plan (20 year plan of land use)	69.2%	9
Budget	84.6%	11
Capital Improvement Plan	46.2%	6
Other Plan (please specify)	7.7%	1
Total		13

Q23 | Were the components of your strategic plan developed in-house or using an outside facilitator?

Answer	Percentage	Number
In-house staff	53.9%	7
Outside facilitator	46.1%	6
Total	100%	13

Q24 | Were the components of your strategic plan developed with citizen engagement?

Answer	Percentage	Number
Yes	30.8%	4
No	69.2%	9
Total	100%	13

Q25 | If you did not conduct any citizen engagement to inform the strategic plan components, identify the reasons below. (select all that apply)

Answer	Percentage	Number
In a small local government, citizen engagement happens daily.	44.4%	4
Our elected officials work closely with citizens because we are small and can communicate their needs sufficiently.	33.3%	3
Not enough time.	11.1%	1
We will not have staff resources to conduct citizen engagement.	11.1%	1
It is an internal document for the governing body and the manager.	22.2%	2
Other	44.4%	4
Total		9

Q26 | Why did your local government engage in some level of the strategic planning process? (strategic plan includes components of the plan)

Question	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Total
The strategic plan will provide clear guidance on the goals of the governing body to the manager.	0.0%	7.7%	7.7%	69.2%	15.4%	13
The strategic plan will help the manager to prioritize the work in the organization.	0.0%	0.0%	0.0%	69.2%	30.8%	13
The strategic plan will communicate to employees that what they do is important and for a purpose.	0.0%	7.7%	15.4%	53.8%	23.1%	13
The strategic plan will be used to prioritize budget requests.	0.0%	0.0%	7.7%	53.8%	38.5%	13
The strategic plans will serve as an accountability tool for the governing body during the manager's evaluation.	0.0%	23.1%	23.1%	53.8%	0.0%	13
The strategic plan will help to prioritize staff and financial resources.	0.0%	0.0%	15.4%	61.5%	23.1%	13
The pandemic has changed what we do and how we do it.	15.4%	7.7%	61.5%	15.4%	0.0%	13
We had an election and new members were elected to the governing body.	15.4%	15.4%	38.5%	23.1%	7.7%	13
The governing body has differing views on the overall direction of the local government.	23.1%	7.7%	15.4%	30.8%	23.1%	13
We needed an overall plan for American Rescue Plan Spending (ARPA funding)	15.4%	7.7%	53.8%	15.4%	7.7%	13
We are in a financial crisis.	46.1%	30.8%	15.4%	7.7%	0.0%	13
We need consensus from the governing body on controversial issues.	15.4%	23.1%	30.8%	15.4%	15.4%	13

References

¹ List of Interviews

- Carter, Sara. In person interview. July 27, 2021.
 - Eads, Randall. In person interview. July 19, 2021.
 - Farrar, Joshua. In person interview. July 13, 2021.
 - Hazelwood, Geri. In person interview. July 29, 2021.
 - Johnson, William. In person interview. July 30, 2021.
 - Landford, Jonathon. In person interview. July 23, 2021.
 - Lawless, Matt. In person interview. July 20, 2021.
 - Meredith, Todd. In person interview. July 20, 2021.
 - Mester, Lucinda. In person interview. July 30, 2021.
 - Ramey, Frederick. In person interview. July 14, 2021.
 - Thrower, Brian. In person interview. July 27, 2021.
 - Warner, Bart. In person interview. July 14, 2021.
 - Wheeler, Randall. In person interview. July 12, 2021.
 - Workman, Eric. In person interview. July 26, 2021.
- ² Bryson, J. M. (2018). *Strategic planning for public and nonprofit organizations: A guide to strengthening and sustaining organizational achievement*. John Wiley & Sons.
- ³ Bryson, J. M., Edwards, L. H., & Van Slyke, D. M. (2018). *Getting strategic about strategic planning research*.
- ⁴ Gordon, G. L. (2013). *Strategic planning for local government*. ICMA Publishing.
- ⁵ Government Finance Officers Association. (2005, March, 31). Establishment of Strategic Plans. <https://www.gfoa.org/materials/establishment-of-strategic-plans>
- ⁶ Government Finance Officers Association. (2022, January). *Defining the Problem: The Missing Piece to Local Government Planning*. <https://www.gfoa.org/materials/defining-the-problem>
- ⁷ Mitchell, D., Huizenga, S., Novak, J. (2016). Success and Failure in Implementing Strategic Plans. https://icma.org/sites/default/files/308479_2016%20ICMA%20Presentation_Strategic%20Plans.pdf
- ⁸ Dimitrijevska-Markoski, T., Breen, J. D., Nukpezah, J. A., & Mobley, R. (2021). Strategic Planning and Management in Small Municipalities in Mississippi—Implementation, Perceived Benefits, and Determinants of Use. *Public Organization Review*, 1-16.
- ⁹ Nelson, K. L., & Stenberg, C. W. (2017). *Managing local government: An essential guide for municipal and county managers*. CQ Press.
- ¹⁰ Annual Estimates of the Resident Population for Incorporated Places in the United States: April 1, 2010 to July 1, 2019 (SUB-IP-EST2019-ANNRES) Source: U.S. Census Bureau, Population Division Release Date: May 2020.
- ¹¹ Wang, Kel, and Sambir, M. (2019). Strategic Planning Revisited, *Public Management Magazine*.
- ¹² Wang, Kel, and Sambir, M. (2019). Strategic Planning Revisited, *Public Management Magazine*.
- ¹³ Trent, Sheryl (2021). How to Facilitate Inclusive Community Outreach and Engagement. *Public Management Magazine*.
- ¹⁴ Center for Community Health and Development. (n.d.). *Community Toolbox*. University of Kansas. <https://ctb.ku.edu/en/table-of-contents>
- ¹⁵ Government Finance Officers Association. (2022, January). *Defining the Problem: The Missing Piece to Local Government Planning*. <https://www.gfoa.org/materials/defining-the-problem>
- ¹⁶ Government Finance Officers Association. (2022, January). *Defining the Problem: The Missing Piece to Local Government Planning*. <https://www.gfoa.org/materials/defining-the-problem>

- ¹⁷ Stenberg, C. W., & Austin, S. L. (Eds.). (2007). *Managing local government services: a practical guide*. ICMA Press.
- ¹⁸ Kavanaugh, S. and Ludwig, K. (2020) Strategic Planning and Program Budgeting Help the City of Indian Wells Improve Its Financial Foundation. <https://www.gfoa.org/materials/strategic-planning-program-budgeting-indian-wells>
- ¹⁹ Getting Started: Performance Management for Local Government. (2019). <https://icma.org/sites/default/files/Getting%20Started%20Performance%20Management%20for%20LG.pdf>
- ²⁰ Hall, J. L. (2017). Performance management: Confronting the challenges for local government. *Public Administration Quarterly*, 43-66.
- ²¹ DiNapoli, T. (2003) Local Government Management Guide – Strategic Planning https://www.osc.state.ny.us/files/local-government/publications/pdf/strategic_planning.pdf
- ²² Ammons, D. (2015). *Leading Performance Management*. ICMA Press.

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Strategic Plan
Three & Four-Year Goals and Objectives: La Marque Police Department
(To be completed NLT December 2026)

Goal 1
(3-Year—NLT 12/31/2025)

To have successfully developed and maintained a *positive organization culture* within the La Marque Police Department (LMPD). This vision (during CY 2021 upon my reappointment as Chief of Police) was that all LMPD employees would (within 3 years) be committed and embrace the desire to achieve organizational goals in such a manner that it positively satisfies the needs and priorities of those we serve. My principal visions relating to “positive organizational culture” included: 1) developing a sense of mutual trust between our department and the community; 2) insuring that the community is clearly aware and perceives that departmental employees are held accountable for their actions; 3) a positive partnership is being developed between the department and the community it serves; and finally, 4) Officers engage in problem-solving to prevent and control crime within their assigned areas of responsibility.

Action 1.1 The two (2) key strategies to be employed to achieve such goals are: Phased-in approach via the introduction and training conducted by Chief Aragon of: 1) the principles of *The Seven Habits of Highly Effective* & 2) Total Quality Management (TQM). (The KPI’s for evaluating the posture of our department’s organizational culture will be a “departmental employee survey” conducted by Dr. Everette Penn.)

Who: Action—all Police Department leadership personnel.

Benefits: Only employees that genuinely embrace, support, and comply with the principles inherent within LMPD’s positive organizational culture, will be rewarded with promotional and challenging special assignment opportunities, and other such “upward mobile” career benefits. Additionally, employees that are clearly cognizant of the strengths and/or weaknesses related to their performance and work-related conduct will then be prepared to concentrate upon enhancing their performance, personal growth, and development.

Goal 2
(3-Year—NLT 12/31/2025)

Continue conducting and refining the CompStat Program, which is essentially a police management system, pioneered in New York City (and now employed nationwide by agencies desiring to reduce crime rates and the fear of crime). The program requires up-to-date crime pattern information (processed via the agency’s Record Management System and its crime-mapping software). Additionally, armed with such crime information geographic commanders (e.g., in our case Shift Sergeants)

will be assigned specific police districts accountable for reducing crime within their assigned areas of responsibility. Its key principles and goals include: a) accurate and timely intelligence; b) rapid deployment; c) effective tactics; and d) relentless follow-up and assessment. Those assigned districts must remain cognizant of three (3) things: 1) crime conditions (i.e., patterns, M.O.s, etc.,) in their area of control; 2) appropriate tactics to deploy to address such conditions; 3) any revision to such tactics as necessary.

Action 2.1 All leadership personnel will participate in this initiative. As those involved become familiar and proficient on this initiative the City Manager and legislative body will be offered the opportunity to attend such briefings.

Who: Project Action Executive will be Chief of Police assisted by the department's Crime Analyst. Shift Sergeants will provide the briefings to the Command Staff.

Benefits: Should result in preventing and controlling crime, reducing citizens' fear of crime, and a corresponding reduction in crime rates (primarily violent crime).

Goal 3 **(3-Year—NLT 12/31/2025)**

Continue to maintain our Community-Oriented Policing (COP) effort. At this juncture 75% of the COLM should have Community Policing Officers assigned to designated neighborhoods.

Action 3.1 This effort will require additional Officers (i.e., those not currently performing COP) to assume community policing tasks and objectives.

Who: Our *COP Transition Team Leader* will take the lead on this effort.

Benefits: Continuation of developing a proactive partnership between the police department and the community should result in preventing and controlling crime, reducing citizens' fear of crime, and a corresponding reduction in crime rates (primarily violent crime).

Goal 4 **(3-Year—NLT 12/31/2025)**

Have LMPD budget with Enterprise to have one (1) patrol vehicle allocated for each Patrol Services Division Officer and a 20% reserve. The same allocation for all other staff members (administrative and Investigative Services Division staff) that are authorized a vehicle—with a 10% reserve.

Action 4.1 Will require that the City Manager and Chief of Police interact on necessary budgetary expenditures.

Who: Will require collaboration between the Command Staff, as necessary.

Benefits: Should ensure that vehicle availability for day-to-day operations: with a standby (reserve) fleet whenever a vehicle is down for maintenance.

Goal 5
(3-Year—NLT 12/31/2025)

Continue to align and meet goals and objectives as per the La Marque Safe City Initiative (LMSCI).

Action 5.1 To ensure that LMPD has achieved the three (3) year goals set by the LM SCI.

Who: Will require actions by the Chief of Police and Command Staff.

Benefits: Should result in preventing and controlling crime, reducing citizens' fear of crime, and a corresponding reduction in crime rates (primarily violent crime).

Goal 6
(3-Year—NLT 12/31/2025)

Begin construction of new police facility.

Action 6.1 Will require that the City Manager and Chief of Police interact on necessary budgetary expenditures.

Who: Will require collaboration between the Command Staff, as necessary.

Benefits: Will enhance quality of life for all LMPD staff to include placing all police resources in one centralized facility.

Goal 7
(3-Year—NLT 12/31/2025)

Solved three (3) cold case homicides during this timeframe.

Action 7.1 Will require intensive efforts between our Cold Case investigatory staff & the Galveston County Criminal District Attorney's Office.

Who: Cold Case investigatory staff.

Benefits: Should bring great relief and raise the spirits of those citizens that have lost relatives to homicides.

Goal 1
(4 Year NLT 12/31/2026)

Continue to align and meet goals and objectives as per the La Marque Safe City Initiative (LMSCI).

Action 1.1 To ensure that LMPD has achieved the five (5) year goals set by the LM SCI.

Who: Will require actions by the Chief of Police and Command Staff.

Benefits: Should result in preventing and controlling crime, reducing citizens' fear of crime, and a corresponding reduction in crime rates (primarily violent crime).

Goal 2
(4 Year NLT 12/31/2026)

Successfully acquire Texas Police Chief Association's Best Practices Accreditation Program (TPCABPAP) accreditation for LMPD.

Action 2.1 Receive recognition via TPCABPAP via successfully achieving and meeting the 170 standards.

Who: Will require actions by the Chief of Police and department's Accreditation Program Manager.

Benefits: The *Best Practices* were carefully developed by Texas Law Enforcement professionals to assist agencies in the efficient and effective delivery of service, the reduction of risk, and the protection of individual's rights. While similar in nature to the national accreditation program (via the Commission on Accreditation for Law Enforcement Agencies—CALEA), the Best Practices Recognition Program is easier to administer, lower in cost and is designed specifically for Texas Law Enforcement.

Municipal Court Vision, Mission, and Core Values

The elements of this strategic plan are designed to support the vision, mission, goals and core values of the La Marque Municipal Court:

Vision

To be the most effective, efficient, and impartial Municipal Court in Texas.

Mission

The Mission of the Municipal Court is to accurately, expeditiously, and courteously perform the clerical and ministerial duties required in the due process adjudication of misdemeanor violations of the law and ordinances filed in the Municipal Court of the City of La Marque. To impartially administer justice in a fair and efficient manner so that trust and accountability are exemplified to the public we serve.

Goals

To provide exceptional customer service

To provide effective & impartial administration of justice

To enhance organizational health

Core Values

Access to Justice

Effective and Efficient Court Administration and Operations

Independence and Accountability

Education for Professional Excellence

Infrastructure for Service Excellence

Core Values

Access to Justice: Municipal court will treat everyone in a fair and just manner. All persons will have equal access to the court and court proceedings. Court procedures will be fair and understandable to court users.

Effective and Efficient Court Administration and Operations: Justice will be administered in a timely, efficient, and effective manner.

Independence and Accountability: The court must maintain its status as independent and separate from the other branches of city government. The three separate but equal branches of government are the Executive Branch (City Manager and all departments including the Police department); the Legislative Branch (City Council); and the Judicial Branch (Municipal Court). This Court and its officers represent the Judicial Branch of the City of La Marque government. The independence of judicial decision-making will be protected in order to preserve the rule of law and ensure the fair, impartial, and efficient delivery of justice. The court will maintain the highest standards of accountability for its use of public resources, and adherence to its statutory and constitutional mandates.

Education for Professional Excellence: High-quality education and professional development will be provided to enhance the ability of all individuals serving in the court to achieve high standards of professionalism, ethics, and performance. Personnel will have access to the resources and training necessary to meet the diverse needs of the public and to enhance trust and confidence in the court.

Infrastructure for Service Excellence: For the court to fulfill its mission, it must have a sound infrastructure that supports and meets its needs and ensures operational continuity. The court will enhance the quality of justice by providing physical, and technological infrastructure that supports and meets the needs of the public, the court, and its justice system partners. A building designed on a scale in keeping with the importance and dignity of the Court and the Judiciary.

LA MARQUE MUNICIPAL COURT STRATEGIC PLAN

I. Access to Justice

All persons will have equal access to the court and court proceedings. Court procedures will be fair and understandable to court users.

- A. Identify and work to eliminate all barriers to access.
- B. Work to prevent bias and the appearance of bias in all judicial proceedings.
- C. Increase public access to court information and services.
- D. Develop and implement effective ways to assist self-represented litigants.
- E. Ensure our court facility are accessible to all court users and accommodate the needs of persons with disabilities.

II. Effective and Efficient Court Administration and Operations

Justice will be administered in a timely, efficient, and effective manner.

- A. Develop and implement effective practices to foster the timely, and efficient processing and disposition of all cases by implementing a paperless system in open court with a program through DocuSign.
- B. Ensure that court policies, and court forms promote the timely, effective processing of cases and make court procedures easier to understand.
- C. Improve operations through innovation, technology, and networking with other courts.
- D. Promote compliance with all court orders including the collection of fines and fees.
- E. Implement effective practices to enhance procedural fairness and reduce the time and expense of court proceedings.
- F. Revise our Succession Plan to ensure continuity of operations.
- G. Effectively cooperate, communicate, coordinate, and collaborate with our judicial partners.
- H. Monitor and implement legislative changes timely.

III. Independence and Accountability

The court must maintain its status as independent and separate from the other branches of city government. The three separate but equal branches of government are the Executive Branch (City Manager and all departments including the Police department); the Legislative Branch (City Council); and the Judicial Branch (Municipal Court). This Court and its officers represent the Judicial Branch of the City of La Marque government. The independence of judicial decision-making will be protected in order to preserve the rule of law and ensure the fair, impartial, and efficient delivery of justice. The court will maintain the highest standards of accountability for its use of public resources, and adherence to its statutory and constitutional mandates.

- A. Preserve the ability of judicial officers to exercise appropriate discretion and independent decision-making in accordance with the law.
- B. Ensure the integrity of funds, information, and operations through internal controls and audits.
- C. Establish performance metrics. What gets measured, gets done.
- D. Ensure that data collected is complete and accurate, and provide a sound basis for policy decisions, and resource allocations.

IV. Education for Professional Excellence

High-quality education and professional development will be provided to enhance the ability of all individuals serving in the court to achieve high standards of professionalism, ethics, and performance. Personnel will have access to the resources and training necessary to meet the diverse needs of the public and to enhance trust and confidence in the court.

- A. Provide essential, relevant education and professional development opportunities for all court personnel.
- B. Foster a work environment that recognizes employees' value and promotes employee wellbeing.
- C. Promote public trust and confidence in the judiciary by establishing and maintaining high standards of professionalism, ethics, and performance for court personnel.
- D. Provide respectful, helpful, and high-quality services to all court users.

V. Infrastructure for Service Excellence

For the court to fulfill its mission, it must have a sound infrastructure and building that supports and meets its needs and ensures operational continuity. The court will enhance the quality of justice by providing physical, and technological infrastructure that supports and meets the needs of the public, the court, and its justice system partners.

- A. Provide and maintain a safe, dignified, and fully functional facility for conducting court business.
- B. Establish a technology infrastructure that provides the hardware, software, and telecommunications necessary to meet case management, information sharing, financial, education, and administrative technology needs of the court and the public.
- C. Plan for and respond to natural disasters, security threats, and other physical threats in an effective manner.



Office of the City Manager

COUNCIL MEMORANDUM

Agenda #:

To: City Commission
From: City Manager, City Manager
Re: Response to Police Department Audit

Date: April 21, 2023

Following the Police Department Audit, Police Leadership and I have met regularly specifically to address the audit and its findings. Although there is a lot to unravel, we are taking every approach possible to first rectify the issues at hand before any drastic changes can be suggested. I am encouraged by the united front and enlightened attitude that the team and their officers have shown thus far in the process. The professional approach this group has taken has reinforced by belief that we can get this done. It will not come without some tough decisions but as we enter this next phase of transition, I am confident we are heading in the right direction. Should this change, I will swiftly take needed action and keep Council abreast of any suggested changes.

One of the challenges that the Police Department has been charged with has been accreditation and they have attacked this with arms wide open. All pending TCOLE questions for all officers current and former have been reviewed and I am proud to report that all are in good standing as per the State. So much so that we have been praised for going above and beyond the call when it has come to providing documentation. The enclosed documents are first steps in many that we need to take but feel assured that our leadership has made the commitment to address each and every one of these findings head on and will not rest until each is handled appropriately. Time will tell the effects of their efforts and I will be watching intently to assure it is handled appropriately. If the recent drop in crime, increased number of new officer applicants, and renewed sense of enthusiasm amongst current staff is any indication, we may be headed in the right direction. We will continue meeting regularly as much as four (4) times per month as needed to stay on top of benchmarks to hit desired timeliness towards goal attainment in each category of improvement while simultaneously attacking accreditation while never losing site of the top priority of keeping our citizens safe. Please find documents attached for your initial review and expect regular updates on this matter.

END OF MEMORANDUM





Randall Aragon
Chief of Police



Police Department

Chad Waggoner
Deputy Chief of Police

MEMORANDUM

TO: City Manager Cesar Garcia

R. Aragon

FROM: Chief of Police Randall Aragon

DATE: April 16, 2023

SUBJECT: Memo #21—Review and Path Forward Regarding 2022 LMPD Audit

This memorandum is my response to providing fixes relating to the 2022 Audit conducted by Mr. Tidwell.

It is important that I share with you some key causative factors & commentary that impact upon this audit, all of which I communicated with Billy Tidwell when interviewed:

- I provided enclosure 1 to Mr. Tidwell on the onset of the audit to allow him to fully grasp the conditions (i.e., “back story”) prevailing at the department prior to my assuming command of the LMPD on October 21, 2021. Essentially, employees (mainly Officers) had been subjected to at least six (6) years of dysfunctional leadership and powerful caustic accusations from our citizenry. This was evident during my interviews with most all the personnel after my appointment. Consequently, I firmly believe my personnel were unfortunately under the noxious “spell” of the previous leadership and conditions mentioned above.
- Developing a *positive organizational culture* takes 3-5 years: this is evident throughout all leadership publications and teachings relating to management/leadership academia. As shared with you, I have been diligently introducing training to move our department forward on this topic; however, I have only been the departmental leader for 10 months when the survey and audit was initiated. Improvement is indeed taking place; however this does not materialize in such a short period of time (see enclosure 2 which was my commentary for two questions posed by the Tidwell survey).

Regardless of all causative factors mentioned above, the audit findings need to be addressed and remedied. Consequently, attached as enclosure #3 is a copy of the 2022 Audit and annotated in red text is the proposed fix for each noted concern. Much of the listed concerns relate to “organizational culture”. My abbreviation “DPOCT” relates to: *Developing a Positive Organizational Culture Training*. The specific methodology that is being employed to develop a positive organization culture is specified as “Goal #1” of the document “Three & Five Year Goals and Objectives--LMPD”.

In summary, reviewing the totality of Mr. Tidwell’s commentary throughout the survey (especially his “Final Comments”), it is apparent that the department is indeed heading in the appropriate direction; however, as previously mentioned, it just takes time to remedy such concerns noted.

I am passionate about my belief that with my leadership (and time) that our *award winning* department will evolve into being one of the most revered police agencies within Galveston County--and perhaps even in Southeast Texas.

3. Enclosures: 1. Factors bearing on Officer Satisfaction, Concerns, Morale, Needs, and Priorities; 2. Chief Aragon’s Responses to Two Questions from Billy Tidwell’s Survey; 3. 2022 Audit with Fixes Annotated in Red Text.

Factors bearing on Officer Satisfaction, Concerns, Morale, Needs, and Priorities

Officer Involved Shooting:

- December 2020, Corporal Jose Santos shot and took the life of African American male, Joshua Feast.
- Numerous protests after shooting and after grand jury vindicated Corporal Santos in 2021.
- Officers did not receive adequate support from administration (city hall level).
- Officers became hesitant to provide LE services.

Negative FB and Media Posts from Key Community Activists that are Anti-City Administration

- Recent successful Tax Roll Back vote: a key activist production. (Resulted in extensive reductions in our FY 2022/2023 budget.)
- Recent successful “Recall Petition” to recall Mayor. (However, recall election did not result in recall.)
- Recent attempts in 2022 to recall two councilmembers that failed.

Unsuccessful Attempt to Fund a New Police Facility that was Greatly Desired as Deemed by Officers

Previous Leadership (2015-July 2021) of LMPD Police Administration Disgruntling LMPD Officers

Previously Employed Police Administration Official that Via I/A was Allegedly Discrediting Police Administration and Possibly the COLM

Chief Aragon's Responses to Two Questions from Billy Tidwell's Survey that was Conducted in September 2022

Question 19. How would you describe the organizational culture at the La Marque Police Department?

My response:

The Department is in the early stages of developing a "positive organizational culture" which takes three to five years to fully develop and show improvement. Such a timeframe is generally agreed upon by leadership and managerial practitioners. Expecting to see a "sea change" in less time would not be considered prudent as employees must fully embrace such a transition which does take time. Leadership experts that practice and endorse creating the development of a positive organizational culture with organizations (especially paramilitary agencies) advise to go slow, be methodical, and ensure that there is a genuine "buy-in" from employees: especially police agency employees (Officers) who traditionally are "resistant to change." We are only in the first year of this process and with all the past history (items that / listed and provided) of lack of leadership support, events that have concerned the community (pitting our citizens against police officers), and many of the unique political scenarios impacting our community, transitioning toward developing the appropriate organizational structure cannot evolve in less than 3-5 years. This is what it took me to perform after my first run as Chief of Police starting in 2009: by 2012 our agency was in good shape with our organizational culture. Unfortunately, after my first departure at the end of 2014, between 2015 and July 2021 (seven years) all aspects that were introduced during my "first run" disappeared and now need to be reintroduced. Developing (or redeveloping) a "positive organizational culture" is similar to an aircraft carrier in that it cannot be turned around on a dime": it takes time.

=====

Q-20. Is there anything else you would like to share that you find important to your employee experience at the La Marque Police Department, or any answers in the survey that you would like to clarify?

My response:

Unquestionably, my response to question #21 is my heartfelt thoughts on what is transpiring with the LMPD. As you know I submitted my "assessment of Departmental operations" to the City Manager (CM) in July of this year and for the most part included (and was verbally mentioned to the CM): 1. that I interviewed (during the latter part of 2021 & early 2022) most of my staff (via documented interviews) to determine their perception of how it was prior to August 2021: of which most indicated that conditions & leadership were not what they considered satisfactory and that they were already seeing an improvement with my leadership style and support; 2. that the Department did not have a genuine partnership with the community: and they could see a change in that direction since my being back on board; 3. that preventing & controlling crime, and reducing fear of crime by the Departments staff/officers was not a priority: and they already discern the Department moving in that direction. As listed in my "assessment" (as performed during my first run) I will be developing a "7-Habits of Highly Effective People" training module starting in the week of November 14th. Again, such training must be effectively presented and takes time to ensure a genuine "buy-in" by employees. I completed the training as a "Certified 7- Habits Facilitator" (trainer) and will reintroduce this training module starting with the backbone of the Department, i.e., the Patrol Services Division *Officers (and Command Staff)*, followed by ISO, and ASDC.

(In my above response, "question #21 should read "question #20".")

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Assessment Report La Marque Police Department

December 16, 2022

Chief Billy Tidwell (Ret.)
BRT Consulting, LLC

Executive Summary

Between September 20, 2022, and December 12, 2022, I, Billy Tidwell of BRT Consulting, LLC, conducted an Organizational Assessment of the La Marque Police Department at the request of Cesar Garcia, City Manager for the City of La Marque.

I previously completed an organizational assessment of the La Marque Police Department on June 14, 2019, at the request of the previous City Manager. Completing the previous evaluation allowed me to have prior knowledge of the operations of the Department, which helped with this assessment.

In this assessment the reader will find references to “industry standards. The referred to “standards” are those policies, procedures and practices that have been determined, by the recognized leaders and regulatory agencies involved in the law enforcement field, to meet the test of constitutionality and best police practices. The objective is to provide effective law enforcement services to the community through a well-trained, disciplined, police force. For this, I refer to guidelines and policies established by the:

- International Association of Chiefs of Police,
- Texas Police Chief's Association Best Practices Recognition Program
- Texas Commission on Law Enforcement (TCOLE), and
- United States Supreme Court decisions.

Conducting this assessment consisted of over 40 hours of interviews with the:

- Chief of Police
- Deputy Chief of Police
- Records Clerk
- Court Administrator
- Evidence Officer

Also interviewed were randomly selected:

- Lieutenants
- Sergeants
- Detectives
- Corporals
- Patrol Officers
- Telecommunicators
- City of La Marque officials from other Divisions and Departments
- Neighboring law enforcement officials
- Citizens involved with the Community Oriented Policing Program
- Citizens involved with the Citizens Police Academy Program, and
- Representatives of the Texas Commission on Law Enforcement

In addition, I reviewed numerous documents, TCOLE files, statistics, policies, and forms and allowed employees to participate in a confidential survey. I also toured the facilities

and participated in two ride-alongs to observe patrol procedures and speak with employees. I also spent time in the Dispatch Center observing Communications processes and procedures.

The reader should be mindful that the focal point of this assessment is to be considered an evaluation of how the organization functions, not any individual. It is not within the scope of this assessment to determine any one person's level of performance within the organization. Therefore, the assessment report will address mostly those procedures and processes that may limit the La Marque Police Department's ability to be a productive and effective Department.

I sincerely appreciate the courtesy and consideration shown during my visits by the members of the La Marque Police Department. I understand how difficult it is to perform your duties with someone constantly "looking over your shoulder." The members of the Department made me feel welcome and went out of their way to aid in every way they could.

Employee Survey

I allowed employees the opportunity to participate in an anonymous employee engagement survey on Survey Planet. There are fifty allotted positions for employees at LMPD. There were seven vacancies when the survey was posted, leaving forty-three possible participants. Of those, twenty completed the survey. By their own statements, I knew two of the survey participants to be the Chief of Police and the Chief Deputy. Therefore, only eighteen of the employees chose to participate in the survey. This may be indicative of low engagement among the employees.

When I talked with employees about completing this survey, several told me they were hesitant to complete surveys because they had recently completed one for Chief Aragon. In addition, they stated Chief Aragon's survey required handwritten responses, and they were concerned about someone knowing their handwriting, so they were afraid, to be honest for fear of retribution.

Consequently, they were also concerned about the anonymity of this survey. Therefore, The survey question were taken from the Gallup Poll Engagement Survey, widely known as the Q12, and other engagement surveys designed to determine if an organization employs practices that research indicates will increase employee engagement and, ultimately, their retention.

The survey consists of a series of statements followed by a few essay questions. Agreement with the statements signals a high level of engagement. Conversely, disagreement indicates an organization in which employee engagement is low.

Except for Question 4, Questions 1 through 14 were scored as follows:

- 1 – Strongly Disagree
- 2 – Somewhat Disagree
- 3 – Undecided
- 4 – Somewhat Agree
- 5 – Strongly Agree

Question 4 was scored as follows:

- 1 – Totally Uninspired
- 2 – Somewhat Uninspired
- 3 – Unsure what the Vision, Mission and Values Are
- 4 – Somewhat Inspired
- 5 – Totally Inspired

Questions 16 through 20 were narrative style answers.

Survey Results (fractions of percentages have been dropped)

1. *I feel proud to say I work for the La Marque Police Department.*

This question was answered by 19 of the 20 respondents.

7 (36%) of the respondents disagreed with the statement

6 (31%) of the respondents were undecided

6 (31%) of the respondents agreed with this statement

DPOCT

2. *I would recommend the La Marque Police Department to my friends as an employer.*

This question was answered by 17 of the 20 respondents

7 (40%) of the respondents disagreed with this statement

2 (11%) of the respondents were undecided

8 (46%) of the respondents agreed with this statement

OK

3. *I find my work at the La Marque Police Department to be meaningful.*

This question was answered by 18 of the 20 respondents.

4 (22%) of the respondents disagreed with this statement

2 (11%) of the respondents were undecided

12 (66%) of the respondents agreed with this statement

OK

4. *I am inspired by the La Marque Police Department's Vision, Mission, and Values.*

This question was answered by 16 of the 20 respondents.

6 (37%) of the respondents stated they were uninspired

6 (37%) of the respondents stated they were unsure what the Vision, Mission, and Values of the Department are

4 (24%) of the respondents stated they were inspired

This is on our website, the lobby, and in the Policy Manual.

Eric will include it on the CompStat briefing.

We will have this posted in a large poster in the squad room and in bldg B.

5. *I feel that my Supervisor is invested in my being a successful member of the La Marque Police Department Team.*

This question was answered by 19 of the 20 respondents

6 (31%) of the respondents disagreed with this statement

0 (0%) of the respondents were undecided

13 (67%) of the respondents agreed with this statement

OK

6. *I feel the Administration of the La Marque Police Department is invested in my being a successful member of the La Marque Police Department Team. (For this questionnaire, Administration is defined as leaders above the rank of Sergeant.)*

This question was answered by 17 of the 20 respondents.

8 (44%) of the respondents disagreed with the statement

3 (17%) of the respondents were undecided

6 (34%) of the respondents agreed with the statement

DPOCT

7. *I am provided recognition for my accomplishments at work.*

This question was answered by 15 of the 20 respondents.

7 (46%) of the respondents disagreed with the statement

1 (6%) of the respondent was undecided

7 (46%) of the respondents agreed with the statement

OK

8. *The La Marque Police Department's organizational culture fosters a comfortable, supportive work environment.*

This question was answered by 12 of the 20 respondents.

6 (49%) of the respondents disagreed with the statement

2 (16%) of the respondents were undecided

4 (32%) of the respondents agreed with the statement

DPOCT

9. *The Administration of the La Marque Police Department is invested in and contributes to the continual improvement of the organizational culture.*

This question was answered by 12 of the 20 respondents.

6 (49%) of the respondents disagreed with the statement

3 (25%) of the respondents were undecided

3 (24%) of the respondents agreed with this statement

DPOCT

10. *In the last six months someone has talked with me about my professional development.*

This question was answered by 14 of the 20 respondents

5 (35%) of the respondents disagreed with this statement

1 (7%) of the respondent was undecided

8 (56%) of the respondents agreed with this statement

OK

11. *There are clear and consistent expectation at the La Marque Police Department about how I am to perform my job.*

This question was answered by 13 of the 20 respondents
4 (30%) of the respondents disagreed with this statement
1 (7%) of the respondent was undecided
8 (60%) of the respondents agreed with this statement

OK

12. *I have been provided the tools, equipment, and training to do my job well.*

This question was answered by 15 of the 20 respondents
5 (33%) of the respondents disagreed with this statement
2 (13%) of the respondents were undecided
8 (52%) of the respondents agreed with this statement

OK

13. *Policies at the La Marque Police Department are clearly explained and consistently enforced.*

This question was answered by 11 of the 20 respondents
6 (54%) of the respondents disagreed with this statement
1 (9%) of the respondent was undecided
4 (36%) of the respondents agreed with this statement

Working on
revising the
Policy Manual.

14. *I feel my opinion matters at the La Marque Police Department.*

This question was answered by 12 of the 20 respondents.
5 (41%) of the respondents disagreed with this statement
2 (16%) of the respondents were undecided
5 (41%) of the respondents agreed with this statement

OK

15. *On a scale of 1 to 10, with 0 being the worst and 10 being the best, how would you rate the overall morale of the La Marque Police Department?* DPOCT

This question was answered by all 20 of the 20 respondents.
The responses ranged from 0 to 8. The average number of all the responses was
3.4

The following questions require essay type answers. Some of the respondent answers have been listed. These comments are taken directly from the survey, although some may have been edited or shortened to maintain the anonymity of the respondent. Others may have been combined or not included due to redundancy.

16. *Do you see yourself working for the La Marque Police Department a year from now? If the answer is no, would you please explain why not.*

DPOCT

- This question was answered by 16 of the 20 respondents.
- 6 stated yes, they would still be working for LMPD in a year.
The following comments were included (due to the length of some of the answers they have been paraphrased)
 - *Yes because of my personal goals, not due to the quality of work life that comes with employment of the Department or the city of La Marque*
 - *Yes, but mainly because leaving would initially be a pay cut*

- *Yes, because of my complacency*
- *I plan on retiring here*
- *I probably will still be here unless another opportunity presents itself and I can leave this Department.*
- **2 respondents were undecided**
 - *Honestly, I don't know. I have an issue with people not being held accountable for poor work ethic. I see some people at the PD do the bare minimum and get away with it. It makes me not want to try so hard at my job but it's not in my character to be so careless so a better option would be for me to leave and find a job with coworkers who work just as hard as me or harder.* DPOCT
 - *Undecided*
- **5 respondents stated they did not intend to be working at LMPD in a year**
 - *Absolutely not. There is poor structure, poor organizational and professional standards, and no standard operating procedures. Policies and procedures are enforced on an inconsistent basis. Additionally, the agency harbors and encourages a culture of sexual harassment, nepotism, discrimination, and retaliation. There is simply no confidence in the administration at this point.*
 - *No. Nobody is held accountable for their actions. Anything major that happens that could even remotely damage the reputation of the Department is swept under the rug like nothing happened instead of taking the correct actions according to policies and procedures. The Administration does not have the police officers best interests in mind and only care about themselves individually. There is no structure and I would never recommend anyone to work here*
 - *No. The Chief only cares about his public image, not the employees. Everybody is too scared to say anything to him in fear of losing their job. Nobody is held rightfully accountable for their mistakes, and others are unfairly punished. The equipment and facility are disgusting, and the policies change all the time depending on how much the public may complain on Facebook.*
 - *No There is no growth, no organization, no structure, no development plan and no accountability on anyone's part. and when someone becomes accountable, they become a target.*
 - *No. Due to lack of training, organization, and positivity of the Department I will be leaving for more structured and positive environment.* DPOCT

17. What practices do you feel need to be changed at the La Marque Police Department?

- **This question was answered by 20 of the 20 respondents** DPOCT/ Policy Manual being revised.
 - *Lieutenants do not hold Sergeants accountable for their shifts lack of productivity. There are never evaluations of officer's patrol vehicles which are consistently dirty, and embarrassing. Sergeant's often tell their productive officers to "not get into anything" because the rest of the shift does not want to work.*
 - *Hiring people without training - The PD needs to stop hiring people or ascending peoples rank just because they need someone in the position*

without giving them proper training and having a clear description of what their job is. Everybody should respect and follow policy and procedures no exceptions. Hold people accountable when they just plain out don't do their work. There is a way to track what everybody is doing while on work hours. Records request aren't getting done, voicemails aren't being checked, calls aren't being returned, house checks aren't getting done, important documentation like returns are being left out in the open while community service worker and other non-CJIS certified people are walking around the PD like it's a library.

- *The only way for LMPD to improve is to immediately replace top leadership positions. New leadership needs to take charge of the Department and hold each position accountable. LMPD has lacked discipline and accountability for several years and there is no end in sight with the current administration.*
- *Stop sweeping incidences that happen with employees under the rug like it didn't happen and there is no reprimand for anyone involved. Stop looking out for yourself as a person in a leadership role and actually be a leader for your employees. There is no respect in this Department*
- *Overall communication.*
- *Continue working on acquiring Texas Accreditation via the TPCA.*
- *Everything*
- *Policies need to be outlined. A clear understanding needs to be given to Chiefs, Lieutenants, Sergeants, Corporals, Detectives, Officers, Dispatchers, Court Clerks, and civilians of what each others duties are. Decisions made on behalf of a group in a Department should be brought to the group before decisions are made to adversely affect them. Administrative reviews and peer reviews should be evaluated, conducted, and revisited quarterly. People should be able to talk to each other instead of at each other.*
- *Communication between administration and patrol so that patrol has some idea about what is going on in the Department. And there is a DEFINITE lack of foresight and planning. Nothing is treated like it is important until it is an emergency. Also, the equipment issues have been eating at morale for longer than I have been an officer here, which is a long time.*
- *Accountability across the board*
- *Equal enforcement of all policies, Accountability, Equality, Uniformity, Administration not turning a blind eye to problems within the Department, Administration not turning backs on Officers, Administration being honest*
- *Officers should be held to a higher standard, there should be a stricter uniform standard (Typically, when you dress nice, you present yourself to a higher standard) There should also be an expectation standard when it comes to attitude.*
- *Focus and priority needs to be placed on enforcing the law. Political and personal agendas need to be weeded out.*
- *Enforce policies across the board. Treat everyone equally. By this I mean, don't excuse others for their lack of professionalism or lack of work ethic because of who they are.*

18. What practices do you feel need to be maintained at the La Marque Police Department?

- This question was answered by 12 of the 20 respondents.

DPOCT / Policy Manual
being revised.

- *Equal accountability for all. Administration came up together and instead of holding their subordinates accountable they rather be friends than leaders. None of the administration wants to be leaders, they all chose to promote simply because they didn't want one another to be their boss.*
- *COM Stat Meetings need to be maintained so that we have better communication at the PD also community policing but with new guidelines. Administration should be mindful when a shift is short staffed and not pull an officer from the shift to go to community meeting with Chief.*
- *Accountability, discipline, and professional standards. The bar was always low but now it is non-existent. Physical appearance at work. No bad clothing.*
- *None*
- *The core foundation is there it just needs to be releveled and people shown that policies and practices are to be followed along with expectations for everyone*
- *It all needs to be changed*
- *The previous Chief had a tendency to have knee jerk reactions to complaints. That has definitely changed and officers are investigated more fairly now. The politics going on with City Council, City Manager and citizen has a big effect on the outlook of the Department both from within and those looking to come to work.*
- *Physical appearance at work. No bad clothing.*
- *Community Policing and CompStat.*
- *The staff and CURRENT Administration appear to currently be working on problems, however that tends to go by the wayside when something inconsequential arises from City Hall. Example; they may be working on moving some officers to address the shifts being stacked on one side but bare minimum on another, but stop when someone from city hall complains about not having their house checked on twice a night.*
- *Professional practices and help boost the moral of all employees.*

19. How would you describe the organizational culture at the La Marque Police Department?

- This question was answered by 18 of the 20 respondents

DPOCT / Policy Manual
being revised.

- *One word, non-existent. There is also a huge culture of delegation amongst all of our administration. They often ask others to carry the load they do not want to bear even though it is the only load they bear.*
- *Most of the people here think administration is a joke. Some are trying, some have no idea what they are doing, and some just don't care. Officers complain but refuse to participate and help make changes needed at the PD but that's because all most everybody at the PD feel no support from administration.*

- *It is highly disorganized, and everybody does what they want to do because they can and they can get away with anything*
- *Women are frequently sexually harassed by those in positions of power (Chief, LT, Sgt). Men are frequently sexually harassed due to the preferential treatment of women. No one is taught to replace positions above them. Various forms of discrimination are seen through the inconsistent enforcement of policies and procedures. Admin is clearly against each other and that same attitude is mirrored down the chain of command. I can't think of anyone who enjoys or is proud to say they work at LMPD.*
- *There is none.*
- *Confusing*
- *Women are frequently sexually harassed by those in positions of power (Chief, LT, Sgt). Men are frequently sexually harassed due to the preferential treatment of women. No one is taught to replace positions above them. Various forms of discrimination are seen through the inconsistent enforcement of policies and procedures. Admin is clearly against each other and that same attitude is mirrored down the chain of command. I can't think of anyone who enjoys or is proud to say they work at LMPD.*
- *The Department is in the early stages of developing a "positive organizational culture" which takes three to five years to fully develop and show improvement. Such a timeframe is generally agreed upon by leadership and managerial practitioners. Expecting to see a "sea change" in less time would not be considered prudent as employees must fully embrace such a transition which does take time. Leadership experts that practice and endorse creating the development of a positive organizational culture with organizations (especially paramilitary agencies) advise to go slow, be methodical, and ensure that there is a genuine "buy-in" from employees: especially police agency employees (Officers) who traditionally are "resistant to change." We are only in the first year of this process and with all the past history (items that I listed and provided) of lack of leadership support, events that have concerned the community (pitting our citizens against police officers), and many of the unique political scenarios impacting our community, transitioning toward developing the appropriate organizational structure cannot evolve in less than 3-5 years. This is what it took me to perform after my first run as Chief of Police starting in 2009: by 2012 our agency was in good shape with our organizational culture. Unfortunately, after my first departure at the end of 2014, between 2015 and July 2021 (seven years) all aspects that were introduced during my "first run" disappeared and now need to be reintroduced. Developing (or redeveloping) a "positive organizational culture" is similar to an aircraft carrier in that it cannot be turned around on a dime": it takes time.*
- *A complaint culture. The Department needs to as a whole participate more into bringing solutions as problems are presened.*
- *Nothing is organized. NOTHING.*

- *Some strong leaders. Not para-military*
- *There is a lack of organization*
- *Trash*
- *Fragmented*
- *It needs to be straightened out. They need to better communicate with the Troops. Communication needs lots of work.*
- *There isn't one besides people trying to lie and backstab the others to climb the ladder*

20. *Is there anything else you would like to share that you find important to your employee experience at the La Marque Police Department, or any answers in the survey that you would like to clarify?*

**DPOCT / Policy Manual
being revised.**

- This question was answered by 12 of the 20 respondents.
 - *There are a number of changes that need to occur to ensure the City of La Marque Police Department becomes a desirable place for employment. The responsibility of many of the issues lie on the shoulders of the City's Administration whether it be from their ignorance or unqualified personnel steering the ship, or the Department's blatant inability to lead. Even if the problems begin to come to the forefront of this city's agenda, it will always revert back to this point due to the "it's someone else's problem to fix it" mentality.*
 - *There is not enough time in the day to provide a detailed description of the flagrant violations of LMPD and COLM policies and procedures. There are so many incidents that have been documented that lead nowhere. This has led to the impression that there are no rewards for performing well and no consequences for poor performance. Simply put, no one is steering the ship.*
 - *There is favoritism towards females in the Department and they get better treatment in any aspect that applies to work (time off, fake being sick, etc.) This Department continues to go in a downward spiral and nothing improves. Words have been spoken to improve the workplace, but nothing has been done yet. This Department makes each employee hate coming to work and anything that we do seems like it doesn't matter*
 - *Unquestionably, my response to question #21 is my heartfelt thoughts on what is transpiring with the LMPD. As you know I submitted my "assessment of Departmental operations" to the City Manager (CM) in July of this year and for the most part included (and was verbally mentioned to the CM): 1. that I interviewed (during the latter part of 2021 & early 2022) most of my staff (via documented interviews) to determine their perception of how it was prior to August 2021: of which most indicated that conditions & leadership were not what they considered satisfactory and that they were already seeing an improvement with my leadership style and support; 2. that the Department did not have a genuine partnership with the community; and they could see a change in that direction since my being back on board; 3. that preventing & controlling crime, and reducing fear of crime by the Departments staff/officers was not a priority: and they already discern the*

Department moving in that direction. As listed in my "assessment" (as performed during my first run) I will be developing a "7-Habits of Highly Effective People" training module starting in the week of November 14th. Again, such training must be effectively presented and takes time to ensure a genuine "buy-in" by employees. I completed the training as a "Certified 7-Habits Facilitator" (trainer) and will reintroduce this training module starting with the backbone of the Department, i.e., the Patrol Services Division Officers (and Command Staff), followed by ISD, and ASDC.

- *If the city would stop putting band-aids on problems like equipment and staffing, (especially computers and our building), then most officers (including myself) would probably work here forever. The issue is nothing ever improves for more than a few months, which is unbelievably taxing on the officers mentally. The entire Department is burnt out from the previous administration constantly throwing them under the bus. It was allowed to get so bad that even though we FINALLY have a supportive administration at the PD, the rest of the city's actions cancel all of that out. WORKING HERE YOU ARE CONSTANTLY REMINDED THAT NO ONE CARES ABOUT YOU.*
- *I don't believe that (those who haven't) made 5 years will make it past 5 years in this agency. and people who have made it here past 5 years are just as burned out as well.*
- *There's a lot of good officers here but instead of it being treated as a paramilitary organization with structure, rules, and clear expectations its treated as JROTC in high school.*
- *I would like to see the morale boosted in the Department, which will only happen when accountability is established, starting with admin. The top leaders at this Department only care about themselves and making themselves look good instead of telling city council and city manager what is actually going on.*
- *Good group of people to work for/with. The dept is a victim of small town political interference and influence.*
- *The hiring process takes entirely way too long. The process through HR is constantly changing. When an Admin submits a payroll action form it can take months to see the action take place. Paychecks are often wrong or owed backpay for months' worth at a time due PAFs taking so long to clear.*

Observations

Policies and Procedures

The Department continues to use the Policy and Procedures Manual initially written by Chief Aragon. The manual was not changed nor updated during the tenure of the past Chief of Police, nor have they been updated since Chief Aragon's return. As a result, many of these policies are over ten years old. In addition, Chief Jackson and Chief Aragon have added what they refer to as Special Orders or Special Directives to the policies and procedures. These Special Orders are simply a modification of a policy, or a new procedure written as a directive rather than a policy.

I was contracted by Chief Aragon earlier in the year to assist with developing a new Policy and Procedure Manual for the Department. Toward that end, Chief Aragon purchased an electronic policy software called PowerDMS. I worked with one of the officers from the Department to develop a new policy manual based on sample policies from the Texas Police Chiefs Association Best Practice Accreditation Program. The policies are Best Practice Accreditation Program compliant and site-specific for the procedures and processes of the La Marque Police Department. They are the most current law enforcement policies available to assist a department in carrying out its operations in as legally sound and effective a manner as possible.

WIP/Goal is to have it completed NLT June 30, 2023.

We completed the new policies in April 2022. They included approximately 80 policies, a Background Investigation Manual, and a Standard Operating Procedure Manual for patrol officers. The policies were uploaded into PowerDMS and reviewed by the appropriate levels of supervision. They are currently waiting for review and approval by Chief Aragon. The process involves his reading and approving each policy which is then published to each employee electronically, who will be responsible for reading and learning the policy or procedure. In speaking with Chief Aragon during the assessment, he stated that he had read approximately five of the policies and that it may take as long as six months to complete reading the rest of the policies.

WIP/Goal is to have it completed NLT June 30, 2023.

The following paragraph was copied from the first assessment, and it is no less valid today than it was then:

"Policies and procedures are required for any public safety agency. They are the guidelines that promote a sense of unity in the operations of the Department. Also, they are a vital necessity in today's litigious society, and it is imperative they be current and valid. The Supreme Court made it clear in Monell vs. New York City Social Services that policy, whether formal or informal, is how the Department will be judged by the courts in any litigation action. Even with formal policy in place, if a department's practices are inconsistent with its policies, those practices may be determined by the courts to be the actual policy of the Department. It is crucial that every member of the Department be knowledgeable of and held accountable for adhering to the Department's policies. It is equally imperative that the policies be current and valid."

The Department's policy manual needs to be updated as soon as possible. In addition, all employees must be trained and held accountable for adhering to all policies. I would suggest that employee policy training be in a classroom format which allows for interaction, questions, and feedback. Simply requiring employees to read the policies and sign off on them does not ensure they understand the policy or its legal implications and could result in litigious issues later.

WIP/Goal is to have it completed NLT June 30, 2023.

If only classroom training on some of the policies is feasible, then someone should be responsible for teaching the significant policies in a classroom setting. This would include policies such as:

- Officer-involved shootings

- Use of Force
- Driving (pursuit and emergency).
- Standard Operating Procedures (SOP).

WIP/Goal is to have it completed NLT June 30, 2023.

Training

Legislative mandates require that officers and telecommunicators receive a minimum of 40 hours of training every two years. In addition, there are numerous courses that are mandated for every officer and specific courses, or hours of training, that are mandated to receive Intermediate, Master, or Advanced Peace Officer or Telecommunicator Certification.

Firearms Training

Departmental firearms training at LMPD is limited to annual qualifications. However, there is a difference between qualifications and training; TCOLE does not allow qualifications as training.

A firearm is the most potentially devastating weapon an officer carries. The Department provides for annual qualifications, as mandated by TCOLE. However, it is lacking in actual firearms training. The Department should provide recurrent firearms training for each officer as shooting is a perishable skill requiring repetition to be proficient. Any firearms training should include decision-making scenarios, limited light scenarios, concealment, cover, etc. TCOLE also mandates training regarding the Department's Use of Force policy and how it applies to real-life situations. Most agencies take the opportunity to do this during firearms qualifications. **Combat Firearms Training scenarios is a WIP that must take into account: budget (overtime) and manpower availability.**

Less Than Lethal Training

Tasers, Pepper Spray, Batons (typically expandable), and less lethal shotguns (bean bags or rubber pellets) are considered less lethal weapons. Texas Best Practice Accreditation Program mandates that officers carrying any less than lethal weapons qualify with them at least annually. This re-qualification includes training and demonstrating proficiency with that particular weapon.

There are officers not carrying less than lethal weapons because they have not been certified in those weapons. Not having the ability to access the less lethal weapons limits the officer's force options when confronted with a situation in which force, but not deadly force, needs to be used. There are also officers carrying less lethal weapons with which they have been trained but not recertified following industry standards. Both situations leave the City of La Marque in a perilous situation concerning liability exposure.

New policy manual will cover this: which is every two years (not annually).

In the previous assessment, we suggested the Department send one or two officers to instructor level classes for the less lethal weapons employed by the Department so that they can maintain the weapons and recertify the officers. Using the original assessment Corrective Action Guide, Chief Aragon shows this item to be a Work in Progress.

Driver Training

The following paragraph was copied from the previous assessment:

“Law enforcement officers operate in three driving modes – basic, emergency, and pursuit. Most officers of the LMPD have received no driver training other than possibly classroom defensive driving or what they may have received in the academy. Most years, in the United States, there are more officers killed in car crashes than by firearms. Officers of LMPD need driver training. The Texas Municipal League has a classroom course on emergency vehicle operations that is normally provided at no cost.”

There have been several crashes involving LMPD vehicles. While riding on patrol with an officer, I found the K9 unit was unavailable due to a crash involving the K9 vehicle. There have also been numerous pursuits involving LMPD vehicles. Each of these situations represents a liability exposure for the City of La Marque. Still, more importantly, it means the risk of injury or death for an LMPD Officer or citizen.

As budget and manpower allows
LMPD will matriculate.

As was suggested in the original assessment, TML provides a four-hour in-class program for emergency drivers at no cost. It simply requires scheduling for them to come to your location. In addition, several online law enforcement training vendors offer Defensive and Distracted driving courses.

In addition, TEEX at College Station offers a Police Emergency Driving Instructor course for \$675.00. The course is 50 hours (one week) in length. TML has, under certain circumstances, paid for an officer to attend the class. Having a Driving Instructor would allow LMPD to provide driver training to all officers. Pasadena Police Department has a TML-approved driving track with obstacle courses and a highway and neighborhood driving course. Pasadena PD allows Departments with a Driving Instructor who successfully completed the TEEX Driving Instructor course to use their facilities at no cost. TEEX also allows Departments to use their driving facilities and track for a nominal fee of \$100.00 per day.

In my experience, many Departments view driver training in terms of finances. They consider the overtime cost of training personnel, worn tires, and worn brakes as too expensive for the Department. However, the cost of one major accident, especially one that causes severe injury or death, will never be surpassed by the cost of training.

No PD in Galveston County use these courses due to manpower shortages and costs.

A separate driver training component is that officers inspect emergency vehicles before their shift. Hence, an officer knows that all emergency equipment is operating correctly, and that the car is safe to drive. I was told that all officers are completing vehicle inspections. However, in my observations riding with two officers and watching shift changes, I did not observe anyone conduct a vehicle inspection. (Being performed now.)

Field Training Program

The Department has a Field Training Program. Several officers told me that the Corporals were supposed to conduct the Field Training. They also said that other officers are taken from their duties, including Investigations, to complete Field Training for an officer because the Corporals either did not want, or did not know how to conduct Field Training. While spending time at the Department for a night shift, I observed an officer conducting

Field Training for a newly hired officer, which was interesting since the officer conducting the training had turned in his resignation and was in his last week of employment.

The officers selected to be Field Training Officers are allowed to take the FTO course online but must later attend a classroom FTO course when it becomes available. This is a recent ruling (within the past few months). I know from experience that obtaining FTO certification online, even though it meets TCOLE mandates, is dreadfully insufficient to prepare an officer to train other officers. The Field Trainer I interviewed had attended a local FTO course conducted by Field Trainers from Houston Police Department.

We have 10 FTO's and all are proficient.

Supervisory Training

Supervisory training is a critical component of any police department. Many of the persons I interviewed commented on the lack of supervisory training. The Employee Engagement Survey indicates those same comments made by employees regarding leadership and supervision abilities. During interviews, some personnel stated they had previously heard supervisors say they did not want to supervise others but were in that position because it pays more. If this sentiment is accurate, it would certainly impact their ability to lead others.

The Department mandates the TCOLE First Line Supervisor for all new supervisors, which is an introductory supervision course. In addition, the Department was going to send some Sergeants to the Institute for Law Enforcement Administration Sergeant Academy but, due to "staffing issues," canceled their attendance. The Sergeant Academy is a two-week course that provides extensive and valuable leadership training. In fact, for members of TML, there is a reduced price as TML will supplement the payment. Training in leadership and supervision should be a priority with the Department as it appears to have been one of the main frustrations of employees both in the interviews and in the employee survey.

New policy manual will list each type of supervisor training that will be mandated.

Chief Aragon is conducting Total Quality Management and 7 Habits of Highly Effective People (as it applies to law enforcement) to all the officers using segmented videos he recorded the first time he was Chief. While these endeavors are undoubtedly important, the supervisors still need outside-of-the-Department training and interaction with other instructors and participants. The Law Enforcement Management Institute of Texas (LEMIT) at Sam Houston University provides mandated leadership for Police Chiefs that Chief Aragon is required to attend bi-annually. The same training is available to command staff members for a nominal fee that the Deputy Chief and the Lieutenants should be directed to participate in biannually.

New policy manual will list each type of supervisor training that will be mandated.

As was stated in the previous assessment:

The Department should, at minimum, be training all its supervisors regularly in such topics as:

- *Counseling, coaching and mentoring employees*
- *Disciplinary process*
- *Conducting evaluations*
- *LMPD Policies and procedures*

- *City of La Marque HR policy*
- *Communication skills*

New policy manual will list that training on these topics will be mandated.

Lack of leadership and supervision abilities was listed by employees and observed by the assessor as a major issue in the previous assessment. It likely continues to be an issue that needs to be resolved. **New policy manual will list each type of supervisor training that will be mandated.**

Organizational Effectiveness

Evidence

The evidence room and associated evidence storage building, separate from the main facility, are incredibly crowded. The evidence currently being maintained dates back for many years. The Department desires to attain Texas Best Practice Accreditation which will not be obtained until the current state of evidence maintenance is resolved. The evidence collection and storage are a problem that has been years in the making and will be years resolving.

The Department has one Evidence Officer. He is responsible for maintaining the evidence room and being the Crime Scene Technician accountable for collecting, cataloging, and processing evidence. Until recently he was also responsible for all fleet issues and maintenance. One additional officer is assigned to assist one day a week with disposal of evidence. **(Additional personnel will be assigned to fix this matter. TBPA Program WIP.)**

LMPD is storing hundreds, if not thousands, of pieces of evidence. Resolution of this situation requires cataloging each piece of evidence to determine if the case has a disposition and if the evidence is eligible to be returned or destroyed or must be maintained indefinitely. **(WIP)**

Hundreds of guns have been (lawfully) seized and are in evidence. The disposition of each firearm and each piece of evidence requires a complicated process. First, if the firearm is eligible for return, someone must search the history of each owner to determine if there are legal prohibitions to their possessing a firearm. If the owner is eligible to own a firearm, then the owner must be located and requested to come to the PD to obtain the weapon. If the owner or a relative cannot be found, the evidence officer must prepare paperwork to dispose of the firearm legally. Finally, someone must prepare court orders with case history requesting that the gun be awarded to the Department or destroyed, present the request and court order to the District Attorney's office for review. Finally, the request and order must be submitted to a District Judge. After the order is signed by the Judge, the weapon must be destroyed or added to the Department's inventory. Clearing the backlog of evidence will require completing this process for each weapon or piece of evidence. **(Additional personnel will be assigned to fix this matter. TBPA Program WIP.)**

Resolving the evidence room backlog will likely take several years with two people working on it full-time. In the current situation, the Evidence Officer is working on it part-time in combination with other duties.

To prevent future backlog of evidence the Department should implement a properly managed case management system for investigators and officers. In a properly managed case management system, cases assigned to Investigators are closely monitored until the case is officially closed. Supervisors do not allow the closing of a case until specific actions have taken place, such as receiving a disposition on the suspect, notifying the victim of the disposition of the case, and legally disposing of the evidence. As a result, the evidence room does not become backlogged as it is at LMPD because the evidence is legally removed when there is no further reason to maintain it. (WIP)

At LMPD, Investigators decide when to close an investigation and then close it in the Records Management System (RMS). The closure is then approved by the supervisor. Any evidence that may have been taken during the investigation will normally remain in the evidence room because the Investigators are not required to return it as a part of their case closure. If this practice continues the evidence room situation will likely continue to worsen. (WIP)

Hiring Process

The Department follows Civil Service protocols for the qualifications and testing of new applicants. In addition, the Department has instituted applicant Interview Boards that include employees from the Department who assist with applicant interviews. However, Civil Service regulations tend to make the hiring process cumbersome. Therefore, the Department should explore possible avenues for streamlining the hiring process while maintaining Civil Service protocols. All research indicates that Departments are competing for a smaller pool of applicants, and those Departments that can quicken the process have an increased chance of filling openings. "Streamlining Project" is a WIP.

The Department has also created a Recruiting Team comprised of a Lieutenant and several officers tasked with finding ways to improve recruiting.

Transfers to Special Assignment

One of the problems noted in the previous assessment is how the Department selects personnel for special assignments. Chief Aragon says that he has issued a Written Directive that establishes a process for selection for special assignments, which is being followed. However, Chief Aragon selected the latest officer to become a Community Policing Officer without a selection process. Officers have also been chosen to be on Task Forces without any selection process. In my interviews with employees, the practice of hand-picking personnel for special assignment duties was a source of contention.

(Special Assignment Selection Process--WD 300-16 is to be revised. All Patrol Officers will be CPO's.

Creating and adhering to an established and fair selection process would increase confidence in the Department's leadership and processes. This would also remove the "buddy system" stigma viewed by many employees as the norm. (Some key positions needed to be

filled as per order of the Chief.

This is standard in LE.)

Patrol Operations

Patrol officers at LMPD work 12-hour shifts. Each shift has a Sergeant, a Corporal, and three or four officers, depending on the shift. They are responsible for answering calls for

service, writing offense reports, and patrolling assigned sections of the community. Officers have free time when they are not responding to a call, writing an offense or supplemental report, or following up on an investigation. In this free time, officers conduct what is typically known as "self-initiated activities." Self-initiated activities" include:

- Traffic enforcement.
- Visiting local businesses for crime prevention.
- Participating in Community Oriented Policing activities.
- Patrolling those areas with high crime activities from drug usage or illicit activities
- Neighborhood patrols.

In most agencies, the self-initiated activity indicates how proactive an officer is and is monitored closely by Administrators.

While conducting this assessment, I attempted to obtain the activity records for each patrol officer for the past year to compare shifts and individual officers' activities. Unfortunately, I found there were no activity reports because the Department has not, in the past, maintained such records. Activity reports are an indication for officers of the metrics on which they will be evaluated. They also define the expectations for an officer.

The Department has recently instituted an activity tracking system called PARS. Not monitoring an officer's activities in the past has resulted in an inequitable system in which a small number of officers produced a high amount of activity and others did little, without any consequence. During the assessment, two of the highest performing officers left the Department to go to other agencies.

(PARS achieves this goal.)

The new PARS reporting system is a welcome addition to monitoring patrol officers' activities. However, it will only work if a standard is implemented and applied equally.

Not all patrol vehicles have mobile video cameras, nor do they all have the same brand of cameras. The Department is attempting to rectify this as they receive new vehicles and install new equipment.

(Continuous budgetary disapprovals created this dilemma; will once again request funds at budget time.)

The industry standard for body-worn and mobile video cameras is that supervisors monitor officers' activities and their citizen contacts by randomly reviewing an established number of recordings weekly. LMPD Sergeants usually only review recordings when there is a complaint or an incident. I suggest that LMPD implement a policy that Corporals, Sergeants, and even the Lieutenant over Patrol Operations randomly and routinely review their officer's body-worn cameras and mobile video recordings. It can be a manageable number of recordings, but if each supervisor reviews a small number of recordings, it accomplishes several goals:

1. It signals to officers that their contacts are being monitored, which was one of the original intents of body-worn cameras.
2. Supervisors can review officers' activities and contacts to determine if they are following established policies and practices or need updated training.

3. It also allows supervisors to observe officers doing something correctly or above and beyond, which is as important, if not more, than catching officers doing something wrong. (This needs to be achieved via completion of a "Needs Assessment " form on set basis: this will be added to in the new policy manual.)

Patrol officers are required to investigate misdemeanor cases in which they have taken an offense report. This is a fairly common practice in law enforcement. However, it requires that the supervisor monitor the case investigations and that there be a case closure procedure much the same as described in the evidence section of this report. Otherwise, an officer, not being diligent about their obligations, may take a report that requires a warrant be obtained, and a suspect arrested and never complete the process. In the system of no oversight at LMPD, this likely results in cases not being resolved, suspects not being arrested, and citizens having animosity toward the Department.

(Such oversight is being performed.)

LMPD has many officers involved in Department functions such as Investigations, various Task Forces, Supervision, and Administration. A review of the Department's staffing allocation could be valuable. This could assist in determining the best utilization of the Department workforce and whether LMPD has an adequate number of officers to patrol the City of La Marque. Numerous vendors provide these assessments. Personally, I have used the assessors at the Texas Police Chiefs Association. I have found them to be thorough and accurate in their evaluation. I have also found their pricing very reasonable.

(Two manpower analyses have been performed in 2022: one indicates we need 27 on patrol the other 28--we have 24.

Communications Division

The first point of contact for most people in distress is with the 911 Telecommunicator. Fortunately, LMPD has talented and dedicated Telecommunicators. LMPD's Telecommunicators are responsible for answering 911 and Department phone calls. They also provide radio dispatch for the Police Department, the Fire Department, EMS, and some City services. In addition to these duties, Telecommunicators are responsible for monitoring the jail through camera monitors as the Department does not have any jailers. Often, Telecommunicators do all this alone because there aren't enough Telecommunicators.

LMPD is allocated 8 Telecommunicators in the budget. This should provide almost 2 dispatchers for every shift. During this assessment, one of the Telecommunicators resigned, which left a working staff of four Telecommunicators, and one of them was new and going through on-the-job training. Therefore, all shifts are currently being covered by a single Telecommunicator. There are 168 hours in a week. Four Telecommunicators working 40 hours a week provide 160 hours of coverage. When someone takes off, as will happen during the holiday season, the remaining Telecommunicators will have to cover the open shifts.

Hiring more Telecommunicators at LMPD should be considered an emergency at this point. Communications is a stressful job and lacking enough Telecommunicators to cover all shifts simply creates more stress. Chief Aragon stated they have reached out to Workforce Solutions to attempt to recruit more Telecommunicators.

(For the upcoming budget year the department is going to request that Telecommunicator staffing be increased to 9 (an increase of one (1) Telecommunicator).

Telecommunications is also responsible for maintaining the protocols to operate with secure computer connections to DPS and the FBI. The rules for access to the building and computer access are stringent, and the Department is audited regularly by the Criminal Justice Information System (CJIS). CJIS is a branch of the FBI and regulates all law enforcement agencies to ensure they meet the many requirements for accessing the DPS and FBI computer systems. Some of the more common rules are no one is supposed to be in the Communications Center who has not had the CJIS rules training. In addition, CJIS regulates the connection between Telecommunications and the Mobile Data Computers in patrol vehicles. CJIS also has rules that regulate who can be inside the security doors of the Department and in what capacity. Non-law enforcement personnel who regularly work with the Department can be in the secure portion of the building without an escort if they have had the required classes and training. Non-law enforcement personnel who have not had the training must always be escorted throughout the building to ensure they do not access or see confidential information. There were comments on the Employee Engagement Survey that alluded to this situation. During one of my visits to the Department, I observed a man painting in an office. I determined the person had been sentenced to Community Service and was painting at the Police Department to serve his time. I asked the person assigned to that office if the computer in the office was on. The person assigned to the office said he had turned the computer off. The person assigned to the office said everyone was aware of the CJIS rules, and a second man, who had completed the CJIS training, was supposed to be watching the painter, but that man had gone to lunch. The person assigned to the office said employees had complained before, but the “*Administration*” continued to allow this to happen.

The “*Administration*” should set the example when it comes to following rules. Failure to do so sends a clear message to employees that rules are arbitrary. A good maxim for leaders is, “*You lead by example, whether you intend to or not!*”

(Obviously, this concern has been noted and will not recur. We recently successfully completed the CJIS Audit (11-28-2022) & received praises for a job well done. Next State audit will be in 3 years.)

Jail

The previous assessment had a lengthy discussion about the jail and the deplorable conditions. I toured the jail as part of this assessment. The walls and doors have a fresh coat of paint to remove most of the words and pictures that were scratched into them. All the toilets and faucets worked. The sally port is still crowded and unusable. More cameras were present, and the monitors in Telecommunications were enlarged, making it easier to observe what goes on in the booking area and hallways of the jail. However, there were not cameras looking into the cells. The Department is allowed to have cameras monitoring the inside of the cells, and from a liability consideration, it is wise to do so.

The concern about cameras looking into the cells is a WIP. The Sally Port condition has been enhanced.)

Internal Communications

CompStat Meetings

Regular organizational meetings allow for exchanging information, reviewing past performance, discussing future actions, and forward planning. These types of meetings are critical for all supervisory employees and should be conducted regularly.

The Department has monthly CompStat meetings. Supervisors of the Department, Organized Task Force Supervisors and members, the Communications Supervisor, and the Administrative Assistant attend these meetings. Discussions include crime concerns, Special Events, operational concerns, Task Force Operations, Community Oriented Policing efforts, and crime by district. Also, Chief Aragon presents the 7 Habits training to the personnel present. (This enhancement will continue.)

PAT Meetings

Chief Aragon or Deputy Chief Waggoner conducts quarterly meetings with members of the Non-Supervisory Process Action Team (PAT) *for ideas & suggestions relating to enhancing Departmental operations relating to productivity and quality of services.* (Quoted from the LMPD Team List Assignments). The previous section of this report discussed transfers to special assignments without a process. I spoke with two members of the PAT about their selection. One stated their supervisor notified them they were on some team "having something to do with accountability," but they weren't sure what it was. The other person said they had no idea what it was about; they were informed they had to attend meetings. Employees allowed to volunteer for duty such as this are more likely to feel they have some control over their work life and want to be a participant.

In my experience, there are too many times that I have encountered law enforcement employees who use the term they were "*voluntold*" to be there. I found a substantial difference in attitudes between *voluntold* personnel and actual volunteers. Also, using volunteers assists in determining the level of employee engagement in the Department's mission. (This is indeed a WIP.)

Community Oriented Policing Program

One of the significant programs of the Department is the Community Oriented Policing (COP) program. In this program, the Chief has established numerous districts within the city limits. Each District has citizens who are Chairpersons and Block Captains. In addition, each District has a Community Policing Officer (CPO) assigned. Chief Aragon instituted the COP program during his first tenure as Chief of Police and has re-instituted it since he has returned.

The primary duty of the CPO is to maintain contact with the Chairperson and the Block Captain regarding crime trends in their community district. The CPO also has discussions with the COP citizens regarding their needs from the Department. The Chairperson and Block Captain are to be a spokesperson for their neighbors in communicating crime or safety concerns to the Department.

Before Chief Aragon's arrival as Chief and Interim City Manager, the City of La Marque experienced numerous crimes involving homicides, assaults, and drugs. Galveston County Law Enforcement Officials developed a Task Force to combat these problems in Galveston County, Texas City, La Marque, Hitchcock, and other nearby municipalities. The Organized Crime Task Force (OCTF) consists of officers from Galveston County, Texas City, League City, Hitchcock, La Marque, and other agencies. The OCTF routinely

(Our reduction in crime and the fear of crime is a product of a three prong approach: 1. GCOCTF work; 2. CompStat; and, 3. our Community Policing efforts--this will continue and should continue to produce reductions in crime and the fear of crime as per our La Marque Safe City Initiative.

patrols the area as a group serving warrants, working narcotics, making traffic stops, and conducting any other activities they feel will reduce crime in the area.

According to Chief Aragon, Community Oriented Policing has reduced crime by 30% in La Marque. According to other sources outside the Department, crime reduction is a result of the actions of the Task Force. Crime statistics are often difficult to assess. There is no doubt that COP programs assist in reducing a neighborhood's fear of crime and improves the relationship between the community and the Police. However, it would be challenging to establish if the COP program, the OCTF, the combination of the two, or just the cyclical patterns of crime resulted in the drop in crime.

I spoke with several Block Captains and other citizens who felt the Community Oriented Police program was an excellent program and they were happy to participate. They said it was good to have an officer assigned to their neighborhood and improve relations with the Police Department. Another said the program was good but overall, the community did not have good feelings about the Police Department and hopefully the COP would change that over time.

COPS Hiring Program/ Staffing

The Department has received a COPS Hiring Program grant for \$750,000 to hire six Officers. Chief Aragon plans to use these Officers as part-time Community Policing Officers and part-time "Hot Spot" Officers who will concentrate on gang and drug activity. Due to the small number of grants available, the Department should be congratulated for receiving one.

Final Comments

This assessment report focuses on areas where the La Marque Police Department can improve its operations. A detailed examination of any organization will discover procedures or practices that need improvement. It would be unrealistic to assume that the La Marque Police Department, or any other Department for that matter, does everything perfectly. Conversely, it would be unfair to say the La Marque Police Department, or any other Department, does everything wrong. LMPD carries out some of the responsibilities and functions of the Department well and needs some improvement in other responsibilities and functions.

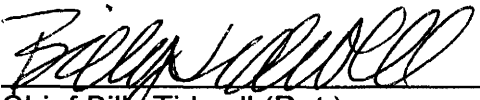
In closing, the job of any Police Chief is challenging to balance. A Chief must attempt to meet the competing interests and expectations of the employees, the City Manager, the City Council, and the people they ultimately serve, the public. Chief Aragon understands these competing interests and strives to accomplish them.

Chief Aragon has been supportive of the assessment from the initial visit, the irritations, and the endless questions for information and documentation. He has been unwavering in his care and concern for the Department and for whatever changes are suggested to help him and his team improve the Department. It takes courage to not only support the process of this assessment but to have openly invited it when given the opportunity to

make the La Marque Police Department the best that it can be for the citizens of La Marque.

I would also like to thank the exceptional men and women who make the La Marque Police Department the Department it is. I appreciate your willingness to trust, share information, and "look over your shoulders" as you go about your challenging but rewarding daily duties in protecting the citizens of La Marque.

Respectfully submitted,



Chief Billy Tidwell (Ret.)



Date

Texas Police Chief Association Best Practices Accreditation Program (TPCABPAP)—
Tentative Action Plan for LMPD—Eff. 4/14/2023

To ensure each of you fully comprehend all facets of this program, please click on the below hot link for such details:

[Texas Best Practices Accreditation Program](#)

As stated in the above hot-linked packet, an agency should have their policies aligned with the accreditation program before matriculating into the program (which allows two years to complete after matriculation). Also, important is to understand that during 2022 the Chief's Association sent me one of their program Guru's to conduct a "walk-through" with advice after his assessment. After his assessment he advised me **do not** even consider matriculating until our Property/Evidence Room was up to standards which included attaining the program standards that included: providing adequate security for the property/evidence, clearing out evidence no longer required, storing evidence correctly, and conducting general housekeeping in all property/evidence areas.

As revisions occur to any timeframe this document will be updated & disseminated to each of you.

The below tentative action plan is established: dates may be moved up should the necessary actions be completed faster than planned:

NLT June 30, 2023:

- Chief Aragon and applicable Command Staff members complete the revision of the LMPD Policy Manual
- At this juncture and thereafter, Program Manager and Assistant Program Manager will collect and file applicable "proofs of compliance".
- Property/Evidence Room staff (and Corporal Santos) will continue to bring this operation into compliance.
- The Chief, accompanied by Program Manager and Assistant Program Manager, will conduct a bimonthly assessment of accreditation operations.

NLT July 15, 2023:

- Program Manager (Deputy Chief Waggoner and Assistant Program Manager (Corporal Santo) set up PowerDMS to afford all LMPD Staff to review and sign for the LMPD Policy Manual.

NLT September 15, 2023:

- All LMPD Employees have reviewed and signed off on all LMPD policies.
- Henceforth, newly hired employees must complete reviewing and signing for all LMPD policies prior to beginning their starting on their work assignments.

NLT January 1, 2026:

- Property/Evidence Room will have attained required standards to achieve accreditation.
- Department will officially matriculate in the TPCABPAP.

NLT October 15, 2026:

- Department will achieve accreditation.

Official:



Randall Aragon
Chief of Police 4/14/2023

Strategic Plan
Three & Four-Year Goals and Objectives: La Marque Police Department
(To be completed NLT December 2026)

Goal 1
(3-Year—NLT 12/31/2025)

To have successfully developed and maintained a *positive organization culture* within the La Marque Police Department (LMPD). This vision (during CY 2021 upon my reappointment as Chief of Police) was that all LMPD employees would (within 3 years) be committed and embrace the desire to achieve organizational goals in such a manner that it positively satisfies the needs and priorities of those we serve. My principal visions relating to “positive organizational culture” included: 1) developing a sense of mutual trust between our department and the community; 2) insuring that the community is clearly aware and perceives that departmental employees are held accountable for their actions; 3) a positive partnership is being developed between the department and the community it serves; and finally, 4) Officers engage in problem-solving to prevent and control crime within their assigned areas of responsibility.

Action 1.1 The two (2) key strategies to be employed to achieve such goals are: Phased-in approach via the introduction and training conducted by Chief Aragon of: 1) the principles of *The Seven Habits of Highly Effective* & 2) Total Quality Management (TQM). (The KPI’s for evaluating the posture of our department’s organizational culture will be a “departmental employee survey” conducted by Dr. Everette Penn.)

Who: Action—all Police Department leadership personnel.

Benefits: Only employees that genuinely embrace, support, and comply with the principles inherent within LMPD’s positive organizational culture, will be rewarded with promotional and challenging special assignment opportunities, and other such “upward mobile” career benefits. Additionally, employees that are clearly cognizant of the strengths and/or weaknesses related to their performance and work-related conduct will then be prepared to concentrate upon enhancing their performance, personal growth, and development.

Goal 2
(3-Year—NLT 12/31/2025)

Continue conducting and refining the CompStat Program, which is essentially a police management system, pioneered in New York City (and now employed nationwide by agencies desiring to reduce crime rates and the fear of crime). The program requires up-to-date crime pattern information (processed via the agency’s Record Management System and its crime-mapping software). Additionally, armed with such crime information geographic commanders (e.g., in our case Shift Sergeants)

will be assigned specific police districts accountable for reducing crime within their assigned areas of responsibility. Its key principles and goals include: a) accurate and timely intelligence; b) rapid deployment; c) effective tactics; and d) relentless follow-up and assessment. Those assigned districts must remain cognizant of three (3) things: 1) crime conditions (i.e., patterns, M.O.s, etc.,) in their area of control; 2) appropriate tactics to deploy to address such conditions; 3) any revision to such tactics as necessary.

Action 2.1 All leadership personnel will participate in this initiative. As those involved become familiar and proficient on this initiative the City Manager and legislative body will be offered the opportunity to attend such briefings.

Who: Project Action Executive will be Chief of Police assisted by the department's Crime Analyst. Shift Sergeants will provide the briefings to the Command Staff.

Benefits: Should result in preventing and controlling crime, reducing citizens' fear of crime, and a corresponding reduction in crime rates (primarily violent crime).

Goal 3 **(3-Year—NLT 12/31/2025)**

Continue to maintain our Community-Oriented Policing (COP) effort. At this juncture 75% of the COLM should have Community Policing Officers assigned to designated neighborhoods.

Action 3.1 This effort will require additional Officers (i.e., those not currently performing COP) to assume community policing tasks and objectives.

Who: Our *COP Transition Team Leader* will take the lead on this effort.

Benefits: Continuation of developing a proactive partnership between the police department and the community should result in preventing and controlling crime, reducing citizens' fear of crime, and a corresponding reduction in crime rates (primarily violent crime).

Goal 4 **(3-Year—NLT 12/31/2025)**

Have LMPD budget with Enterprise to have one (1) patrol vehicle allocated for each Patrol Services Division Officer and a 20% reserve. The same allocation for all other staff members (administrative and Investigative Services Division staff) that are authorized a vehicle—with a 10% reserve.

Action 4.1 Will require that the City Manager and Chief of Police interact on necessary budgetary expenditures.

Who: Will require collaboration between the Command Staff, as necessary.

Benefits: Should ensure that vehicle availability for day-to-day operations: with a standby (reserve) fleet whenever a vehicle is down for maintenance.

Goal 5
(3-Year—NLT 12/31/2025)

Continue to align and meet goals and objectives as per the La Marque Safe City Initiative (LMSCI).

Action 5.1 To ensure that LMPD has achieved the three (3) year goals set by the LMSCI.

Who: Will require actions by the Chief of Police and Command Staff.

Benefits: Should result in preventing and controlling crime, reducing citizens' fear of crime, and a corresponding reduction in crime rates (primarily violent crime).

Goal 6
(3-Year—NLT 12/31/2025)

Begin construction of new police facility.

Action 6.1 Will require that the City Manager and Chief of Police interact on necessary budgetary expenditures.

Who: Will require collaboration between the Command Staff, as necessary.

Benefits: Will enhance quality of life for all LMPD staff to include placing all police resources in one centralized facility.

Goal 7
(3-Year—NLT 12/31/2025)

Solved three (3) cold case homicides during this timeframe.

Action 7.1 Will require intensive efforts between our Cold Case investigatory staff & the Galveston County Criminal District Attorney's Office.

Who: Cold Case investigatory staff.

Benefits: Should bring great relief and raise the spirits of those citizens that have lost relatives to homicides.

Goal 1
(4 Year NLT 12/31/2026)

Continue to align and meet goals and objectives as per the La Marque Safe City Initiative (LMSCI).

Action 1.1 To ensure that LMPD has achieved the five (5) year goals set by the LM SCI.

Who: Will require actions by the Chief of Police and Command Staff.

Benefits: Should result in preventing and controlling crime, reducing citizens' fear of crime, and a corresponding reduction in crime rates (primarily violent crime).

Goal 2
(4 Year NLT 12/31/2026)

Successfully acquire Texas Police Chief Association's Best Practices Accreditation Program (TPCABPAP) accreditation for LMPD.

Action 2.1 Receive recognition via TPCABPAP via successfully achieving and meeting the 170 standards.

Who: Will require actions by the Chief of Police and department's Accreditation Program Manager.

Benefits: The *Best Practices* were carefully developed by Texas Law Enforcement professionals to assist agencies in the efficient and effective delivery of service, the reduction of risk, and the protection of individual's rights. While similar in nature to the national accreditation program (via the Commission on Accreditation for Law Enforcement Agencies—CALEA), the Best Practices Recognition Program is easier to administer, lower in cost and is designed specifically for Texas Law Enforcement.



City of La Marque, Texas

Quarter Ended
Detailed Holdings

3/31/2023

TexPool Rate: 4.8
Logic Rate: 4.8163
DWS 4.6600
Texas Class 4.8597

Fund	Fund Categories	Description	Type	CUSIP	Coupon	Settlement Date	Maturity Date	Par Value	Purch Price	Purch Cost	Book Value	Mkt Price	Mkt Value	Days to Mat	YTM
General Fund	General Fund	Logic	LGIP		4.8163			4,939,348.48	100.000	4,939,348.48	4,939,348.48	100.000	4,939,348.48	1	4.8163
General Fund	General Fund	TexPool	LGIP		4.8000			748,764.58	100.000	748,764.58	748,764.58	100.000	748,764.58	1	4.8000
General Fund	General Fund	DWS	MMKT		4.6600			339,783.27	101.000	339,783.27	339,783.27	100.000	339,783.27	1	4.6600
General Fund	General Fund (Restricted)	Texas Class	LGIP		4.8597			2,165,726.42	100.000	2,165,726.42	2,165,726.42	100.000	2,165,726.42	1	4.8597
Utility Fund	Utility Fund	Logic	LGIP		4.8163			1,498,300.83	100.000	1,498,300.83	1,498,300.83	100.000	1,498,300.83	1	4.8163
Utility Fund	Utility Fund	TexPool	LGIP		4.8000			357,589.02	100.000	357,589.02	357,589.02	100.000	357,589.02	1	4.8000
Utility Fund	Utility Fund	DWS	MMKT		4.6600			175,895.20	100.000	175,895.20	175,895.20	100.000	175,895.20	1	4.6600
Utility Fund	Utility Fund (Restricted)	Logic	LGIP		4.8163			53,985.03	100.000	53,985.03	53,985.03	100.000	53,985.03	1	4.8163
Utility Fund	Utility Fund (Restricted)	TexPool	LGIP		4.8000			9,277.69	100.000	9,277.69	9,277.69	100.000	9,277.69	1	4.8000
Utility Fund	Utility Fund (Restricted)	DWS	MMKT		4.6600			4,324.39	100.000	4,324.39	4,324.39	100.000	4,324.39	1	4.6600
Utility Fund	Utility Fund (Restricted)	Texas Class	LGIP		4.8597			2,165,726.42	100.000	2,165,726.42	2,165,726.42	100.000	2,165,726.42	1	4.8597
Replacement Fund	Replacement Fund	Logic	LGIP		4.8163			227,959.74	100.000	227,959.74	227,959.74	100.000	227,959.74	1	4.8163
Replacement Fund	Replacement Fund	TexPool	LGIP		4.8000			39,176.42	100.000	39,176.42	39,176.42	100.000	39,176.42	1	4.8000
Replacement Fund	Replacement Fund	DWS	MMKT		4.6600			18,260.38	100.000	18,260.38	18,260.38	100.000	18,260.38	1	4.6600
Hotel Motel Fund	Hotel Motel Fund	Logic	LGIP		4.8163			327,435.37	100.000	327,435.37	327,435.37	100.000	327,435.37	1	4.8163
Hotel Motel Fund	Hotel Motel Fund	TexPool	LGIP		4.8000			56,271.98	100.000	56,271.98	56,271.98	100.000	56,271.98	1	4.8000
Hotel Motel Fund	Hotel Motel Fund	DWS	MMKT		4.6600			26,228.73	100.000	26,228.73	26,228.73	100.000	26,228.73	1	4.6600
Debt Service	Debt Service Fund	Logic	LGIP		4.8163			502,865.63	100.000	502,865.63	502,865.63	100.000	502,865.63	1	4.8163
Debt Service	Debt Service Fund	TexPool	LGIP		4.8000			86,420.86	100.000	86,420.86	86,420.86	100.000	86,420.86	1	4.8000
Debt Service	Debt Service Fund	DWS	MMKT		4.6600			40,281.31	100.000	40,281.31	40,281.31	100.000	40,281.31	1	4.6600
LM EDC Operating	LM EDC	Logic	LGIP		4.8163			5,952,808.60	100.000	5,952,808.60	5,952,808.60	100.000	5,952,808.60	1	4.8163
LM EDC Operating	LM EDC	TexPool	LGIP		4.8000			1,275,045.09	100.000	1,275,045.09	1,275,045.09	100.000	1,275,045.09	1	4.8000
LM EDC Operating	LM EDC	DWS	MMKT		4.6600			653.36	100.000	653.36	653.36	100.000	653.36	1	4.6600
LM EDC Operating	LM EDC	Money Market	MMKT		4.6600			35,815.22	100.000	35,815.22	35,815.22	100.000	35,815.22	1	4.6600
LM EDC Operating	LM EDC	Amoco CD	CD		2.5000	8/30/2022	8/30/2023	107,591.33	100.000	107,591.33	107,591.33	100.000	107,591.33	152	2.5000
LM EDC Operating	LM EDC	Texas Class	LGIP		4.8597			100,000.00	100.000	100,000.00	100,000.00	100.000	100,000.00	1	4.8597
1998 TWDB Sewer Rehab	Capital Projects Fund	DWS	MMKT		4.6600			168,181.81	100.000	168,181.81	168,181.81	100.000	168,181.81	1	4.6600
2007 CO	Capital Projects Fund	TexPool	LGIP		4.8000			402,028.16	100.000	402,028.16	402,028.16	100.000	402,028.16	1	4.8000
2016 CO	Capital Projects Fund	Logic	LGIP		4.8163			502,661.64	100.000	502,661.64	502,661.64	100.000	502,661.64	1	4.8163
2018 CO	Capital Projects Fund	Logic	LGIP		4.8163			2,495,047.87	100.000	2,495,047.87	2,495,047.87	100.000	2,495,047.87	1	4.8163
2020 CO	Capital Projects Fund	Logic	LGIP		4.8163			6,693,782.00	100.000	6,693,782.00	6,693,782.00	100.000	6,693,782.00	1	4.8163
Special Revenue Funds	Special Revenue Fund	DWS	MMKT		4.6600			15,384.70	100.000	15,384.70	15,384.70	100.000	15,384.70	1	4.6600
Special Revenue Funds	Special Revenue Fund	TexPool	LGIP		4.8000			33,006.83	100.000	33,006.83	33,006.83	100.000	33,006.83	1	4.8000
Special Revenue Funds	Special Revenue Fund	Logic	LGIP		4.8163			192,060.14	100.000	192,060.14	192,060.14	100.000	192,060.14	1	4.8163
Library Memorial	Fiduciary Fund	Logic	LGIP		4.8163			2,976.38	100.000	2,976.38	2,976.38	100.000	2,976.38	1	4.8163
Drug Seizure	Fiduciary Fund	Logic	LGIP		4.8163			8,060.95	100.000	8,060.95	8,060.95	100.000	8,060.95	1	4.8163
								31,768,725.86		31,768,725.86	31,768,725.86		31,768,725.86	2	4.8089

I certified that the Quarterly Investment Report represents the investment position of City of La Marque as of March 31, 2023 to the best of my knowledge and all investments under the City's control have been and are in compliance with the Texas Public Funds Investment Act and the City's Investment Policy as adopted by City Council.

Investment Officer, CPFIM



City of La Marque, Texas

Quarter ended 3/31/2023

Summary Data

Type Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
LGIP	30,836,326.15	97.07%	1	4.821
MMKT	824,808.38	2.60%	1	4.660
CD	107,591.33	0.34%	152	2.500
	31,768,725.86	100.00%	2	4.809

Issuer Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
Amoco CD	107,591.33	0.34%	152	2.500
Money Market	35,815.22	0.11%	1	4.660
DWS	788,993.16	2.48%	1	4.660
Texas Class	4,431,452.84	13.95%	1	4.860
Logic	23,397,292.66	73.65%	1	4.816
TexPool	3,007,580.65	9.47%	1	4.800
	31,768,725.86	100.00%	2	4.809

Fund Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
General Fund	6,027,896.34	18.97%	1	4.805
General Fund (Restricted)	2,165,726.42	6.82%	1	4.860
Utility Fund	2,031,785.05	6.40%	1	4.800
Utility Fund (Restricted)	2,233,313.54	7.03%	1	4.858
Replacement Fund	285,396.55	0.90%	1	4.804
Capital Projects Fund	10,261,701.48	32.30%	1	4.813
Hotel Motel Fund	409,936.09	1.29%	1	4.804
Debt Service Fund	629,567.80	1.98%	1	4.804
LM EDC	7,471,913.60	23.52%	3	4.780
Special Revenue Fund	240,451.67	0.76%	1	4.804
Fiduciary Fund	11,037.33	0.03%	1	4.816
	31,768,725.86	100.00%	2	4.809

Maturity Breakdown:	Book Value	Percent
Less Than 90 Days	31,661,134.53	99.66%
90 to 180 Days	107,591.33	0.34%
181 to 365 Days	-	0.00%
More Than 365 Days	-	0.00%
	31,768,725.86	100.00%



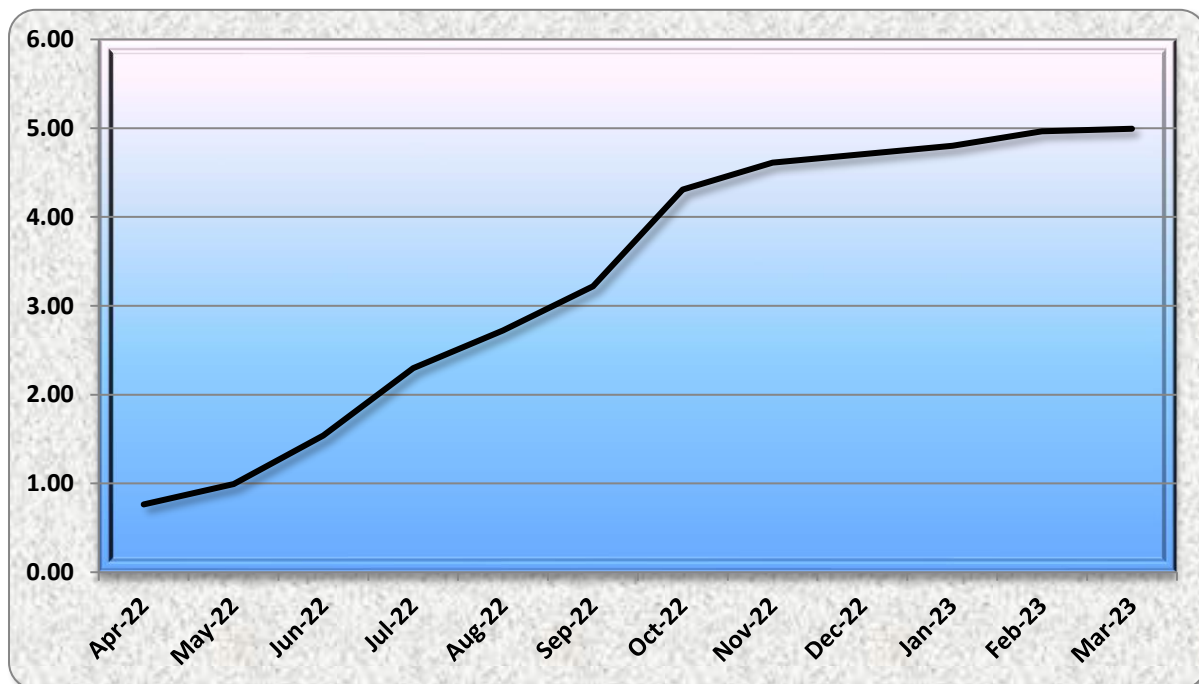
City of La Marque, Texas

Summary Investment Report For Period Ended 3/31/2023

Total Portfolio Summary			
	Current Quarter 3/31/2023	Prior Quarter 12/31/2022	Change From Prior
Book Value	31,768,726	23,205,889	8,562,837
Market Value	31,768,726	23,205,889	8,562,837
Market Value%	100.00%	100.00%	0.00%
Weighted Average Maturity - Days	2 days	6 days	-4 days
Weighted Average Yield	4.81%	4.21%	0.60%

Portfolio Performance Summary	
Beginning Book Value	23,205,889
Beginning Market Value	23,205,889
Beginning WAM	6 days <i>Liquidity measurement</i>
Ending Book Value	31,768,726
Ending Market Value	31,768,726
Change in market value	8,562,837 <i>Volatility measurement</i>
Ending WAM	2 days <i>Liquidity measurement</i>
Period Average Yield	4.81%
Period Average Benchmark	4.92%

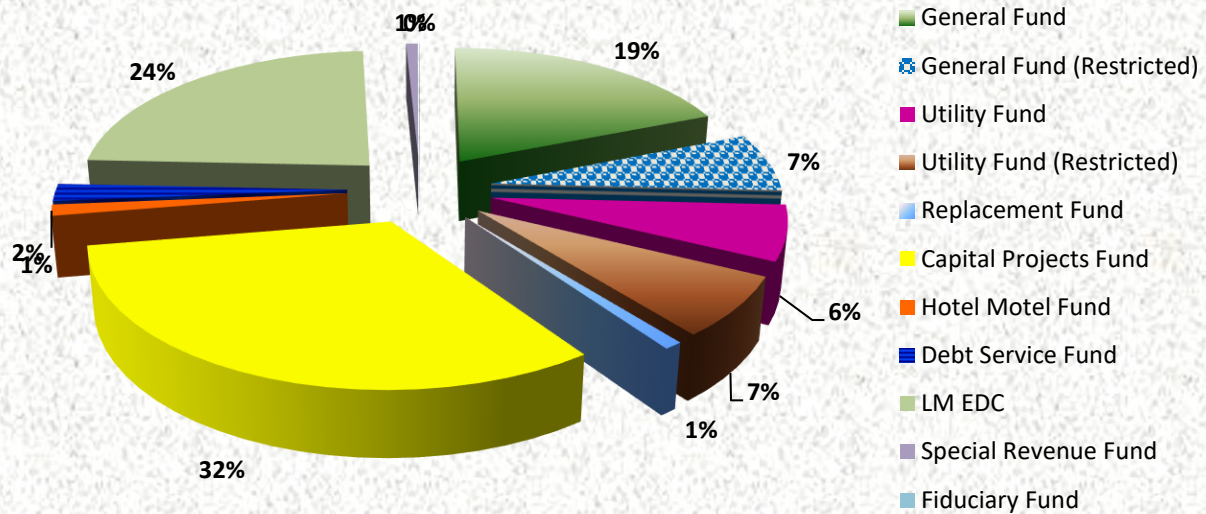
6-Month T-Bill Historical Trend





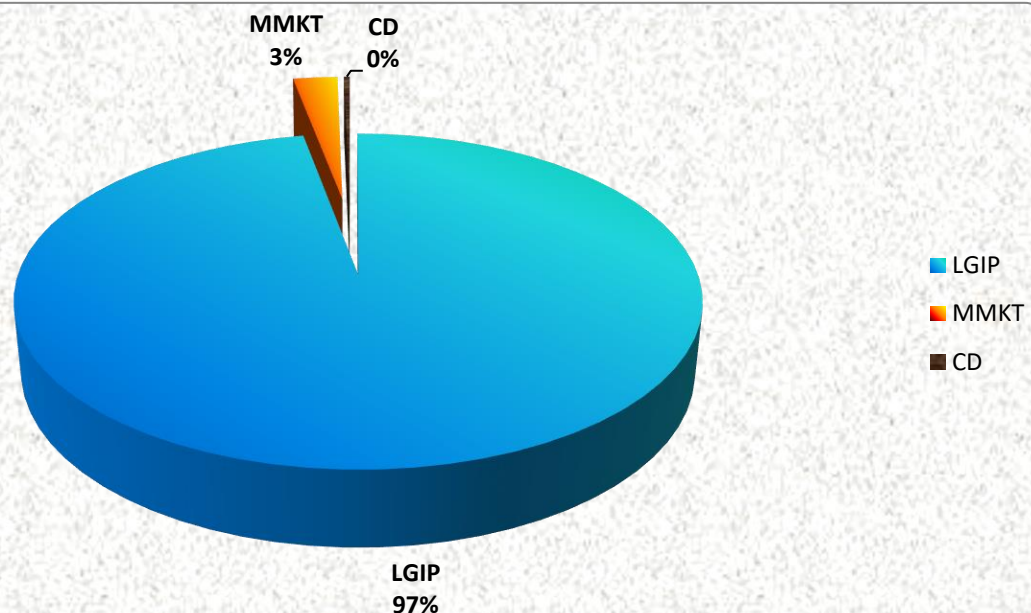
Investment Portfolio by Funds

As of 3/31/2023



Investment Portfolio by Types

As of 3/31/2023



Fiscal Years 2023 and 2022 Comparison *As of March 31, 2023*

Interest Revenues

Funds	FY 2022	FY 2023	Change
01	2,870.75	124,723.06	121,852.31
02	3,479.23	170,571.52	167,092.29
03	39.82	1,907.86	1,868.04
05	173.47	8,056.18	7,882.71
06	1.47	62.14	60.67
10	249.17	11,571.68	11,322.51
12	23.07	1,071.74	1,048.67
15	17.61	6,733.19	6,715.58
19	2,304.13	118,530.66	116,226.53
45	686.85	2,010.26	1,323.41
46	118.97	7,873.36	7,754.39
63	0.42	19.37	18.95
65	1,198.00	52,121.52	50,923.52
81	12.08	561.62	549.54
82	9.98	464.03	454.05
83	14.15	656.54	642.39
84	13.98	649.53	635.55
85	7.50	348.02	340.52
87	10.71	497.39	486.68
88	36.82	1,709.88	1,673.06
89	1.02	47.31	46.29
	11,269.20	510,186.86	\$498,917.66

*Additional interest
revenues FY 2023*



CITY COUNCIL AGENDA FORM

Meeting Date: **April 24, 2023**

Prepared by: Rick Sailer

Department: Public Works

Agenda item: _____

Reviewed by: _____

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding consideration of Fee Wavier request by LULAC for Cinco de Mayo Event at Highland Bayou Park

X

ATTACHMENTS FOR REFERENCE:

1. Minutes - Park Board Meeting - March 16, 2023
2. Cinco de Mayo Event Informational Flyer
3. League of United Latin American Citizens (LULAC) Information
4. Special Event Permit for event. List of asks from Mary Limones to the City of La Marque included with all back-up documentation.

STAFF BRIEFING:

- The Parks Board voted approval to ask City Council to waive the Park Fee for Highland Park Pavilion for the Mainland Council of LULAC 22427 organization - (March 16th meeting minutes)
- LULAC provides excellent support for children in La Marque.
- Cinco de Mayo celebration to be held at Mac McGaffey Highland Bayou Park on May 6, 2023
- Commercial Rental Fee of HBP Pavilion is \$500.
 - City Manager has reviewed and approved.
 - Finance Director has reviewed and approved.
 - City Attorney has reviewed and approved.

TARGET IMPLEMENTATION: May 6, 2023 (Day of the Event)

STAFF'S RECOMMENDATION: Motion to approve Parks Board recommendation to waive the HBP Pavilion Fee for an event organized by LULAC.

FISCAL IMPACT: \$500.00 - Waived Park Pavilion Fee



Office of the City Manager

COUNCIL MEMORANDUM

Agenda #:

To: City Commission
From: Cesar Garcia, City Manager
Re: Cinco de Mayo Request for Fee Waiver/Assistance

Date: April 21, 2023

- Cinco de Mayo celebration to be held at Mac McGaffey Highland Bayou Park on May 6, 2023
 - The Parks Board voted approval to ask City Council to waive the Park Fee for Highland Park Pavilion for the Mainland Council of LULAC 22427 organization – (March 16th meeting minutes)
 - Commercial Rental Fee / Deposit of HBP Pavilion is \$550.00
 - Waiver of City Special Event Fee of \$250.00
 - Other requested assistance & fee waiver considerations include:
 - Promotional assistance through city's website & social media.
 - Barricades as available from city's inventory
 - Trash Cans – Cardboard boxed – to be requested through Waste Management.
 - Waiver of City Vendor Fees.
 - Participation from PD & Fire at the event as community involvement (not for security)
 - Consideration on next year's budget for subsequent events and years including holiday event and back to school event.
- City Manager has reviewed and approved.
- City Attorney has reviewed and approved.

END OF MEMORANDUM



The La Marque Police Department Presents:

Catalytic Converter Anti-theft Event

Exclusive to La Marque citizens, have your catalytic converter painted and engraved to deter theft and assist with recovery after a theft.

FREE EVENT

WEDNESDAY, APRIL 26, 2023

11 am - 2 pm

Location:

Wal-Mart Auto Care Center

6410 IH-45, La Marque, Texas 77568

La Marque Citizens Only!

BY RESERVATION ONLY

<https://forms.office.com/r/CNpPeaKMGt>

FOR QUESTIONS CONTACT:

F.GANDY@CITYOFLAMARQUE.ORG



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Registration



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