



**CITY OF LA MARQUE
CITY COUNCIL
REGULAR AGENDA
of
March 25, 2024**

1. Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a **Regular Meeting** on **MARCH 25, 2024**, 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 (councilzoom.cityoflamarque.org)**. 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
 - Introducing the "LMPD Chaplain Care Program" Participants (Police Chaplains)
 - 4.I. Introducing the "LMPD Chaplain Care Program" Participants
 - 4.II. Proclamation - Child Abuse Prevention Month
Proclamation for the month of April 2024 as Child Abuse Prevention Month.
 - 4.III. Proclamation - James E. Klyng Sr.
Proclamation for celebrating the life of James E. Klyng Sr., a former La Marque Policeman and City Councilman.
 - 4.IV. Proclamation - Eligh Johnson
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. PUBLIC HEARINGS

Conduct Public Hearing to hear public input on:

6.I. Ordinance No. O-2024-0004

Issuing a Conditional Use Permit for construction of a data storage facility and showroom located at Galveston County Property ID #752487

6.II. Ordinance No. O-2024-0005

Amending the City of La Marque 2023-2024 budget by increasing various budget accounts' expenditures, decreasing others, transferring positions to new departments, and increasing/ decreasing various fund balances as set forth in the attached exhibits.

7. OLD BUSINESS

7.I. Ordinance No. O-2024-0004

Issuing a Conditional Use Permit for construction of a data storage facility and showroom located at Galveston County Property ID #752487

THIS IS THE SECOND AND FINAL READING

7.II. Ordinance No. O-2024-0005

Amending the City of La Marque 2023-2024 budget by increasing various budget accounts' expenditures, decreasing others, transferring positions to new departments, and increasing/ decreasing various fund balances as set forth in the attached exhibits.

THIS IS THE SECOND AND FINAL READING

7.III. Proposed Ordinance

Amending the City of La Marque 2023-2024 budget by allocating American Rescue Plan Act (ARPA) funds

THIS ITEM WAS TABLED 03.11.2024

8. NEW BUSINESS

Items presented to the Council for discussion and possible action:

8.I. Proposed Ordinance

Amending the City's Zoning Map and Comprehensive Plan by changing the zoning

district for a tract of land identified as Galveston County Central Appraisal District Parcel IDs 131373 and 131374 located near FM 519 and east of Newman Road

8.II. Proposed Resolution

Authorizing application submission for Blue Cross Blue Shield of Texas - Blue Impact Grants Program Application Program

8.III. Proposed Resolution

Suspending the April 10, 2024 effective date of Centerpoint Energy Houston Electric, LLC's requested rate change

8.IV. Linebarger Goggan Blair & Sampson, LLP

Consideration and approval for a Professional Collection Services Agreement with Linebarger Goggan Blair & Sampson, LLP, as being fully qualified as special counsel to perform all legal services necessary to collect unpaid utility accounts, fees, fines and court costs as provided in Article 103.0031 of the Texas Code of Criminal Procedure and to collect delinquent ad valorem taxes as provided in Section 6.30 of the Texas Property Tax Code

8.V. Linebarger Goggan Blair & Sampson, LLP

Consideration and approval for a Professional Collection Services Agreement with Linebarger Goggan Blair & Sampson, LLP, after having provided adequate notice as required by Section 2254.1036 of the Texas Government Code, and authorizing the City Mayor to execute said Agreement

8.VI. Proposed Resolution

Consideration, discussion, and possible action regarding adopting a resolution of the City Council of the City of La Marque regarding Linebarger Goggan Blair & Sampson, LLP as being fully qualified as special council to perform all legal services pursuant to Sec 2254.1036 of the Texas Government Code for collection of unpaid fines, fees, and court costs

8.VII. Water Service Agreement

Discussion/ possible action regarding authorizing the City Manager to enter into a water service agreement with CRV Development, LLC, for the construction of a water supply facility

8.VIII. Memorandum of Understanding

Discussion/ possible action regarding enacting a Memorandum of Understanding between the City of La Marque and Culture Corporation

8.IX. Emergency Sanitary Sewer Pipeline Replacement

Discussion/ possible action regarding ratifying the expenditure of \$84,677.50 for emergency pipeline replacement completed by Ram Rod Utilities on February 17, 2024

8.X. Approve Work Order from Adico Engineers, LLC for GIS Mapping for Public Works Infrastructure

Discussion / possible approval of Work Order submitted by Adico Engineers, LLC

(City Engineer) for Phase 2 implementation of Geographical Information System (GIS) for Water and Sanitary Sewer Infrastructure

8.XI. 2024 City of La Marque Roadway Pavement Assessment Study
Authorizing ADICO LLC to perform professional engineering services for the 2024 City of La Marque Roadway Pavement Assessment Study

9. CITY MANAGER REPORT

Monthly Crime Rate Statistics--February 2024

9.I. February 2024 Public Library Statistics

9.II. February 2024 Municipal Court Statistics

9.III. February 2024 Crime Statistics
Monthly Crime Statistics--February 2024

9.IV. February 2024 Financial Report

9.V. February 2024 Permit Stats

9.VI. March 2024 Sales Tax Report

9.VII. March 2024 Employee Diversity Report
City of La Marque Employee Diversity Report March 2024

9.VIII. The Five Pillars of Customer Service Training Plan
The Five Pillars of Customer Service Training Plan

9.IX. Public Notice Memo

9.X. Public Works Structure & Responsibilities
Slide presentation depicting Public Works Structure and Responsibilities

9.XI. Status relating to Implementation of a "Commercial Vehicle Enforcement Officer" Program
Concerns have surfaced that our city needs enforcement relating to hazardous materials/cargo being transported on unauthorized city roadways.

9.XII. Uniform Development Guide

9.XIII. Items for the Good of the Order

10. REQUESTS AND ANNOUNCEMENTS

11. 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. ACTIONS TAKEN FROM EXECUTIVE SESSION

13. ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on March 22, 2024 at 5:30 p.m.

Kierra K. Nance, TRMC
City Clerk

Office of the Mayor
for the City of La Marque

PROCLAMATION

WHEREAS, child abuse and neglect is a serious problem permeating every segment of our community, and finding solutions requires input and action from everyone; and

WHEREAS, our children are our most valuable resources and will shape the future of the City of La Marque; and

WHEREAS, child abuse can have long-term physical, emotional, and psychological effects creating lasting consequences for victims of abuse; and

WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families; and

WHEREAS, communities must make every effort to promote programs and activities that create strong and thriving children and families; and

WHEREAS, the City of La Marque acknowledges that we must work together as a community to increase awareness about child abuse and contribute to promoting the social and emotional well-being of children and families in a safe, stable, and nurturing environment; 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 2024 as:

"CHILD ABUSE PREVENTION MONTH"

in the City of La Marque and do hereby urge all the citizens of La Marque to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

In testimony whereof, witness my hand and the Seal of the City of La Marque, this the 22nd day of March 2024.



Keith Bell, Mayor

Office of the Mayor
for the City of La Marque

PROCLAMATION

WHEREAS, James "Jimmy" Klyng Sr. entered this life on December 19, 1938, in Galveston County; and

WHEREAS, he graduated from La Marque High School, where he excelled in football and baseball, so much so that in 1958 he was signed to the Brooklyn Dodgers farm league, subsequently sharing his love of sports with his children and grandchildren through coaching; and

WHEREAS, as a lifelong resident, his dedication to his community is heavily celebrated through his service to the City of La Marque as a Sergeant in the La Marque police department, a member of the Galveston County Sheriff's Posse, a volunteer firefighter with Galveston County, and ending his career as the Assistant Director of Adult Probation in Galveston County; and

WHEREAS, he served as a Councilmember in the City of La Marque for two terms from 1981 – 1987, with the honor of serving as Mayor Pro Tem; and

WHEREAS, his love for his family was his greatest attribute, shown by many RV vacations and constant support in their endeavors in sports and in life; and

NOW, BE IT RESOLVED, the City of La Marque mourns with the family and friends of Jimmy Klyng, Sr.; 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 March 19th, 2024 as:

"JIMMY KLYNG SR. MEMORIAL DAY"

in the City of La Marque and do hereby extend our deepest sympathy to those who knew and loved her.

In testimony whereof, witness my hand and the Seal of the City of La Marque, this the 18TH day of March 2024.



Keith Bell, Mayor

Office of the City Council
for the City of La Marque

PROCLAMATION

WHEREAS, Rev. Eligh Donald Ray Johnson began this life on September 5th, 1951 in Galveston, TX ; and

WHEREAS, Rev. Johnson's faith became an anchor for him at a very early and remained so throughout his life, such as during his time in the Vietnam War as a mechanic specialist for the United States Army, and reflected in his Bachelor's Degree in Theology from Okiedome School of Biblical Studies; and

WHEREAS, his mission to spread the message of love and salvation did not end once he exited church doors, he committed himself to volunteerism and youth outreach, lending a helping hand to the community however he could; and

WHEREAS, the City of La Marque expresses a deep appreciation for the many contributions Rev. Johnson has made to our City and its citizens, achieved not only through his military career, or passion for ministry but also as a member of the La Marque Cemetery Board; and

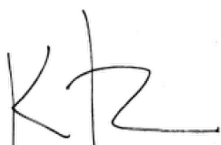
NOW, BE IT RESOLVED, the City of La Marque mourns with the family and friends of Rev. Johnson; and

NOW, THEREFORE, we the Mayor and City Council by virtue of our authority vested by the City of La Marque, Texas do hereby proclaim March 9, 2024 as:

"REV. ELIGH JOHNSON DAY"

in the City of La Marque and do hereby extend our deepest sympathy to those who knew and loved him.

In testimony whereof, witness my hand and the Seal of the City of La Marque, this the 8th day of March 2024.



Keith Bell, Mayor



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Kathleen Van Stavern

Department: Development Services

Agenda Item: 6.I.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Issuing a Conditional Use Permit for construction of a data storage facility and showroom located at Galveston County Property ID #752487

STAFF BRIEFING:

Planning & Zoning Recommended approval on January 23, 2024

HISTORY:

Planning & Zoning Recommended approval on January 23, 2024

Passed on First Reading February 26, 2024

FISCAL IMPACT:

N/A

ORDINANCE NO. O-2024 -00__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS ISSUING A
CONDITIONAL USE PERMIT FOR FM1764 LLC (GALVESTON COUNTY PROPERTY ID#
752487)**

WHEREAS, The authorized representative (“Data & Energy Inc”) of the owner of Lot 19 of Abstract No. 208 in the W K Wilson Survey (Galveston County Property ID # 752487) (the “Property”) submitted an application for a Conditional Use Permit for the Property to allow for a Data & Energy storage facility.

WHEREAS, the City Council has determined that the establishment, maintenance or operation of this conditional use will not be materially detrimental to, or endanger, the public health, safety, morals, or general welfare;

WHEREAS, the City Council has also determined that the uses, values and enjoyment of other property in the neighborhood, for the purpose already permitted, shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the conditional use;

WHEREAS, the City Council has also determined that the establishment of the conditional use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

WHEREAS, the City Council has also determined that the uses, values, and enjoyment of other property in the neighborhood, for the purpose already permitted, shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the conditional use;

WHEREAS, the City Council has also determined that adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;

WHEREAS, the City Council has also determined that adequate measures have been or will be taken to provide ingress or egress, so designed as to minimize traffic congestion in the public streets; and

WHEREAS, the City Council has also determined that the conditional use shall conform to all applicable yard area regulations of the district in which it is located.

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

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

Section 2. That the City of La Marque, Texas will issue a Conditional Use Permit to FM1764, LLC in accordance with Section 71-6 of the City Code for the construction and operation of a Data & Energy storage facility.

Section 3. As provided by Section 71-3 of the City Code, any person who shall violate any of the provisions of this Ordinance or the Conditional Use Permit issued hereunder 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 4. 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 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. 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 this ____ day of _____, 2024.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2024.

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra Nance, TRMC, City Clerk

PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF LA MARQUE, TEXAS, ISSUING A CONDITIONAL USE PERMIT FOR CONSTRUCTION OF A DATA STORAGE FACILITY AND SHOWROOM TO BE LOCATED ON GALVESTON COUNTY PROPERTY PARCEL 752487, LOTS 19 (19-19) IN THE W.K. WILSON SUB, ON FM 1764

WHEREAS, the owner of lot 19 of the W.K. Wilson Subdivision on FM 1764 Galveston County Property # 752487 submitted an application for a Conditional Use Permit for the property to allow for the construction of a Data Storage Facility and Showroom

WHEREAS, The City Council has determined that the establishment, maintenance, or operation of this conditional use will not be materially detrimental to, or endanger the public health, safety, morals or general welfare; and

WHEREAS, the City Council has also determined that the uses, values and enjoyment of other property in the vicinity for the purpose already permitted, shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use; and

WHEREAS, the City Council has also determined that the establishment of the conditional use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; and

WHEREAS, the City Council has also determined that the uses, values and enjoyment of other property in the vicinity for the purpose already permitted, shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use; and

WHEREAS, the City Council has also determined that adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided; and

WHEREAS, the City Council has also determined that adequate measures have been taken or will be taken to provide ingress and egress, so designed as to minimize traffic congestion in the public streets and roadways; and

WHEREAS, the City Council has also determined that the conditional use shall conform to all applicable requirements under the district in which it is located, and the granting of a Conditional Use does not create a right to the use and the Conditional Use may be cancelled at the City Council's sole discretion.

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

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

Section 2. That the City of La Marque, Texas will issue a Conditional Use Permit in accordance with Section 71-6 of the City Code for the construction of a Data Storage Facility and Showroom.

Section 3. As provided by Section 71-3 of the City Code, any person who shall violate any of the provisions of this ordinance or the Conditional Use Permit issued hereunder or who shall erect or alter any building, or who shall commence to erect or altar any building in violation of a 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 of 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 4. 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.

PASSED AND APPROVED this ____ day of _____, 2024

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2024

Honorable Keith Bell, Mayor

ATTEST:

Kierra Nance, City Clerk



CITY OF LA MARQUE

"Gateway to the Gulf"

1130 1st St., La Marque, TX 77568

409-938-9219 Permits@CityofLaMarque.org

Rezone Application

Application Date: 12/18/2023 Smart Gov Project # _____

Name of Agent: _____ Phone: _____

Address: _____ City: _____ Zip Code: _____

Name of Owner: FM 1764 LLC Phone: 347-838-1829

Address: 9900 Spectrum DR City: Austin Zip Code: 78717

Property Legal Description: ABST 208 W K WILSON SUR PT OF LOT 19 (19-19) Parcel ID #: 752487

Property Address: Pending land plat

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: The current zoning doesn't explicitly allow use of containers at the facility

Desired Outcome: The issuance of a conditional use permit that will allow development of a data center

APPLICATION CHECKLIST:

- ☐ DIGITAL 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 (1 DIGITAL COPY THAT IS 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: 01 / 23 / 2024

Approved: ☒ Denied: _____ Other: _____

Comments: NONE

APPLICANTS CERTIFICATE

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

Signature of Applicant: _____ Date: 12/18/2023





CITY OF LA MARQUE

"Gateway to the Gulf"

1130 1st St., La Marque, TX 77568

409-938-9219 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





Development Services Department
1130 1st St.
La Marque, TX 77568

Receipt Number: 202400240

(409)938-9219
permits@cityoflamarque.org

Payer/Payee: FM1764, LLC
9900 SPECTRUM DR
AUSTIN TX 78717

Cashier: P. Joiner

Date: 01/22/2024

RZ2023-0002 RE- ZONING/PLATS/VARIANCES/ABANDON
MENTS FM 1764 LA MARQUE, TX 77510

<u>Fee Description</u>	<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
REZONING CLASSIFICATION FEE	\$600.00	\$600.00	\$0.00
Re-Zone 200 foot letters	\$477.00	\$477.00	\$0.00
Published Notice IN NEWSPAPER	\$450.00	\$450.00	\$0.00
	\$1,527.00	\$1,527.00	\$0.00

<u>Fee Description</u>	<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
CC Convenience Fee	\$45.81	\$45.81	\$0.00
	\$45.81	\$45.81	\$0.00

<u>Payment Method</u>	<u>Reference Number</u>	<u>Payment Amount</u>
CREDIT CARD	Khedoyan/1708	\$1,572.81
Total Paid:		\$1,572.81

From:
FM1764 LLC
9900 Spectrum DR
Austin, TX 78717

To:
City of La Marque
1130 1st St.
La Marque, TX 77568
Permit@cityofLamarque.org

Planning & Zoning Committee,

FM1764 LLC is a real estate company and a subsidiary of a corporation with affiliates that have been actively involved in the development of data centers across various states in the USA over the past six years.

We are dedicated to the development and operation of advanced data centers, specifically designed to accommodate, manage, and ensure continuous access to an extensive array of computer systems, networking equipment, and data storage infrastructure.

We are submitting a request for the issuance of a conditional use permit, seeking approval for the establishment of a cutting-edge data storage center on the designated property. Our plan involves the installation of specialized converted modular container shaped data center pods. These units have been purpose built to house various data center equipment.

Additionally, our office will double as a store front with demo units.

We believe that establishing our high-tech data storage center in La Marque will bring about several notable advantages:

1. Economic Growth: Our presence will contribute to local economic growth by creating job opportunities, both directly in the operation of the data center and indirectly through support services such as maintenance, security, and logistics.
2. Increased Tax Revenue: The establishment of our data center will positively impact the city's tax base, providing a sustainable source of revenue that can be allocated towards essential public services, infrastructure development, and community programs. Preliminary estimates indicate a projected annual tax contribution of approximately \$1,069,00 USD to both the State and the city.

3. Technological Innovation: Our data center represents a commitment to technological advancement. This can attract other tech-related businesses and foster an environment of innovation, positioning the city as a hub for cutting-edge technology.

4. Infrastructure Enhancement: The development of our data storage center will likely lead to improvements in local infrastructure, including roads, utilities, and telecommunications, further benefiting the overall community.

5. Attraction of Tech Talent: Our presence can attract skilled professionals in the technology sector to the city, creating a pool of talent that contributes to the overall vibrancy and competitiveness of the local workforce.

In addition to these advantages, our Data Center will be strategically positioned, bordered by a Battery storage site on one side and a Self-storage facility on the other, ensuring minimal visibility from FM 1764.



Data Center location

The facility will feature ample space, affording us to landscape the surroundings, thereby elevating the overall aesthetic appeal of the area. The data center pods are designed to resemble buildings when viewed from the street, ensuring a harmonious integration into the surrounding environment.

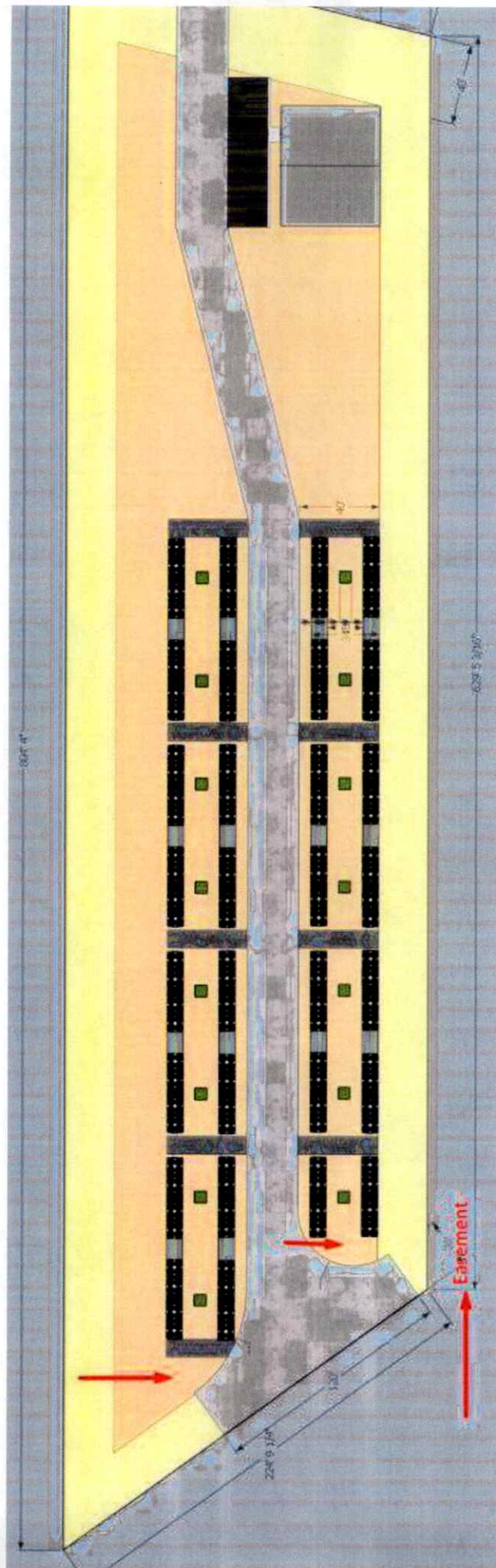


Data center street view

As part of the site development, we have been actively engaged in the planning and implementation of roadways. This includes the creation of a comprehensive Master Roadway Plan and a dedicated Fire Access Road Plan, addressing not only the internal road network within our facility but also extending beyond the boundaries to connect seamlessly with FM 1764. Simultaneously, we are progressing with the utility connections as an integral part of this project. The site will be equipped with a sewer and water line to ensure essential infrastructure support.

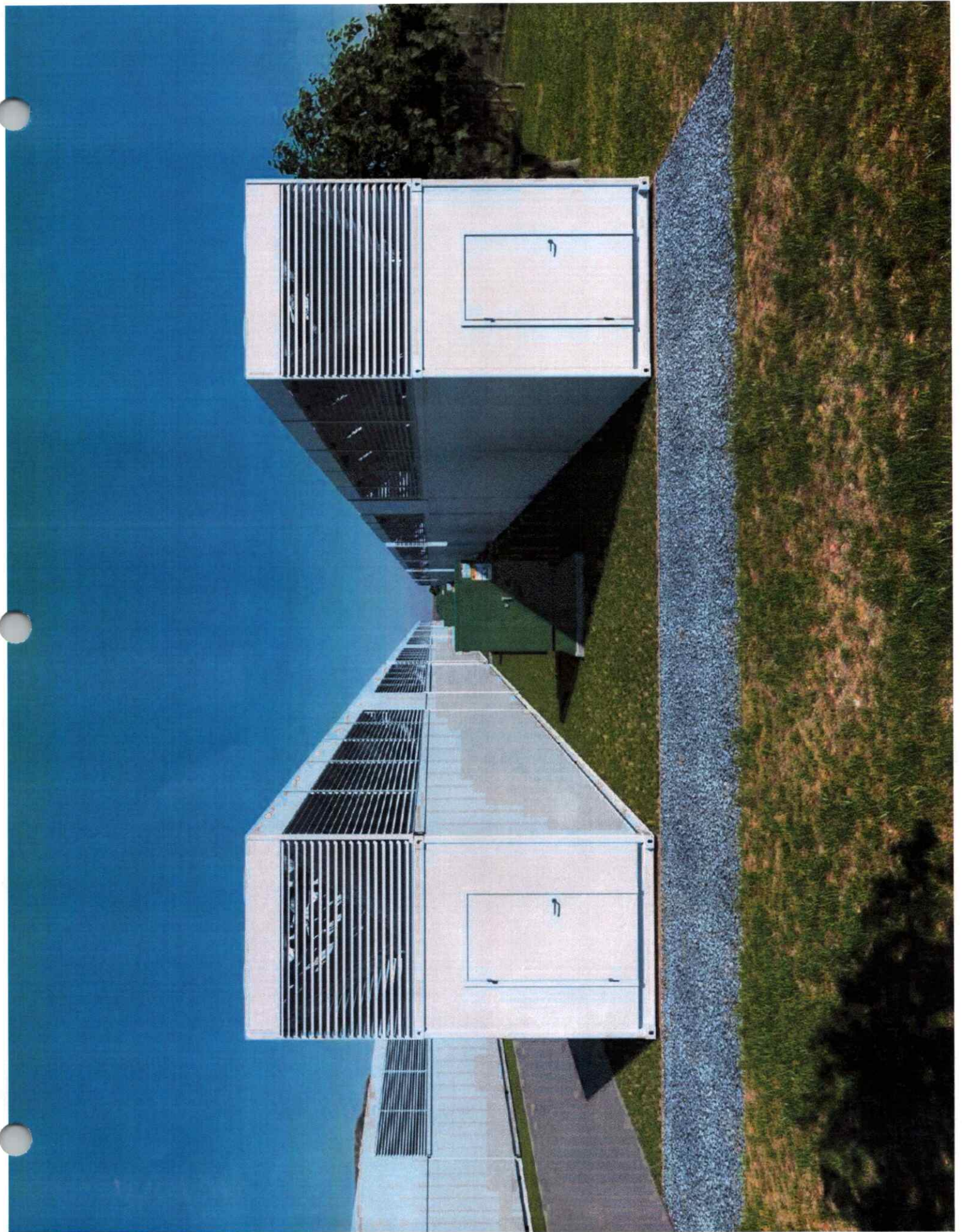


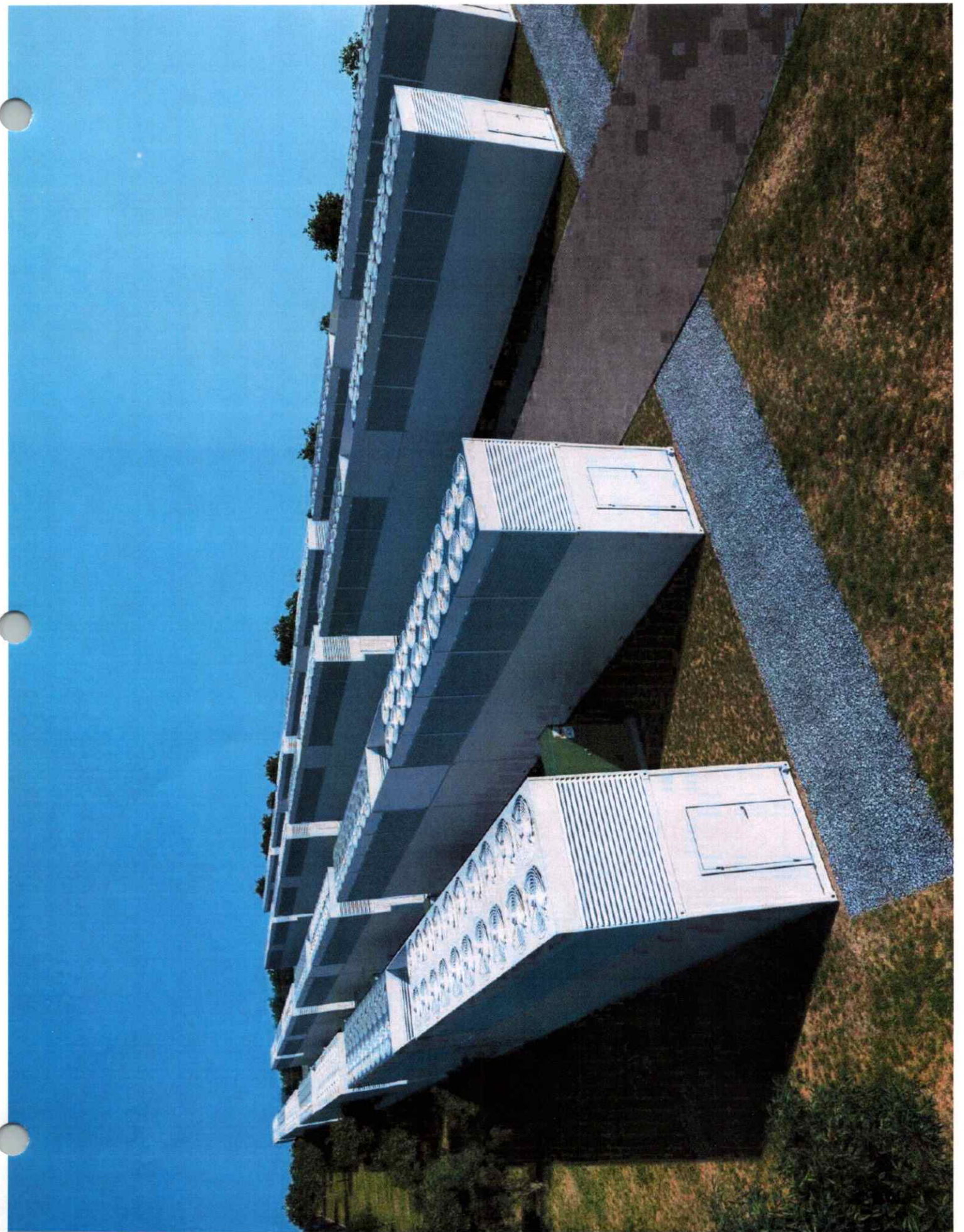






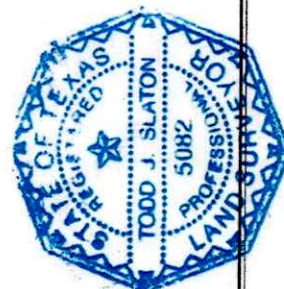






TRUE
MERIDIAN POLO
P.O. BOX 818 PARLAND, TEXAS 77859-0818
OFFICE (281-412-0141) FAX (281-412-5295)
E-MAIL truemerid@compuserve.com
RN 10037700

1. **DATA & ENERGY INC., EXCLUSIVELY.**
 2. **SALES** - SALES REPRESENTATIVES, SALES ENGINEERS, SALES MANAGERS, SALES ASSISTANTS, SALES OFFICERS, SALES SUPERVISORS, SALES TRAINING, SALES PROMOTION, SALES RESEARCH, SALES ANALYSIS, SALES REPORTING, SALES RECORDS, SALES INFORMATION, SALES COMMUNICATIONS, SALES MARKETING, SALES DISTRIBUTION, SALES LOGISTICS, SALES SUPPORT, SALES SERVICES, SALES CONSULTING, SALES ADVISORY, SALES COORDINATION, SALES ADMINISTRATION, SALES MANAGEMENT, SALES DEVELOPMENT, SALES GROWTH, SALES EXPANSION, SALES INNOVATION, SALES TRANSFORMATION, SALES REINVENTION, SALES REVOLUTION, SALES DISRUPTION, SALES OPTIMIZATION, SALES EFFICIENCY, SALES EFFECTIVENESS, SALES PRODUCTIVITY, SALES PERFORMANCE, SALES PROFITABILITY, SALES SUSTAINABILITY, SALES RESILIENCE, SALES AGILITY, SALES FLEXIBILITY, SALES ADAPTABILITY, SALES INNOVATION, SALES TRANSFORMATION, SALES REINVENTION, SALES REVOLUTION, SALES DISRUPTION, SALES OPTIMIZATION, SALES EFFICIENCY, SALES EFFECTIVENESS, SALES PRODUCTIVITY, SALES PERFORMANCE, SALES PROFITABILITY, SALES SUSTAINABILITY, SALES RESILIENCE, SALES AGILITY, SALES FLEXIBILITY, SALES ADAPTABILITY.



P. GAYATT SURVEY
A-71

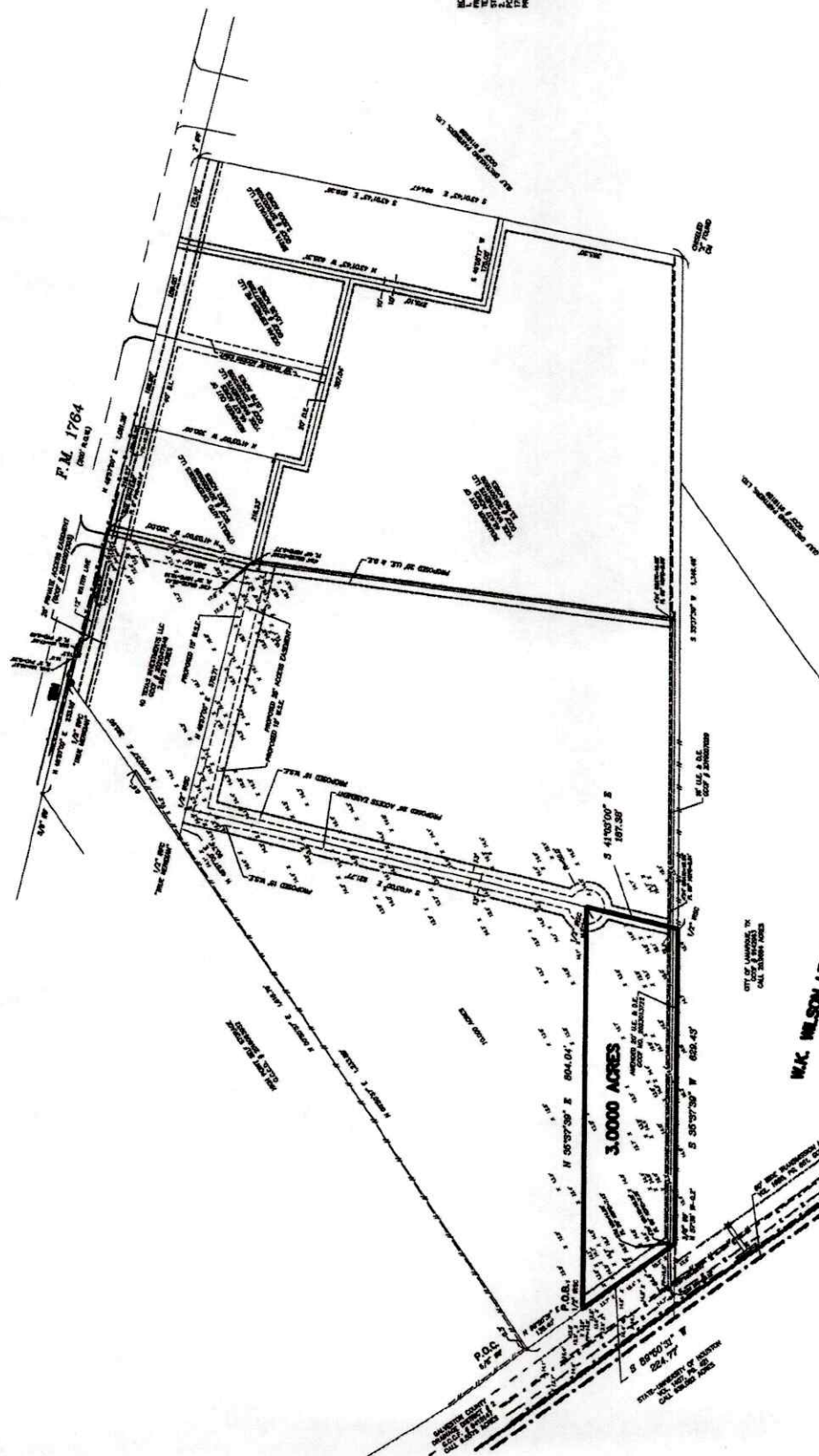
SCALE: 1" = 100'
REVISED: JULY 11, 2023
NO. 23-3449

Page 28 of 401

NOTES

1. BENCHMARK: PRO ANGLES. A STEEL ROD NEAR THE FREEMAN BAPTIST CHURCH AT 2200 3RD AVENUE, LA MARQUE, TEXAS, NEAR THE INTERSECTION OF HIGHWAY 3 AND MAIN STREET (FM 519). ELEVATION = 3.40 FEET, NAVD 83.

2. TEMPORARY BENCHMARK: MAG NAIL ON EAST FACE OF A POWER POLE NEAR THE SOUTH RIGHT-OF-WAY LINE OF FM 1764 NEAR THE NORTHEAST CORNER OF THE SELF STORAGE PROPERTY. ELEVATION = 16.11 FEET, NAVD 83.

[illegible]

2023 TAX STATEMENT



CHERYL E. JOHNSON, PCC
GALVESTON COUNTY TAX ASSESSOR-COLLECTOR
722 Moody
Galveston, TX 77550

Certified Owner:

FM 1764 LLC
9900 SPECTRUM DR
AUSTIN, TX 78717

Legal Description:

ABST 208 W K WILSON SUR PT OF LOT 19
(19-19) WATERMANS SUB

Account No: 752487

Appr. Dist. No.: 738500000019019

Legal Acres: 3.0000

Parcel Address:

As of Date: 12/15/2023

Print Date: 12/15/2023

Market Value		Appraised Value	Assessed Value	Capped Value	Homesite Value	Agricultural Market Value	Non-Qualifying Value
Land	Improvement						
\$64,002	\$0	\$64,002	\$64,002	\$0	\$0	\$0	\$64,002
Taxing Unit		Assessed Value (100%)	Exemptions		Taxable Value	Tax Rate	Tax
			Code	Amount			
GALVESTON CO		\$64,002		\$0.00	\$64,002	0.3341470	\$213.86
ROAD & FLOOD		\$64,002		\$0.00	\$64,002	0.0077530	\$4.96
DICKINSON ISD		\$64,002		\$0.00	\$64,002	1.1780000	\$753.94
CITY OF LA MARQUE		\$64,002		\$0.00	\$64,002	0.4180580	\$267.57
\$73.59 DRAIN DIST #2		\$64,002		\$0.00	\$64,002	0.0445530	\$28.51
COLL OF THE MAINLAND		\$64,002		\$0.00	\$64,002	0.2685000	\$171.85

Total Tax: \$1,440.69
Total Tax Paid to date: \$1,440.69
Total Tax Remaining: \$0.00

Exemptions:

AMOUNT DUE IF PAID BY:

01/01/2024 0%	01/31/2024 0%	02/29/2024 7%	04/01/2024 9%	04/30/2024 11%	05/31/2024 13%
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

IF YOU ARE 65 YEARS OF AGE OR OLDER OR ARE DISABLED AND THE PROPERTY DESCRIBED IN THIS DOCUMENT IS YOUR RESIDENCE HOMESTEAD, YOU SHOULD CONTACT THE APPRAISAL DISTRICT REGARDING ANY ENTITLEMENT YOU MAY HAVE TO A POSTPONEMENT IN THE PAYMENT OF THESE TAXES.

School Information:

DICKINSON ISD 2023 M&O .73800000 I&S .44000000 Total 1.1780000 2022 M&O .85400000 I&S .44000000 Total 1.2940000

PLEASE CUT AT THE DOTTED LINE AND RETURN THIS PORTION WITH YOUR PAYMENT.

4.1.74



Print Date: 12/15/2023

PLEASE NOTE YOUR ACCOUNT NUMBER ON YOUR CHECK AND MAKE CHECKS PAYABLE TO:

Galveston County Tax Office
722 Moody
Galveston, Texas 77550
409-766-2481, 1-877-766-2284



752487
FM 1764 LLC
9900 SPECTRUM DR
AUSTIN, TX 78717

AMOUNT PAID:

\$ _____

Special Warranty Deed

State of Texas §

County of Galveston §

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: September 12, 2023

Grantor: DATA & ENERGY, INC.

Grantor's Mailing Address: 651 N. BROAD ST., SUITE 201, MIDDLETOWN,, DE 19709

Grantee: FM1764 LLC

Grantee's Mailing Address: 9900 SPECTRUM DR., AUSTIN, TX 78717

Consideration: TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION

Property (including any improvements):

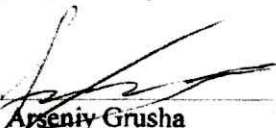
3.000 ACRES SITUATED IN THE W.K. WILSON LEAGUE, ABSTRACT NO. 208, GALVESTON COUNTY, TEXAS, BEING A PART OF THAT CERTAIN 46.4378 ACRE TRACT OF LAND CONVEYED FROM TEXAS COMMUNITY BANK, THE WOODLANDS, TEXAS, TO YODE INVESTMENTS LLC, A TEXAS LIMITED LIABILITY COMPANY, BY DEED DATED MARCH 4, 2015, RECORDED IN/UNDER CLERK'S FILE NO. 2015015559 OF THE OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY, TEXAS, SAID 3.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" ATTACHED HERETO.

This conveyance is made and accepted subject to the folloiwng matters, tot he extent same are in effect at this time: Any restrictions, reservations, covenants, conditions, and easements, if any, relating to the Property, but only to the extent they are still in effect, shown of records in Galveston County, Texas, and all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the Property.

Grantor, for the expressed consideration and subject to the expressed reservations from conveyance, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the reservations from conveyance.

EXECUTED this 10 day of ^{October}~~September~~, 2023.

DATA & ENERGY, INC.

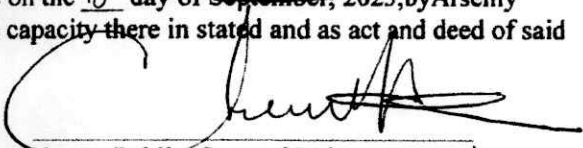
By: 

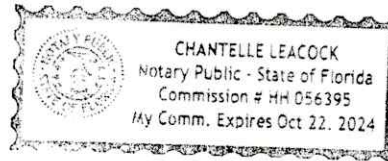
Name: ~~Arseniy~~ Grusha

Title: Member

Florida
State of ~~Delaware~~ §
County of ~~Miami Dade~~

This instrument was acknowledged before me on the 10th day of ~~September~~ October, 2023, by Arseniy Grusha, Member, of DATA & ENERGY, INC., in the capacity there in stated and as act and deed of said corporation.


Notary Public, State of ~~Delaware~~ Florida
Seal



After recording, return to:

FM1764 LLC

9900 SPECTRUM DR.

AUSTIN, TX 78717

2980 NE 207th St # 705
Aventura, FL 33180

EXHIBIT "A"

FIELD NOTES DESCRIPTION OF 3.000 ACRES, SITUATED IN THE W.K. WILSON LEAGUE, ABSTRACT NO. 208, GALVESTON COUNTY, TEXAS, BEING A PART OF THAT CERTAIN 46.4378 ACRE TRACT OF LAND CONVEYED FROM TEXAS COMMUNITY BANK, THE WOODLANDS, TEXAS, TO YODE INVESTMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY, BY DEED DATED MARCH 4, 2015, RECORDED IN/UNDER CLERK'S FILE NO. 2015015559 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF GALVESTON COUNTY, TEXAS, SAID 3.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a 5/8 inch iron rod found at the Southeast corner of a tract of land conveyed to High Point Self Storage as described under Galveston County Clerk's File No. 2016063932;

THENCE N 89°50'31" E along the South line of said 46.4378 acre tract, a distance of 135.40 feet to a ½ inch iron rod set with a cap stamped "True Meridian" for the PLACE OF BEGINNING and the Southwest corner of the herein described tract;

THENCE N 35°37'39" E a distance of 804.04 feet to a ½ inch iron rod set with a cap stamped "True Meridian" at the Northwest corner of the herein described tract;

THENCE S 41°03'00" E a distance of 187.38 feet to a ½ inch iron rod set with a cap stamped "True Meridian" at the Northeast corner of the herein described tract;

THENCE S 35°37'39" W along the Southeasterly line of said 46.4378 acre tract, a distance of 629.43 feet to the Southeast corner of the herein described tract, from which a found 3/8 inch rod bears N 12°7' W – 0.2 feet;

THENCE S 89°50'31" W along the South line of said 46.4378 acre tract a distance of 224.77 feet to the PLACE OF BEGINNING and containing 3.000 acres of land more or less.

FILED AND RECORDED

Instrument Number: 2023053519

Recording Fee: 34.00

Number Of Pages: 4

Filing and Recording Date: 11/13/2023 9:37AM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



A handwritten signature in cursive script, reading "Dwight D. Sullivan".

Dwight D. Sullivan, County Clerk
Galveston County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the clerk.

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*



City of La Marque Planning & Zoning Commission

STAFF REPORT

Meeting Date: January 23, 2024

Agenda Item: Discussion / possible action regarding a request for a Conditional Use Permit for Data & Energy Inc Storage Facility, being approximately a 3-acre tract of land located in W.K. Wilson League, ABST 208, Sur Lot 19 in the Watermans Sub / Parcel 752487 La Marque, Galveston County, Texas. Galveston County Property ID No 752487, located on FM 1764.

Item Type: Conditional Use Permit

Standard for Approval:

CUP must comply with the requirements of City Zoning Code Chapter 71

References: City Code Chapter 71;

Council approval: Required

Public comments: None

Recommendation:

✓ APPROVED _____ DENIED _____ TABLED until DATE: _____

VOTE TALLY:

3 APPROVED _____ DENIED _____ TABLED.

 DATE: 1-23-2024
Chair Signature

Greg 1st BRADLEY 2nd



City of La Marque Planning & Zoning Commission

CITY OF LA MARQUE NOTICE TO PROPERTY OWNERS WITHIN 200 FEET OF A PROPERTY REQUESTING A CONDITIONAL USE PERMIT

December 26, 2023

Dear Property Owner:

This PUBLIC NOTICE is required by the City of La Marque Code of Ordinances, Section 71-6. A **Conditional Use Permit** request on a property in your area has been received by the Planning and Zoning Commission. Land under your ownership or care, as listed with the Galveston County Appraisal District Tax Records, is located within 200 feet of the property that is being considered for rezoning. **Your property is not being rezoned as part of this request.**

This is your OFFICIAL NOTICE that the City of La Marque Planning and Zoning Commission will hold a Public Hearing on **Tuesday, January 23, 2024, at 4:00 p.m. in the City Council Chambers located at 1109 - B, Bayou Rd, La Marque Tx 77568 regarding:**

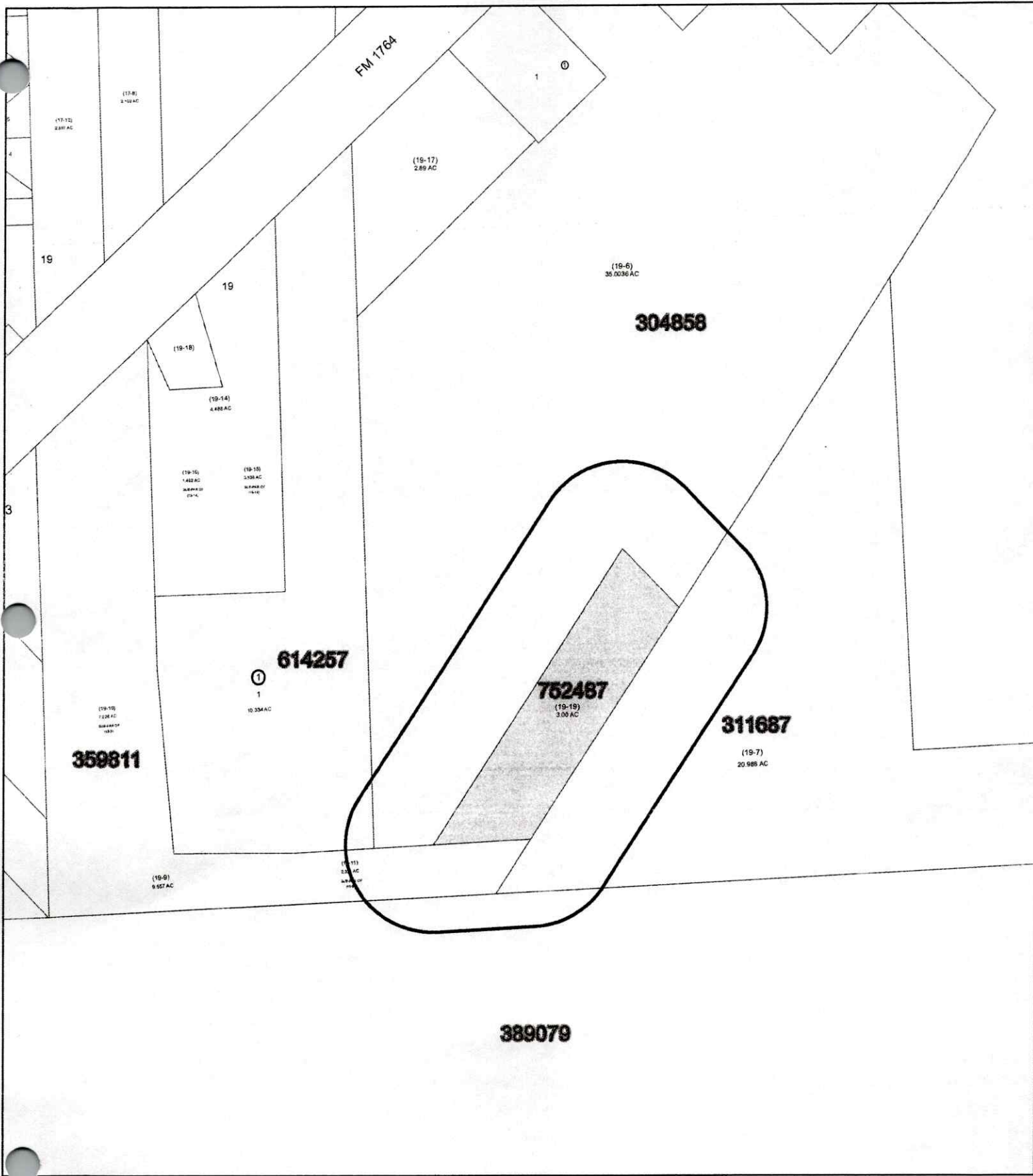
A request for a Conditional Use Permit for Data & Energy Inc. Data Storage Showroom Facility, being approximately a 3-acre tract of land located Abstract 208, W.K. Wilson Survey, Part of Lot 19 in the Watermans Subdivision La Marque, Galveston County, Texas, Galveston County Property Parcel ID No. 752487, located on FM 1764.

The full agenda packet will be available at least 72 hours prior to the meeting on the City's website <https://ci.la-marque.tx.us/AgendaCenter>.

If you are unable to attend, and wish to comment, you may also provide comments by email at permits@cityoflamarque.org, or by mail to:

City of La Marque
Development Services Department
1130 1st Street
La Marque, TX 77568

Respectfully,
Kathleen Van Stavern
Development Services Director



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

Galveston Central Appraisal District

ID	GEOID	NAME	ADDRESS	ADDRESS2	ADDRESS3	CITY	ST	ZIP
311687	7385-0000-0019-007	CITY-LA MARQUE		1111 BAYOU RD		LA MARQUE	TX	77568-4160
614257	3969-0001-0001-000	PS LPT PROPERTIES INVESTORS		DEPT-PT-TX-26908	PO BOX 25025	GLENDALE	CA	91221-5025
359811	7385-0000-0019-009	EXP-DRAINAGE DITCH #2						
389079	0071-0001-0001-000	STATE-UNIVERSITY OF HOUSTON	BOARD OF REGENTS	128 EZIEKEL CULLEN BLDG	4302 UNIVERSITY DR	HOUSTON	TX	77204-6001
304858	7385-0000-0019-006	YODE INVESTMENTS LLC		% DEANO MERRIGAN	5309 I-45 SOUTH	LA MARQUE	TX	77568

942 1-23-2024

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

YODE INVESTMENTS LLC
% DEANO MERRIGAN
5309 1-45 SOUTH
LA MARQUE, TX 77568



9590 9402 8401 3156 2311 12

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Brooke Corkill

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

brooke Corkill

C. Date of Delivery

12/30/23

D. Is delivery address different from item 1?

- ☐ Yes

If YES, enter delivery address below:

- ☐ No

3. Service Type

- ☒ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

2

70

PS

Domestic Return Receipt

USPS TRACKING #



9590 9402 8401 3156 2311 12



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

**United States
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•

City of La Marque
Development Services Department
1130 1st Street
La Marque, Texas 77568

01/04 A series of vertical black bars of varying heights, used for postal sorting and processing.

W2 1-23-2024

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Drainage District 2 Ditch #2
5000 FM 1765
LA MARQUE, TX 77568



9590 9402 8401 3156 2311 05

2. Article Number (Transfer from service label)

7021 2720 0000 4589 6517

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Carla Warner*

- ☒ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

- ☒ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Insured Mail
Insured Mail Restricted Delivery
(over \$500)

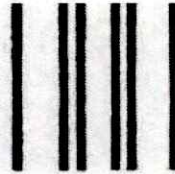
PS Form 3811 July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

USPS TRACKING #



9590 9402 8401 3156 2311 05



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

**United States
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•

City of La Marque
Development Services Department
1130 1st Street
La Marque, Texas 77568

1-23-2024

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Data & Energy, Inc.
2980 NW 207th St. #705
Aventura, FL 33180



9590 9402 8401 3156 2311 36

2. Article Number (Transit)

7021 2720 0000 4589 6548

PS Form 3811 July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

[Handwritten Signature]

- ☐ Agent
☒ Addressee

B. Received by (Printed Name)

Suzanna Khegayan

C. Date of Delivery

06/02/24

- D. Is delivery address different from item 1?** ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
Collect on Delivery Restricted Delivery
Insured Mail
Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

USPS TRACKING #



9590 9402 8401 3156 2311 36

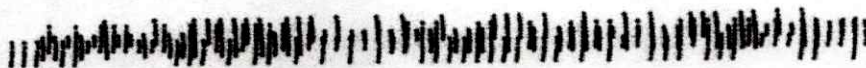


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

**United States
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box •

City of La Marque
Development Services Department
1130 1st Street
La Marque, Texas 77568



U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com[®].

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | |
|--|----------|
| ☐ Return Receipt (hardcopy) | \$ _____ |
| ☐ Return Receipt (electronic) | \$ _____ |
| ☐ Certified Mail Restricted Delivery | \$ _____ |
| ☐ Adult Signature Required | \$ _____ |
| ☐ Adult Signature Restricted Delivery | \$ _____ |

Pt 2

1-23-2024

Postmark
Here

Postage

YODE INVESTMENTS LLC

% DEANO MERRIGAN

5309 1-45 SOUTH

LA MARQUE, TX 77568

4259 6854 0000 0212 7271

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
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For delivery information, visit our website at www.usps.com[®].

OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

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|--|----------|
| ☐ Return Receipt (hardcopy) | \$ _____ |
| ☐ Return Receipt (electronic) | \$ _____ |
| ☐ Certified Mail Restricted Delivery | \$ _____ |
| ☐ Adult Signature Required | \$ _____ |
| ☐ Adult Signature Restricted Delivery | \$ _____ |

At 2
1-23-2024

Postmark
Here

Postage

\$

Tax

\$

\$

Drainage District 2 Ditch #2
5000 FM 1765
LA MARQUE, TX 77568

2021 2720 0000 4589 6517

7019 0700 0002 3517 4545

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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For delivery information, visit our website at www.usps.com®.

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Extra Services & Fees (check box, add fee as appropriate)

- | | |
|--|----------|
| ☐ Return Receipt (hardcopy) | \$ _____ |
| ☐ Return Receipt (electronic) | \$ _____ |
| ☐ Certified Mail Restricted Delivery | \$ _____ |
| ☐ Adult Signature Required | \$ _____ |
| ☐ Adult Signature Restricted Delivery | \$ _____ |

PTZ
1-23-2024

Postmark
Here

City of La Marque
1111 Bayou Rd.
La Marque, TX 77568
ATTN: City Clerk

Domestic Mail Only

OFFICIAL USE

\$

☐ Adult Signature Restricted Delivery \$ _____

3

To

5

Se

ISI

10

Data & Energy INC
2980 NW 207th St. # 705
Aventura, FL. 33180

P42

1-23-2024

Postmark
Here

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT

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For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | |
|--|----------|
| ☐ Return Receipt (hardcopy) | \$ _____ |
| ☐ Return Receipt (electronic) | \$ _____ |
| ☐ Certified Mail Restricted Delivery | \$ _____ |
| ☐ Adult Signature Required | \$ _____ |
| ☐ Adult Signature Restricted Delivery | \$ _____ |

P42

1-23-2024

Postmark
Here

P
University of Houston
Board of Regents
4302 University Dr.
Houston, TX 77204

7019 0700 0002 3517 4538

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

- | | |
|--|----------|
| ☐ Return Receipt (hardcopy) | \$ _____ |
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| ☐ Certified Mail Restricted Delivery | \$ _____ |
| ☐ Adult Signature Required | \$ _____ |
| ☐ Adult Signature Restricted Delivery | \$ _____ |

Postage

\$

PS LPT PROPERTIES INVESTORS

DEPT PT TX 26908

PO BOX 25025

GLENDALE, CA 91221

PAZ

1-23-2024

Postmark
Here

Legal Notice

CITY OF LA MARQUE PLANNING AND ZONING COMMISSION & IMPACT FEE ADVISORY COMMITTEE PUBLIC HEARING NOTICE

Notice is hereby given that the City of La Marque Planning and Zoning Commission will hold a PUBLIC HEARING of the Impact Fee Advisory Committee on January 23, 2024 beginning 3:30pm / Planning & Zoning Public Hearing on Tuesday, January 23, 2024, beginning at 4:00 pm in the City Council Chambers, located at 1109-B Bayou Road, La Marque, Texas for the purpose of discussion and possible action on:

a. The Impact Fee Survey and Land Use Assumptions Report for an amendment to the City of La Marque's Impact Fee Ordinance. (Advisory Committee)

b. A request for a Conditional Use Permit for a Data Showroom & Storage Facility on a 3 acre tract on FM 1764, La Marque, TX 77568

c. A rezone request to change the zoning district from R-1 single family residential to a PDD Planned Development District for a =- 46 acre tract in La Marque, TX 77568

For further information please contact K. Van Stavern, Development Services Director for the City of La Marque, Texas. Email: k.vanstavern@cityoflamarque.org

P & Z January 2024 Edit

Notice Preview →

Activity Log →



Newspaper
The Galveston County Daily News



Publication Date
Jan 10, 2024



Status
Invoiced Outside Column (\$272.21) ⓘ



Invoice Due
Invoiced Outside Column



Order Number
1189740



Account Number
53766

Quick Actions



VIEW PROOF



VIEW STATEMENT



PAY INVOICE



PLANNING & ZONING COMMISSION MEETING

JANUARY 23, 2024

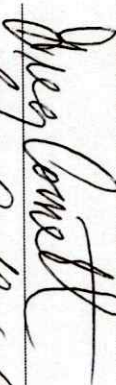
CHAIRPERSON

ALAN WATERS



VICE CHAIRPERSON

GREG CORNETT



COMMISSIONER

BRAD STEPHENSON



COMMISSIONER

CHRIS COLOMBO

COMMISSIONER

GRAYLAN ALEXANDER

COMMISSIONER

COMMISSIONER

immediately in that office in the presence of 2023.
the Galveston County Auditor and the Purchasing Agent. Sealed bids are to be delivered to Rufus G. Crowder, CPPO CPPB, Galveston County Purchasing Agent at the Galveston County Courthouse, 722 Moody (21st Street), Floor 5, Galveston, Texas 77550, (409) 770-5372.

All bids must be marked on the outside of the envelope:
ITB #B241006A, Hydraulic Excavator

Bidders' name, and return addresses, should be prominently displayed on the bid package for identification purposes.

The timestamp clock located in the Purchasing Agent's office shall serve as the official time-keeping piece for this solicitation process. Any bid received after 2:15 PM CST on the specified date will be returned unopened.

Specifications:

Specifications can be obtained on application at the office of the Galveston County Purchasing Agent, located in the Galveston County Courthouse, 722 Moody, (21st Street), Floor 5, Galveston, Texas, 77550, or by visiting the Galveston County website @ <http://www.galvestoncountytx.gov/county-offices/purchasing>

Virtual Bid Opening:

Interested parties may attend the Thursday, February 08, 2024 bid opening at 2:15 PM CST virtually by using the following link:

<https://galvestoncountytx.webex.com/galvestoncountytx/j.php?MTID=me1230a52fe-849380a2765bb850d88912>

Bid prices shall be either lump-sum or unit prices as shown on the proposal sheet, if applicable. The net price will be delivered to Galveston County, including all freight, shipping, and license fees. Galveston County is tax-exempt and no taxes should be included in your proposal pricing.

Upon satisfaction of contractual terms (e.g., goods delivered in, the promised condition, services rendered as agreed, etc.), contractor shall be paid via Galveston County's normal accounts payable process.

Bond Requirement:

No bond is required with this Invitation to Bid.

The Galveston County Commissioners' Court reserves the right to waive any informality and reject any and all bids and accept the bid or bids which, in its opinion, are most advantageous to Galveston County with total respect to the governing laws.

Rufus G. Crowder, CPPO CPPB
Purchasing Agent
Galveston County

Published: January 10, 17, 2024

Published: January 10, 2024

Legal Notice

CITY OF LA MARQUE PLANNING AND ZONING COMMISSION & IMPACT FEE ADVISORY COMMITTEE PUBLIC HEARING NOTICE

Notice is hereby given that the City of La Marque Planning and Zoning Commission will hold a PUBLIC HEARING of the Impact Fee Advisory Committee on January 23, 2024 beginning 3:30pm / Planning & Zoning Public Hearing on Tuesday, January 23, 2024, beginning at 4:00 pm in the City Council Chambers, located at 1109-B Bayou Road, La Marque, Texas for the purpose of discussion and possible action on:
a. The Impact Fee Survey and Land Use Assumptions Report for an amendment to the City of La Marque's Impact Fee Ordinance. (Advisory Committee)
b. A request for a Conditional Use Permit for a Data Showroom & Storage Facility on a 3 acre tract on FM 1764, La Marque, TX 77568
c. A rezoning request to change the zoning district from R-1 single family residential to a PDD Planned Development District for a ~ 46 acre tract in La Marque, TX 77568

For further information please contact K. Van Stavern, Development Services Director for the City of La Marque, Texas. Email: k.vanstavern@cityoflamarque.org

Published: January 10, 2024

Legal Notice

Legal Notice

Notice of Application to revise BOLIVAR ACRES SUBDIVISION plat to revise Lot 7, Galveston County, Texas.

As required by V.T.C.A. Local Government code sec. 232.009, notice is given that the Commissioners Court of Galveston County will meet to consider an application filed by SUNSET HOME-BUILDERS, LLC, of BOLIVAR ACRES SUBDIVISION. The plat being sought to be revised is located in clerks File 2022044055, Galveston County, Texas to:

The meeting will be held January 22, 2024, at 9:30 am, Galveston County Annex, 174 N Calder, League City, Texas 77573

At the meeting, the court will hear any protest to the proposed revision to the plat. The purpose of the proposed re-plat is to create 24 lots. The proposed revision affects Lot 7. Anyone interested in the proposed revision is encouraged to attend the meeting and address the Commissioners Court.

Commissioners Court of Galveston County, Texas
By: Michael C. Shannon, P.E.
County Engineer

Published: January 5, 7, 10, 2024

713-408-2372

Wanted

Yorkie or Yorkie/Mix
281-332-8742

RECREATION

Boats/Marine

INTRUDER JON BOAT
2 Men Boat 12' x 4'
Never Been In Water
\$450 (409)789-1097

RVs/Travel Trailers/Campers

2017 Gulf Stream 17ft
Vintage Camper
Never Used, No Slides,
Has Full Bath, Kitchen
Appl., Stereo, Awning
832-868-6988

AUTOMOTIVE

Cars

2005 Ford Explorer;
2nd Owner; Newly Installed "Refurb" engine & blue title;
\$2,000 Inspected until July, ok to text
(409)789-3339

Trucks

01 Jimmy Blazer
06 Nissan Pathfinder
2013 Dodge Journey
06 Silverado V6
95 Toyota Camry
(409)877-6136

Want to Buy

AUTOS WANTED



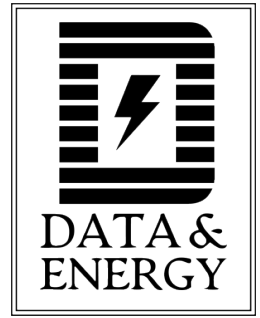
La Marque
Auto Salvage

409-938-8482



Data & Energy Inc.

Empowering Growth Through Innovation



Introduction:



Data&Energy is an established company with over 6 years of experience, specializing in land acquisition for the purpose of cutting-edge data center buildouts and its supporting infrastructure development.

The core of our business primarily consists of mixed-use data centers for various applications, such as crypto mining, cloud services, web hosting, as well as various ML automation and AI large language models. We also offer data center management services.

We strive to go beyond the basics through the creation of a positive impact in our areas of operation by attracting local talent, and thus fostering economic growth in the region.

La Marque, TX

Project Overview



Situated 300FT from FM 1764, our site emphasizes privacy and creates a minimal visual impact. Enclosed by wrought iron fencing and complemented by tree-lined greenery, the facility seamlessly integrates into the surrounding environment, prioritizing an aesthetic approach and other community considerations.

Our **Enterprise Immersion Cooled Data Center Complex** consists of 30 individual clusters and a main office building with an integrated storefront. The retail space will be used to showcase the equipment that we accommodate, and that is also available to purchase.



La Marque, TX

Project Overview



What is Immersion cooling:

Immersion cooling is a technique used in data centers to manage heat generated by electronic components. It involves submerging hardware in a non-conductive liquid, improving thermal efficiency compared to traditional air cooling. This liquid is a significantly superior heat conductor compared to air, water, or conventional oils. Importantly, the coolant remains in a consistent state, ensuring that leading immersion cooling solutions are not combustible.

This method reduces energy consumption, and prevents hot spots, making it an increasingly popular solution for high-density computing environments.



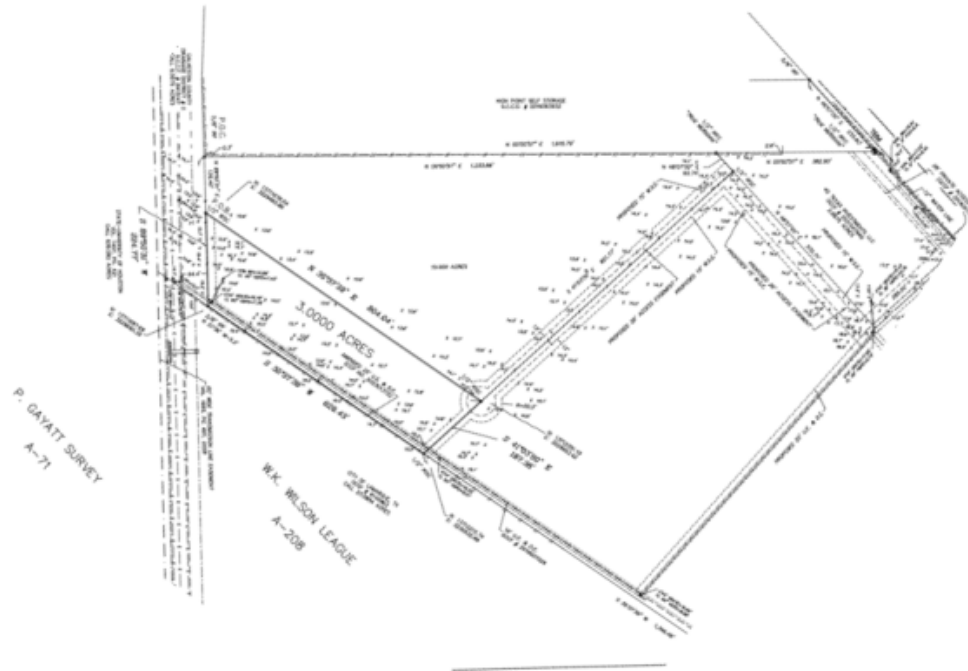
La Marque, TX

Project Overview



- Immersion cooling ensures minimal noise pollution
- Pre-approved Master Plan features complete infrastructure such as water and sewer lines, paved roads, etc.
- Developed in accordance with city ordinances
- Planned local job openings
- Scheduled launch date: **May 1, 2024**

Survey and Aerial View



Provide 30MW of mixed
use HPC for Blockchain,
AI, Cloud, and Machine
Learning applications

Launching operations in
Q1 2024, and ramping up
to full utilization (30MW)
by Q4 2024

CONCEPT

CONSTRUCT

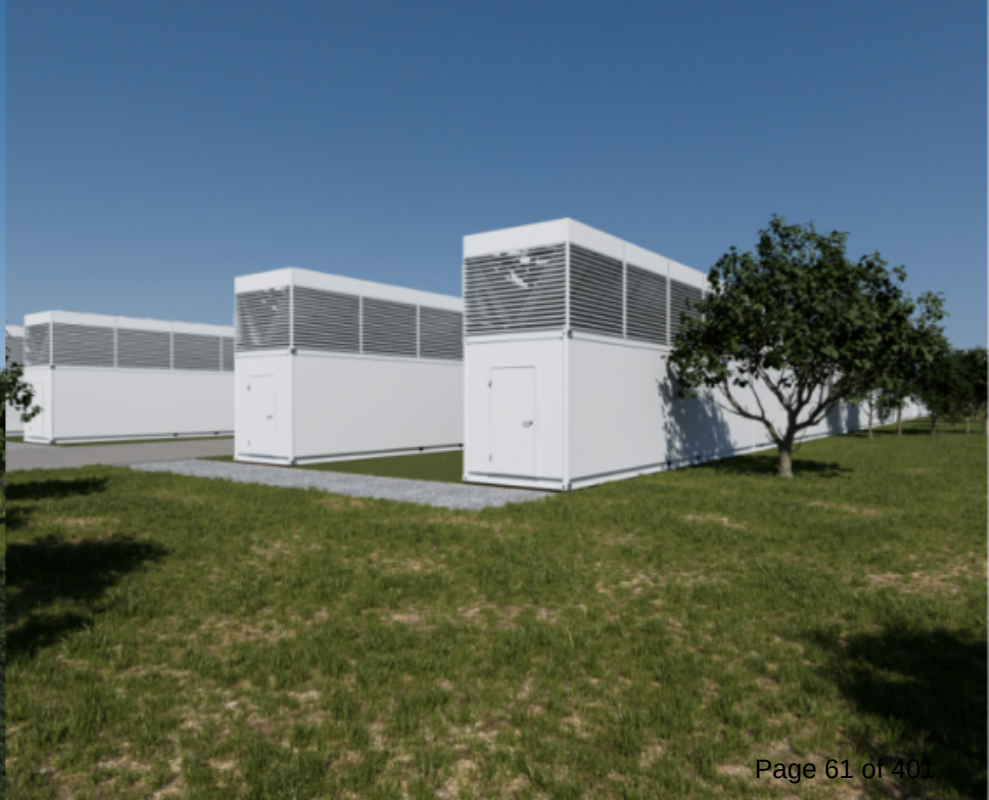
COMMENCE

CONTRIBUTE

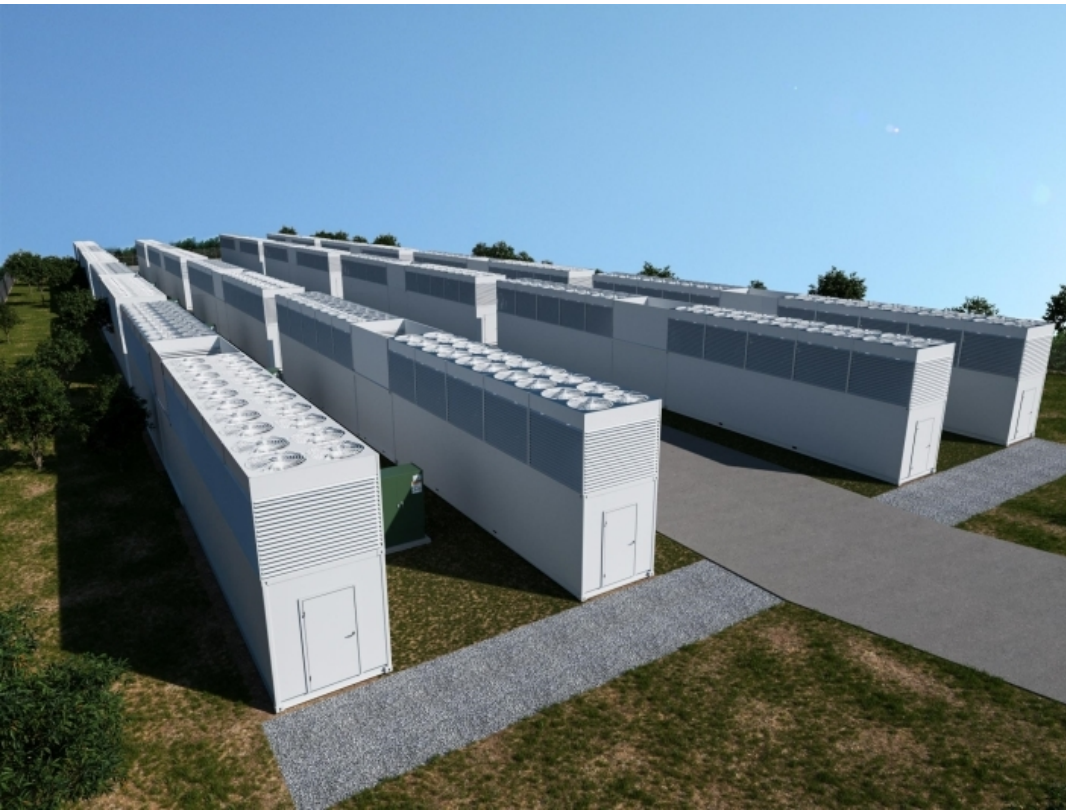
Designed with state of the art
equipment, this project represents a
\$12-14 million USD capital
investment and will create full-time
local employment opportunities

Creating 5-10 full-time local IT jobs and
utilizing a multitude of services from local
businesses and contractors, in addition to
promoting an increase in economic activity
across local establishments and bringing in
sales tax revenue for the city of La Marque

Project Renderings



Project Renderings



Engineering (\$250,000)

1.8%

Main Building

7.2%

Construction

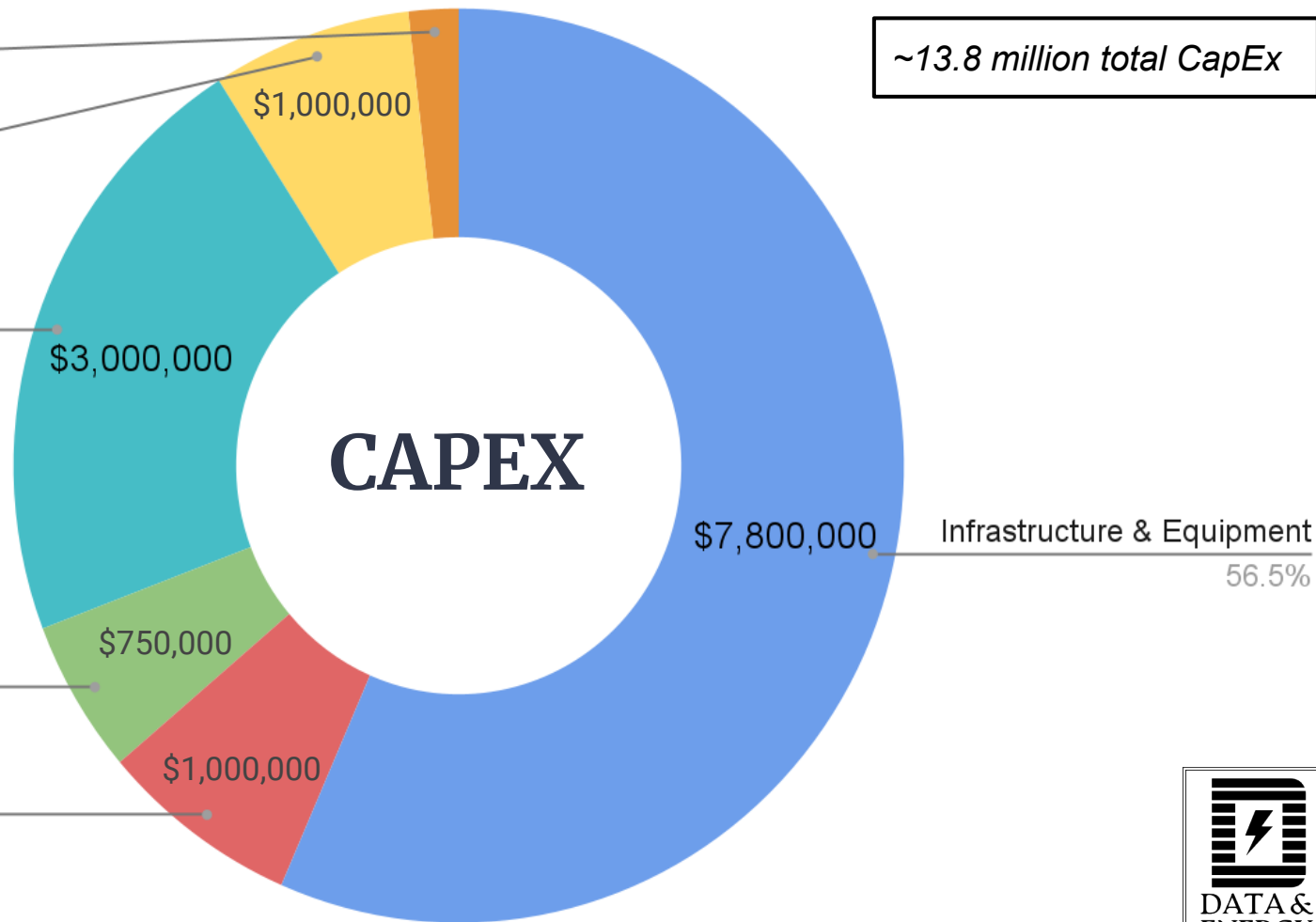
21.7%

Electricity Prepayments

5.4%

Wiring (Electrical & Network)

7.2%



~13.8 million total CapEx

Financial Impact on the City of La Marque



\$20,000

Estimated Sales Tax on Retail
(Calculated based on \$1M
annual revenue)

\$240,000

Estimated Sales Tax on
Electricity

\$450,000

Combined Property Tax Estimates
(Total property tax estimates
based on 2023 taxes)

D&E's Social Commitment



INNOVATION

Innovative design suitable for hosting multiple applications

+

Bringing the **first state of the art immersion-cooled data center** to the area

GROWTH

The showroom is expected to bring in **\$300,000 to \$1 million** in sales annually, contributing substantial sales tax revenue to both the city of La Marque and the state of Texas. Due to our high electricity consumption, the power usage sales tax alone is projected to provide **over \$1 million** in annual sales tax revenue, benefiting local and state budgets

+

Our combined investment of **\$12 to \$14 million** in this development is likely to bring substantial property tax revenue to the local budget

COMMUNITY

This project will create **5-10 full-time** local IT jobs by Q3 2024 as well as **dozens** of jobs during the construction period, and will attract visitors which will **increase economic activity** across local establishments such as hotels, restaurants, & more

+

Will not generate any noise or other pollution, resulting in a minimal impact on local residents while aesthetically enhancing the area

Powering Today. Powering Tomorrow.



WEB2



Powering our everyday.



WEB3





Past Projects (WATTUM Indoor Data Center)



Past Projects (BLOCKFUSION Indoor Data Center)



Our Partners



FOREMAN.MN
MASTER YOUR MINING




Hewlett Packard
Enterprise



Luxor 



BLOCKFUSION™

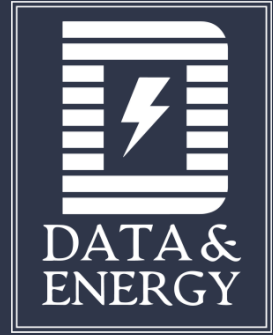
 **foundry**



NVIDIA®



Lenovo™



Thank you.

We look forward to discussing this exciting opportunity with you.



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Christine Turner

Department: Finance

Agenda Item: 6.II.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Amending the City of La Marque 2023-2024 budget by increasing various budget accounts' expenditures, decreasing others, transferring positions to new departments, and increasing/decreasing various fund balances as set forth in the attached exhibits.

STAFF BRIEFING:

It is normal to do a mid-year evaluation of the budget and thus we are doing so ahead of the 6 month mark of the fiscal year.

HISTORY:

No pertinent history

FISCAL IMPACT:

Additional impact of \$100,000 per year triggered by latest Public Safety no-match grant received.

ORDINANCE NO. O-2024-XXXX

AN ORDINANCE AMENDING THE CITY OF LA MARQUE 2023-2024 BUDGET BY INCREASING VARIOUS BUDGET ACCOUNTS' EXPENDITURES, TRANSFERRING POSITIONS TO NEW DEPARTMENTS, AND INCREASING/DECREASING VARIOUS FUND BALANCES AS SET FORTH IN ATTACHED EXHIBITS.

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

Section 1. That the City La Marque 2023-2024 Fiscal Year Budget is hereby amended by increasing various accounts' expenditures, transferring positions to new departments, and increasing/decreasing various fund balances as set forth in the Exhibits "A-C" attached hereto and made a part hereof.

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

PASSED AND APPROVED by City Council of the City of La Marque, Texas, on this the first reading this the 11th day of March 2024.

PASSED, APPROVED and ADOPTED by City Council of the City of La Marque, Texas, on this the second and final reading this the ____ day of _____, 2024.

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra Nance, City Clerk

APPROVED AS TO FORM:

Gus Knebel, City Attorney

City of La Marque
Fiscal Year 2024
Budget Amendments
2nd Reading

The following are proposed adjustments to the Fiscal Year 2024 Budget. These proposed amendments are vital for our organization's growth and efficiency. Consider for your review and approval the following amendments:

Amendment 1: New Position *(Exhibit A)*
(Formerly Amendment 2)

Administrative Assistant (Funding addressed). The role of Administrative Assistant will transition from Shop/Fleet (Dept 10) to IT Technology /Facilities/OEM(Dept 13). This shift to an Administrative IT/Facilities position aims to provide an expanded scope, covering a wider range of administrative responsibilities. The hourly pay rate is expected to be around \$16, with corresponding adjustments to benefits. We are requesting to take the current vacant PT Mechanic Position and convert it to the requested Administrative Assistant role for this division following the change of Shop/Fleet no longer falling under Public Works and its subsequent addition to Division of IT/Facilities/OEM that took place at the end of FY 23.

Amendment 2: New Positions *(Exhibit A)*
(Formerly Amendment 3)

Public Relations Specialist and Public Relations Clerk will replace the Public Relations Specialist position held by J. Prichett prior to him ascending to Deputy City Manager. The two (2) positions are intended to strengthen the City's communication efforts both internally and externally, fostering better engagement with the community as part of our Communications Plan. An additional \$17,000 will be needed to fund these two positions and efficiency in the area of Advertising/Promotions city-wide from various accounts as well as cost savings from vacancies in various departments in line with the needs of this requested amendment will be pulled accordingly to cover this additional expense.

Amendment 3: New Position *(Exhibit A)*
(Formerly Amendment 4)

Project Coordinator (Utility- Funded); will coordinate various projects to enhance utility services and infrastructure. This position will be fully funded by the Utility Fund. Savings represented through efficiency and cost savings on Utility Fund side will allow for absorption of this expense. This position was approved in FY 23 but then frozen to commence FY 24. We are hereby requesting to fund this position moving forward as part of this budget amendment.

Amendment 4: New Position *(Exhibit A)*
(Formerly Amendment 5)

Grant Administrator (Utility- Funded); manages grants and ensures compliance with funding requirements to support various funds and departmental projects. This position will be fully funded by the Utility Fund. Savings represented through efficiency and cost savings on Utility Fund side will allow for absorption of this expense. This position was approved in FY 23 but then frozen to commence FY 23. We are hereby requesting to fund this position moving forward part of this budget amendment.

Amendment 5: New Position (\$300,000 funded via BJA FY23 Rural and Small Department Violent Crime Reduction program) *(Exhibit A)*
(Formerly Amendment 6)

Crime Analyst (Grant- Funded); focuses on analyzing crime data to support law enforcement efforts. This position, fringe benefits (taxes, insurance, retirement, etc.) as well as other annual expenses through partnerships with other social service providing organizations as listed in the funded grant will amount to \$100,000 per year over the course of three (3) years.

Amendment 6: Position Title Change *(Exhibit B)*
(Formerly Amendment 7)

HR Coordinator to HR Manager (No funding changes). Renaming the HR Coordinator position to HR Manager will better align with the expanded responsibilities within the Human Resources department with no changes in funding. This position will now have direct responsibility over the requested change above from City Receptionist to HR Clerk.

Amendment 7: Position Title Change & Change of Department *(Exhibit B)*
(Formerly Amendment 8)

Meter Readers to Utility Technicians (No funding changes). Changing the title from Meter Readers to Utility Technicians aims to provide a more accurate depiction of the role, extending beyond traditional meter reading including install, troubleshooting, and repair of current smart meters being replaced city wide. The introduction of Smart meters allows for the reallocation of time towards undertaking supplementary responsibilities including regular inspections of meters with irregular readings or alleged leaks thus providing better customer service and efficiency by this division. Further, the two current positions will change supervision as part of this change and their budget impact will go from Utility Accounting (Dept. 21) to Utility Lines (Dept. 22).

Amendment 8: Moving FT Permit Tech *(Exhibit B)*
(Formerly Amendment 11)

This position was intended to transition to be under Code Enforcement. When the transition occurred moving Code from Development Services to reside under the auspice of the Fire Department, this is our next opportunity to formally take this action.

Conclusion:

These proposed changes underscore our commitment to enhancing efficiency, service delivery, and community engagement. The overall impact to the City's Fund Balance is approximately \$100,000.



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Kathleen Van Stavern

Department: Development Services

Agenda Item: 7.I.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Issuing a Conditional Use Permit for construction of a data storage facility and showroom located at Galveston County Property ID #752487

THIS IS THE SECOND AND FINAL READING

STAFF BRIEFING:

Planning & Zoning Recommended approval on January 23, 2024

HISTORY:

Planning & Zoning Recommended approval on January 23, 2024

Passed on First Reading February 26, 2024

FISCAL IMPACT:

N/A

ORDINANCE NO. O-2024 -00__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS ISSUING A
CONDITIONAL USE PERMIT FOR FM1764 LLC (GALVESTON COUNTY PROPERTY ID#
752487)**

WHEREAS, The authorized representative (“Data & Energy Inc”) of the owner of Lot 19 of Abstract No. 208 in the W K Wilson Survey (Galveston County Property ID # 752487) (the “Property”) submitted an application for a Conditional Use Permit for the Property to allow for a Data & Energy storage facility.

WHEREAS, the City Council has determined that the establishment, maintenance or operation of this conditional use will not be materially detrimental to, or endanger, the public health, safety, morals, or general welfare;

WHEREAS, the City Council has also determined that the uses, values and enjoyment of other property in the neighborhood, for the purpose already permitted, shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the conditional use;

WHEREAS, the City Council has also determined that the establishment of the conditional use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;

WHEREAS, the City Council has also determined that the uses, values, and enjoyment of other property in the neighborhood, for the purpose already permitted, shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the conditional use;

WHEREAS, the City Council has also determined that adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;

WHEREAS, the City Council has also determined that adequate measures have been or will be taken to provide ingress or egress, so designed as to minimize traffic congestion in the public streets; and

WHEREAS, the City Council has also determined that the conditional use shall conform to all applicable yard area regulations of the district in which it is located.

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

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

Section 2. That the City of La Marque, Texas will issue a Conditional Use Permit to FM1764, LLC in accordance with Section 71-6 of the City Code for the construction and operation of a Data & Energy storage facility.

Section 3. As provided by Section 71-3 of the City Code, any person who shall violate any of the provisions of this Ordinance or the Conditional Use Permit issued hereunder 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 4. 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 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. 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 this ____ day of _____, 2024.

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2024.

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra Nance, TRMC, City Clerk

PROPOSED ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF LA MARQUE, TEXAS, ISSUING A CONDITIONAL USE PERMIT FOR CONSTRUCTION OF A DATA STORAGE FACILITY AND SHOWROOM TO BE LOCATED ON GALVESTON COUNTY PROPERTY PARCEL 752487, LOTS 19 (19-19) IN THE W.K. WILSON SUB, ON FM 1764

WHEREAS, the owner of lot 19 of the W.K. Wilson Subdivision on FM 1764 Galveston County Property # 752487 submitted an application for a Conditional Use Permit for the property to allow for the construction of a Data Storage Facility and Showroom

WHEREAS, The City Council has determined that the establishment, maintenance, or operation of this conditional use will not be materially detrimental to, or endanger the public health, safety, morals or general welfare; and

WHEREAS, the City Council has also determined that the uses, values and enjoyment of other property in the vicinity for the purpose already permitted, shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use; and

WHEREAS, the City Council has also determined that the establishment of the conditional use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district; and

WHEREAS, the City Council has also determined that the uses, values and enjoyment of other property in the vicinity for the purpose already permitted, shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use; and

WHEREAS, the City Council has also determined that adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided; and

WHEREAS, the City Council has also determined that adequate measures have been taken or will be taken to provide ingress and egress, so designed as to minimize traffic congestion in the public streets and roadways; and

WHEREAS, the City Council has also determined that the conditional use shall conform to all applicable requirements under the district in which it is located, and the granting of a Conditional Use does not create a right to the use and the Conditional Use may be cancelled at the City Council's sole discretion.

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

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

Section 2. That the City of La Marque, Texas will issue a Conditional Use Permit in accordance with Section 71-6 of the City Code for the construction of a Data Storage Facility and Showroom.

Section 3. As provided by Section 71-3 of the City Code, any person who shall violate any of the provisions of this ordinance or the Conditional Use Permit issued hereunder or who shall erect or alter any building, or who shall commence to erect or altar any building in violation of a 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 of 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 4. 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.

PASSED AND APPROVED this ____ day of _____, 2024

PASSED, APPROVED, AND ADOPTED this ____ day of _____, 2024

Honorable Keith Bell, Mayor

ATTEST:

Kierra Nance, City Clerk



CITY OF LA MARQUE
"Gateway to the Gulf"
1130 1st St., La Marque, TX 77568
409-938-9219 Permits@CityofLaMarque.org

Rezone Application

Application Date: 12/18/2023 Smart Gov Project # _____
Name of Agent: _____ Phone: _____
Address: _____ City: _____ Zip Code: _____
Name of Owner: FM 1764 LLC Phone: 347-838-1829
Address: 9900 Spectrum DR City: Austin Zip Code: 78717
Property Legal Description: ABST 208 W K WILSON SUR PT OF LOT 19 (19-19) Parcel ID #: 752487
Property Address: Pending land plat
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: The current zoning doesn't explicitly allow use of containers at the facility

Desired Outcome: The issuance of a conditional use permit that will allow development of a data center

APPLICATION CHECKLIST:

- ☐ DIGITAL 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 (1 DIGITAL COPY THAT IS 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: 01 / 23 / 2024

Approved: ☒ Denied: _____ Other: _____

Comments: NONE

APPLICANTS CERTIFICATE

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

Signature of Applicant: _____ Date: 12/18/2023





CITY OF LA MARQUE

"Gateway to the Gulf"

1130 1st St., La Marque, TX 77568

409-938-9219 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





Development Services Department
1130 1st St.
La Marque, TX 77568

Receipt Number: 202400240

(409)938-9219
permits@cityoflamarque.org

Payer/Payee: FM1764, LLC
9900 SPECTRUM DR
AUSTIN TX 78717

Cashier: P. Joiner

Date: 01/22/2024

RZ2023-0002 RE- ZONING/PLATS/VARIANCES/ABANDON
MENTS FM 1764 LA MARQUE, TX 77510

<u>Fee Description</u>	<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
REZONING CLASSIFICATION FEE	\$600.00	\$600.00	\$0.00
Re-Zone 200 foot letters	\$477.00	\$477.00	\$0.00
Published Notice IN NEWSPAPER	\$450.00	\$450.00	\$0.00
	\$1,527.00	\$1,527.00	\$0.00

<u>Fee Description</u>	<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
CC Convenience Fee	\$45.81	\$45.81	\$0.00
	\$45.81	\$45.81	\$0.00

<u>Payment Method</u>	<u>Reference Number</u>	<u>Payment Amount</u>
CREDIT CARD	Khedoyan/1708	\$1,572.81
Total Paid:		\$1,572.81

From:
FM1764 LLC
9900 Spectrum DR
Austin, TX 78717

To:
City of La Marque
1130 1st St.
La Marque, TX 77568
Permit@cityofLamarque.org

Planning & Zoning Committee,

FM1764 LLC is a real estate company and a subsidiary of a corporation with affiliates that have been actively involved in the development of data centers across various states in the USA over the past six years.

We are dedicated to the development and operation of advanced data centers, specifically designed to accommodate, manage, and ensure continuous access to an extensive array of computer systems, networking equipment, and data storage infrastructure.

We are submitting a request for the issuance of a conditional use permit, seeking approval for the establishment of a cutting-edge data storage center on the designated property. Our plan involves the installation of specialized converted modular container shaped data center pods. These units have been purpose built to house various data center equipment.

Additionally, our office will double as a store front with demo units.

We believe that establishing our high-tech data storage center in La Marque will bring about several notable advantages:

1. Economic Growth: Our presence will contribute to local economic growth by creating job opportunities, both directly in the operation of the data center and indirectly through support services such as maintenance, security, and logistics.
2. Increased Tax Revenue: The establishment of our data center will positively impact the city's tax base, providing a sustainable source of revenue that can be allocated towards essential public services, infrastructure development, and community programs. Preliminary estimates indicate a projected annual tax contribution of approximately \$1,069,00 USD to both the State and the city.

3. Technological Innovation: Our data center represents a commitment to technological advancement. This can attract other tech-related businesses and foster an environment of innovation, positioning the city as a hub for cutting-edge technology.

4. Infrastructure Enhancement: The development of our data storage center will likely lead to improvements in local infrastructure, including roads, utilities, and telecommunications, further benefiting the overall community.

5. Attraction of Tech Talent: Our presence can attract skilled professionals in the technology sector to the city, creating a pool of talent that contributes to the overall vibrancy and competitiveness of the local workforce.

In addition to these advantages, our Data Center will be strategically positioned, bordered by a Battery storage site on one side and a Self-storage facility on the other, ensuring minimal visibility from FM 1764.



Data Center location

The facility will feature ample space, affording us to landscape the surroundings, thereby elevating the overall aesthetic appeal of the area. The data center pods are designed to resemble buildings when viewed from the street, ensuring a harmonious integration into the surrounding environment.

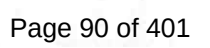


Data center street view

As part of the site development, we have been actively engaged in the planning and implementation of roadways. This includes the creation of a comprehensive Master Roadway Plan and a dedicated Fire Access Road Plan, addressing not only the internal road network within our facility but also extending beyond the boundaries to connect seamlessly with FM 1764. Simultaneously, we are progressing with the utility connections as an integral part of this project. The site will be equipped with a sewer and water line to ensure essential infrastructure support.

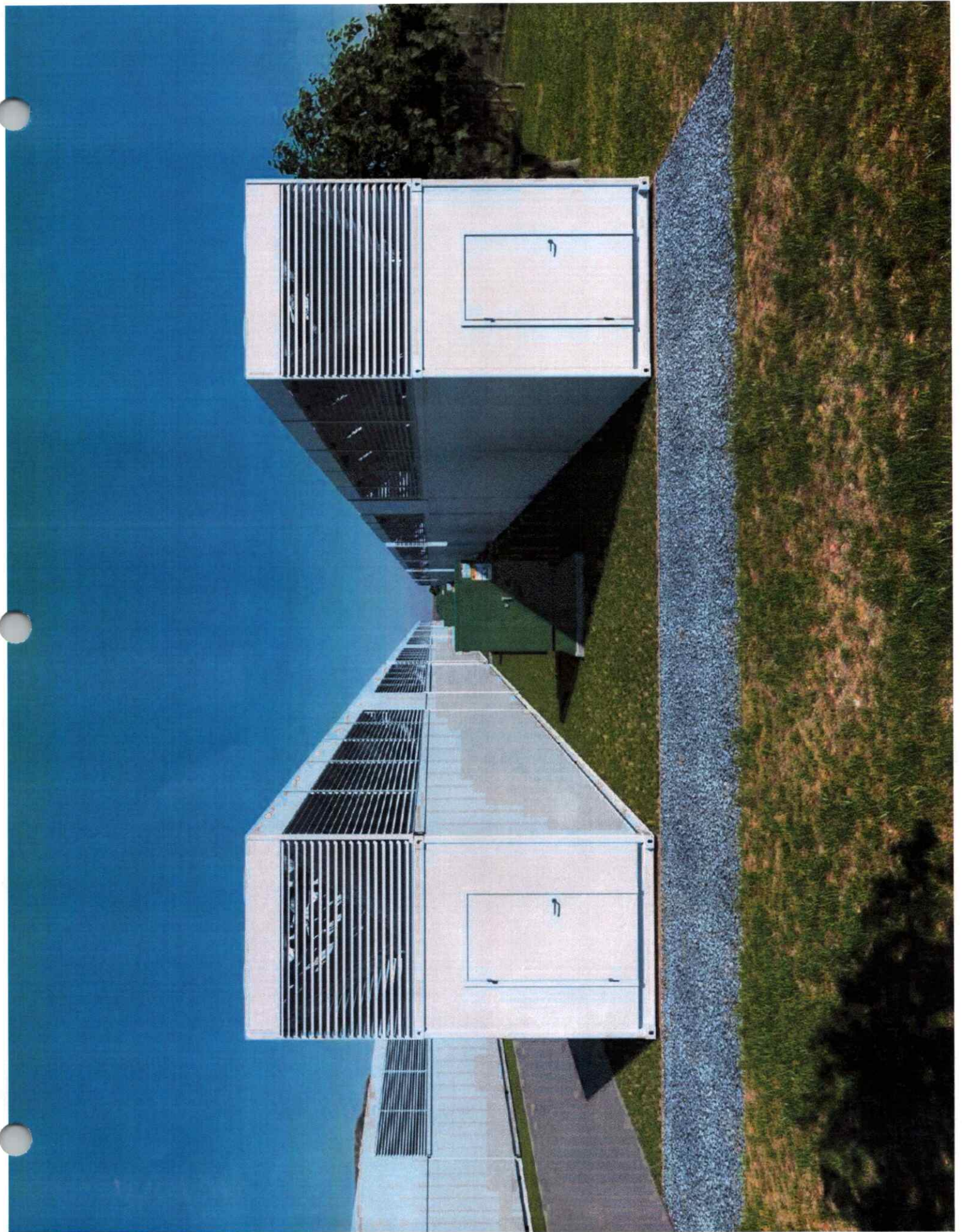


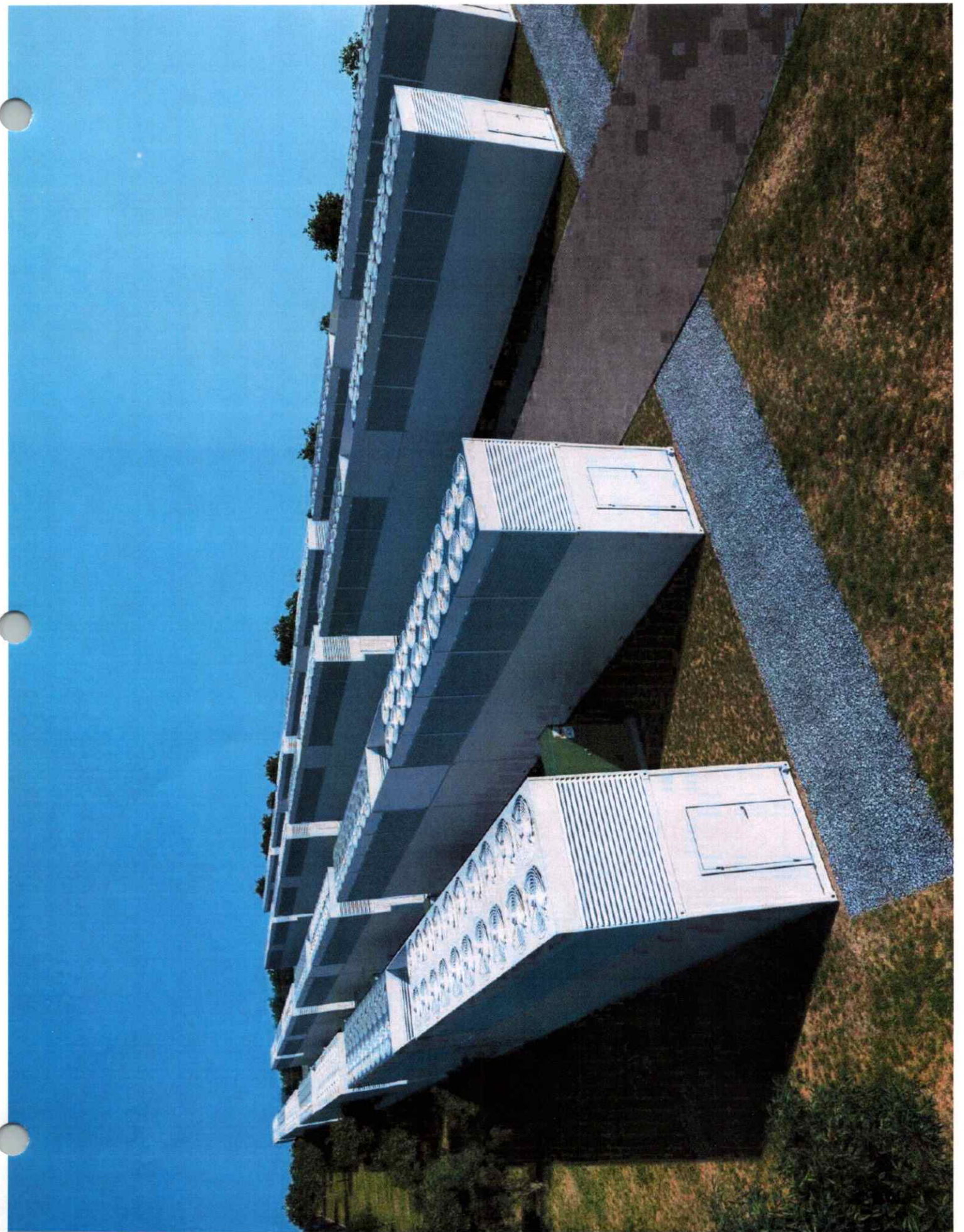












Special Warranty Deed

State of Texas §

County of Galveston §

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Date: September 12, 2023

Grantor: DATA & ENERGY, INC.

Grantor's Mailing Address: 651 N. BROAD ST., SUITE 201, MIDDLETOWN,, DE 19709

Grantee: FM1764 LLC

Grantee's Mailing Address: 9900 SPECTRUM DR., AUSTIN, TX 78717

Consideration: TEN DOLLARS (\$10.00) AND OTHER VALUABLE CONSIDERATION

Property (including any improvements):

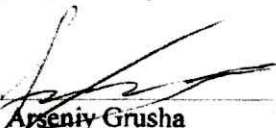
3.000 ACRES SITUATED IN THE W.K. WILSON LEAGUE, ABSTRACT NO. 208, GALVESTON COUNTY, TEXAS, BEING A PART OF THAT CERTAIN 46.4378 ACRE TRACT OF LAND CONVEYED FROM TEXAS COMMUNITY BANK, THE WOODLANDS, TEXAS, TO YODE INVESTMENTS LLC, A TEXAS LIMITED LIABILITY COMPANY, BY DEED DATED MARCH 4, 2015, RECORDED IN/UNDER CLERK'S FILE NO. 2015015559 OF THE OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY, TEXAS, SAID 3.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT "A" ATTACHED HERETO.

This conveyance is made and accepted subject to the folloiwng matters, tot he extent same are in effect at this time: Any restrictions, reservations, covenants, conditions, and easements, if any, relating to the Property, but only to the extent they are still in effect, shown of records in Galveston County, Texas, and all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the Property.

Grantor, for the expressed consideration and subject to the expressed reservations from conveyance, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the reservations from conveyance.

EXECUTED this 10 day of ^{October}~~September~~, 2023.

DATA & ENERGY, INC.

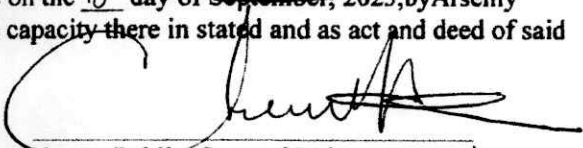
By: 

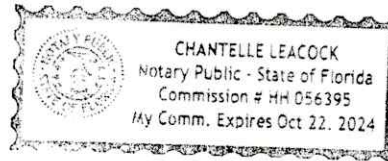
Name: ~~Arseniy~~ Grusha

Title: Member

Florida
State of ~~Delaware~~ §
County of ~~Miami Dade~~

This instrument was acknowledged before me on the 10th day of ~~September~~ October, 2023, by Arseniy Grusha, Member, of DATA & ENERGY, INC., in the capacity there in stated and as act and deed of said corporation.


Notary Public, State of ~~Delaware~~ Florida
Seal



After recording, return to:

FM1764 LLC

9900 SPECTRUM DR.

AUSTIN, TX 78717

2980 NE 207th St # 705
Aventura, FL 33180

EXHIBIT "A"

FIELD NOTES DESCRIPTION OF 3.000 ACRES, SITUATED IN THE W.K. WILSON LEAGUE, ABSTRACT NO. 208, GALVESTON COUNTY, TEXAS, BEING A PART OF THAT CERTAIN 46.4378 ACRE TRACT OF LAND CONVEYED FROM TEXAS COMMUNITY BANK, THE WOODLANDS, TEXAS, TO YODE INVESTMENTS, LLC, A TEXAS LIMITED LIABILITY COMPANY, BY DEED DATED MARCH 4, 2015, RECORDED IN/UNDER CLERK'S FILE NO. 2015015559 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF GALVESTON COUNTY, TEXAS, SAID 3.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at a 5/8 inch iron rod found at the Southeast corner of a tract of land conveyed to High Point Self Storage as described under Galveston County Clerk's File No. 2016063932;

THENCE N 89°50'31" E along the South line of said 46.4378 acre tract, a distance of 135.40 feet to a ½ inch iron rod set with a cap stamped "True Meridian" for the PLACE OF BEGINNING and the Southwest corner of the herein described tract;

THENCE N 35°37'39" E a distance of 804.04 feet to a ½ inch iron rod set with a cap stamped "True Meridian" at the Northwest corner of the herein described tract;

THENCE S 41°03'00" E a distance of 187.38 feet to a ½ inch iron rod set with a cap stamped "True Meridian" at the Northeast corner of the herein described tract;

THENCE S 35°37'39" W along the Southeasterly line of said 46.4378 acre tract, a distance of 629.43 feet to the Southeast corner of the herein described tract, from which a found 3/8 inch rod bears N 12°7' W – 0.2 feet;

THENCE S 89°50'31" W along the South line of said 46.4378 acre tract a distance of 224.77 feet to the PLACE OF BEGINNING and containing 3.000 acres of land more or less.

FILED AND RECORDED

Instrument Number: 2023053519

Recording Fee: 34.00

Number Of Pages: 4

Filing and Recording Date: 11/13/2023 9:37AM

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



A handwritten signature in black ink, reading "Dwight D. Sullivan", written over a horizontal line.

Dwight D. Sullivan, County Clerk
Galveston County, Texas

NOTICE: It is a crime to intentionally or knowingly file a fraudulent court record or instrument with the clerk.

DO NOT DESTROY - *Warning, this document is part of the Official Public Record.*



City of La Marque Planning & Zoning Commission

STAFF REPORT

Meeting Date: January 23, 2024

Agenda Item: Discussion / possible action regarding a request for a Conditional Use Permit for Data & Energy Inc Storage Facility, being approximately a 3-acre tract of land located in W.K. Wilson League, ABST 208, Sur Lot 19 in the Watermans Sub / Parcel 752487 La Marque, Galveston County, Texas. Galveston County Property ID No 752487, located on FM 1764.

Item Type: Conditional Use Permit

Standard for Approval:

CUP must comply with the requirements of City Zoning Code Chapter 71

References: City Code Chapter 71;

Council approval: Required

Public comments: None

Recommendation:

✓ APPROVED _____ DENIED _____ TABLED until DATE: _____

VOTE TALLY:

3 APPROVED _____ DENIED _____ TABLED.

 DATE: 1-23-2024
Chair Signature

Greg 1st BRADLEY 2nd



City of La Marque Planning & Zoning Commission

CITY OF LA MARQUE NOTICE TO PROPERTY OWNERS WITHIN 200 FEET OF A PROPERTY REQUESTING A CONDITIONAL USE PERMIT

December 26, 2023

Dear Property Owner:

This PUBLIC NOTICE is required by the City of La Marque Code of Ordinances, Section 71-6. A **Conditional Use Permit** request on a property in your area has been received by the Planning and Zoning Commission. Land under your ownership or care, as listed with the Galveston County Appraisal District Tax Records, is located within 200 feet of the property that is being considered for rezoning. Your property is not being rezoned as part of this request.

This is your OFFICIAL NOTICE that the City of La Marque Planning and Zoning Commission will hold a Public Hearing on **Tuesday, January 23, 2024, at 4:00 p.m. in the City Council Chambers located at 1109 - B, Bayou Rd, La Marque Tx 77568 regarding:**

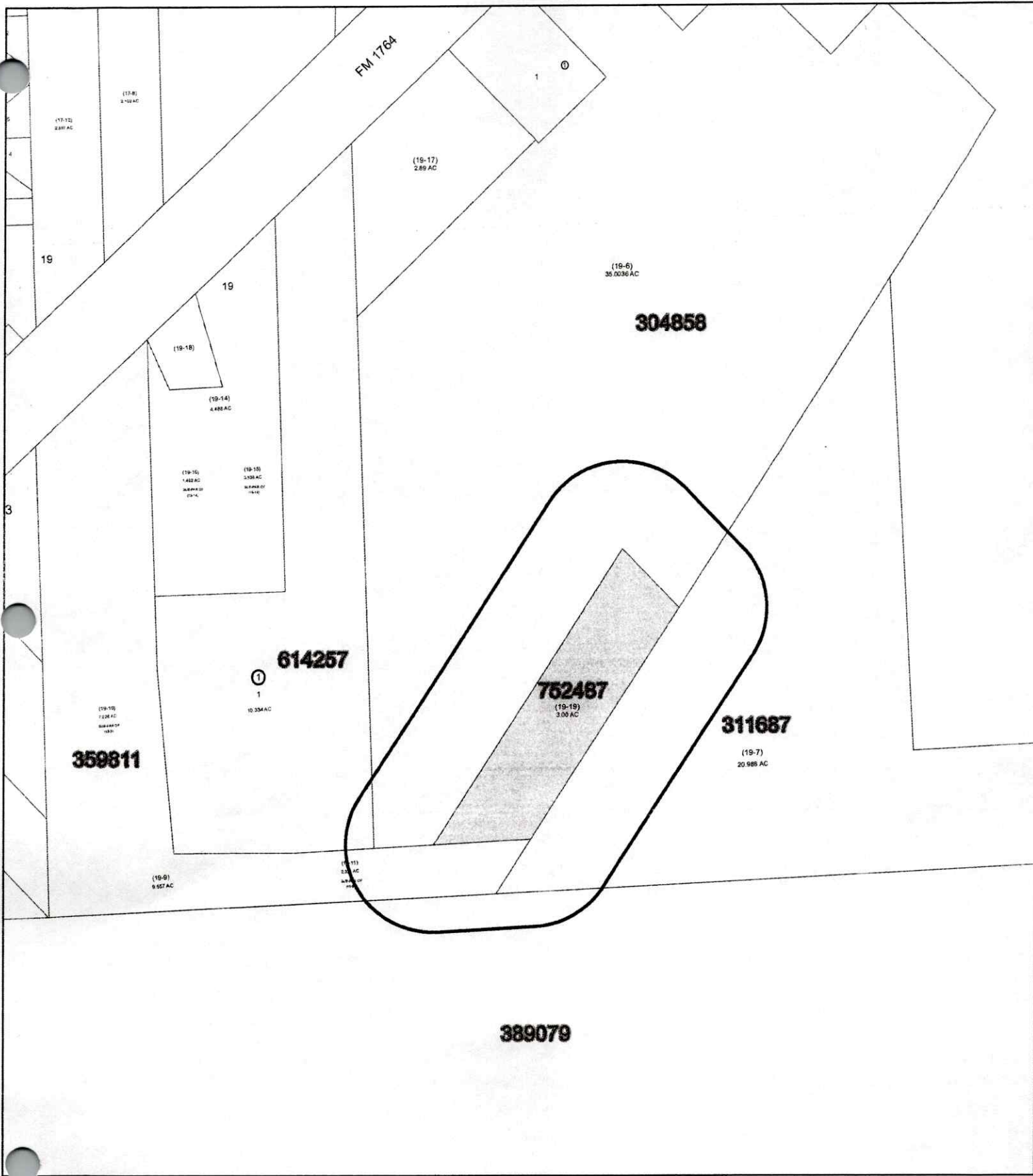
A request for a Conditional Use Permit for Data & Energy Inc. Data Storage Showroom Facility, being approximately a 3-acre tract of land located Abstract 208, W.K. Wilson Survey, Part of Lot 19 in the Watermans Subdivision La Marque, Galveston County, Texas, Galveston County Property Parcel ID No. 752487, located on FM 1764.

The full agenda packet will be available at least 72 hours prior to the meeting on the City's website <https://ci.la-marque.tx.us/AgendaCenter>.

If you are unable to attend, and wish to comment, you may also provide comments by email at permits@cityoflamarque.org, or by mail to:

City of La Marque
Development Services Department
1130 1st Street
La Marque, TX 77568

Respectfully,
Kathleen Van Stavern
Development Services Director



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

Galveston Central Appraisal District

ID	GEOID	NAME	ADDRESS	ADDRESS2	ADDRESS3	CITY	ST	ZIP
311687	7385-0000-0019-007	CITY-LA MARQUE		1111 BAYOU RD		LA MARQUE	TX	77568-4160
614257	3969-0001-0001-000	PS LPT PROPERTIES INVESTORS		DEPT-PT-TX-26908	PO BOX 25025	GLENDALE	CA	91221-5025
359811	7385-0000-0019-009	EXP-DRAINAGE DITCH #2						
389079	0071-0001-0001-000	STATE-UNIVERSITY OF HOUSTON	BOARD OF REGENTS	128 EZIEKEL CULLEN BLDG	4302 UNIVERSITY DR	HOUSTON	TX	77204-6001
304858	7385-0000-0019-006	YODE INVESTMENTS LLC		% DEANO MERRIGAN	5309 I-45 SOUTH	LA MARQUE	TX	77568

942 1-23-2024

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

YODE INVESTMENTS LLC
% DEANO MERRIGAN
5309 1-45 SOUTH
LA MARQUE, TX 77568



9590 9402 8401 3156 2311 12

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Brooke Corkill

- ☐ Agent
☐ Addressee

B. Received by (Printed Name)

brooke Corkill

C. Date of Delivery

12/30/23

- D. Is delivery address different from item 1?** ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

2

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PS

Domestic Return Receipt

USPS TRACKING #



9590 9402 8401 3156 2311 12



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

**United States
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•

City of La Marque
Development Services Department
1130 1st Street
La Marque, Texas 77568

01/04 A series of vertical black bars of varying heights, used for postal sorting and processing.

W2 1-23-2024

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Drainage District 2 Ditch #2
5000 FM 1765
LA MARQUE, TX 77568



9590 9402 8401 3156 2311 05

2. Article Number (Transfer from service label)

7021 2720 0000 4589 6517

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x *Carla Warner*

- ☒ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1?** ☐ Yes
If YES, enter delivery address below: ☐ No

JAN 03 2024

USPS

3. Service Type

- ☒ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

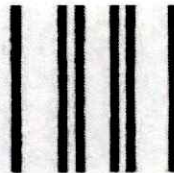
PS Form 3811 July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

USPS TRACKING #



9590 9402 8401 3156 2311 05



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

**United States
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box•

City of La Marque
Development Services Department
1130 1st Street
La Marque, Texas 77568

1-23-2024

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Data & Energy, Inc.
2980 NW 207th St. #705
Aventura, FL 33180



9590 9402 8401 3156 2311 36

2. Article Number (Transit)

7021 2720 0000 4589 6548

PS Form 3811 July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

[Signature]

- ☐ Agent
☒ Addressee

B. Received by (Printed Name)

Suzanna Theodora

C. Date of Delivery

06/02/24

- D. Is delivery address different from item 1?** ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

USPS TRACKING #



9590 9402 8401 3156 2311 36

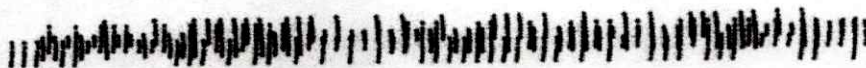


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

**United States
Postal Service**

• Sender: Please print your name, address, and ZIP+4® in this box •

City of La Marque
Development Services Department
1130 1st Street
La Marque, Texas 77568



U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com[®].

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | |
|--|----------|
| ☐ Return Receipt (hardcopy) | \$ _____ |
| ☐ Return Receipt (electronic) | \$ _____ |
| ☐ Certified Mail Restricted Delivery | \$ _____ |
| ☐ Adult Signature Required | \$ _____ |
| ☐ Adult Signature Restricted Delivery | \$ _____ |

Pt 2

1-23-2024

Postmark
Here

Postage

YODE INVESTMENTS LLC

% DEANO MERRIGAN

5309 1-45 SOUTH

LA MARQUE, TX 77568

4259 6854 0000 0212 7271

U.S. Postal ServiceTM
CERTIFIED MAIL[®] RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com[®].

OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

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| ☐ Return Receipt (electronic) | \$ _____ |
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| ☐ Adult Signature Required | \$ _____ |
| ☐ Adult Signature Restricted Delivery | \$ _____ |

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1-23-2024

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Drainage District 2 Ditch #2
5000 FM 1765
LA MARQUE, TX 77568

2021 2720 0000 4589 6517

7019 0700 0002 3517 4545

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

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| ☐ Return Receipt (electronic) | \$ _____ |
| ☐ Certified Mail Restricted Delivery | \$ _____ |
| ☐ Adult Signature Required | \$ _____ |
| ☐ Adult Signature Restricted Delivery | \$ _____ |

PTZ
1-23-2024

Postmark
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City of La Marque
1111 Bayou Rd.
La Marque, TX 77568
ATTN: City Clerk

Domestic Mail Only

OFFICIAL USE

5

☐ Return Receipt (hardcopy) \$ _____☐ Return Receipt (hardcopy) \$ _____☐ Return Receipt (electronic) \$ _____☐ Certified Mail Restricted Delivery \$ _____☐ Adult Signature Required \$ _____☐ Adult Signature Restricted Delivery \$ _____

53

TO

\$

Se

ISI

15

Aventura, FL. 33180

PJZ
1-23-2024
Postmark
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U.S. Postal Service™
CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | |
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| ☐ Return Receipt (electronic) | \$ _____ |
| ☐ Certified Mail Restricted Delivery | \$ _____ |
| ☐ Adult Signature Required | \$ _____ |
| ☐ Adult Signature Restricted Delivery | \$ _____ |

P42

1-23-2024

Postmark
Here

University of Houston
Board of Regents
4302 University Dr.
Houston, TX 77204

7019 0700 0002 3517 4538

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

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Extra Services & Fees (check box, add fee as appropriate)

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| ☐ Return Receipt (electronic) | \$ _____ |
| ☐ Certified Mail Restricted Delivery | \$ _____ |
| ☐ Adult Signature Required | \$ _____ |
| ☐ Adult Signature Restricted Delivery | \$ _____ |

Postage

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PS LPT PROPERTIES INVESTORS
DEPT PT TX 26908
PO BOX 25025
GLENDAL, CA 91221

PAZ

1-23-2024

Postmark
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Legal Notice

CITY OF LA MARQUE PLANNING AND ZONING COMMISSION & IMPACT FEE ADVISORY COMMITTEE PUBLIC HEARING NOTICE

Notice is hereby given that the City of La Marque Planning and Zoning Commission will hold a PUBLIC HEARING of the Impact Fee Advisory Committee on January 23, 2024 beginning 3:30pm / Planning & Zoning Public Hearing on Tuesday, January 23, 2024, beginning at 4:00 pm in the City Council Chambers, located at 1109-B Bayou Road, La Marque, Texas for the purpose of discussion and possible action on:

a. The Impact Fee Survey and Land Use Assumptions Report for an amendment to the City of La Marque's Impact Fee Ordinance. (Advisory Committee)

b. A request for a Conditional Use Permit for a Data Showroom & Storage Facility on a 3 acre tract on FM 1764, La Marque, TX 77568

c. A rezone request to change the zoning district from R-1 single family residential to a PDD Planned Development District for a =- 46 acre tract in La Marque, TX 77568

For further information please contact K. Van Stavern, Development Services Director for the City of La Marque, Texas. Email: k.vanstavern@cityoflamarque.org

P & Z January 2024 Edit

Notice Preview →

Activity Log →



Newspaper
The Galveston County Daily News



Publication Date
Jan 10, 2024



Status
Invoiced Outside Column (\$272.21) ⓘ



Invoice Due
Invoiced Outside Column



Order Number
1189740



Account Number
53766

Quick Actions



VIEW PROOF



VIEW STATEMENT



PAY INVOICE



PLANNING & ZONING COMMISSION MEETING

JANUARY 23, 2024

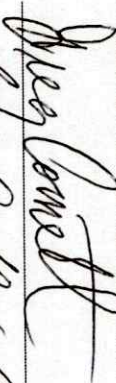
CHAIRPERSON

ALAN WATERS



VICE CHAIRPERSON

GREG CORNETT



COMMISSIONER

BRAD STEPHENSON



COMMISSIONER

CHRIS COLOMBO

COMMISSIONER

GRAYLAN ALEXANDER

COMMISSIONER

COMMISSIONER

immediately in that office in the presence of 2023.
the Galveston County Auditor and the Purchasing Agent. Sealed bids are to be delivered to Rufus G. Crowder, CPPO CPPB, Galveston County Purchasing Agent at the Galveston County Courthouse, 722 Moody (21st Street), Floor 5, Galveston, Texas 77550, (409) 770-5372.

All bids must be marked on the outside of the envelope:
ITB #B241006A, Hydraulic Excavator

Bidders' name, and return addresses, should be prominently displayed on the bid package for identification purposes.

The timestamp clock located in the Purchasing Agent's office shall serve as the official time-keeping piece for this solicitation process. Any bid received after 2:15 PM CST on the specified date will be returned unopened.

Specifications:

Specifications can be obtained on application at the office of the Galveston County Purchasing Agent, located in the Galveston County Courthouse, 722 Moody, (21st Street), Floor 5, Galveston, Texas, 77550, or by visiting the Galveston County website @ <http://www.galvestoncountytx.gov/county-offices/purchasing>

Virtual Bid Opening:

Interested parties may attend the Thursday, February 08, 2024 bid opening at 2:15 PM CST virtually by using the following link:

<https://galvestoncountytx.webex.com/galvestoncountytx/j.php?MTID=me1230a52fe849380a2765bb850d88912>

Bid prices shall be either lump-sum or unit prices as shown on the proposal sheet, if applicable. The net price will be delivered to Galveston County, including all freight, shipping, and license fees. Galveston County is tax-exempt and no taxes should be included in your proposal pricing.

Upon satisfaction of contractual terms (e.g., goods delivered in, the promised condition, services rendered as agreed, etc.), contractor shall be paid via Galveston County's normal accounts payable process.

Bond Requirement:

No bond is required with this Invitation to Bid.

The Galveston County Commissioners' Court reserves the right to waive any informality and reject any and all bids and accept the bid or bids which, in its opinion, are most advantageous to Galveston County with total respect to the governing laws.

Rufus G. Crowder, CPPO CPPB
Purchasing Agent
Galveston County

Published: January 10, 17, 2024

Published: January 10, 2024

Legal Notice

CITY OF LA MARQUE PLANNING AND ZONING COMMISSION & IMPACT FEE ADVISORY COMMITTEE PUBLIC HEARING NOTICE

Notice is hereby given that the City of La Marque Planning and Zoning Commission will hold a PUBLIC HEARING of the Impact Fee Advisory Committee on January 23, 2024 beginning 3:30pm / Planning & Zoning Public Hearing on Tuesday, January 23, 2024, beginning at 4:00 pm in the City Council Chambers, located at 1109-B Bayou Road, La Marque, Texas for the purpose of discussion and possible action on:
a. The Impact Fee Survey and Land Use Assumptions Report for an amendment to the City of La Marque's Impact Fee Ordinance. (Advisory Committee)
b. A request for a Conditional Use Permit for a Data Showroom & Storage Facility on a 3 acre tract on FM 1764, La Marque, TX 77568
c. A rezoning request to change the zoning district from R-1 single family residential to a PDD Planned Development District for a ~ 46 acre tract in La Marque, TX 77568

For further information please contact K. Van Stavern, Development Services Director for the City of La Marque, Texas. Email: k.vanstavern@cityoflamarque.org

Published: January 10, 2024

Legal Notice

Legal Notice

Notice of Application to revise BOLIVAR ACRES SUBDIVISION plat to revise Lot 7, Galveston County, Texas.

As required by V.T.C.A. Local Government code sec. 232.009, notice is given that the Commissioners Court of Galveston County will meet to consider an application filed by SUNSET HOME-BUILDERS, LLC, of BOLIVAR ACRES SUBDIVISION. The plat being sought to be revised is located in clerks File 2022044055, Galveston County, Texas to:

The meeting will be held January 22, 2024, at 9:30 am, Galveston County Annex, 174 N Calder, League City, Texas 77573

At the meeting, the court will hear any protest to the proposed revision to the plat. The purpose of the proposed re-plat is to create 24 lots. The proposed revision affects Lot 7. Anyone interested in the proposed revision is encouraged to attend the meeting and address the Commissioners Court.

Commissioners Court of Galveston County, Texas
By: Michael C. Shannon, P.E.
County Engineer

Published: January 5, 7, 10, 2024

713-408-2372

Wanted

Yorkie or Yorkie/Mix
281-332-8742

RECREATION

Boats/Marine

INTRUDER JON BOAT
2 Men Boat 12' x 4'
Never Been In Water
\$450 (409)789-1097

RVs/Travel Trailers/Campers

2017 Gulf Stream 17ft
Vintage Camper
Never Used, No Slides,
Has Full Bath, Kitchen
Appl., Stereo, Awning
832-868-6988

AUTOMOTIVE

Cars

2005 Ford Explorer;
2nd Owner; Newly Installed "Refurb" engine & blue title;
\$2,000 Inspected until July, ok to text
(409)789-3339

Trucks

01 Jimmy Blazer
06 Nissan Pathfinder
2013 Dodge Journey
06 Silverado V6
95 Toyota Camry
(409)877-6136

Want to Buy

AUTOS WANTED



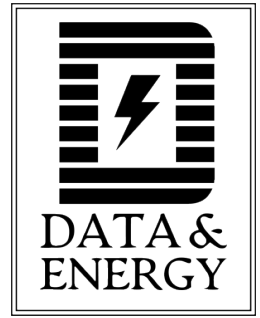
La Marque
Auto Salvage

409-938-8482



Data & Energy Inc.

Empowering Growth Through Innovation



Introduction:



Data&Energy is an established company with over 6 years of experience, specializing in land acquisition for the purpose of cutting-edge data center buildouts and its supporting infrastructure development.

The core of our business primarily consists of mixed-use data centers for various applications, such as crypto mining, cloud services, web hosting, as well as various ML automation and AI large language models. We also offer data center management services.

We strive to go beyond the basics through the creation of a positive impact in our areas of operation by attracting local talent, and thus fostering economic growth in the region.

La Marque, TX

Project Overview



Situated 300FT from FM 1764, our site emphasizes privacy and creates a minimal visual impact. Enclosed by wrought iron fencing and complemented by tree-lined greenery, the facility seamlessly integrates into the surrounding environment, prioritizing an aesthetic approach and other community considerations.

Our **Enterprise Immersion Cooled Data Center Complex** consists of 30 individual clusters and a main office building with an integrated storefront. The retail space will be used to showcase the equipment that we accommodate, and that is also available to purchase.



La Marque, TX

Project Overview



What is Immersion cooling:

Immersion cooling is a technique used in data centers to manage heat generated by electronic components. It involves submerging hardware in a non-conductive liquid, improving thermal efficiency compared to traditional air cooling. This liquid is a significantly superior heat conductor compared to air, water, or conventional oils. Importantly, the coolant remains in a consistent state, ensuring that leading immersion cooling solutions are not combustible.

This method reduces energy consumption, and prevents hot spots, making it an increasingly popular solution for high-density computing environments.



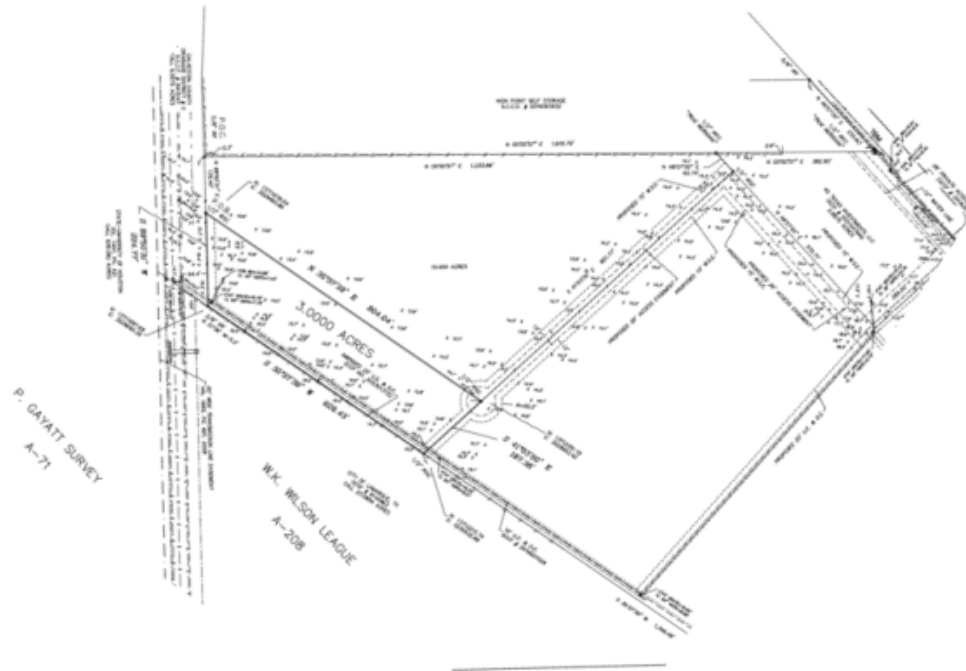
La Marque, TX

Project Overview



- Immersion cooling ensures minimal noise pollution
- Pre-approved Master Plan features complete infrastructure such as water and sewer lines, paved roads, etc.
- Developed in accordance with city ordinances
- Planned local job openings
- Scheduled launch date: **May 1, 2024**

Survey and Aerial View



Provide 30MW of mixed use HPC for Blockchain, AI, Cloud, and Machine Learning applications

Launching operations in Q1 2024, and ramping up to full utilization (30MW) by Q4 2024

CONCEPT

CONSTRUCT

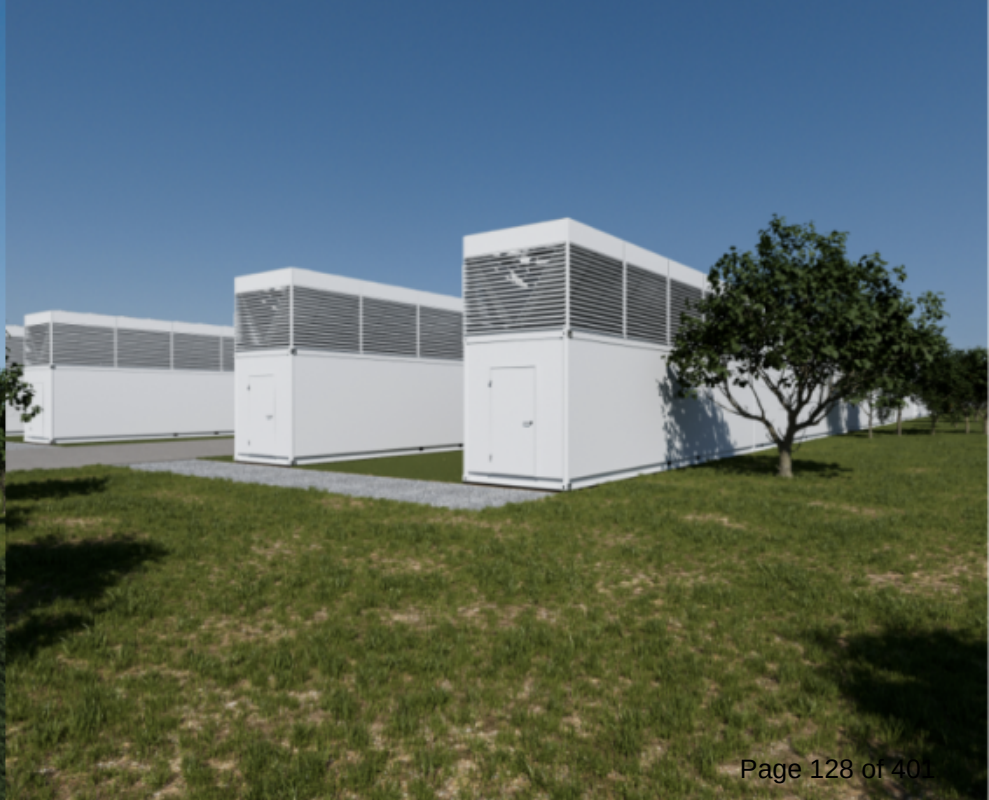
COMMENCE

CONTRIBUTE

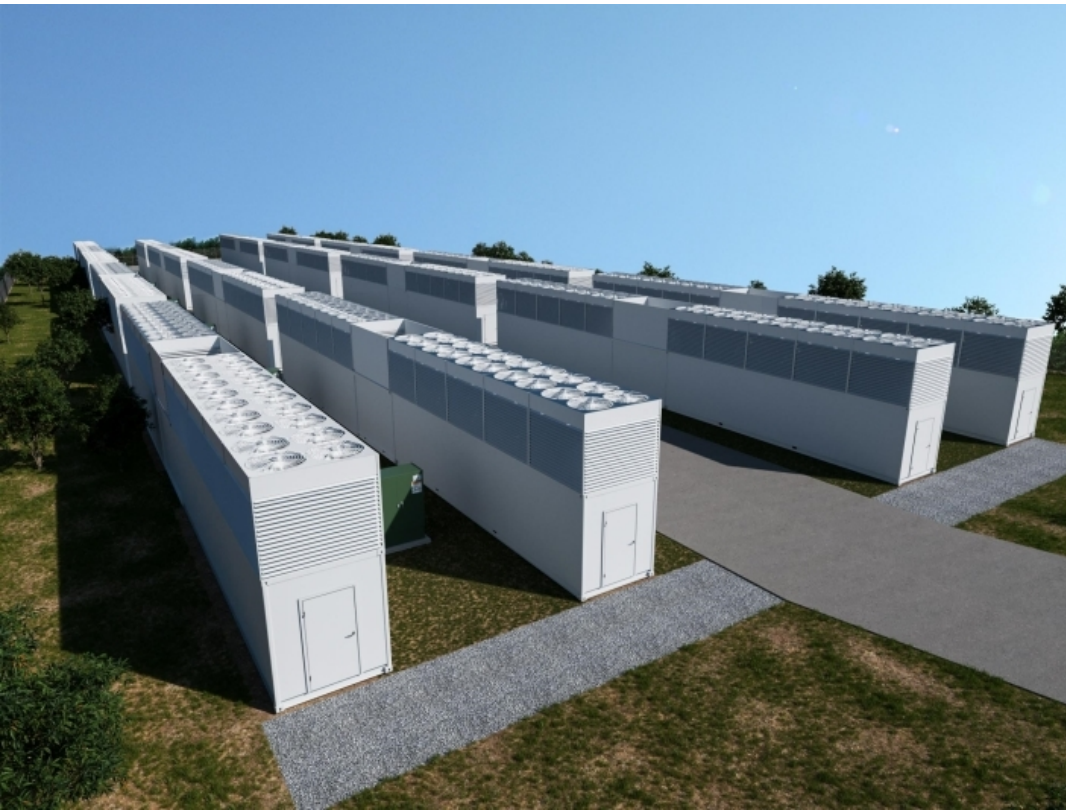
Designed with state of the art equipment, this project represents a \$12-14 million USD capital investment and will create full-time local employment opportunities

Creating 5-10 full-time local IT jobs and utilizing a multitude of services from local businesses and contractors, in addition to promoting an increase in economic activity across local establishments and bringing in sales tax revenue for the city of La Marque

Project Renderings



Project Renderings



Engineering (\$250,000)

1.8%

Main Building

7.2%

Construction

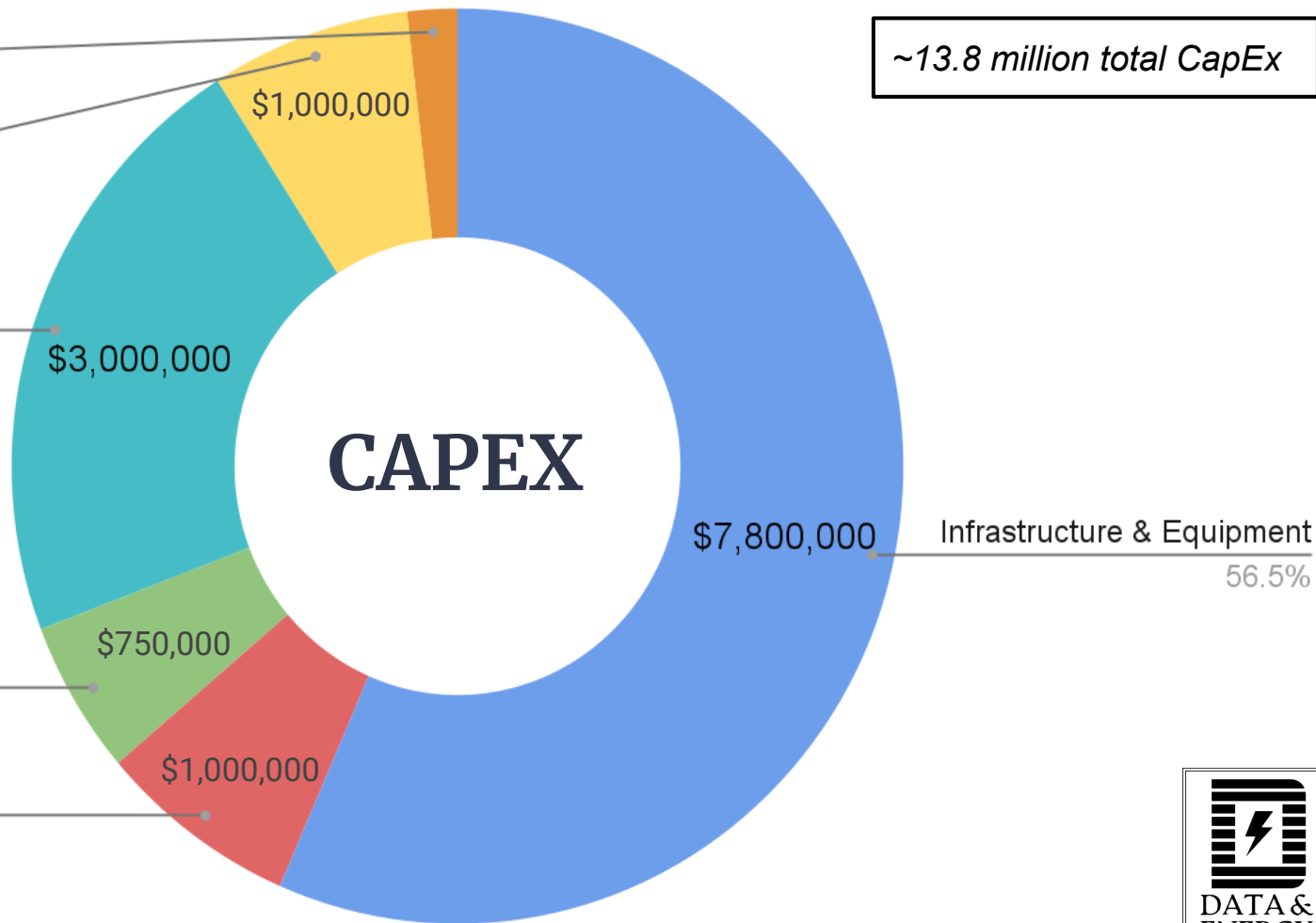
21.7%

Electricity Prepayments

5.4%

Wiring (Electrical & Network)

7.2%



~13.8 million total CapEx

Financial Impact on the City of La Marque



\$20,000

Estimated Sales Tax on Retail
(Calculated based on \$1M
annual revenue)

\$240,000

Estimated Sales Tax on
Electricity

\$450,000

Combined Property Tax Estimates
(Total property tax estimates
based on 2023 taxes)

D&E's Social Commitment



INNOVATION

Innovative design suitable for hosting multiple applications



Bringing the **first state of the art immersion-cooled data center** to the area

GROWTH

The showroom is expected to bring in **\$300,000 to \$1 million** in sales annually, contributing substantial sales tax revenue to both the city of La Marque and the state of Texas. Due to our high electricity consumption, the power usage sales tax alone is projected to provide **over \$1 million** in annual sales tax revenue, benefiting local and state budgets



Our combined investment of **\$12 to \$14 million** in this development is likely to bring substantial property tax revenue to the local budget

COMMUNITY

This project will create **5-10 full-time** local IT jobs by Q3 2024 as well as **dozens** of jobs during the construction period, and will attract visitors which will **increase economic activity** across local establishments such as hotels, restaurants, & more



Will not generate any noise or other pollution, resulting in a minimal impact on local residents while aesthetically enhancing the area

Powering Today. Powering Tomorrow.



WEB2



Powering our everyday.



WEB3





Past Projects (WATTUM Indoor Data Center)



Past Projects (BLOCKFUSION Indoor Data Center)



Our Partners



FOREMAN.MN
MASTER YOUR MINING




Hewlett Packard
Enterprise



Luxor 



BLOCKFUSION™

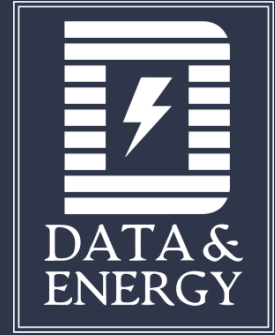
 **foundry**



NVIDIA®



Lenovo™



Thank you.

We look forward to discussing this exciting opportunity with you.



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Christine Turner

Department: Finance

Agenda Item: 7.II.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Amending the City of La Marque 2023-2024 budget by increasing various budget accounts' expenditures, decreasing others, transferring positions to new departments, and increasing/decreasing various fund balances as set forth in the attached exhibits.

THIS IS THE SECOND AND FINAL READING

STAFF BRIEFING:

It is normal to do a mid-year evaluation of the budget and thus we are doing so ahead of the 6 month mark of the fiscal year.

HISTORY:

FISCAL IMPACT:

Additional impact of \$100,000 per year triggered by latest Public Safety no-match grant received.

ORDINANCE NO. O-2024-XXXX

AN ORDINANCE AMENDING THE CITY OF LA MARQUE 2023-2024 BUDGET BY INCREASING VARIOUS BUDGET ACCOUNTS' EXPENDITURES, TRANSFERRING POSITIONS TO NEW DEPARTMENTS, AND INCREASING/DECREASING VARIOUS FUND BALANCES AS SET FORTH IN ATTACHED EXHIBITS.

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

Section 1. That the City La Marque 2023-2024 Fiscal Year Budget is hereby amended by increasing various accounts' expenditures, transferring positions to new departments, and increasing/decreasing various fund balances as set forth in the Exhibits "A-C" attached hereto and made a part hereof.

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

PASSED AND APPROVED by City Council of the City of La Marque, Texas, on this the first reading this the 11th day of March 2024.

PASSED, APPROVED and ADOPTED by City Council of the City of La Marque, Texas, on this the second and final reading this the ____ day of _____, 2024.

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra Nance, City Clerk

APPROVED AS TO FORM:

Gus Knebel, City Attorney

City of La Marque
Fiscal Year 2024
Budget Amendments
2nd Reading

The following are proposed adjustments to the Fiscal Year 2024 Budget. These proposed amendments are vital for our organization's growth and efficiency. Consider for your review and approval the following amendments:

Amendment 1: New Position *(Exhibit A)*
(Formerly Amendment 2)

Administrative Assistant (Funding addressed). The role of Administrative Assistant will transition from Shop/Fleet (Dept 10) to IT Technology /Facilities/OEM(Dept 13). This shift to an Administrative IT/Facilities position aims to provide an expanded scope, covering a wider range of administrative responsibilities. The hourly pay rate is expected to be around \$16, with corresponding adjustments to benefits. We are requesting to take the current vacant PT Mechanic Position and convert it to the requested Administrative Assistant role for this division following the change of Shop/Fleet no longer falling under Public Works and its subsequent addition to Division of IT/Facilities/OEM that took place at the end of FY 23.

Amendment 2: New Positions *(Exhibit A)*
(Formerly Amendment 3)

Public Relations Specialist and Public Relations Clerk will replace the Public Relations Specialist position held by J. Prichett prior to him ascending to Deputy City Manager. The two (2) positions are intended to strengthen the City's communication efforts both internally and externally, fostering better engagement with the community as part of our Communications Plan. An additional \$17,000 will be needed to fund these two positions and efficiency in the area of Advertising/Promotions city-wide from various accounts as well as cost savings from vacancies in various departments in line with the needs of this requested amendment will be pulled accordingly to cover this additional expense.

Amendment 3: New Position *(Exhibit A)*
(Formerly Amendment 4)

Project Coordinator (Utility- Funded); will coordinate various projects to enhance utility services and infrastructure. This position will be fully funded by the Utility Fund. Savings represented through efficiency and cost savings on Utility Fund side will allow for absorption of this expense. This position was approved in FY 23 but then frozen to commence FY 24. We are hereby requesting to fund this position moving forward as part of this budget amendment.

Amendment 4: New Position *(Exhibit A)*
(Formerly Amendment 5)

Grant Administrator (Utility- Funded); manages grants and ensures compliance with funding requirements to support various funds and departmental projects. This position will be fully funded by the Utility Fund. Savings represented through efficiency and cost savings on Utility Fund side will allow for absorption of this expense. This position was approved in FY 23 but then frozen to commence FY 23. We are hereby requesting to fund this position moving forward part of this budget amendment.

Amendment 5: New Position (\$300,000 funded via BJA FY23 Rural and Small Department Violent Crime Reduction program) *(Exhibit A)*
(Formerly Amendment 6)

Crime Analyst (Grant- Funded); focuses on analyzing crime data to support law enforcement efforts. This position, fringe benefits (taxes, insurance, retirement, etc.) as well as other annual expenses through partnerships with other social service providing organizations as listed in the funded grant will amount to \$100,000 per year over the course of three (3) years.

Amendment 6: Position Title Change *(Exhibit B)*
(Formerly Amendment 7)

HR Coordinator to HR Manager (No funding changes). Renaming the HR Coordinator position to HR Manager will better align with the expanded responsibilities within the Human Resources department with no changes in funding. This position will now have direct responsibility over the requested change above from City Receptionist to HR Clerk.

Amendment 7: Position Title Change & Change of Department *(Exhibit B)*
(Formerly Amendment 8)

Meter Readers to Utility Technicians (No funding changes). Changing the title from Meter Readers to Utility Technicians aims to provide a more accurate depiction of the role, extending beyond traditional meter reading including install, troubleshooting, and repair of current smart meters being replaced city wide. The introduction of Smart meters allows for the reallocation of time towards undertaking supplementary responsibilities including regular inspections of meters with irregular readings or alleged leaks thus providing better customer service and efficiency by this division. Further, the two current positions will change supervision as part of this change and their budget impact will go from Utility Accounting (Dept. 21) to Utility Lines (Dept. 22).

Amendment 8: Moving FT Permit Tech *(Exhibit B)*
(Formerly Amendment 11)

This position was intended to transition to be under Code Enforcement. When the transition occurred moving Code from Development Services to reside under the auspice of the Fire Department, this is our next opportunity to formally take this action.

Conclusion:

These proposed changes underscore our commitment to enhancing efficiency, service delivery, and community engagement. The overall impact to the City's Fund Balance is approximately \$100,000.



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Christine Turner

Department: Finance

Agenda Item: 7.III.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Amending the City of La Marque 2023-2024 budget by allocating American Rescue Plan Act (ARPA) funds

THIS ITEM WAS TABLED 03.11.2024

STAFF BRIEFING:

Among the funds distributed to various agencies, the City of La Marque received \$4,255,698. Proposed allotments are up for discussion, aiming to authorize the City Manager to allocate and utilize ARPA funds, according to ARPA guidelines, the total sum of \$4,255,698 which must be fully committed by the conclusion of 2024 and fully expended by 2026.

HISTORY:

FISCAL IMPACT:

none.

ORDINANCE NO. O-2024-XXXX

AN ORDINANCE AMENDING THE CITY OF LA MARQUE 2023-2024 BUDGET BY ALLOCATING AMERICAN RESCUE PLAN ACT (ARPA) FUNDS BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS:

Section 1. That the City La Marque 2023-2024 Fiscal Year Budget is hereby amended by allocation of American Rescue Plan Act (ARPA) funds and increasing/decreasing various fund balances as set forth in the Exhibit “A” attached hereto and made a part hereof.

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

PASSED AND APPROVED by City Council of the City of La Marque, Texas, on this the first reading this the ____ day of _____, 2024.

PASSED, APPROVED and ADOPTED by City Council of the City of La Marque, Texas, on this the second and final reading this the ____ day of _____, 2024.

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra Nance, City Clerk

APPROVED AS TO FORM:

Gus Knebel, City Attorney

City of La Marque
Fiscal Year 2024
ARPA Allocations
1st Reading

The American Rescue Plan (2021) swiftly delivered direct economic aid to American workers, families, small businesses, and industries. Building upon the initiatives initiated by the CARES Act (2020) and Consolidated Appropriations Act (2021), the American Rescue Plan introduces new phases, allocations, and guidelines to tackle issues stemming from the ongoing COVID-19 pandemic. Additionally, it introduces several novel programs aimed at addressing persistent pandemic-related challenges and financing recovery endeavors as the United States navigates its way out of the COVID-19 crisis.

Among the funds distributed to various agencies, the City of La Marque received \$4,255,698. Proposed allotments are up for discussion, aiming to authorize the City Manager to allocate and utilize all funds prior to the end of the calendar year in 2026. According to ARPA guidelines, the total sum of \$4,255,698 must be committed by the conclusion of 2024 and fully expended by 2026.

Exhibit A elaborates on the departmental allocations along with their respective totals.

Exhibit A

ARPA Allocations

ARPA Allocations

ARPA Allocations		Initial Estimated Amount	Estimated Expense FY	Final Estimated Amount
Dept	Pending Expenditures/Encumbrances			
PD	Outfitting Police Cars	\$ 100,000.00		\$ -
PD	Police Software	\$ 244,000.00		\$ -
PD	Digitizing PD Records	\$ 75,000.00		\$ -
PD	Police Station Construction	\$ 1,000,000.00	FY 26	\$ 500,000.00
PD	Flock Cameras	\$ 120,000.00	FY 24	\$ 120,000.00
PD	Crime/Lock Hide Signage	\$ 6,000.00		\$ -
	Police Dept Total			\$ 620,000.00
Library	15 Passenger Van	\$ 50,000.00		\$ -
Library	Recreation Trailer	\$ 20,000.00		\$ -
	Library Total			\$ -
PW	Street Repair	\$ 1,000,000.00	FY 24	\$ 75,000.00
PW	Remove Fleet Center Gas Tank	\$ 60,000.00		
PW	Remove Stonewall Ground Storage Tank	\$ 150,000.00		
PW	Remove Bayou Rd. Ground Storage Tank	\$ 250,000.00		
PW	Remove 2004 Ground Storage Tank	\$ 100,000.00		
PW	Mosquito Truck	\$ 15,000.00		\$ -
PW	Pothole Trailer	\$ 105,000.00	FY 24	\$ 105,000.00
PW	Asphalt Zipper	\$ 250,000.00	FY 24	\$ 50,000.00
PW	Water/Sewer Repair	\$ 1,000,000.00	FY 25	\$ 1,000,000.00
PW	GLO Grant Matches	\$ 560,000.00	FY 26	\$ 560,000.00
PW	Skid Steer	\$ 75,000.00	FY 24	\$ 75,000.00
PW	Asphalt Roller	\$ 60,000.00	FY 24	\$ 60,000.00
PW	Stormwater Repairs	\$ 440,000.00		\$ -
PW	Parks Improvements/Fencing	\$ 500,000.00		\$ -
PW	Excavator	\$ 175,000.00	FY 24	\$ 175,000.00
PW	Streetlight Conversion/Addition	\$ 275,000.00	FY 25	\$ 164,698.37
PW	Service Center	\$ 350,000.00	FY 25	\$ 275,000.00
PW	Concrete Saw	\$ 15,000.00	FY 24	\$ 15,000.00
PW	Sidewalk Repair	\$ 100,000.00	FY 24	\$ 50,000.00
	Public Works Total			\$ 2,604,698.37
FD	Jaws of Life	\$ 135,000.00	FY 24	\$ 135,000.00
FD	Ambulance Remounts	\$ 290,000.00	FY 24	\$ 178,000.00
FD	Fire Radios	\$ 25,000.00		\$ -
FD	Life Pak / City Facility AED's	\$ 90,000.00	FY 25	\$ 90,000.00
FD	Stretcher	\$ 30,000.00	FY 24	\$ 30,000.00
FD	Thermal Imagers	\$ 65,000.00	FY 25	\$ 65,000.00
	Fire Department Total			\$ 498,000.00
Admin	Digitizing Records	\$ 50,000.00		
Admin	HR, Finance, UB, & Admin Software	\$ 200,000.00	FY 25	\$ 485,000.00
	Administration Total			\$ 485,000.00
UB	Water Usage Client Software	\$ 48,000.00	FY 25	\$ 48,000.00
UB	Kiosks	\$ 47,856.00		\$ -
	Utility Billing Total			\$ 48,000.00
		\$ 8,075,856.00		\$ 4,255,698.37

FY 24	\$ 1,068,000.00
FY 25	\$ 2,127,698.37
FY 26	\$ 1,060,000.00
	<u>\$ 4,255,698.37</u>



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Kathleen Van Stavern

Department: Development Services

Agenda Item: 8.I.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Amending the City's Zoning Map and Comprehensive Plan by changing the zoning district for a tract of land identified as Galveston County Central Appraisal District Parcel IDs 131373 and 131374 located near FM 519 and east of Newman Road

STAFF BRIEFING:

February 27, 2024 P & Z recommended approval of PDD to City Council

HISTORY:

January 23, 2024 Planning & Zoning tabled item until February 27, 2024

February 27, 2024 Planning & Zoning Recommended approval of Rezone to PDD

FISCAL IMPACT:

N/A

ORDINANCE NO. O-2024

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS AMENDING THE CITY’S ZONING MAP AND COMPREHENSIVE PLAN BY CHANGING THE ZONING DISTRICT FOR A TRACT OF LAND IDENTIFIED AS GALVESTON COUNTY CENTRAL APPRAISAL DISTRICT PARCEL IDS 131373 AND 131374 LOCATED NEAR FM 519 AND EAST OF NEWMAN ROAD; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION; PROVIDING AN EFFECTIVE DATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, The Owner of a tract of land identified as Galveston County Central Appraisal District Parcel IDs 131373 and 131374 and described by metes and bounds on the attached Exhibit 1 (the Property”) submitted an application for a Planned Development to deviate from the standards of the base zoning district.

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. That the findings and recitations set out in the preamble of this Ordinance are found to be true and correct.

Section 2. The Owner of the Property is granted a Planned Development district on the Property.

Section 3 The Planned Development district is subject to the same requirements as developments in the R-1 Single-Family Residential Zoning District except as set out in the Rezone Application, Planned Development District application and attached to this Ordinance.

Section 4. The development shall conform to the site plan and design details included with the Rezone Application, Planned Development District application and attached to this Ordinance.

Section 5. The City’s Comprehensive Plan and Zoning Map are amended in accordance with this Ordinance.

Section 6. Nothing in this Ordinance waives or modifies any City Code requirement unless specifically referenced in the Rezone Application, Planned Development District application and attached to this Ordinance.

Section 7. As provided in Section 71-3 of the City Code, any person who violates any provision of this Ordinance or who fails to comply with any of the requirements herein, or who shall erect or alter any building, or who shall commence to erect or alter any building in violation of any detailed statement of plan submitted or approved thereunder, shall for each violation or noncompliance be deemed guilty of a misdemeanor, and upon conviction, shall be fined as provided in section 1-7 of the City Code. The owner of the 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 8. This Ordinance shall be effective immediately upon adoption on second and final reading after publication and hearing as provided in the La Marque City Charter and publication in accordance with applicable law.

Section 9. This Ordinance is intended to be cumulative and shall not repeal any previous ordinance except as provided herein.

Section 10. 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.

.PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on First Reading this ____ day of _____, 2024; and

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on Second and Final Reading this ____ day of _____, **2024**; 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

"Gateway to the Gulf"

1130 1st St., La Marque, TX 77568

409-938-9219 Permits@CityofLaMarque.org

Rezone Application

Application Date: October 6, 2023 Smart Gov Project # PZ2023-028

Name of Agent: Brad Sweitzer - EHRA Engineering Phone: 713-337-7493

Address: 10011 Meadowglen Lane City: Houston Zip Code: 77042

Name of Owner: G 46 LLC Phone: 512-767-0622

Address: 3571 Far West Boulevard City: Austin Zip Code: 78731

Property Legal Description: ABST 2 SF AUSTIN SUR TRACT 238 & 239 Parcel ID #: 131373 & 131374

Property Address: South of F.M. 519 and east of Newman Road

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: The reason for the zone change is to provide means for development to occur in an orderly and responsible manner by establishing guidelines that ensure quality development.

Desired Outcome: The desired outcome is to create a Planned Development District.

APPLICATION CHECKLIST:

- ☐ DIGITAL 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 (1 DIGITAL COPY THAT IS 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: 01 / 23 / 2024

Approved: _____ Denied: _____ Other: ☒

Comments: TABLED UNTIL FEB 27, 2024

APPLICANTS CERTIFICATE

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

Signature of Applicant: BSA Date: 10/6/23

1130 1st Street, La Marque, Texas 77568

P: 409-938-9219 permits@cityoflamarque.org

**46-Acre F.M. 519 Tract
Planned Development District
City of La Marque**

**Submitted
October 6, 2023**



10011 Meadowglen Ln.
Houston, Texas 77042
EHRAinc.com | 713.784.4500
TBPE No. F-726 | TBPLS No. 10092300



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I. INTRODUCTION

A. Summary

The Planned Development District ("PD") establishes comprehensive guidance and regulations for the "46-Acre F.M. 519 Tract," ("Project"), comprised of +/- 46 acres, as depicted in Figure 1 – Subject Tract.

The intent of this document is to provide a means by which development may occur in an orderly and responsible manner by establishing guidelines that ensure quality development and specifically address the goals of both the City of La Marque ("City") and the developer. While the Project is currently known as "46-Acre FM 519 Tract", this name will change in the future.

B. Project Location

The Project is located south of F.M. 519, east of Newman Road, and is entirely within the corporate jurisdiction of the City of La Marque.

C. Existing Zoning

As shown in Figure 2 – Existing Zoning Map, the property is currently zoned as District R-1, Single-Family Residential. This PD shall replace and supersede zoning and other City regulations in conflict with the PD.

D. Surrounding Land Use

A majority of the properties surrounding the Project are residential. The Alexander Duroux subdivision lies to the east and an unrecorded subdivision known as "Lone Pine" lies to the west. To the north, across F.M. 519, are large single-family lots. Highland Bayou lies to the south.

E. Existing Site Conditions

Most of the site is an open pasture consisting of scrub vegetation. The property is generally flat with a gentle slope to Highland Bayou in the southern portion of the property. Highland Bayou is situated just south of the property boundary and continues to flow southeast into Galveston Bay. A Texaco pipeline easement runs east to west across the central portion of the tract. A single, unidentified, primitive burial site is located in the southeastern portion of the property and will be undisturbed by the development of the Project. A drill site once existed on the property, but the well was plugged and capped in the 1990s.

II. DEVELOPMENT PLAN

A. Purpose & Intent

The purpose of the PD is to clarify planning considerations and guide implementation of the vision for the community. The primary goal of the project is to create single-family lots to serve existing and future residents of La Marque and to establish a strong community character and sense of place.

B. Proposed Uses & Densities

Single Family (SF) – This category provides for the development of detached, single-family dwelling units. Single Family homes shall have a minimum lot width of 50 feet and a minimum lot area of 6,000 square feet.

Parks & Open Space (P&OS) – This category is intended to provide for the development of recreation, open space areas, landscape buffers, and stormwater mitigation areas within the community.

TABLE 1 Land Use		
Land Use	Gross Acres	%
Single Family (SF)	28 Ac.	60%
Parks & Open Space (P&OS)	18 Ac.	40%
Totals	46 Ac.	100%

Figure 3 – Preliminary Land Use Plan depicts the Proposed locations of these land uses. Land uses may be relocated within the boundaries of the PUD. The City will be notified of any changes to the Preliminary Land Use Plan.

The P&OS gross acreage may increase without further approval from the Planning & Zoning Commission but may not decrease to less than 40%.

The project density shall not exceed 3.0 units per gross acre. At a gross acreage of +/- 46, this would result in a maximum of 138 allowed units.

C. Transportation

The proposed circulation system for the Project is designed to meet the mobility needs of the development. The Project has access to F.M. 519 to the north and Newman Road to the west and will include an access point to both roads. It is neither practical nor desirable to provide a stub street connection to the Alexander Duroux subdivision to the east as there is existing single family development along the entirety of the eastern project boundary.

1. Street Design Criteria

Local Streets: Local streets within the Project shall have a minimum right-of-way of 60 feet and a standard paving section of 28 feet, measured from back of curb to back of curb.

Cul-de-sacs: Cul-de-sacs within residential areas shall be measured along the centerline of the street from the nearest intersecting street to the centerline of the terminus bulb. Cul-de-sac streets shall be no longer than 600 feet in length.

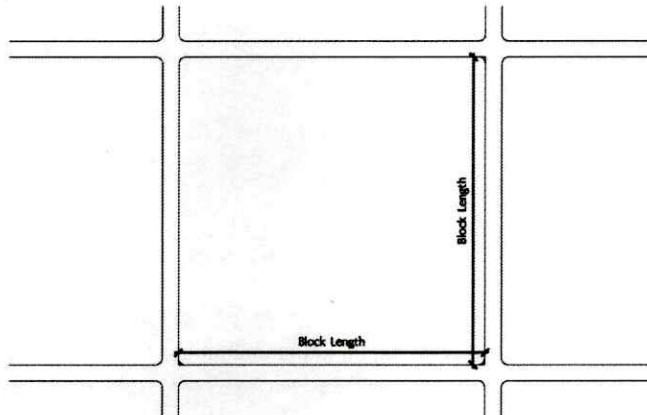
A cul-de-sac turnaround shall have a right-of-way radius of 50 feet.

Intersections: Intersections shall be spaced at a minimum of 125 feet apart, as measured from centerline to centerline.

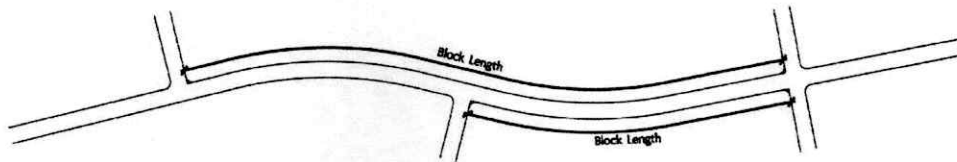
Streets shall be designed to intersect as nearly as possible to right angles and no street shall intersect any other street at less than 80 degrees. Right-of-way lines at intersections shall transition with a 15-foot minimum radius curve.

Curves: Street centerline curves shall have a minimum radius of 300 feet. Reverse curves shall be separated by a tangent distance of not less than 50 feet. This standard shall not apply to "L type" intersections. These types of intersections shall have a minimum centerline radius of 50 feet.

Block Length: Local streets shall have a maximum block length of 1,400 feet. Block length shall be measured between intersections (including "L type" intersections) from edge of right-of-way to edge of right-of-way.



Traditional Block Length Measurement



Curvilinear Block Length Measurement

Points of Access: Two points of access shall be required at Project build-out.

Lot Frontage: Each lot shall have frontage on a local street.

2. Street Sidewalks

Five-foot-wide sidewalks shall be provided on both sides of the local streets. Generally, sidewalks should be constructed within the right-of-way. Sidewalks adjacent to open space areas may meander between the right-of-way and open space when desired.

D. Parks & Open Space

The Parks & Open Space land use (P&OS) shall comprise at least 40% of the gross acreage of the Project.

1. Open Space

Open Space shall include landscape buffers and stormwater mitigation areas, provided that stormwater mitigation areas are amenitized to provide active or passive recreational uses. Open Space encumbered by pipeline or drainage easements shall not count towards the required 40% gross acreage of the Project.

2. Parks

A minimum of a 1/2 acre shall be provided as public or private parks and shall include additional man-made improvements such as sidewalks, benches, playgrounds, or shelters.

Figure 4 – Parks and Open Space plan identifies the proposed locations and amenities of parks within the Project but is preliminary and subject to change.

E. Infrastructure

1. Municipal Utility District

The Project will be located within Galveston County Municipal Utility District No. 68. The City shall be responsible for providing the Project with water and sanitary sewer service.

2. Storm Drainage & Detention System

The developer has previously met with Galveston County Drainage District No. 2 and the drainage district stated that no detention is needed for development. The floodplain on the property is coastal floodplain and all stormwater will directly outfall to Highland Bayou. A stormwater mitigation area will be provided in the open space area at the south of the property. A memo will be provided by the project engineer attesting to the understanding that no detention is required for the site per the drainage district prior to the first preliminary plat submittal. Furthermore, per the drainage district's request, a 30-foot-wide strip adjacent to the Highland Bayou will be dedicated to the drainage district.

3. Homeowner's Association

A Homeowner's Association (HOA) will be provided to promote community involvement, maintain common areas, and enforce deed restrictions and covenants. The City of La Marque will in no way be responsible for the enforcement of these private covenants.

III. DEVELOPMENT REGULATIONS

A. General Provisions

1. Applicability

The regulations contained herein shall apply to all property located within the boundaries of the Property. Appendix 1 contains the metes and bounds description of the Property.

All construction and development within the PD area shall comply with applicable provisions of the City's codes and ordinances as they exist on the date of adoption of this PD and the laws of the State of Texas, except as modified within the amended PD.

If specific development standards are not established or if an issue, condition, or situation arises or occurs that is not clearly addressed or understandable in the PD, then those regulations and standards of the City's codes and ordinances that are applicable for the most similar issue, condition, or situation shall apply as determined by the City's Designated Official. Appeal of any determination regarding applicability may be made to Planning & Zoning Commission.

This PD may be amended by the same procedure as it was adopted, by ordinance. Each amendment shall include all sections or portions of the PD that are affected by the change.

2. Additional Uses

If a proposed use has not specifically been listed as being a permitted use in a particular land use category within the PD, it shall be the duty of the City's Designated Official to determine if said use is: 1) consistent with the intent of the zone; and 2) compatible with other listed permitted uses.

3. Non-Conforming Land Uses

Where, at the adoption of this PD, a lawful use of land exists which would not be permitted by the regulations imposed by this PD, such use may continue so long as it remains otherwise lawful, provided:

- No non-conforming use shall be enlarged, increased, or extended to occupy a greater area of land than was originally occupied at the date of adoption of this PD.
- No non-conforming use shall be moved, in whole or in part, to any lot or parcel within the PD.
- If any non-conforming use ceases for a period of more than 180 days, any subsequent use of the land shall conform to the regulations established by this PD.
- No additional structures shall be erected in connection with any non-conforming use that does not conform to the regulations established by this PD.

4. Non-Conforming Land Structures

Where, at the adoption of this PD, a lawful structure exists which would not be permitted by the regulations imposed by this PD, such structure may continue to exist so long as it remains otherwise lawful, provided:

- No non-conforming structure shall be enlarged, increased, or extended beyond its size at the date of adoption of this PD.
- In the event that any non-conforming structure or non-conforming portion of a structure is destroyed by any means to an extent of more than 50 percent of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the regulations established by this PD.
- No non-conforming structure shall be moved, in whole or in part, to any lot or parcel within the PD.

5. Existing Utilities

Existing utilities and all uses allowed by existing easements shall continue to be permitted in all designations within the PD.

6. General Plan

If the Project is phased, a General Plan illustrating all contiguous property under one ownership shall be submitted for approval of the City Council prior to the application for the first preliminary plat. The General Plan shall show the proposed road layout, parks, open space, drainage easements, and stormwater mitigation areas.

Preliminary plats shall be required for each section of development except for minor plats as defined by state law.

Preliminary plats should generally conform to the General Plan. Any major revisions, as determined by the City Administrator, shall require the submittal of a revised General Plan for approval by the City Council.

7. Temporary Uses

Temporary uses conducted in connection with the development of the property shall not require zoning permits from the City, but will require health and safety permits (electrical, plumbing, structural, HVAC, etc.). All temporary uses must be approved by the developer or the Architectural Review Committee. These uses may include, but are not limited to:

- Sales office
- Construction office
- Construction/storage yards
- Construction roads
- Fencing
- Water pumps and ponds

B. Development Standards

1. Single Family (SF)

Purpose: The Single Family category provides for the development of detached, single-family dwelling units. Single Family homes shall have a minimum lot width of 50 feet and a minimum lot area of 6,000 square feet.

TABLE 2	
Single Family Lot Requirements	
<i>Min. Lot Area</i>	6,000 square feet
<i>Min. Lot Width</i>	50 feet at the lesser of the front or rear setback line
<i>Min Lot Depth</i>	120 feet*
<i>Max. Lot Coverage</i>	75%
<i>Max. Building Height</i>	35 feet
<i>Min. Setbacks</i>	Front: 20 feet Rear: 10 feet Side: 5 feet Corner: 10 feet
*There shall be no minimum lot depth for lots that front on a cul-de-sac or knuckle, provided that lots meet the minimum lot area.	

Permitted Uses: Accessory structures

Community centers

Drill sites

Entry features and monuments

Institutional uses

Minor utilities

Open space

Parks

Recreational facilities

Single family

2. Parks & Open Space (P&OS)

Purpose: The Parks & Open Space category is intended to provide for the development of recreation, open space areas, landscape buffers, and stormwater mitigation areas within the community.

TABLE 3 P&OS Lot Requirements	
<i>Min. Lot Area</i>	N/A
<i>Min. Lot Width</i>	N/A
<i>Min Lot Depth</i>	N/A
<i>Max. Lot Coverage</i>	N/A
<i>Max. Building Height</i>	N/A
<i>Min. Setbacks</i>	10 feet*
*A 25-foot setback shall be required for any habitable structures.	

Permitted Uses: Drill site

Entry features and monuments
Institutional uses
Minor utilities
Open space
Parks
Public assembly
Public facilities, excluding major utilities
Recreational facilities
Temporary uses

3. Parking

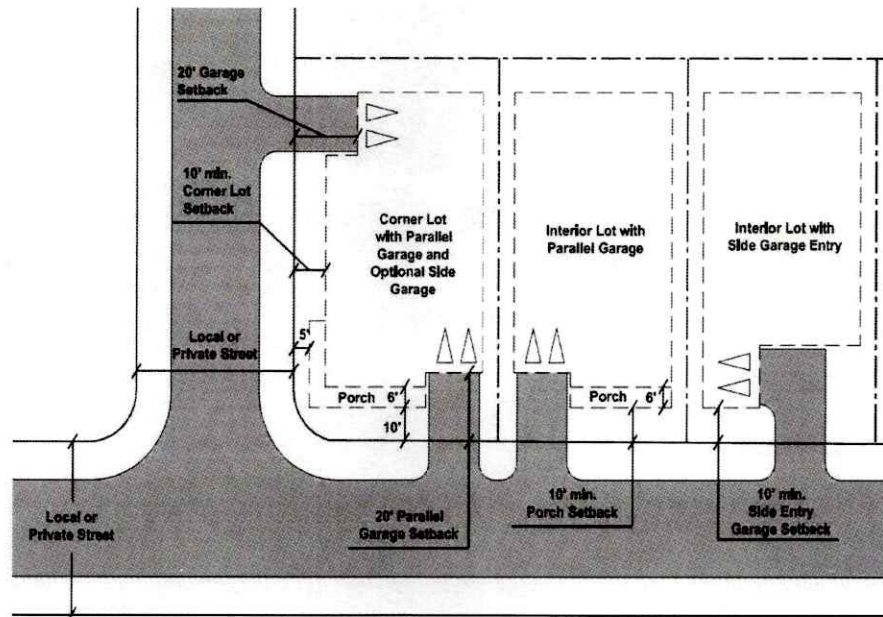
All parking within the Project will be subject to the standards established in the Zoning Ordinance Sec. 71-22 Parking Space Regulations (Appendix 3). Therefore, two off-street parking spaces shall be provided per dwelling unit.

4. Building Setback Encroachments

For all Single Family lots, porches may encroach into the front setback up to ten feet, provided they have a minimum depth of six feet. On corner lots, porches may encroach into the side setback up to five feet, provided they have a minimum depth of six feet. Where garages face directly onto a street with the garage door parallel to the street, the garage must meet the minimum setback requirement. Side-entry garages where the garage door is perpendicular to the street may be set back a minimum of ten feet.

One-story accessory structures may be set back three feet from the rear or side property lines if they do not encroach into any utility easement. Accessory structures greater than one story in height must comply with the minimum setback requirements.

Architectural features may encroach into the setback area a maximum of three feet and may not extend more than five feet above the principal structure.



5. Definitions

Accessory structure – any above ground structure that is (1) incidental to and customarily associated with the main structure on the site, and (2) located on the same lot as the principal building. Accessory structures may include, but are not limited to detached garages and gazebos, but does not include utility or storage sheds.

Active recreational use – Recreational activities that require facilities such as sports fields or pavilions

Architectural feature – an ornamentation or decorative feature attached to or protruding from the exterior wall of a building. Architectural features may include, but are not limited to windows (e.g. bay windows), chimneys, columns, awnings, marquees, façade, or facia.

Block length – the distance measured along a street between two intersecting streets.

Building – a structure used for or supporting any use or occupancy that requires a building permit.

Council – Shall mean the City Council of the City.

Cul-de-sac - Any street with only one outlet that terminates in a vehicular turnaround.

Designated Official – The individual authorized by the City to provide direction and oversight and personally perform duties related to a comprehensive program to protect the health and safety of citizens and the quality of life by ensuring that planning activities meet appropriate codes, standards, and city ordinances.

Detached housing – A site-built building containing only one dwelling unit.

Drill site – A tract of land designated for the purpose of extracting oil or gas comprising a "spacing unit" or "proration unit" as determined by the State Railroad Commission.

Dwelling unit – Any building or portion thereof which is designed or used exclusively for residential purposes.

Entry features – Primary points of vehicular entry into the property that are enhanced with landscaping, water features, architectural treatments, and lighting.

Front loaded – Any dwelling unit that takes vehicular access from the street on which it fronts.

Frontage – Frontage shall mean that portion of any lot or tract that abuts a street or approved common area. A lot or tract abutting more than one street shall have frontage on only one street which shall be deemed to be the side having the shortest dimension unless otherwise indicated on the subdivision plat.

Gross acreage – Gross acreage shall mean the total area of land inclusive of all encumbrances, including, but not limited to rights-of-way, drainage ways, pipeline and utility easements, detention facilities, parks and open space areas.

Gross density – A measurement of density based on the calculation of the total gross acres within a subdivided area divided by the total number of dwelling units within that area.

Homeowner's Association (HOA) – A non-profit corporation, established for the purpose of managing and maintaining community property and services within a subdivision. All residential property owners within the subdivision shall be a member of the HOA for that subdivision.

Institutional use – A use designated for public facilities including, but not limited to major and minor utilities, public safety sites, libraries, schools (both public and private) and other civic uses.

Knuckle – The projection toward the outside corner of a bend in the right-of-way of that allows for adequate turning movements for emergency and other vehicles.

Landscaping – Planting and related improvements for the purpose of beautifying and enhancing a portion of land and for the control of erosion and the reduction of glare, dust and noise. Rocks and/or gravel, by itself shall not constitute landscaping.

Local street - A public street that conforms to the criteria established in this PD.

Lot – An undivided tract of land having frontage on a public or private street which is designated as a separate and distinct tract and identified by numerical identification on a duly and properly recorded subdivision plat.

Major utility – Uses or structures providing utility services that have a potential major impact by virtue of appearance, noise, size, traffic generation or other operational characteristics, which include, but are not limited to, transmission

substations, wastewater treatment facilities, water reservoirs and pump stations, and power plants. This use does not include private individual water supplies or septic tanks. See Minor Utilities.

Minor utility – Small scale facilities that are necessary to support development and that involve only minor structures. Minor utilities include but are not limited to facilities such as power lines, water and sewer lines, wastewater lift stations, storm drainage facilities, transformers, hydrants, switching boxes and similar structures.

Neighborhood – A collection of compatible subdivisions.

Open space – A portion of land designated as open space on the Preliminary Land Use Plan. Open space areas may include pipeline and utility easements, drainage ways, and wet and dry detention areas.

Overall project – The approximately 46 acres of land that constitutes the entire 46-Acre F.M. 519 Tract project.

Passive recreational use – Recreational activities that do not require facilities such as sports fields or pavilions

Private – Elements of the development that are not intended for public use and are operated and maintained by a private entity.

Project – The approximately 46 acres of land which is the subject of this PD, the legal description of which is contained in the appendix of this document.

Property Owner's Association (POA) – A non-profit corporation, established for the purpose of managing and maintaining community property and services within a commercial development.

Public facilities – Any non-commercial land use (whether publicly or privately owned) which is to be used and/or allocated for the general good of the public. These uses include, but are not limited to governmental offices, libraries, parks, and major and minor utilities.

Public safety site – A tract of land containing a building or structure that is designated for police, fire, or emergency services.

Public utilities – Any utilities that are provided by the city, county, or municipal utility district which may include, but are not limited to water and wastewater.

Recreational facilities – Any structure or building intended for active recreational use. Recreational uses shall include, but are not limited to clubhouses, tennis courts, basketball courts, sports fields, pools, playground equipment, bleachers, etc.

Religious assembly – A building or group of buildings used or proposed to be used for conducting organized religious services and accessory uses directly associated with the use.

Retail – Retail sales of any article, substance, or commodity within a building or structure.

School (public or private) – An institution for the teaching of children or adults including primary and secondary schools, colleges, professional schools, art schools, trade schools, and similar facilities.

Subdivision – The division of a lot, tract, or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose of residential, industrial, office and business development or other uses.

Temporary use – Any use allowed for a specific period of time. A use that is not of a permanent nature.

Wastewater treatment facilities – Any facility used for the treatment of commercial and residential wastewater for sewer systems and for the reduction and handling of solids and gases removed from such wastes.

Water plant facilities – Any facility used for the collection, treatment, testing, storage, pumping, or distribution of water for a public water system.

IV. GENERAL ADMINISTRATION & AMENDMENTS

A. Purpose

This section establishes guidelines regarding the administration and future amendments to the PD.

B. Interpretation

The City's Designated Official shall be responsible for interpreting the provisions of the PD. Appeals to the Designated Official's interpretation shall be made to City Council within 30 days of the date of the interpretation.

C. Administrative Approval

Certain changes to the provisions may be made administratively by the City's Designated Official, provided such changes are consistent with the intent and general purpose of the PD and do not result in the reduction of open space to less than 40 percent within the project or exceed the maximum number of dwelling units permitted.

Decisions by the Designated Official regarding administrative changes shall be subject to appeal by the City Council. The following categories shall be considered administrative changes, but are not limited to:

- The addition of new information to the PD, including maps or text that do not change or affect any of the regulations or guidelines contained therein.
- Changes to the community infrastructure phasing and alignment, such as roads, drainage, water and sewer systems, excluding water and sewer plant locations.
- Changes in land use plan boundaries within the PD, division of areas or combinations of areas provided there is not a net loss of open space and no net increase in the total of units allowed.
- Changes or modifications in lot sizes and/or configuration, provided that the lots meet the minimum requirements established in the development standards for their respective land use.
- Changes to development regulations that are in the interest of the community and do not affect health or safety issues.
- Placement and/or construction of community identity or character features such as entry monuments, neighborhood signage, community art, mailboxes, etc.
- Relocation or modification of park sites.

- The determination that a use may be allowed which is not specifically listed as a permitted use but may be determined to be analogous and/or accessory to a permitted use as determined by the City's Designated Official.

The City's Designated Official shall have the authority to make a determination whether an administrative approval is appropriate regarding any situations or circumstances that are not specifically listed here.

D. Substantial Change

The PD may be substantially amended by the procedure outlined in the Zoning Ordinance Sec. 71-26 Amendments.

E. Fees

All fees associated with the entitlement process shall be assessed as indicated by the City's applicable fee schedule. All fees shall be fair and reasonable.

F. Additional Requirements

The developer shall utilize, or cause its contractors to utilize, Separated Building Materials and Labor Contracts for all taxable building material contracts related to the development in the amount of one thousand dollars (\$1,000.00) or more, to site payment of the sales tax on building materials for the development to the property.

Noncompliance of the PD will result in withholding of building permits within the boundaries of the PD.

Regardless of any other provision, no plat or building permit in the premises shall be approved until the City and the drainage district with jurisdiction of the premises have approved the drainage.

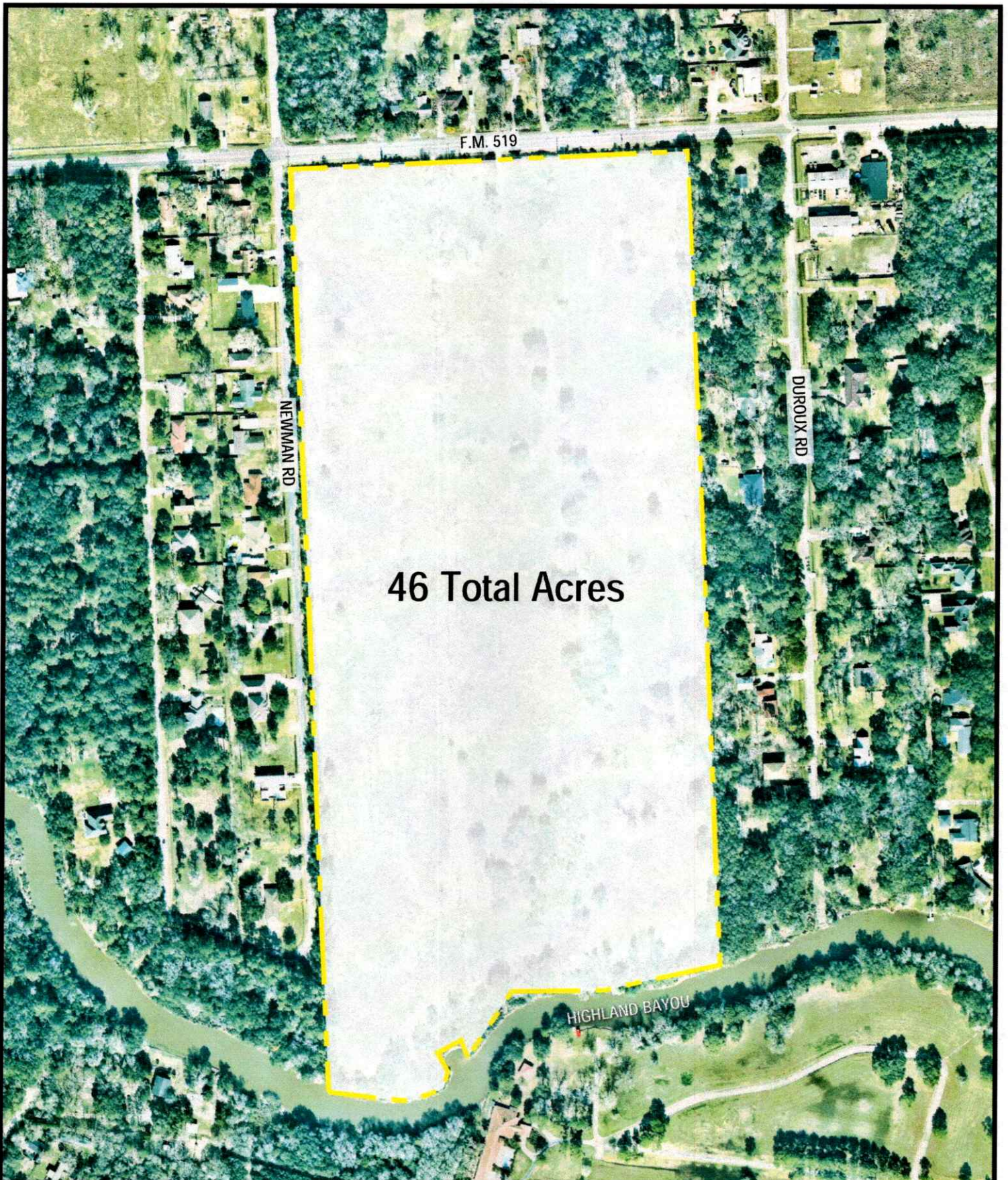


Figure 1: Subject Tract

46-Acre F.M. 519 Tract

0 75 150 300'
SCALE: 1" = 300'
TRUE SCALE AT 8.5" x 11"



ENGINEERING THE FUTURE
SINCE 1936

EHRA JOB NO.
231-052-00

10011 MEADOWGLEN LANE
HOUSTON, TEXAS 77042
713.784.4500
EHRA TEAM
TBPE No. F-726
TBPLS No. 10092300

No warranty or representation of
intended use, design or proposed
improvements are made herein. All
Plans for land or facilities are
subject to change without notice.

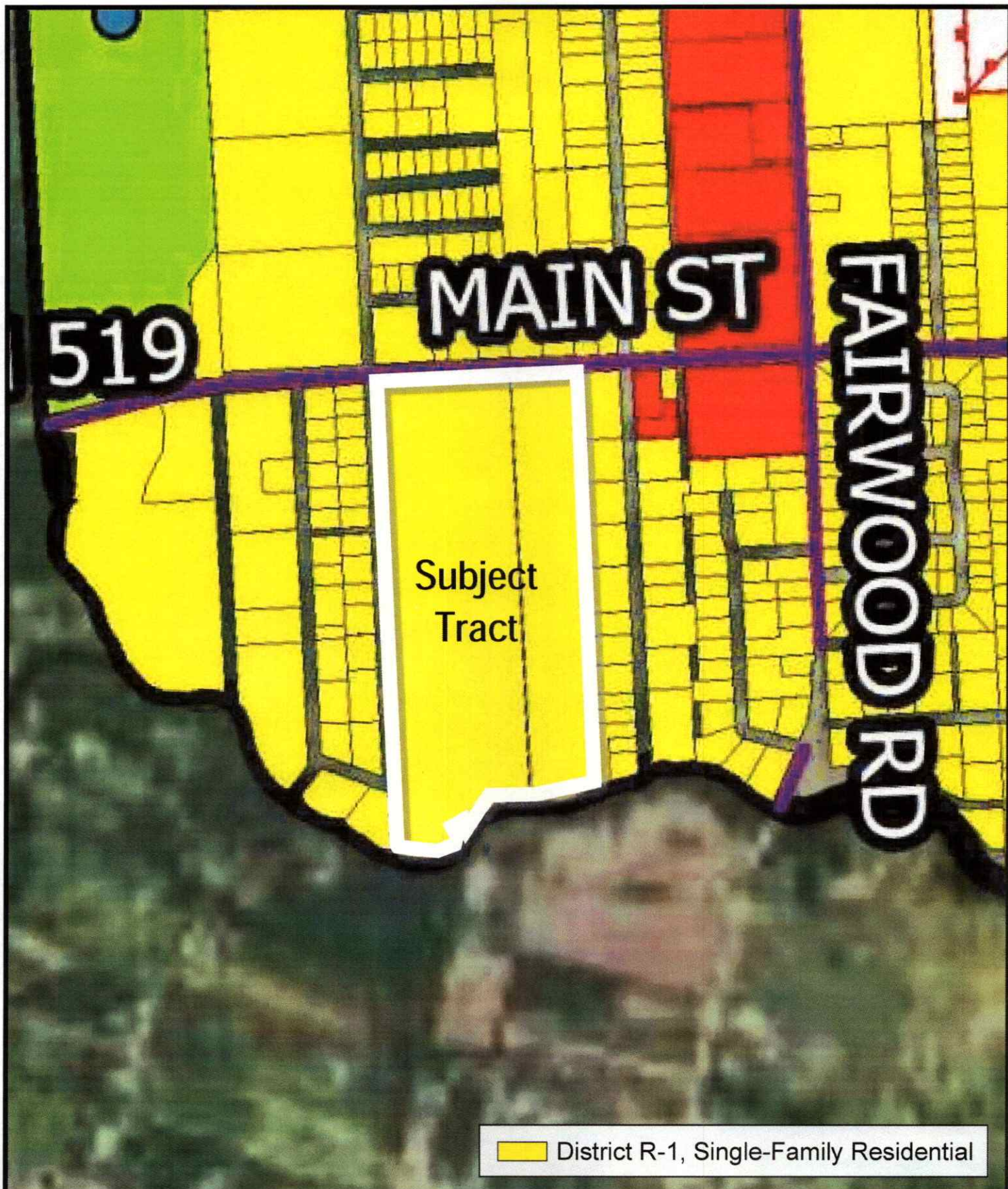


Figure 2: Existing Zoning Map

46-Acre F.M. 519 Tract

0 150' 300' 600'
SCALE: 1" = 600'
TRUE SCALE AT 8.5" x 11"



NORTH



EHRA JOB NO.
231-052-00

10011 MEADOWGLEN LANE
HOUSTON, TEXAS 77042
713.784.4500
EHRATEAM
TBPE No. F-726
TBPLS No. 10092300

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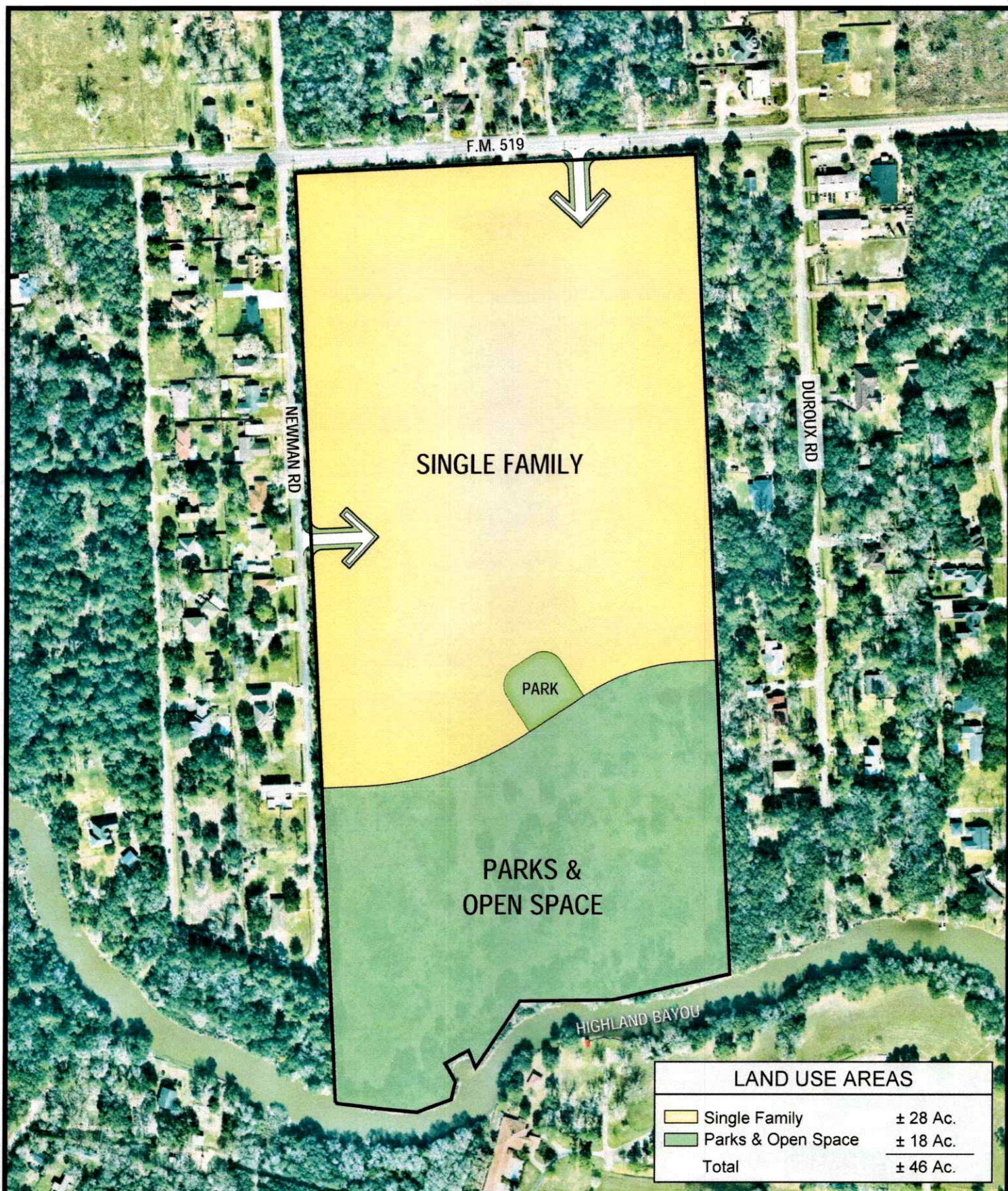


Figure 3: Preliminary Land Use Plan

46-Acre F.M. 519 Tract

0 75 150 300
SCALE: 1" = 300'
TRUE SCALE AT 8.5" x 11"



EHRA JOB NO.
231-052-00

10011 MEADOWGLEN LANE
HOUSTON, TEXAS 77042
713.784.4500
EHRATEAM
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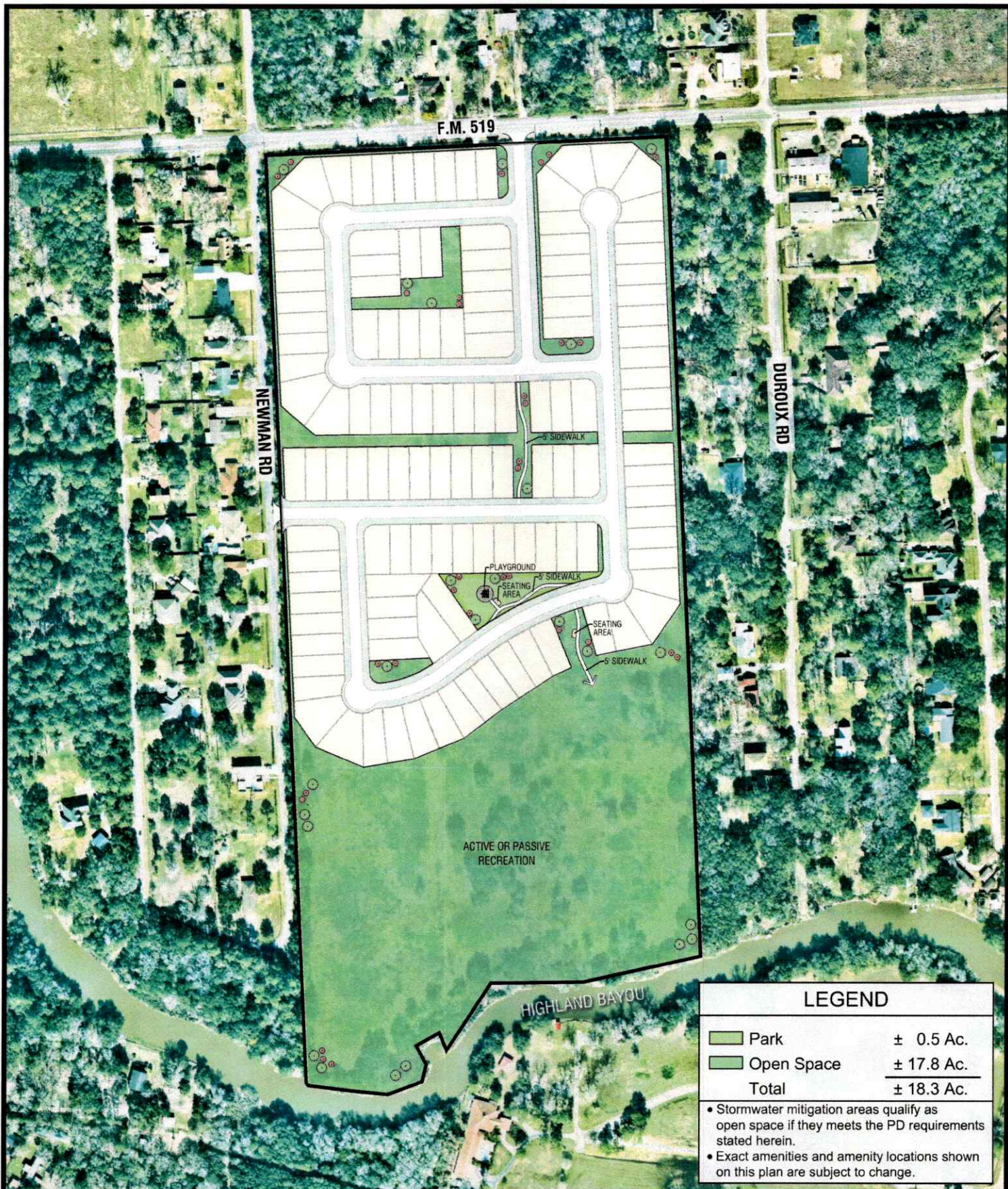


Figure 4: Parks & Open Space Plan

46-Acre F.M. 519 Tract

0 175 150' 300'
SCALE: 1" = 300'
TRUE SCALE AT 8.5" x 11"



EHRA

ENGINEERING THE FUTURE
SINCE 1936

EHRA JOB NO.
231-052-00

10011 MEADOWGLEN LANE
HOUSTON, TEXAS 77042
713.784.4500
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TBPE No. F-726
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No warranty or representation of intended use, design, or proposed improvements are made herein. All Plans for land or facilities are subject to change without notice.

P:\231-052-00\LandPlan\PD\Exhibits\For Exhibit Prep\Figure 4 - Parks & Open Space Plan.dwg Oct 06, 2023-2:13pm Edited by: BSweitzer

Appendix 1



TBPE No. F-726
TBPLS No. 10092300

46.333 ACRES

FIELD NOTES of a 46.333 acre tract of land situated in the S.F. Austin League, Survey No. 4, Abstract 2, Galveston County, Texas; said 46.333 acre tract of land being that same called 46.210 acre tract described in deed recorded in Galveston County Clerk's File Number (G.C.C.F. No.) 2021039805 and 2021039799; said 46.333 acre tract of land being more particularly described by metes and bounds as follows:

NOTE: All bearings are Lambert Grid bearings and all coordinates refer to the Texas State Plane Coordinate System, South Central Zone (#4204), as defined by article 21.071 of the Natural Resources Code of the State of Texas, 1983 Datum (2001 adjustment). All distances are actual distances. Scale factor = 0.99986695717.

BEGINNING at a 3/8-inch iron rod found for the Northwest corner of this tract of land and being in the Southerly right-of-way line of F.M. 519 (a.k.a. Main Street) (80 foot R.O.W.) and the Easterly right-of-way line of Newman Road (60 foot R.O.W.);

THENCE N 86°52'40" E with the North line of this tract of land and the Southerly right-of-way line of said F.M. 519, a distance of 964.14 feet to the Northeast corner of this tract of land and the Northwest corner of a tract of land described in deed to Santo Benitez, et.ux and recorded in G.C.C.F. No. 2016050860, from which a found 1/2-inch iron rod bears S 80°29'23" W, 1.96 feet;

THENCE S 02°35'22" E with the East line of this tract of land, at a distance of 324.60 feet pass a found 1/2-inch iron pipe, at a distance of 528.40 feet pass a found 1/4-inch iron pipe, at a distance of 732.20 feet pass a found 1/2-inch iron rod, at a distance of 936.00 feet pass a found 3/4-inch iron pipe, at a distance of 1,156.00 feet pass a found 3/4-inch iron pipe, at a distance of 1,266.00 feet pass a found 3/4-inch iron pipe, at a distance of 1,406.00 feet pass a found 3/4-inch iron pipe, at a distance of 1,686.00 feet pass a found 1/2-inch capped iron rod stamped "Survey 1", at a distance of 1,957.21 feet pass a found 5/8-inch iron rod N 87°24'38" E a distance of 1.12 feet, and continue a total distance of 1,975.02 feet to the Southeast corner of this tract of land and being in the Northerly line of Highland Bayou (water's edge as surveyed this day);

THENCE along the meanders of the Northerly line of Highland Bayou the following eleven (11) courses and distances;

S 77°33'08" W, a distance of 289.58 feet.

S 89°13'37" W, a distance of 222.05 feet.

S 33°24'31" W, a distance of 192.91 feet.

N 21°48'52" W, a distance of 45.74 feet.

S 60°15'42" W, a distance of 64.80 feet.



TBPE No. F-726
TBPLS No. 10092300

S 29°20'01" E, a distance of 51.10 feet.

S 13°28'37" W, a distance of 42.72 feet.

S 69°13'09" W, a distance of 88.30 feet.

N 84°31'45" W, a distance of 89.63 feet.

N 83°02'06" W, a distance of 103.24 feet.

N 36°44'24" W, a distance of 7.92 feet to the Southwest corner of this tract of land;

THENCE, N 02°40'03" W with the West line of this tract of land; at a distance of 258.26 feet pass a found 3/8-inch iron rod S 87°19'57" W, a distance of 0.39 feet, and continue with the West line of this tract of land and the Easterly right-of-way line of said Newman Road a total distance of 2,229.03 feet to the **PLACE OF BEGINNING**, containing within said boundaries a calculated area of 46.333 acres (2,018,283 sq.ft.) of land .

EDMINSTER, HINSHAW, RUSS & ASSOCIATES, INC. d/b/a/ EHRA

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

A. Munroe Kelsay
Texas Registration No. 5580
10011 Meadowglen Lane
Houston, Texas 77042
713-784-4500



Date: 08/31/2023
Job No: 231-052-00
File No: R:\2023\231-052-00\Docs\Description\Boundary\231-052-00_LTS(46.333 ac).docx

Appendix 2

LINE	BEARING	DISTANCE
1	S 89° 15' 00" E	1.0000
2	S 89° 15' 00" E	1.0000
3	S 89° 15' 00" E	1.0000
4	S 89° 15' 00" E	1.0000
5	S 89° 15' 00" E	1.0000
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98	S 89° 15' 00" E	1.0000
99	S 89° 15' 00" E	1.0000
100	S 89° 15' 00" E	1.0000

LEGEND	
CP	Capped Iron Rod
+	Iron Stake
+	Fire Hydrant
+	Found
+	Collection County Clerk's File Number
+	Collection County Clerk's File Number
+	Iron Rod
+	Iron Pipe
+	Plumbing Marker
+	Survey Pin
+	Point of Beginning
+	Right-of-Way
+	Safety End Treatment
+	Sign
+	Southwestern Bell Telephone
+	Telephone Pole
+	Volume
+	Water Valve
Top of Barn	
Base of Barn	
Chain Link Fence	
Born Wire Fence	
Overhead Power	
Reference	

GENERAL NOTES:

1. This survey was performed in connection with title report issued by Old Republic National Title Insurance Company, L.P. report under G.F. No. 23003990, effective date July 11, 2023, on issued date of July 11, 2023. No other research was performed by Edmister, Hershon, Russ and Associates, Inc.
2. All bearings are taken from bearings and all coordinates refer to the Texas State Plane Coordinate System, South Central Zone (FADN), as defined by article 21.071 of the Natural Resources Code of the State of Texas, 1983 Edition (2001 adjustment). Scale factor = 0.9999999977.
3. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Galveston County, Texas, Map No. 48187C04015, dated August 15, 2016, the subject property appears to be within Unshaded Zone "X", defined as area outside of 5:25 chance floodplain and within Zone "AE", defined as special flood hazard area inundated by 1% annual chance flood event, with base flood elevations determined. This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of Edmister, Hershon, Russ and Associates, Inc.
4. This survey does not determine the location of wetlands, flood lines, toxic waste or any other environmental issues.
5. Newly visible environmental/lifting signs located with this survey. No subsurface probing, excavation or exploration was performed by Edmister, Hershon, Russ and Associates, Inc.
6. Notes and bounds description of even date encumbrances this survey.
7. This survey does not address any oil, gas or mineral interest.
8. Surveyor found a 7' x 5' concrete structure with no defining markings (see picture) located within the burial ground cemetery as shown on boundary survey from Gulf Coast Engineering and Surveying dated 11-11-2003 and as referenced in Volume 578, Page 411 of the Dead Records of Galveston County, Texas.

TITLE COMMENTARY NOTE:

- Only those encumbrances and (b) information listed in Old Republic National Title Insurance Company, title report under G.F. No. 23003990, effective date July 11, 2023, on issued date of July 11, 2023, and related before were considered for this survey. No other research was performed by Edmister, Hershon, Russ and Associates, Inc.
- 101) Encumbrance to Community Public Service Company for electric transmission as recorded under Volume 578, Page 411 of the Galveston County Dead Records. - SUBJECT TO ENCUMBRANCE, not shown.
 - 102) Pipeline right-of-way easement in favor of Pan American Gas Company as recorded in Volume 547, Page 500 of the Galveston County Dead Records. - SUBJECT TO ENCUMBRANCE, not shown.
 - 103) Pipeline right-of-way easement in favor of Pan American Gas Company as recorded in Volume 545, Page 503 of the Galveston County Dead Records. - SUBJECT TO ENCUMBRANCE, not shown.
 - 104) Encumbrance granted to Southwestern Bell Telephone, L.P. 4/8/97 AT&T Texas as recorded in Galveston County Clerk's File No. 2007012188. - SUBJECT TO ENCUMBRANCE, not shown.

We, Edmister, Hershon, Russ & Associates, Inc. d/b/a CHRA acting by and through A. Marlene Kelley, a Texas Registered Professional Land Surveyor, hereby certify that this survey substantially complies with the current Texas Board of Professional Surveyors Standards and Specifications for a Category 1A, Contiguous Survey.

A. Marlene Kelley
Registered Professional Land Surveyor
Texas Registration No. 2500



3			
2			
1			
REV.	DESCRIPTION	BY	DATE
10011 MEADOWGLEN LN HOUSTON, TEXAS 77042 713-784-4500 EHRM TEAM TBPLS No. F-726 TBPLS No. 10092300			
LAND TITLE SURVEY OF 46.333 ACRES IN THE S.F. AUSTIN LEAGUE, SURVEY NO. 4, A-2, GALVESTON COUNTY, TEXAS			
DATE: JUL 31, 2023		SCALE: 1" = 100'	JOB NO.: 231-052-00
DWG. NAME: 231-052-00 L75.dwg			

Appendix 3

Sec. 71-22. Parking space regulations.

- (a) *Automobile parking space regulations.* Whenever any ordinance, regulation, or plan enacted or adopted by the city council is for the purpose of providing off-street automobile parking spaces or of establishing requirements that such spaces be provided within any section or sections of the city, then such plan or requirements shall govern within such sections. Otherwise off-street automobile parking spaces shall be provided as follows, applicable to buildings hereafter erected and uses hereafter established, to such nonconforming uses as may be required to conform to the regulations hereof, and to extensions and enlargements of buildings and uses.

- (1) Except as otherwise provided in the section, off-street parking spaces shall be provided as follows:

Use of Building or Site	Minimum Number of Parking Spaces Required
Residential	
Single-family	2.0 per dwelling unit
Two-family	2.0 per dwelling unit
Multi-family	2.5 per dwelling unit
Efficiency and one bedroom	1.5 per dwelling unit
Two or more bedrooms	2.0 per dwelling unit
Commercial	
Offices and banks	3.3 per 1,000 sq. ft. gross floor area
Clinics and doctors' offices	8.0 per 1,000 sq. ft. gross floor area
General retail	4.0 per 1,000 sq. ft. gross floor area
Shopping centers	5.5 per 1,000 sq. ft. gross floor area
Car wash	0.3 per employee, plus 1.0 for owner or manager, plus reservoir parking as provided below
Restaurants	0.3 per seat
Hotels, motels	1.25 per rentable room plus 0.5 per employee on any one shift
Halls for meeting, dancing, social events	5.0 per 1,000 sq. ft. gross floor area
Entertainment	
Bowling alleys	5.0 per 1,000 sq. ft. gross floor area
Pool halls	
Industrial	0.8 per employee on any one shift
Auditoriums and theaters:	0.3 per seat
Churches (sanctuary)	1.0 per four seats
Churches (additional space)	1.0 per 1,000 square feet
High schools	8.0 per 1,000 sq. ft. gross floor area plus 1.0 per staff member
Elementary and junior high schools	1.0 per staff members
Hospitals	1.2 per bed plus 1.0 per three staff members on any one shift
Nursing homes	1.0 per five beds plus 1.0 per two staff members on any one shift
Wholesale storage and jobbing	1.0 per employee, plus 1.0 per business vehicle parked on premises, plus 2.0 for visitor or customer parking.

Off-street reservoir parking shall be provided for an automatically operated car wash equal to three times the maximum capacity of the car wash, and for a manually operated car wash equal to six times the maximum capacity of the car wash, for automobiles awaiting entrance. "Maximum capacity" shall mean the greatest number of automobiles undergoing some phase of washing at the same time. The required yard setbacks for any building shall not be included in calculating the minimum space requirements for off-street parking.

- (2) Where a building or a site contains two or more uses, the off-street parking requirement shall be computed as the sum of the required off-street parking spaces for each individual use.
- (3) Each business, commercial, manufacturing or industrial use having deliveries made by truck more than once a day between the hours of 8:00 a.m. and 6:00 p.m., or where the time of loading and unloading materials or goods exceeds ten minutes between those hours, shall provide off-street truck loading space on the lot, such space to be not less than 35 feet in length, 12 feet in width, and 15 feet in height.
- (4) For the purpose of this subsection, one parking stall shall be not less than 175 square feet in area, together with whatever area is required for means of ingress and egress thereto, except that in the case where attendants perform the act of parking in defined and adequate stalls then each such stall shall be considered a parking stall as required herein.
- (5) A driveway for access to any single parking space or to a parking lot shall be not less than 11 feet in width nor more than 30 feet in width at the property line along the street and shall be so located as to minimize traffic hazard and congestion.
- (6) All required parking stalls shall be located on the premises to which such requirement applies or within an off-street space distance not more than 500 feet from such premises, provided that such stalls as are required for employees and proprietors of any premises may be located within an off-street space distance not more than 1,000 feet from such premises, except as otherwise provided in this subsection or other subsections of this chapter.
- (7) Provision of parking stalls shared jointly by several persons in the same block or in the same vicinity is permissible, in which case the number of stalls required shall be the sum total of the individual requirements, provided that, where it is found by the board of adjustments, upon application thereto, that the parking demand generated by the different uses included in any joint arrangement to provide parking stalls required herein occurs at distinctly different times, as in the case of a theater generating demand for parking during such daytime hours, and in similar cases, the board of adjustments may reduce the total of number of parking stalls to be jointly provided.
- (8) All parking spaces required for any use and provided in compliance with the provisions of this subsection on the same lot or plot as that occupied by such use shall be considered to be required spaces for the use or uses to which appurtenant and shall not be reduced or encroached upon in any manner.
- (9) The surface of parking stalls and aisles, truck standing spaces, and access driveways therefore shall be treated, prepared and maintained for adequate drainage and the elimination of dust, dirt, and mud, according to city specifications.
- (10) In a case where existing off-street parking facilities have unused parking capacity, and where such facilities are open to the use of the public free of charge or at reasonable rates, the board of adjustments may reduce the parking space requirements for any use distance not more than 800 feet from such facility or facilities, provided that the total number of stalls in such reduction shall be not greater than the total number of stalls of unused capacity.

-
- (11) In a case where any public or private off-street parking facility, to be open to the use of the public free of charge or at a reasonable rates, is planned or is in process of development, and where the board of adjustments has reasonable assurance that such development will be carried to completion and will, when completed, relieve the parking demand in an area within 500 feet thereof in some measure or in full measure, the board of adjustments may establish a reasonable time period within which any use or uses within such area shall provide required space for parking stalls. Upon completion of all or a portion of such development, the provision of paragraph (10) above may be applied by the board.
- (12) In a case where the customary mode of transportation of a majority of the patrons, employees, and proprietors of any use, to and from the area in which such use is located, is other than by private automobile, the board may reduce by an amount not to exceed 50 percent the space required for parking stalls for such use.
- (13) In a case where it is clearly shown by the applicant, to the satisfaction of the board, that the provision of the amount of space required herein for parking stalls, due to the particular nature of the proposed use or other condition, would be an unnecessary hardship, the board may reduce such requirement.
- (b) *Residential off-street parking.*
- (1) *Purpose.* It is recognized that uncontrolled residential off-street parking, specifically in residential front yards, is a public nuisance. The purpose of this subsection is to provide for the regulation of residential off-street parking and to specify the requirements for residential off-street parking as they pertain to the appearance and the health, safety, and welfare of the city.
- (2) *Definitions and restrictions.* It shall be illegal for any person to park, or to allow to be parked on any property under his control, any bus, motor home, camper, trailer, or boat on any portion of a front yard or side yard of any area which is zoned R-1 under this chapter unless:
- Said area is a part of a hard surfaced driveway or parking area;
 - Said area is a part of a gravel driveway bordered by cement curbing or similar permanent border;
 - Said area is a part of a required driveway that provides access to a garage, carport or off-street parking area required by this section;
 - Said area is part of a side yard which is enclosed by a screening fence at least six feet in height and so constructed that no person can see through into the area surrounded by the fence;
 - The term "vehicle" as used herein shall mean every device in, upon, or by which any person or property is or may be transported or drawn upon a street or highway, except devices moved exclusively by human power. The term "hard surfaced" as used herein shall include cement, asphalt, brick and other commonly accepted pavement that may be approved by the building inspector;
 - A single-width driveway running from the street access to a garage or other parking area shall not utilize more than 15 percent of any residential front yard, except for front yards with a front footage width of less than 70 feet, in which case the maximum width for a single driveway shall be 11 feet;
 - A double-width driveway running from the street access to a garage or other parking area shall not utilize more than 27 percent of any residential front yard, provided that the maximum width of a driveway shall not exceed 24 feet in any case and shall not exceed 18 feet for front yards with a front footage width of less than 70 feet;
 - A triple-width driveway running from the street to a garage or other parking area shall not utilize more than 33 percent of any residential front yard, provided that the maximum width of a

driveway shall not exceed 30 feet in any case, and shall not be permitted for front yards with a front footage width of less than 80 feet;

- i. A drive apron means the connection between a driveway and the traveled portion of a street, in the public right-of-way, including any sidewalk area abutting thereon; or
- j. Circular driveways used for turnarounds or through traffic shall not utilize more than 30 percent of any residential front yards or corner side yards with a front footage or less than 80 feet.

(Ord. No. 953, 12-12-2005)

TAX CERTIFICATE



CHERYL E. JOHNSON, PCC
GALVESTON COUNTY TAX ASSESSOR-COLLECTOR
722 Moody
Galveston, TX 77550

Issued To:

EHRA ENGINEERING
10011 MEADOWGLEN LANE
HOUSTON, TX 77042

Legal Description

ABST 2 S F AUSTIN SUR TRACT 239, 15.090
ACRES

Fiduciary Number: 33129560

Parcel Address:

Legal Acres: 15.0900

Account Number: 131374

Print Date: 10/05/2023 10:21:18 AM

Certificate No: 249596990

Paid Date: 10/05/2023

Certificate Fee: \$10.00

CHECK NO. 002758

Issue Date: 10/05/2023

Operator ID: MCCORQUODALE_D

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 AND 11.43(i) OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2022, AND THERE ARE NO TAXES DUE ON THIS PROPERTY.

Exemptions:

OPEN SPACE 1-D-1

Certified Owner:

G 46 LLC
2909 ROGERDALE RD #421249
HOUSTON, TX 77242

Certified Tax Unit(s):

1 GALVESTON CO
2 ROAD & FLOOD
214 HITCHCOCK ISD
332 CITY OF LA MARQUE
402 DRAIN DIST #2
605 COLL OF THE MAINLAND

2022 Value:	113,180
2022 Levy:	\$14.15
2022 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

Note: 2023 TAXES HAVE NOT YET BEEN CALCULATED

Reference (GF) No: N/A

Issued By:

CHERYL E. JOHNSON, PCC
GALVESTON COUNTY TAX ASSESSOR-COLLECTOR

AN "OUT-OF-COUNTY TITLE COMPANY " IS DEFINED TO BE A TITLE INSURANCE COMPANY, TITLE INSURANCE AGENT, OR ANY REPRESENTATIVE OR AGENT THEREOF, WHICH HAS NOT CONTRACTED WITH TITLE DATA TO ACCESS THE TITLE PLANT USED TO PREPARE A TITLE INSURANCE COMMITMENT. A LIST OF TITLE DATA'S HOUSTON-AREA SUBSCRIBERS IS AVAILABLE AT WWW.TITLEDATA.COM BY SELECTING THE MISC. OPTION. THIS COVER LETTER *MUST* ACCOMPANY A TITLE INSURANCE COMMITMENT PROVIDED TO AN OUT-OF-COUNTY TITLE COMPANY

Required Language for a Title Insurance Commitment Cover Letter: Out-of-County Title Company

The attached title insurance commitment contains information which has been obtained or derived from records and information owned by Title Data, Inc. or one of its subsidiaries (collectively "Title Data"). Title Data owns and maintains land title plants for Harris, Brazoria, Chambers, Fort Bend, Galveston, Jefferson, Liberty, Montgomery and Waller counties, Texas, and has granted our company a license to use one or more of these title plants.

Our company's right to access and use Title Data's title plants is governed by the agreement we have with Title Data. This agreement restricts who can receive and/or use a title insurance commitment which is based, in whole or in part, upon Title Data's records and information.

We are permitted by Title Data to provide your company with this title insurance commitment *if and only if* (i) your company is not licensed as a Texas title insurance agent or direct for the county to which this title insurance commitment pertains (unless you are licensed by virtue of a contract with Title Data to access its title plant for this county), (ii) your company is not under contract to a non-Title Data title plant service for the county to which this title insurance commitment pertains, (iii) your company does not maintain a "business presence" (as defined below) in the county to which this title insurance commitment pertains, and (iv) you use this title insurance commitment only for the purpose of your company closing a bona fide real estate transaction which, in your genuine belief, will result in the issuance of a title insurance policy (the foregoing collectively referred to herein as the "Eligibility Requirements"). In the event your company does not satisfy *all* of the Eligibility Requirements, immediately return this title insurance commitment to our company without reviewing, copying, or otherwise utilizing in any way the information contained therein.

Per our agreement with Title Data, a "business presence" is established when a company conducts a real estate closing using its own employees, its agents or its representatives. PLEASE NOTE: sign-ups, witness-only closings, accommodation closings, courtesy closings, remote online notarizations and similar activities (collectively referred to herein as a "sign-up") are considered to be a "real estate closing" per our agreement with Title Data, and mobile notaries, Online Public Notaries, and signing services are considered to be your "agent or representative."

In the event your company already has a business presence in the county to which this title insurance commitment pertains, or will have a business presence by virtue of the real estate transaction associated with this title insurance commitment, immediately return it to our company without reviewing, copying, or otherwise utilizing in any way the information contained therein.

In the event your company elects to conduct a real estate closing (including a sign-up) within the physical boundaries of the county to which this title insurance commitment pertains (either using your own employees, an agent or a representative), or a party to this pending real estate transaction participates in a Remote Online Notarization while physically located in such county, such conduct would constitute an automatic violation by our company of the terms and conditions of our agreement with Title Data, subjecting us to the assessment of liquidated damages by Title Data.

Therefore, as an express condition for us providing you with the attached title insurance commitment and your acceptance and use thereof, you specifically agree (i) that your company meets the Eligibility Requirements, (ii) the consummation of the real estate transaction associated with this title insurance commitment will not result in a violation of such Eligibility Requirements, (iii) that an Online Notary Public will not be utilized unless such notary is independently selected by a party to this pending real estate transaction, (iv) not to furnish this title insurance commitment (or any copies thereof) to any title insurance company or agent, and (iv) to indemnify and hold harmless our company from and against any liquidated damages assessed against us by Title Data and all other liabilities, losses or damages incurred by us relating to, or arising out of, our company's providing this title insurance commitment to you.

IN THE EVENT YOUR COMPANY IS UNABLE OR UNWILLING TO COMPLY WITH THESE CONDITIONS, IMMEDIATELY RETURN THIS TITLE INSURANCE COMMITMENT TO OUR COMPANY, WITHOUT REVIEWING, COPYING, OR OTHERWISE UTILIZING IN ANY WAY THE INFORMATION CONTAINED THEREIN.

THE LANGUAGE SET FORTH BELOW *MUST* BE INCORPORATED INTO A COVER LETTER AND SUCH COVER LETTER *MUST* BE ATTACHED TO ALL TITLE INSURANCE COMMITMENTS. EXCEPTION: IF THE RECIPIENT IS AN OUT-OF-COUNTY TITLE COMPANY, USE THE OUT-OF-COUNTY TITLE COMPANY COVER LETTER.

Required Language for a Title Insurance Commitment Cover Letter

The attached title insurance commitment contains information which has been obtained or derived from records and information owned by Title Data, Inc. or one of its subsidiaries (collectively "Title Data"). Title Data owns and maintains land title plants for various Texas counties. Title Data created its title plants through the investment of extensive time, labor, skill and money. **The information contained in the title plants is protected by federal copyright law and Texas common law on trade secrets and contract.**

Title Data has granted our company a license to use one or more of its title plants. Our company's right to access and use Title Data's title plants is governed by our contract with Title Data. Our contract with Title Data restricts who can receive and/or use a title insurance commitment which is based, in whole or in part, upon Title Data's records and information.

Under the terms of our contract with Title Data, we are permitted to provide you with the attached title insurance commitment **for limited use and distribution only**. Specifically, you are sublicensed to deliver, exhibit, or furnish the attached title insurance commitment (or any copies thereof) **ONLY** to your bona fide employees and a third party who is playing a bona fide role in this proposed real estate transaction, including a lawyer, a lender, a surveyor, a real estate broker or agent, and the parties to this proposed transaction.

For purposes of our agreement with Title Data, "deliver, exhibit, or furnish" includes, without limitation, copying this title insurance commitment (whether such copying be by means of a photocopier, facsimile machine, another electronic scanning device, or any other method of reproduction) and providing such copy to any third party.

Your furnishing of the attached title insurance commitment to anyone not specifically enumerated above is not permitted by our contract with Title Data and constitutes a breach of our sublicense to you. Your furnishing of the attached title insurance commitment to anyone not specifically enumerated above is also a violation of federal copyright law and Texas common law.

Therefore, as an express condition of us providing you with the attached title insurance commitment, you specifically agree to limit its uses to those set forth herein, and to provide a copy of this letter to any party to whom you deliver, exhibit, or furnish the attached title insurance commitment (or any copies thereof).

In the event you are unable or unwilling to comply with these conditions, immediately return the attached title insurance commitment to our company, without reviewing, copying, or otherwise utilizing in any way the information contained therein.

A COPY OF THIS LETTER MUST ACCOMPANY THE ATTACHED TITLE INSURANCE COMMITMENT AT ALL TIMES. ALL DOWNSTREAM RECIPIENTS MUST PROVIDE A COPY OF THIS LETTER TO ANY OTHER AUTHORIZED USERS OF THE ATTACHED TITLE INSURANCE COMMITMENT.



Important Notice

The attached title insurance commitment contains information which has been obtained or derived from records and information owned by Title Data, Inc. or one of its subsidiaries (collectively "Title Data"). Title Data owns and maintains land title plants for various Texas counties. Title Data created its title plants through the investment of extensive time, labor, skill and money. **The information contained in the title plants is protected by federal copyright law and Texas common law on trade secrets and contract**

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For purposes of our agreement with Title Data, "deliver, exhibit, or furnish" includes, without limitation, copying this title insurance commitment (whether such copying be by means of a photocopier, facsimile machine, another electronic scanning device, or any other method of reproduction) and providing such copy to any third party.

Your furnishing of the attached title insurance commitment to anyone not specifically enumerated above is not permitted by our contract with Title Data and constitutes a breach of our sublicense to you. Your furnishing of the attached title insurance commitment to anyone not specifically enumerated above is also a violation of federal copyright law and Texas common law.

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A COPY OF THIS LETTER MUST ACCOMPANY THE ATTACHED TITLE INSURANCE COMMITMENT AT ALL TIMES. ALL DOWNSTREAM RECIPIENTS MUST PROVIDE A COPY OF THIS LETTER TO ANY OTHER AUTHORIZED USERS OF THE ATTACHED TITLE INSURANCE COMMITMENT.



COMMITMENT FOR TITLE INSURANCE T-7
Issued by
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

THE FOLLOWING COMMITMENT FOR TITLE INSURANCE IS NOT VALID UNLESS YOUR NAME AND THE POLICY AMOUNT ARE SHOWN IN **SCHEDULE A**, AND OUR AUTHORIZED REPRESENTATIVE HAS COUNTERSIGNED BELOW.

We (Old Republic National Title Insurance Company) will issue our title insurance policy or policies (the Policy) to You (the proposed insured) upon payment of the premium and other charges due, and compliance with the requirements in Schedule B and Schedule C. Our Policy will be in the form approved by the Texas Department of Insurance at the date of issuance, and will insure your interest in the land described in Schedule A. The estimated premium for our Policy and applicable endorsements is shown on Schedule D. There may be additional charges such as recording fees, and expedited delivery expenses.

This Commitment ends ninety (90) days from the effective date, unless the Policy is issued sooner, or failure to issue the Policy is our fault. Our liability and obligations to you are under the express terms of this Commitment and end when this Commitment expires.

Issued through the Office of:

Mindy Crawford

Old Republic National Title Insurance Company

777 Post Oak Blvd. Ste. 100

Houston, TX 77056

Phone: 713-626-9220

Fax: 281-715-5695

Email: mcrawford@OldRepublicTitle.com

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

A Stock Company

1408 North Westshore Blvd., Suite 900, Tampa, Florida 33607

(612) 371-1111

www.oldrepublictitle.com

By

President

Attest

Secretary

Authorized Signatory

SCHEDULE A

Mindy Crawford

TG/ TD:

Effective Date: July 11, 2023, 8:00 A.M.

Issued Date: July 21, 2023

G.F. No. or File No. **23003990**

1. The policy or policies to be issued are:

- (a) OWNER'S POLICY OF TITLE INSURANCE (Form T-1)
(Not applicable for improved one-to-four family residential real estate)
Policy Amount: \$3,000,000.00
PROPOSED INSURED: Century Land Holdings of Texas, LLC, a Colorado limited liability company
- (b) TEXAS RESIDENTIAL OWNER'S POLICY OF TITLE INSURANCE
ONE-TO-FOUR FAMILY RESIDENCES (Form T-1R)
Policy Amount:
PROPOSED INSURED:
- (c) LOAN POLICY OF TITLE INSURANCE (Form T-2)
Policy Amount:
PROPOSED INSURED:
Proposed Borrower:
- (d) TEXAS SHORT FORM RESIDENTIAL LOAN POLICY OF TITLE INSURANCE (Form T-2R)
Policy Amount:
PROPOSED INSURED:
Proposed Borrower:
- (e) LOAN TITLE POLICY BINDER ON INTERIM CONSTRUCTION LOAN (Form T-13)
Binder Amount:
PROPOSED INSURED:
Proposed Borrower:
- (f) OTHER
Policy Amount:
PROPOSED INSURED:

2. The interest in the land covered by this Commitment is: Fee Simple

3. Record title to the land on the Effective Date appears to be vested in:

G 46, LLC, a Texas limited liability company

4. Legal description of land:

A 46.249 acre tract of land situated in the S.F. Austin League, Survey No. 4, Abstract 2, Galveston County, Texas; said 46.249 acre tract of land being that same called 46.210 acre tract described in deed recorded in Galveston County Clerk's File Number (G.C.C.F. No.) 2003000145; said 46.249 acre tract of land being more particularly described by metes and bounds as follows:

NOTE: All bearings are Lambert Grid bearings and all coordinates refer to the Texas State Plane Coordinate System, South Central Zone (#4204), as defined by article 21.071 of the Natural Resources Code of the State of Texas, 1983 Datum (2001 adjustment). All distances are actual distances. Scale factor = .99986695717.

BEGINNING at a 3/8-inch iron rod found for the Northwest corner of this tract of land and being in the Southerly right-of-way line of F.M. 519 (a.k.a. Main Street) (80 foot R.O.W.) and the Easterly right-of-way line of Newman Road (60 foot R.O.W.);

THENCE N 87°19'57" E with the North line of this tract of land and the Southerly right-of-way line of said F.M. 519, a distance of 964.10 feet to a found 3/8-inch iron rod found for the Northeast corner of this tract of land and the Northwest corner of a tract of land described in deed to Santo Benitez, et.ux and recorded in G.C.C.F. No. 2016050860;

THENCE S 02°35'22" E with the East line of this tract of land, at a distance of 315.62 feet pass a found 1/2-inch iron pipe, at a distance of 520.48 feet pass a found 1/4-inch iron pipe, at a distance of 724.03 feet pass a found 1/2-inch iron rod, at a distance of 928.27 feet pass a found 3/4-inch iron pipe, at a distance of 1,148.17 feet pass a found 3/4-inch iron pipe, at a distance of

1,258.29 feet pass a found 3/4-inch iron pipe, at a distance of 1,398.53 feet pass a found 3/4-inch iron pipe, at a distance of 1,678.45 feet pass a found 1/2-inch capped iron rod stamped "Survey 1", at a distance of 1,949.56 feet pass a found 5/8-inch iron rod N 87°24'38"E a distance of 1.12 feet, and continue a total distance of 1,967.36 feet to the Southeast corner of this tract of land and being in the Northerly line of Highland Bayou (water's edge as surveyed this day);

THENCE along the meanders of the Northerly line of Highland Bayou the following eleven (11) courses and distances;

S 77°33'08" W, a distance of 289.58 feet.

S 89°13'37" W, a distance of 222.05 feet.

S 33°24'31" W, a distance of 192.91 feet.

N 21°48'52" W, a distance of 45.74 feet.

S 60°15'42" W, a distance of 64.80 feet.

S 29°20'01" E, a distance of 51.10 feet.

S 13°28'37" W, a distance of 42.72 feet.

S 69°13'09" W, a distance of 88.30 feet.

N 84°31'45" W, a distance of 89.63 feet.

N 83°02'06" W, a distance of 103.24 feet.

N 36°44'24" W, a distance of 7.92 feet to the Southwest corner of this tract of land;

THENCE, N 02°40'03" W with the West line of this tract of land; at a distance of 258.26 feet pass a found 3/8-inch iron rod S 87°19'57" W, a distance of 0.39 feet, and continue with the West line of this tract of land and the Easterly right-of-way line of said Newman Road a total distance of 2,229.03 feet to the PLACE OF BEGINNING, containing within said boundaries a calculated area of 46.249 acres (2,014,593 sq.ft.) of land.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "B" hereof.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B

EXCEPTIONS FROM COVERAGE

In addition to the Exclusions and Conditions and Stipulations, your Policy will not cover loss, costs, attorneys' fees, and expenses resulting from:

1. ~~The following restrictive covenants of record itemized below (We must either insert specific recording data or delete this exception):~~
2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments or protrusions, or any overlapping of improvements.
3. Homestead or community property or survivorship rights, if any, of any spouse of any insured. (Applies to the Owner's Policy only).
4. Any titles or rights asserted by anyone, including, but not limited to, persons, the public, corporations, governments or other entities,
 - a. to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs or oceans, or
 - b. to lands beyond the line of harbor or bulkhead lines as established or changed by any government, or
 - c. to filled-in lands, or artificial islands, or
 - d. to statutory water rights, including riparian rights, or
 - e. to the area extending from the line of mean low tide to the line of vegetation, or the rights of access to that area or easement along and across that area.(Applies to the Owner's Policy only.)
5. Standby fees, taxes and assessments by any taxing authority for the year 2023, and subsequent years; and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership, but not those taxes or assessments for prior years because of an exemption granted to a previous owner of the property under Section 11.13, *Texas Tax Code*, or because of improvements not assessed for a previous tax year. (If Texas Short Form Residential Loan Policy of Title Insurance (T-2R) is issued, that policy will substitute "which become due and payable subsequent to Date of Policy" in lieu of "for the year 2023 and subsequent years.")
6. The terms and conditions of the documents creating your interest in the land.
7. Materials furnished or labor performed in connection with planned construction before signing and delivering the lien document described in Schedule A, if the land is part of the homestead of the owner. (Applies to the Loan Title Policy Binder on Interim Construction Loan only, and may be deleted if satisfactory evidence is furnished to us before a binder is issued.)
8. Liens and leases that affect the title to the land, but that are subordinate to the lien of the insured mortgage. (Applies to Loan Policy (T-2) only.)
9. The Exceptions from Coverage and Express Insurance in Schedule B of the Texas Short Form Residential Loan Policy of Title Insurance (T-2R). (Applies to Texas Short Form Residential Loan Policy of Title Insurance (T-2R) only.) Separate exceptions 1 through 8 of this Schedule B do not apply to the Texas Short Form Residential Loan Policy of Title Insurance (T-2R).
10. The following matters and all terms of the documents creating or offering evidence of the matters (We must insert matters or delete this exception):
 - a. Rights of parties in possession. (Owners Policy Only)

- b. Terms and provisions of any and all leases, together with rights of Lessees thereunder.
- c. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land. (This exception will be deleted upon receipt and review of a satisfactory qualifying survey. The Company expressly reserves the right to take specific exception to any adverse matters reflected thereon.)
- d. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed. **(Pursuant to Procedural Rule P-50.1 the above exception must appear on any corresponding policy issued if a T-19.2 or T-19.3 endorsement that meets underwriting standards is requested by the proposed insured.)**
- e. Any portion of subject property that lies within the boundaries of any public or private roadway or used in connection therewith.
- f. Easement granted to Community Public Service Company, as set forth in instrument recorded in Volume 579, Page 411, of the Deed Records of Galveston County, Texas.
- g. Pipeline right-of-way granted to Pan American Gas Company, as set forth in instrument recorded in Volume 647, Page 500, of the Deed Records of Galveston County, Texas.
- h. Pipeline right-of-way granted to Pan American Gas Company, as set forth in instrument recorded in Volume 665, Page 552, of the Deed Records of Galveston County, Texas.
- i. Easement granted to Southwestern Bell Telephone, L.P., d/b/a AT&T Texas set forth in instrument filed under Galveston County Clerk's File No. 2007012188.
- j. All the oil, gas and other minerals, and all other elements not considered a part of the surface estate, the royalties, bonuses, rentals and all other rights in connection with same all of which are expressly excepted therefrom and not insured hereunder, as the same are set forth in instrument recorded in Volume 2807, Page 780, of the Deed Records of Galveston County, Texas. (Said interest not investigated subsequent to date of reservation or conveyance.)
- k. All the oil, gas and other minerals, and all other elements not considered a part of the surface estate, the royalties, bonuses, rentals and all other rights in connection with same all of which are expressly excepted therefrom and not insured hereunder, as the same are set forth in instrument filed for record under Galveston County Clerk's File No. 9625594. (Said interest not investigated subsequent to date of reservation or conveyance.)
- l. Oil, Gas and Mineral Lease(s) granted in instruments filed for record under Galveston County Clerk's File No(s). 9804482 and 9804483, and all terms, conditions and stipulations contained therein. Title to this lease has not been investigated subsequent to date thereof.
- m. Any and all portion of the subject property used as a cemetery or burial ground, including but not limited to, rights of interment therein; rights of ingress and egress to all portions thereof; prior sale or use of all or any portion thereof as burial sites or plots; rights of the public and of individuals in and to said premises; and obligations of maintenance and care imposed by law, and also as set forth in the deed recorded in Volume 2807, Page 780 of the Deed Records of Galveston, Texas.
- n. This Company shall have no liability for, nor responsibility to defend, any part of the property described herein against any right, title, interest, or claim (valid or invalid) of any character, had or asserted by the State of Texas, or by any other government or governmental authority, or by the public generally, in or to any portions of the herein described property that may be within the bed of Highland Bayou, or any easement along or abutting the same; or any filled-in

portion thereof, artificial island therein, riparian or littoral rights pertaining thereto, and any areas affected by changes thereof due to erosion, evulsion or accretion.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE C

Your Policy will not cover loss, costs, attorneys' fees, and expenses resulting from the following requirements that will appear as Exceptions in Schedule B of the Policy, unless you dispose of these matters to our satisfaction, before the date the Policy is issued:

1. Documents creating your title or interest must be approved by us and must be signed, notarized and filed for record.
2. Satisfactory evidence must be provided that:
 - no person occupying the land claims any interest in that land against the persons named in paragraph 3 of Schedule A,
 - all standby fees, taxes, assessments and charges against the property have been paid,
 - all improvements or repairs to the property are completed and accepted by the owner, and that all contractors, sub-contractors, laborers and suppliers have been fully paid, and that no mechanic's, laborer's or materialmen's liens have attached to the property,
 - there is legal right of access to and from the land,
 - (on a Loan Policy only) restrictions have not been and will not be violated that affect the validity and priority of the insured mortgage.
3. You must pay the seller or borrower the agreed amount for your property or interest.
4. Any defect, lien or other matter that may affect title to the land or interest insured, that arises or is filed after the effective date of this Commitment.
5. NOTE: We find no outstanding voluntary liens of record affecting the subject property. Inquiry should be made concerning the existence of any recorded or unrecorded lien or other indebtedness which could give rise to any security interest claim in the subject property.
6. The following documents are required for review prior to the closing of the transaction and issuance of any title insurance predicated upon a conveyance or encumbrance from G 46, LLC, a Limited Liability Company:
 - a) Certificate of Formation (or Articles of Organization), including any amendments, registered with the Secretary of State;
 - b) Satisfactory evidence that the Limited Liability Company is in good standing in the State of Texas;
 - c) Company Agreement (or Operating/Management Agreement), including any amendments, showing the Membership of the Company and identity of and authority of the person or persons, acting on behalf of the Limited Liability Company, to execute the transaction documents.Upon review, the Company reserves the right to make additional requirements and/or exceptions.
7. The following documents are required for review prior to the closing of the transaction and issuance of any title insurance predicated upon a conveyance or encumbrance from Century Land Holdings of Texas, LLC, a Limited Liability Company:
 - a) Certificate of Formation (or Articles of Organization), including any amendments, registered with the Secretary of State;
 - b) Satisfactory evidence that the Limited Liability Company is in good standing in the State of Texas;
 - c) Company Agreement (or Operating/Management Agreement), including any amendments, showing the Membership of the Company and identity of and authority of the person or persons, acting on behalf of the Limited Liability Company, to execute the transaction documents.Upon review, the Company reserves the right to make additional requirements and/or exceptions.
8. The purchaser(s) in this transaction, Century Land Holdings of Texas, LLC has/have ONLY been checked for the existence of a TEXAS WORKFORCE COMMISSION LIEN and FEDERAL JUDGMENT LIENS IN FAVOR OF THE UNITED STATES OR AN AGENT THEREOF and U.S. BANKRUPTCY PROCEEDINGS, they have not been checked for other Abstracts of

Old Republic National Title Insurance Company

Judgment, Federal Tax Liens or any other adverse matter. Said purchaser(s) may be checked for other Abstracts of Judgment, Federal Tax Liens or any other adverse matter if requested. In the event said purchasers should undertake to convey, mortgage, or otherwise hypothecate said interest being acquired by them, this file is to be returned to the examination staff for possible additional requirements.

9. NOTE: This Commitment for Title Insurance (Form T-7) was prepared on the basis of an ordinary sales transaction. Should the transaction change, in any manner, including but not limited to a construction loan or a pass through transaction, the Company's examination personnel must be notified and the commitment amended accordingly.

NOTE TO ALL BUYERS, SELLERS BORROWERS, LENDERS AND ALL PARTIES INTERESTED IN THE TRANSACTION COVERED BY THIS COMMITMENT. THE FOLLOWING CONSTITUTES A MAJOR CHANGE IN THE PROCEDURES AND REQUIREMENTS FOR DISBURSEMENT OF FUNDS BY THE TITLE AGENT. TEXAS DEPARTMENT OF INSURANCE HAS ADOPTED PROCEDURAL RULE P-27 WHICH WILL REQUIRE THAT "GOOD FUNDS" BE RECEIVED AND DEPOSITED BEFORE A TITLE AGENT MAY DISBURSE FROM ITS TRUST FUNDS ACCOUNT. "GOOD FUNDS" IS DEFINED AS:

- a. Cash or wire transfers;
- b. Cashier's check. For purposes of this Rule, a cashier's check is defined to mean a check that is (1) drawn on a financial institution; (2) signed by an officer or employee of the financial institution on behalf of the financial institution as drawer; (3) a direct obligation of the financial institution; and (4) provided to a customer of the financial institution or acquired from the financial institution for remittance purposes.
- c. Certified check. For purposes of this Rule, a certified check is defined to mean a check with respect to which the drawee financial institution certifies by signature on the check of an officer or other authorized employee of the financial institution that: (1) the signature of the drawer on the check is genuine; (2) the financial institution has set aside funds that are equal to the amount of the check and will be used to pay the check; or (3) the financial institution will pay the check upon presentment.
- d. Teller's check. For purposes of this Rule, a teller's check is defined to mean a check (1) provided to a customer of a financial institution or acquired from a financial institution for remittance purposes, (2) that is drawn by the financial institution, and (3) is drawn on another financial institution or payable through or at a financial institution.
- e. Any other instrument that has been determined by the Board of Governors of the Federal Reserve System to be the functional equivalent of a cashier's, certified or teller's check.
- f. Uncertified funds in amounts less than \$1,500, including checks, traveler's checks, money orders, and negotiable orders of withdrawal; provided multiple items shall not be used to avoid the \$1,500 limitation;
- g. Uncertified funds in amounts of \$1,500 or more, drafts, and any other items when collected by the financial institution;
- h. State of Texas Warrants;
- i. United States Treasury Checks;
- j. Checks drawn on an insured financial institution and for which a transaction code has been issued pursuant to, and in compliance with, a fully executed Immediately Available Funds Procedure Agreement or a fully executed Immediately Available Funds Procedure Agreement (Agent Designation for Federally-insured Lender) with such financial institution;
- k. Checks by city and county governments located in the State of Texas.

**COMMITMENT FOR TITLE INSURANCE
SCHEDULE D**

G.F. No. or File No. 23003990

Effective Date: July 11, 2023, 08:00 am

Pursuant to the requirements of Rule P-21, Basic Manual of Rules, Rates and Forms for the writing of Title Insurance in the State of Texas, the following disclosures are made:

1. The following individuals are directors and/or officers, as indicated, of the Title Insurance Company issuing this Commitment

DIRECTORS OF OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

CRAIG R. SMIDDY	JOHN M. DIXON	STEVE R. WALKER
DENNIS P. VAN MIEGHEM	ARNOLD L. STEINER	A. C. ZUCARO
RANDE K. YEAGER	JIMMY A. DEW	FREDERICKA TAUBITZ
STEVEN J. BATEMAN	CHARLES F. TITTERTON	SPENCER LEROY, III
PETER B. MCNITT	GLENN W. REED	CHARLES J. KOVALESKI
HARRINGTON BISCHOF		

OFFICERS OF OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

CAROLYN J. MONROE, President	RANDE K. YEAGER, Executive Chairman
MARK A. BILBREY, CEO	JEFFERY J. BLUHM, Executive Vice President
CURTIS J. HOFFMAN, Executive Vice President	MARK M. BUDZINSKI, Executive Vice President
DANA C. SOLMS, Executive Vice President	PATRICK A. CONNOR, Executive Vice President
DANIEL M. WOLD, Executive Vice President, Secretary, General Counsel	BENEDICT CORBETT, Vice President, Treasurer
GARY J. HORN, Executive Vice President	ROGER A. GAIO, Executive Vice President
CHERYL JONES, Executive Vice President	ROBERT E. ZELLAR, Executive Vice President
CHRIS G. LIESER, Executive Vice President	MICHAEL B. SKALKA, Executive Vice President

Shareholders owning or controlling, directly or indirectly, ten percent (10%) or more of the shares of Old Republic National Title Insurance Company: Old Republic Title Insurance Companies, Inc.-100%, a wholly owned subsidiary of Old Republic National Title Holding Company, a wholly owned subsidiary of Old Republic Title Insurance Group, Inc., a wholly owned subsidiary of Old Republic International Corporation.

2. The following disclosures are made by the Title Insurance Agent issuing this commitment:

(a) A listing of each shareholder, owner, partner or other person having, owning or controlling one (1%) or more of the Title Insurance Agent that will receive a portion of the premium as follows: Old Republic Title Insurance Companies, Inc.—100%

(b) A listing of each shareholder, owner, partner, or other person having, owning, or controlling ten percent (10%) or more of an entity that has, owns, or controls one percent (1%) or more of the Title Insurance Agent that will receive a portion of the premium are as follows. Same as Section 1.

(c) If the Agent is a corporation: (i) the name of each director of the Title Insurance Agent, and (ii) the names of the President, the Executive or Senior Vice-President, the Secretary and the Treasurer of the Title Insurance Agent. Directors: Same as Section 1

The Officers are as follows:

CAROLYN J. MONROE, President	MARK A. BILBREY, CEO
CURTIS HOFFMAN, Executive Vice President	JEFFERSON C. WEBB, Vice President, Houston Div. Manager
AMY RODRIGUEZ, Vice President, DFW Div. Manager	DALE LEWIS, Vice President, San Antonio Div. Manager

Old Republic National Title Insurance Company

(d) The name of any person who is not a full-time employee of the Title Insurance Agent and who receives any portion of the title insurance premium for services performed on behalf of the Title Insurance Agent in connection with the issuance of a title insurance form; and, the amount of premium that any such person shall receive is shown in Section 3 below.

(e) For purposes of this paragraph 2, "having, owning or controlling" includes the right to receipt of a percentage of net income, gross income, or cash flow of the Agent or entity in the percentage stated in subparagraphs (a) or (b).

3. You are entitled to receive advance disclosure of settlement charges in connection with the proposed transaction to which this commitment relates. Upon your request, such disclosure will be made to you. Additionally, the name of any person, firm or corporation receiving a portion of the premium from the settlement of this transaction will be disclosed on the closing or settlement statement.

You are further advised that the estimated title premium* is:

Owners Policy	\$14,235.00
Loan Policy	\$0.00
Total	\$14,235.00

Of this total amount: 15% will be paid to the policy issuing Title Insurance Company; 85% will be retained by the issuing Title Insurance Agent; and the remainder of the estimated premium will be paid to other parties as follows:

<u>Amount</u>	<u>To Whom</u>	<u>For Services</u>
---------------	----------------	---------------------

*The estimated premium is based upon information furnished to us as of the date of this Commitment for Title Insurance. Final determination of the amount of the premium will be made at closing in accordance with the Rules and Regulations adopted by the Commissioner of Insurance.

This commitment is invalid unless the insuring provisions and Schedules A, B, and C are attached.

TEXAS TITLE INSURANCE INFORMATION

Title insurance insures you against loss resulting from certain risks to your title.	El seguro de titulo le asegura en relacion a perdidas resultantes de ciertos riesgos que pueden afectar el titulo de su propiedad.
The Commitment for Title Insurance is the title insurance company's promise to issue the title insurance policy. The Commitment is a legal document. You should review it carefully to completely understand it before your closing date.	El Compromiso para Seguro de Titulo es la promesa de la compania aseguradora de titulos de emitir la poliza de seguro de titulo. El Compromiso es un documento legal. Usted debe leerlo cuidadosamente y entendario completamente antes de la fecha para finalizar su transaccion.

Your Commitment for Title Insurance is a legal contract between you and us. The Commitment is not an opinion or report of your title. It is a contract to issue you a policy subject to the Commitment's terms and requirements.

Before issuing a Commitment for Title Insurance (the Commitment) or a Title Insurance Policy (the Policy), the Title Insurance Company (the Company) determines whether the title is insurable. This determination has already been made. Part of that determination involves the Company's decision to insure the title except for certain risks that will not be covered by the Policy. Some of these risks are listed in Schedule B of the attached Commitment as Exceptions. Other risks are stated in the Policy as Exclusions. These risks will not be covered by the Policy. The Policy is not an abstract of title nor does a Company have an obligation to determine the ownership of any mineral interest.

-MINERALS AND MINERAL RIGHTS may not be covered by the Policy. The Company may be unwilling to insure title unless there is an exclusion or an exception as to Mineral and Mineral Rights in the Policy. Optional endorsements insuring certain risks involving minerals, and the use of improvements (excluding lawns, shrubbery and trees) and permanent buildings may be available for purchase. If the title insurer issues the title policy with an exclusion or exception to the minerals and mineral rights, neither this Policy, nor the optional endorsements, ensure that the purchaser has title to the mineral rights related to the surface estate.

Another part of the determination involves whether the promise to insure is conditioned upon certain requirements being met. Schedule C of the Commitment lists these requirements that must be satisfied or the Company will refuse to cover them. You may want to discuss any matters shown on Schedules B and C of the Commitment with an attorney. These matters will affect your title and your use of the land.

When your Policy is issued, the coverage will be limited by the Policy's Exceptions, Exclusions and Conditions, defined below.

- EXCEPTIONS are title risks that a Policy generally covers but does not cover in a particular instance. Exceptions are shown on Schedule B or discussed in Schedule C of the Commitment. They can also be added if you do not comply with the Conditions section of the Commitment. When the Policy is issued, all Exceptions will be on Schedule B of the Policy.
- EXCLUSIONS are title risks that a Policy generally does not cover. Exclusions are contained in the Policy but not shown or discussed in the Commitment.
- CONDITIONS are additional provisions that qualify or limit your coverage. Conditions include your responsibilities and those of the Company. They are contained in the Policy but not shown or discussed in the Commitment. The Policy Conditions are not the same as the Commitment Conditions.

You can get a copy of the policy form approved by the Texas Department of Insurance by calling the Title Insurance Company at 1-888-678-1700 or by calling the title insurance agent that issued the Commitment. The Texas Department of Insurance may revise the policy form from time to time.

You can also get a brochure that explains the policy from the Texas Department of Insurance by calling 1-800-252-3439.

Before the Policy is issued, you may request changes in the Policy. Some of the changes to consider are:

Old Republic National Title Insurance Company

- Request amendment of the "area and boundary" exception (Schedule B, paragraph 2). To get this amendment, you must furnish a survey and comply with other requirements of the Company. On the Owner's Policy, you must pay an additional premium for the amendment. If the survey is acceptable to the Company and if the Company's other requirements are met, your Policy will insure you against loss because of discrepancies or conflicts in boundary lines, encroachments or protrusions, or overlapping of improvements. The Company may then decide not to insure against specific boundary or survey problems by making special exceptions in the Policy. Whether or not you request amendment of the "area and boundary" exception, you should determine whether you want to purchase and review a survey if a survey is not being provided to you.

- Allow the Company to add an exception to "rights of parties in possession." If you refuse this exception, the Company or the title insurance agent may inspect the property. The Company may except to and not insure you against the rights of specific persons, such as renters, adverse owners or easement holders who occupy the land. The Company may charge you for the inspection. If you want to make your own inspection, you must sign a Waiver of Inspection form and allow the Company to add this exception to your Policy.

The entire premium for a Policy must be paid when the Policy is issued. You will not owe any additional premiums unless you want to increase your coverage at a later date and the Company agrees to add an Increased Value Endorsement.

CONDITIONS AND STIPULATIONS

1. If you have actual knowledge of any matter which may affect the title or mortgage covered by this Commitment, that is not shown in Schedule B, you must notify us in writing. If you do not notify us in writing, our liability to you is ended or reduced to the extent that your failure to notify us affects our liability. If you do notify us, or we learn of such matter, we may amend Schedule B, but we will not be relieved of liability already incurred.
2. Our liability is only to you, and others who are included in the definition of Insured in the Policy to be issued. Our liability is only for actual loss incurred in your reliance on this Commitment to comply with its requirements or to acquire the interest in the land. Our liability is limited to the amount shown in Schedule A of this Commitment and will be subject to the following terms of the Policy: Insuring Provisions, Conditions and Stipulations and Exclusions.



OLD REPUBLIC TITLE

FACTS

WHAT DOES OLD REPUBLIC TITLE DO WITH YOUR PERSONAL INFORMATION?

Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
What?	The types of personal information we collect and share depend on the product or service you have with us. This information can include: • Social Security number and employment information • Mortgage rates and payments and account balances • Checking account information and wire transfer instructions When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.
How?	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons Old Republic Title chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does Old Republic Title share?	Can you limit this sharing?
For our everyday business purposes — such as to process your transactions, maintain your account(s), or respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes — to offer our products and services to you	No	We don't share
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes — information about your transactions and experiences	Yes	No
For our affiliates' everyday business purposes — information about your creditworthiness	No	We don't share
For our affiliates to market to you	No	We don't share
For non-affiliates to market to you	No	We don't share

Go to www.oldrepublictitle.com (Contact Us)

Who we are	
Who is providing this notice?	Companies with an Old Republic Title name and other affiliates. Please see below for a list of affiliates.

What we do	
How does Old Republic Title protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings. For more information, visit https://www.oldrepublictitle.com/privacy-policy
How does Old Republic Title collect my personal information?	We collect your personal information, for example, when you: · Give us your contact information or show your driver's license · Show your government-issued ID or provide your mortgage information · Make a wire transfer We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.
Why can't I limit all sharing?	Federal law gives you the right to limit only: · Sharing for affiliates' everyday business purposes - information about your creditworthiness · Affiliates from using your information to market to you · Sharing for non-affiliates to market to you State laws and individual companies may give you additional rights to limit sharing. See the State Privacy Rights section location at https://www.oldrepublictitle.com/privacy-policy for your rights under state law.

Definitions	
Affiliates	Companies related by common ownership or control. They can be financial and nonfinancial companies. • <i>Our affiliates include companies with an Old Republic Title name, and financial companies such as Attorneys' Title Fund Services, LLC, Lex Terrae National Title Services, Inc., Mississippi Valley Title Services Company, and The Title Company of North Carolina.</i>
Non-affiliates	Companies not related by common ownership or control. They can be financial and non-financial companies. • <i>Old Republic Title does not share with non-affiliates so they can market to you</i>
Joint marketing	A formal agreement between non-affiliated financial companies that together market financial products or services to you. • <i>Old Republic Title doesn't jointly market.</i>

Affiliates Who May be Delivering This Notice				
American First Title & Trust Company	American Guaranty Title Insurance Company	Attorneys' Title Fund Services, LLC	Compass Abstract, Inc.	eRecording Partners Network, LLC
Genesis Abstract, LLC	Guardian Consumer Services, Inc.	iMarc, Inc.	Kansas City Management Group, LLC	L.T. Service Corp.
Lenders Inspection Company	Lex Terrae National Title Services, Inc.	Lex Terrae, Ltd.	Mississippi Valley Title Services Company	National Title Agent's Services Company
Old Republic Branch Information Services, Inc.	Old Republic Diversified Services, Inc.	Old Republic Escrow of Vancouver, Inc.	Old Republic Exchange Company	Old Republic National Ancillary Services, Inc.
Old Republic National Commercial Title Services, Inc.	Old Republic Title and Escrow of Hawaii, Ltd.	Old Republic National Title Insurance Company	Old Republic Title Company	Old Republic Title Companies, Inc.
Old Republic Title Company of Conroe	Old Republic Title Company of Indiana	Old Republic Title Company of Nevada	Old Republic Title Company of Oklahoma	Old Republic Title Company of Oregon
Old Republic Title Company of St. Louis	Old Republic Title Company of Tennessee	Old Republic Title Information Concepts	Old Republic Title Insurance Agency, Inc.	Old Republic Title, Ltd.
RamQuest Software, Inc.	Republic Abstract & Settlement, LLC	Sentry Abstract Company	Surety Title Agency, Inc.	The Title Company of North Carolina
Trident Land Transfer Company, LLC				

DELETION OF ARBITRATION PROVISION
(Not Applicable to the Texas Residential Owner's Policy)

ARBITRATION is a common form of alternative dispute resolution. It can be a quicker and cheaper means to settle a dispute with your Title Insurance Company. However, if you agree to arbitrate, you give up your right to take the Title Insurance Company to court and your rights to discovery of evidence may be limited in the arbitration process. In addition, you cannot usually appeal an arbitrator's award.

Your policy contains an arbitration provision (shown below). It allows you or the Company to require arbitration if the amount of insurance is \$2,000,000 or less. If you want to retain your right to sue the Company in case of a dispute over a claim, you must request deletion of the arbitration provision before the policy is issued. You can do this by signing this form and returning it to the Company at or before the closing of your real estate transaction or by writing to the Company.

The Arbitration provision in the Policy is as follows:

Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured, unless the Insured is an individual person (as distinguished from an Entity). All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.

I request deletion of the Arbitration provision.

Signature

Date

IMPORTANT NOTICE

To obtain information or make a complaint:

You may contact (Old Republic National Title Insurance Company 713-682-4144).

You may call Old Republic National Title Insurance Company's toll-free telephone number for information or to make a complaint at:

1-888-678-1700

You may also write to Old Republic National Title Insurance Company at:

400 Second Avenue South
Minneapolis, Minnesota 55401
Attn: Claims Department

You may contact the Texas Department of Insurance to obtain information on companies, coverages, rights or complaints at:

1-800-252-3439

You may write the Texas Department of Insurance:

P. O. Box 149104
Austin, TX 78714-9104
Fax: (512) 475-1771
Web: <http://www.tdi.state.tx.us>
E-mail: ConsumerProtection@tdi.state.tx.us

PREMIUM OR CLAIM DISPUTES:

Should you have a dispute concerning your premium or about a claim you should contact the Old Republic National Title Insurance Company first. If the dispute is not resolved, you may contact the Texas Department of Insurance.

ATTACH THIS NOTICE TO YOUR POLICY

This notice is for information only and does not become a part or condition of the attached document.

AVISO IMPORTANTE

Para obtener informacion o para someter una queja:

Puede comunicarse con su (Old Republic National Title Insurance Company 713-682-4144).

Usted puede llamar al numero de telefono gratis de Old Republic National Title Insurance Company para informacion o para someter una queja al:

1-888-678-1700

Usted tambien puede escribir a Old Republic National Title Insurance Company:

400 Second Avenue South
Minneapolis, Minnesota 55401
Attn: Claims Department

Puede comunicarse con el Departamento de Seguros de Texas para obtener informacion acerca de companies, coberturas, derechos o quejas al:

1-800-252-3439

Puede escribir al Departament de Seguros de Texas:

P. O. Box 149104
Austin, TX 78714-9104
Fax: (512) 475-1771
Web: <http://www.tdi.state.tx.us>
E-mail: ConsumerProtection@tdi.state.tx.us

DISPUTAS SOBRE PRIMAS O RECLAMOS:

Si tiene una disputa concerniente a su prima o a un reclamo, debe comunicarse con Old Republic National Title Insurance Company primero. Si no se resuelve la disputa, puede entonces comunicarse con el departamento (TDI).

UNA ESTE AVISO A SU POLIZA: Este aviso es solo para proposito de information y no se convierte en parte o condicion del documento adjunto.

TAX CERTIFICATE



CHERYL E. JOHNSON, PCC
GALVESTON COUNTY TAX ASSESSOR-COLLECTOR
722 Moody
Galveston, TX 77550

Issued To:

EHRA ENGINEERING
10011 MEADOWGLEN LANE
HOUSTON, TX 77042

Legal Description

ABST 2 S F AUSTIN SUR TRACT 238, 32.630
ACRES

Fiduciary Number: 33129560

Parcel Address: 3227 MAIN

Legal Acres: 32.6300

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Account Number: 131373

Print Date: 10/05/2023 10:18:44 AM

Certificate No: 249596989

Paid Date: 10/05/2023

Certificate Fee: \$10.00

CHECK NO. 002758

Issue Date: 10/05/2023

Operator ID: MCCORQUODALE_D

TAX CERTIFICATES ARE ISSUED WITH THE MOST CURRENT INFORMATION AVAILABLE. ALL ACCOUNTS ARE SUBJECT TO CHANGE PER SECTION 26.15 AND 11.43(i) OF THE TEXAS PROPERTY TAX CODE. THIS IS TO CERTIFY THAT ALL TAXES DUE ON THE ABOVE DESCRIBED PROPERTY HAVE BEEN EXAMINED, UP TO AND INCLUDING THE YEAR 2022, AND THERE ARE NO TAXES DUE ON THIS PROPERTY.

Exemptions:

OPEN SPACE 1-D-1

Certified Owner:

G 46 LLC
2909 ROGERDALE RD #421249
HOUSTON, TX 77242

Certified Tax Unit(s):

1 GALVESTON CO
2 ROAD & FLOOD
214 HITCHCOCK ISD
332 CITY OF LA MARQUE
402 DRAIN DIST #2
605 COLL OF THE MAINLAND

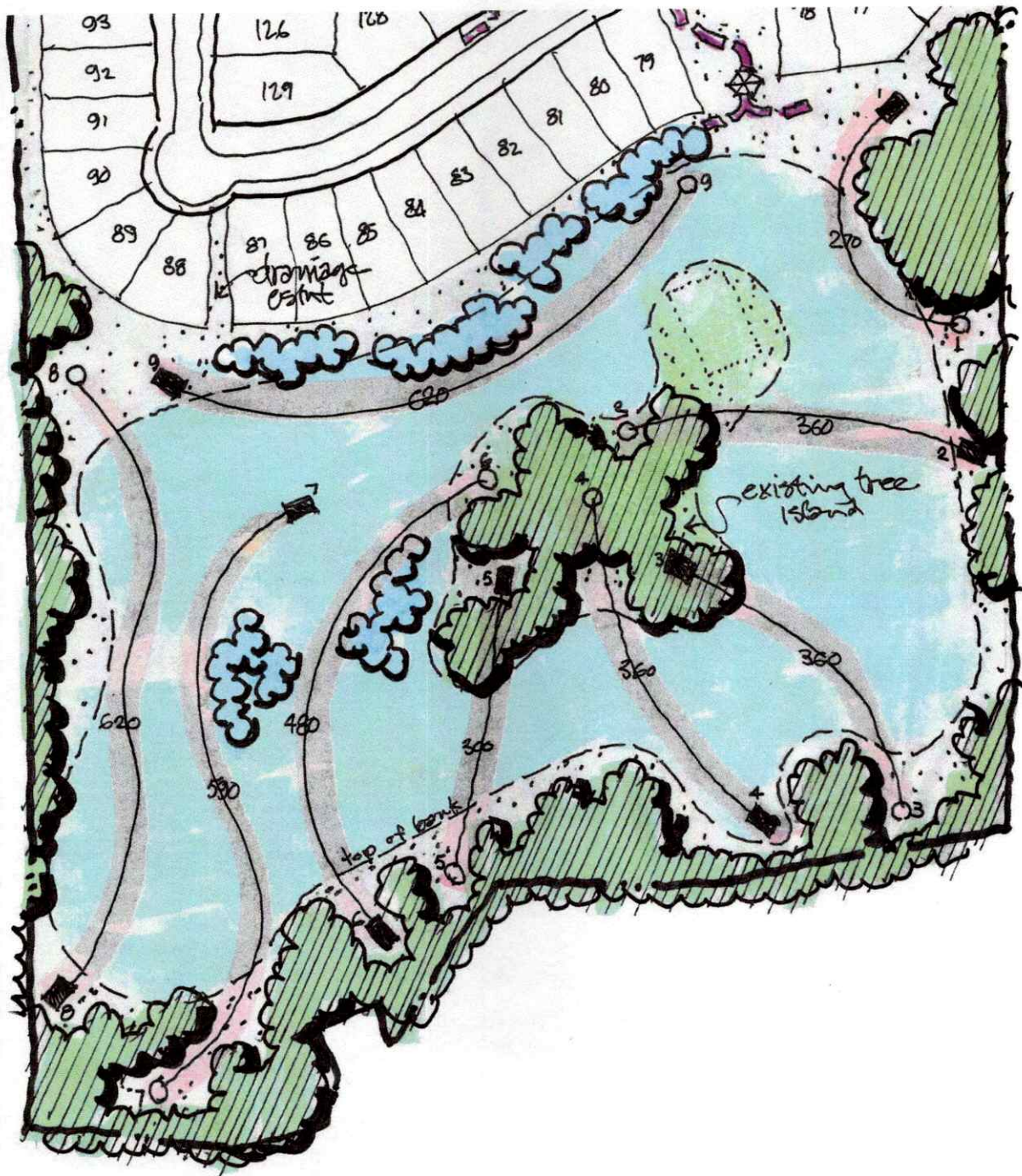
2022 Value:	233,640
2022 Levy:	\$40.05
2022 Levy Balance:	\$0.00
Prior Year Levy Balance:	\$0.00
Total Levy Due:	\$0.00
P&I + Attorney Fee:	\$0.00
Total Amount Due:	\$0.00

Note: 2023 TAXES HAVE NOT YET BEEN CALCULATED

Reference (GF) No: N/A

Issued By:

CHERYL E. JOHNSON, PCC
GALVESTON COUNTY TAX ASSESSOR-COLLECTOR



46-Acre F.M. 519 Tract: Disc Golf Exhibit

La Marque, Texas

NOT TO SCALE



10011 MEADOWGLEN LANE
HOUSTON, TEXAS 77042
713.784.4500
EHRA TEAM
TBPE No. F-726
TBPLS No. 10092300

EHRA JOB NO.
231-052-00

No warranty or representation of intended use, design or proposed improvements are made herein. All Plans for land or facilities are subject to change without notice.



46 Acre F.M. 519 Tract: Lotting Plan - 128 Lots

A ± 46 Acre Tract located in the City of La Marque, Galveston County, Texas.

EHRA JOB NO. 231-052-00
P:\231-052-052\La Marque Tract Lotting Plan.dwg Oct 06, 2023 4:05pm Edited by: J. Scharf

October 6, 2023

1"=200'
SCALE 1"=200'

NORTH

No warranty or representation of intended use, design or proposed improvements are made herein. All plans for record or facilities are subject to change without notice.



ENGINEERING THE FUTURE
SINCE 1938
10011 MEADOWS LANE
HOUSTON, TEXAS 77042
713.764.4500
CHRYSTIAN
TYPE NO. F-726
TOLPS NO. 10092300



City of La Marque Planning & Zoning Commission

STAFF REPORT

Meeting Date: February 27, 2024

Agenda Item: Discussion / possible action regarding a request to change the zoning district from R-1 Single Family Residential to a Planned Development District on +- 46 Acre Tract out of Abstract 2, S.F. Austin Survey, being tracts 238, 32.630 acres and tract 239, 15.090 acres, La Marque, Galveston, County, Texas, Galveston County Parcel ID Nos. 131373 and 131374, located on FM 519 (Main Street)

Item Type: Rezone

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 211 Texas Local Government Code

Council approval: Required with 2 readings.

Public comments: None

Recommendation:

☒ APPROVED ☐ DENIED ☐ TABLED until DATE: _____

VOTE TALLY:

4 APPROVED 0 DENIED 0 TABLED.


Chair Signature

DATE: Feb, 27, 2024

P42 FEB. 27, 2024

SPEAKER SIGN IN

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE</u>
Kelly Reagan	2328 Newman	409-771-7083
BLACKBURN	2412 Duray	409-939-5917
Debra Graugnard	3230 Main St (519)	301-514-0113
David Reagan	2328 Newman	744-1803 409- 000000
MARILYN JEWELL	2407 DURAY	(409) 739-5227
John Allen	2326 NEWMAN	409 771-9288
Bill Pritchard	2416 NEWMAN	2127 409 739-1019



City of La Marque
1130 1st Street
La Marque, Texas 77568
409.938.9219

**CITY OF LA MARQUE
NOTICE TO PROPERTY OWNERS
OF A REQUESTED REZONE OF PROPERTY WITHIN 200 FEET**

January 29, 2024

Dear Property Owner:

Per Texas State Statutes, you are receiving notice again since this request was tabled at the January 23, 2024, Planning & Zoning Meeting. We appreciate your patience and remember this is a Public Hearing, you are welcome and encouraged to attend this meeting and voice any concerns about this project.

This PUBLIC NOTICE is required by the City of La Marque Code of Ordinances, Section 71-26. An application to rezone property in your area has been received by the Planning and Zoning Commission. Land under your ownership or care, as listed with the Galveston County Appraisal District Tax Records, is located within 200 feet of the property that is being considered for rezoning. Your property is not being rezoned as part of this request.

This is your OFFICIAL NOTICE that the City of La Marque Planning and Zoning Commission will hold a Public Hearing on Tuesday, February 27, 2024, at 4:00 p.m. in the City Council chambers located at 1109 -B, Bayou Rd. La Marque, TX 77568

A preliminary report regarding a formal request to change the zoning district from (R-1) Single Family Residential to a (PDD) Planned Development District being a 46-acre tract out of Abstract 2, S.F. Austin Survey, Being Tracts 238, 32.630 acres and Tract 239, 15.090 acres, La Marque, Galveston County, TX. Galveston County Property Parcel ID Nos. 131373 and 131374 located on FM 519 (Main Street)

You may provide comments during the meeting by telephone or video using the following Zoom meeting information: Dial in number: 1 (346) 248-7799; Meeting ID: 92887385489; Press *6 to mute or unmute your phone line. You may also connect to the meeting on your smartphone, tablet or computer by going to the following internet address: <https://zoom.us/j/92887385489>. The full agenda packet will be available at least 72 hour prior to the meeting on the City's website <https://ci.la-marque.tx.us/AgendaCenter>.

If you are unable to attend, and wish to comment, you may also provide comments by email to k.vanstavern@cityoflamarque.org or by mail addressed to:

City of La Marque
Development Services Department
1130 1st Street
La Marque, TX 77568

Respectfully,
Kathleen Van Stavern
Development Services Department

**CITY OF LA MARQUE
PLANNING AND ZONING COMMISSION
PUBLIC HEARING NOTICE**

Notice is hereby given that the City of La Marque Planning and Zoning Commission will hold a **PUBLIC HEARING on FEBUARY 27, 2024**, beginning at 4:00pm in the City Council Chambers, located at 1109-B Bayou Road, La Marque, Texas for the purpose of discussion and possible action on:

A rezone request to change the zoning district from (R-1) single family residential to a (PDD) Planned Development District for a 46-acre tract located on FM 519 in La Marque, TX 77568. Galveston County Property ID#'s 131373 & 131374.

This is a PUBLIC MEETING, and the public has the right to appear at the hearing to voice any concerns or comments.

For further information please contact K. Van Stavern, Development Services Director for the City of La Marque, Texas. Email: k.vanstavern@cityoflamarque.org

Legal Notice
CITY OF LA MARQUE
PLANNING AND ZONING COMMISSION
PUBLIC HEARING NOTICE

Notice is hereby given that the City of La Marque Planning and Zoning Commission will hold a **PUBLIC HEARING on FEBUARY 27, 2024**, beginning at 4:00pm in the City Council Chambers, located at 1109-B Bayou Road, La Marque, Texas for the purpose of discussion and possible action on:

A rezone request to change the zoning district from (R-1) single family residential to a (PDD) Planned Development District for a 46-acre tract located on FM 519 in La Marque, TX 77568. Galveston County Property ID#'s 131373 & 131374.

This is a PUBLIC MEETING, and the public has the right to appear at the hearing to voice any concerns or comments.

For further information please contact K. Van Stavern, Development Services Director for the City of La Marque, Texas.

Email: k.vanstavern@cityoflamarque.org

Published: February 9, 2024

Sec. 71-18. PD planned development district.

- (a) *Purpose and scope.* The PD planned development district is designed to provide flexibility in development planning and the opportunity for the application of planning concepts. Planned development zoning shall require the submission and approval of a development site plan. The city council after public hearing and proper notice to all parties affected, and after recommendation from the planning and zoning commission, may require the creation of planned development districts when any of the following developments are being considered:
- (1) Large shopping center;
 - (2) Housing development on tracts of five acres or more;
 - (3) Industrial parks or districts on tracts of ten acres or more;
 - (4) Medical center or hospital;
 - (5) Civic center and/or community center;
 - (6) Office, motel or hotel center on tracts of two acres or more;
 - (7) Recreation center;
 - (8) Research park or scientific research center; or
 - (9) A combination of uses that are not customarily allowed in any one of the districts established in this chapter.
- (b) *Application procedures.* Application for a PD district shall be made in the same manner as an application for any amendment to this chapter and shall include the following additional information:
- (1) *Proposed uses.* An application for a PD district shall specify and describe the category or type of use or the combination of uses proposed. Permitted uses under PD zoning shall be specified in each PD ordinance. If such ordinance specifies permitted uses by references to a zoning district, the permitted uses shall include those uses permitted in the reference district, including those permitted through the cumulative provision of this chapter.
 - (2) *Development requirements.* An application for a PD district shall include a list of development requirements, which may be incorporated into the PD ordinance. Development requirements may include, but not be limited to, density, lot size, unit sizes, setbacks, building heights, lot coverage, parking ratios, screening and other requirements the council may deem appropriate.

Standards set forth in specific zoning districts will be used as guidelines for planned developments. Modifications of standards may be considered if the modification substantially meets the intent of the ordinance and improves the overall development design, or if a unique project design is proposed which cannot readily be accommodated through other districts. Pecuniary reasons shall not be the sole reason for modifying standards.
 - (3) *Concept plan.* An application for a PD district shall include a concept plan showing the relationship to existing natural features and adjacent properties and uses.

The concept plan shall be construed as an illustration of the development concepts and not as an exact representation of all specific development details.
- (c) *Development site plan.* Approval of a development site plan shall be a prerequisite to the issuance of building permits for any property in a PD district. The approval of a development site plan may also serve as preliminary plat approval, provided that all requirements of the subdivision ordinance and its subsequent amendments are satisfied.

-
- (1) *Compliance with approvals.* The development site plan must comply with all provisions of the PD ordinance specifying development standards and substantially reflect the precepts and layout set forth in the concept plan. If, in the judgment of the planning and zoning commission, a development site plan does not comply with the provisions of the PD ordinance and the concept plan incorporated therein, the planning and zoning commission may reject such plan, in which case a new site plan may be submitted or application must be made to amend the PD ordinance, including all requirements for notices and public hearings. If a PD ordinance does not specify development standards or has not incorporated a concept plan, the development plan approval shall specify such standards. Development requirements on such development plans may be revised under the same review, notice and approval procedures as applied to the original approval of the plan and application to amend the PD ordinance shall not be required.
 - (2) *Review process.* The development plan review process shall include review by the planning and zoning commission, referral by the planning and zoning commission to the city council with a recommendation, and review and final approval of the development plan by the city council.
 - (3) *Modifications.* The planning and zoning commission may recommend, and the council may require, such modifications of a development site plan that will ensure the proposed project will be in harmony with the existing and anticipated development of surrounding areas.
 - (4) *Requirements.*
 - a. General information. 20 copies of development site plan; vicinity map or adequate reference to intersecting streets to locate specific property; north arrow, date, scale (not less than one inch equals 100 feet).
 - b. Site/adjacent property information. Site, indicating boundaries and project phase lines, if any; public or private rights-of-way and easements on site or abutting or intersecting the site; adjacent properties, with zoning and existing uses identified.
 - c. Building layout. Existing and proposed structures, showing approximate outline of perimeter walls and including distances to property lines and other structures; front, side and rear building setback lines; proposed category of use or uses of structures; elevation views or renderings indicating architectural design, building materials proposed and window orientations (one copy required); number of stories, in height and feet; gross floor area; location of entrances and exits.
 - d. Circulation and parking. Location, dimensions and proposed construction of all streets, private drives, alleys, parking areas and drive approaches; street drives and alleys which are adjacent to or dead-end into the site, including the location, of existing and proposed median openings and left-turn lanes in boulevard streets; number and dimensions of parking spaces and width of drive approaches and aisles; sidewalks and other facilities for pedestrian circulation; location, width and curve radii for required fire lanes.
 - e. Drainage/utilities/services. Existing and proposed topography, reflecting proposed handling of on-site surface drainage; limits of the 100-year floodplain and floodway as shown on current FIA mapping, including location and acreage; proposed improvements and method of maintenance for any drainage channels; existing and proposed water and sanitary sewer layout; existing and proposed fire hydrant locations; propose locations for solid waste container pads.
 - f. Screening/open space/recreational facilities. Location, height and building materials for any proposed or required walls or fences; height, location and type of any proposed berms or living screens; location and size (if applicable) of proposed recreation facilities (swimming pools, tennis courts, etc.); location of open play areas and playgrounds with play equipment; landscape plan.
 - g. Living units. Table showing type of units by size, number of bedrooms, and number of each type; floor plans for all units.

-
- (d) *Administrative action.* Upon approval of a development site plan by the city council and approval of the preliminary plat, application may be made for the permits and certificates necessary for construction. Subsequent to such approval, the planning and zoning commission may authorize minor changes when such changes will not cause any of the following circumstances to occur:
- (1) A change in the character of the development;
 - (2) An increase in the ratio of the gross floor area in structures to the area of any lot;
 - (3) An increase in the intensity of use;
 - (4) A reduction in the originally approved separations between buildings;
 - (5) An increase in the problems of circulation, safety, and utilities;
 - (6) An increase in the external effects on adjacent property;
 - (7) A reduction in the originally approved setbacks from property lines;
 - (8) An increase in ground coverage by structures;
 - (9) Reduction in the ratio of off-street parking and loading space to the gross floor area in structures; and
 - (10) Change in the locations, lighting or orientation of originally approved signs.
- (e) *Standards for townhouse developments.* Development of townhouse projects shall be considered within the scope of the PD planned development zoning classification, thereby providing flexibility in planning and design, and allowing the application of innovative and creative development concepts.

The following standards are set forth as guidelines for the preparation of a development plan as required by section 71-18(b). Consistent with the intent of the planned development district, these standards may be modified as may serve the best interests of the community upon approval of the development plan.

- (1) *Townhouse lots.* The following minimum requirements should apply to each townhouse lot:
 - a. Area of lot: 3,000 square feet;
 - b. Depth of lot: 100 feet, except where the lot backs to a freeway, expressway, or thoroughfare in which case the minimum depth of lot shall be 110 feet;
 - c. Width of lot: 26 feet;
 - d. Front yard setback: 20 feet; and
 - e. Exterior side yard: Where a side lot line abuts a street, the width of the side yard shall be 15 feet.Access to townhouse lots shall be adequate to provide fire protection and sanitation service.
- (2) *Spacing between buildings.* Dwelling units should be in groups of not less than three townhouse units nor more than seven townhouse units; in no event should more than one-quarter of the total building groups contain seven townhouses. The total length of any one group of units should not exceed an overall length of 225 feet. There shall be a minimum space of 36 feet between building groups and 15 feet between the end of a building and a street, private drive, or alley.
- (3) *Open space.* No less than 40 percent of the total gross land area should be open space that shall not be used as an area of principal construction, nor for automobile driveways or parking facilities. Such open space should be used exclusively for the purpose of installation of recreational facilities and green or landscaped areas. Flood plains, or any standing surface water, other than swimming pools, may be considered open space if specifically approved by council.

-
- (4) *Density.* The average density of townhouse units should not exceed eight units per acre. The density is to be computed by taking the gross land area of each town house tract and dividing the total number of dwelling units within the tract.
 - (5) *Living area in each townhouse unit.* The minimum living area for a one-bedroom townhouse unit shall be 850 square feet; two or more bedroom units shall have a minimum of 1,200 square feet living area, exclusive of garages, breezeways, patios, and porches.
 - (6) *Exterior fire resistant construction.* All main buildings shall be of exterior fire resistant construction having exterior walls constructed of brick, stone, concrete block, or other masonry, or materials of equal characteristics, or as approved in the review of the development plan.
 - (7) *Fire walls.* Within each townhouse complex, a four-hour, fire-rated firewall shall be placed every 4,500 square feet. All such fire walls shall be continuous and unbroken from the foundation slab to the underside of the roof deck and conform to the other requirements for fire walls as outlined in the building code for the city. All other townhouse unit separation walls shall be of a two-hour rating.
 - (8) *Utilities.* All utilities shall be placed underground, except installations aboveground shall be permitted when approved by the city council under the following circumstances:
 - a. Aboveground installations of transformers;
 - b. Where utility lines cross a major drainage channel or depression of such depth as to make underground installation impractical; and
 - c. At the point where the utility enters the development.
 - (9) *Parking regulations.* Two and one-half parking spaces shall be provided off the street for each townhouse unit. Each townhouse should provide a carport or garage and shall have a capacity for two motor vehicles (pickups and vans not exceeding three-quarters-ton capacity). The additional one-half parking space per unit shall be placed in groups scattered through the development to accommodate the guests of the homeowners. No more than 50 percent of the additional off-street parking spaces shall be located on private or public streets or alleys.
 - (10) *Recreational facilities.* Recreational and community facilities, including community buildings, swimming pools, and playground areas, shall be considered in the review of the development plan.
 - (11) *Recreational vehicles and equipment.* Adequate storage areas for the storage of recreational vehicles and equipment shall be considered in the review of the development plan.
 - (12) *Screening.* Screening shall be provided according to the following requirements:
 - a. In the event that a townhouse development backs up or sides upon a R-1, R-2, R-3, or C district, a solid masonry screening fence of not less than six feet nor more than eight feet shall be erected and maintained along the property line separating the two districts;
 - b. A masonry screening fence shall consist of materials of equal composition and characteristics as the main buildings in the townhouse development; and
 - c. No such screening fence shall be erected so as to obstruct the vision of motorists at alley, street, or drive intersections.
 - (13) *Construction requirements.* All streets, parking areas, access drives, sidewalks, and drainage structures constructed on private or public property shall be approved by the city and constructed in accordance with the city's specifications and requirements.
 - (14) *Homeowners' association.* Before approval of any plat containing any common area, it shall be necessary to assure the city that provisions have been made for adequate upkeep and maintenance of such area and facilities. Any such homeowners' or maintenance association, so established to maintain

and manage all such common area, shall be approved by the city council prior to the issuance of any building permits. In the event of failure to maintain said common area, the city may, by ordinance, provide for maintenance at the expense of the property owners, and provide for a lien against the property of the members, as in the case of individual homeowners. The power of the city to file a lien shall be recited in the bylaws of the association.

(Ord. No. 953, 12-12-2005)



City of La Marque
1130 1st Street
La Marque, Texas 77568
409.938.9204

**CITY OF LA MARQUE
NOTICE TO PROPERTY OWNERS
OF A REQUESTED REZONE OF PROPERTY WITHIN 200 FEET**

January 2, 2024

Dear Property Owner:

This PUBLIC NOTICE is required by the City of La Marque Code of Ordinances, Section 71-26. An application to rezone property in your area has been received by the Planning and Zoning Commission. Land under your ownership or care, as listed with the Galveston County Appraisal District Tax Records, is located within 200 feet of the property that is being considered for rezoning. Your property is not being rezoned as part of this request.

This is your OFFICIAL NOTICE that the City of La Marque Planning and Zoning Commission will hold a Public Hearing on **Tuesday, January 25, 2024, at 4:00 p.m. by telephone and video conference** regarding: a request to change the zoning district from (R-1) Single Family Residential to a Planned Development District located on a 46 acre tract out of the SF Austin League, Survey No. 4-2, Galveston, County, Texas To allow a development of 50'x 120' lot subdivision.

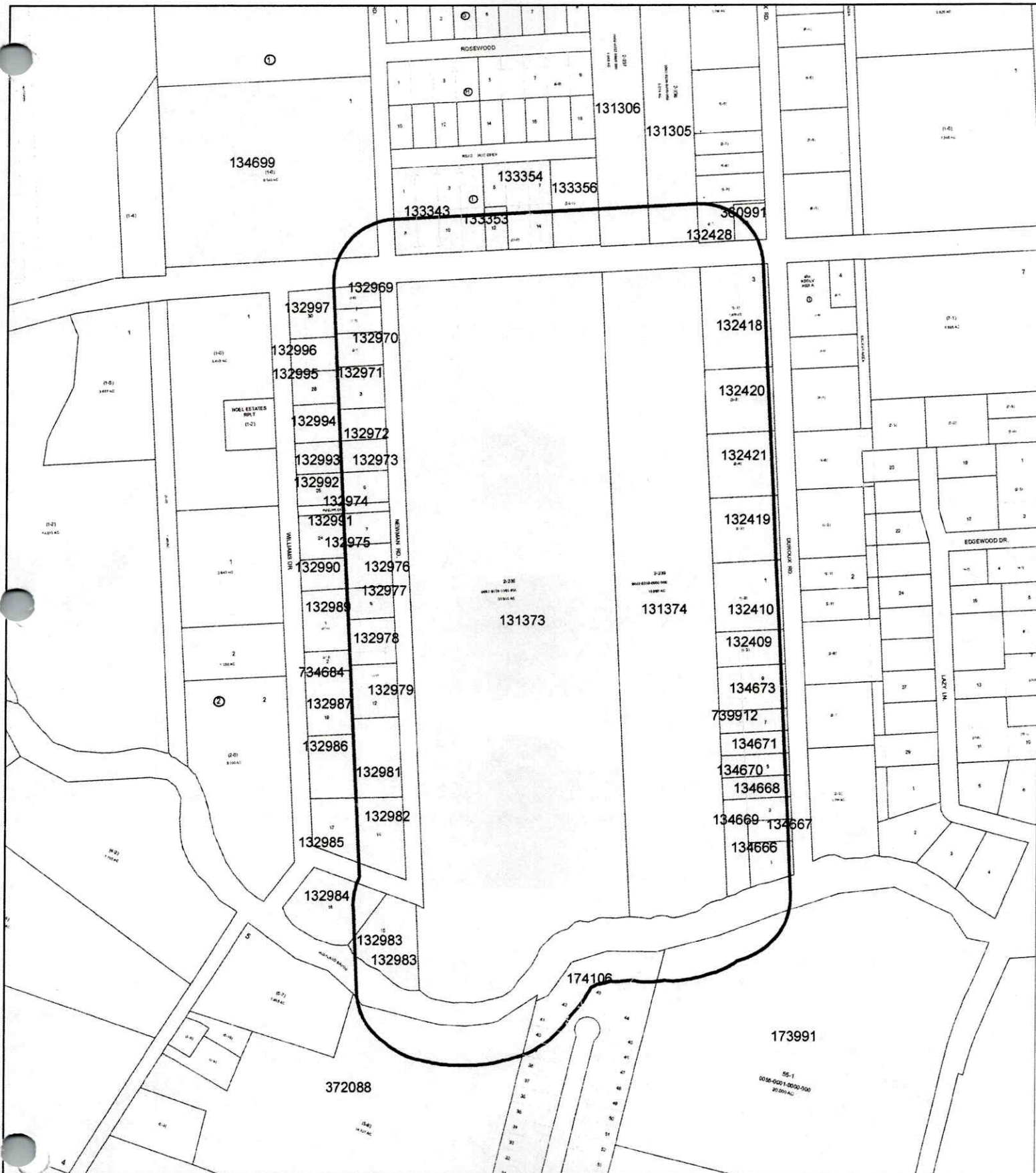
You may provide comments during the meeting by telephone or video using the following Zoom meeting information: Dial in number: 1 (346) 248-7799; <https://zoom.us/j/92887385489> Press *6 to mute or unmute your phone line. You may also connect to the meeting on your smartphone, tablet or computer by going to the following internet address: <https://zoom.us/j/92887385489>. The full agenda packet will be available at least 72 hour prior to the meeting on the City's website <https://ci.la-marque.tx.us/AgendaCenter>.

If you are unable to attend, and wish to comment, you may also provide comments by email at permits@cityoflamarque.org, or by mail at:

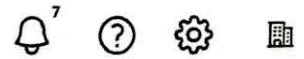
City of La Marque
Development Services Department
1130 1st Street
La Marque, TX 77568

Respectfully,
Kathleen Van Stavern
Development Services

Galveston Central Appraisal District



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



P & Z January 2024 Edit

Notice Preview →

Activity Log →



Newspaper
The Galveston County Daily News



Publication Date
Jan 10, 2024



Status
Invoiced Outside Column (\$272.21) 



Invoice Due
Invoiced Outside Column



Order Number
1189740



Account Number
53766

Quick Actions



VIEW PROOF



VIEW STATEMENT



PAY INVOICE



Legal Notice
CITY OF LA MARQUE
PLANNING AND ZONING COMMISSION &
IMPACT FEE ADVISORY COMMITTEE
PUBLIC HEARING NOTICE

Notice is hereby given that the City of La Marque Planning and Zoning Commission will hold a PUBLIC HEARING of the Impact Fee Advisory Committee on January 23, 2024 beginning 3:30pm / Planning & Zoning Public Hearing on Tuesday, January 23, 2024, beginning at 4:00 pm in the City Council Chambers, located at 1109-B Bayou Road, La Marque, Texas for the purpose of discussion and possible action on:

- a. The Impact Fee Survey and Land Use Assumptions Report for an amendment to the City of La Marque's Impact Fee Ordinance. (Advisory Committee)
- b. A request for a Conditional Use Permit for a Data Showroom & Storage Facility on a 3 acre tract on FM 1764, La Marque, TX 77568
- c. A rezone request to change the zoning district from R-1 single family residential to a PDD Planned Development District for a - 46 acre tract in La Marque, TX 77568

For further information please contact K. Van Stavern, Development Services Director for the City of La Marque, Texas. Email: k.vanstavern@cityoflamarque.org

Galveston Central Appraisal District

ID	GEOID	NAME	ADDRESS	ADDRESS2	ADDRESS3	CITY	ST	ZIP
131306	0002-0237-0000-000	CLARK ROBERT JOHNNIE JR		1411 DUROUX RD		LA MARQUE	TX	77568
133353	5225-0009-0012-000	GRAUGNARD MILTON R SR		3230 MAIN ST		LA MARQUE	TX	77568-4611
132996	4785-0000-0029-000	CAMPBELL SUSAN MARIE		2303 WILLIAMS DR		LA MARQUE	TX	77568
132971	4785-0000-0003-000	GARCIA RAFAEL C & MARIBEL A GARCIA		2324 NEWMAN RD		LA MARQUE	TX	77568
132993	4785-0000-0026-000	HOBBS RICHARD B JR		2325 WILLIAMS DR		LA MARQUE	TX	77568
132991	4785-0000-0024-000	REED NARY JOSEPH & EMMA J		2417 WILLIAMS DR		LA MARQUE	TX	77568-4632
132410	3105-0000-0001-003	DAVIS JAMES L JR & SHERI L		2402 DUROUX RD		LA MARQUE	TX	77568-4653
132982	4785-0000-0014-000	BACCINELLI PAMELA M		2424 NEWMAN RD		LA MARQUE	TX	77568
133354	5225-0009-0013-000	LOESSBERG GEORGE H		3228 MAIN ST		LA MARQUE	TX	77568-4611
132969	4785-0000-0001-000	ABRAHAM ALBERT A JR		3309 MAIN STREET		LA MARQUE	TX	77568-4600
132994	4785-0000-0027-000	HOBBS RICHARD B JR		2325 WILLIAMS DR		LA MARQUE	TX	77568-4631
132409	3105-0000-0001-002	GIUSTI SARAH M		2408 DUROUX RD		LA MARQUE	TX	77568
134673	7265-0000-0008-000	BLACKBURN ESMENIA & LESLIE J III		2412 DUROUX ROAD		LA MARQUE	TX	77568-4653
132986	4785-0000-0018-000	GREEN HENRY M & LOVENIA A		1100 MACADAMIA ST		VENUS	TX	76084-3627
134668	7265-0000-0004-000	BLANKS JEDEDIAH		14715 CEDAR ST		SANTA FE	TX	77517-3125
133343	5225-0009-0001-000	GRAUGNARD CATHERINE LYNNE		3230 MAIN STREET		LA MARQUE	TX	77568-4611
132418	3105-0000-0003-001	IGLESIA DE CRISTO FILADELFA		6505 FAIRWAY DR		GALVESTON	TX	77551
132997	4785-0000-0030-000	MOCTEZUMA CHRIS & ERICA J		13127 S SAYKO ST		SANTA FE	TX	77510-9321
132970	4785-0000-0002-001	TORRES ERIC A & TERRIE V		2320 NEWMAN RD		LA MARQUE	TX	77568-4633
132992	4785-0000-0025-000	DUNKIN DANA CAMILE		2411 WILLIAMS DR		LA MARQUE	TX	77568
132990	4785-0000-0023-000	DOERR JENNIFER C		2413 WILLIAMS DR		LA MARQUE	TX	77568
132977	4785-0000-0009-000	ESQUEDA MARCO & CLAUDIA		2400 NEWMAN RD		LA MARQUE	TX	77568
132978	4785-0000-0010-000	CHITTUM SARAH JANE & RICHARD		2404 NEWMAN RD		LA MARQUE	TX	77568-4634
134667	7265-0000-0002-000	BUNKER BRETT A & LISA M		4118 17TH ST N		TEXAS CITY	TX	77590-4035
734684	4785-0000-0021-002	GARCIA CESAR		2409 WILLIAMS DR		LA MARQUE	TX	77568
132987	4785-0000-0019-000	RIOJAS DAVID & CYNTHIA ANGELICA		2429 WILLIAMS DR		LA MARQUE	TX	77568
131305	0002-0236-0000-000	CLARK ROBERT JOHNNIE JR		1411 DUROUX RD		LA MARQUE	TX	77568
134699	7350-0001-0001-000	JONES ROY E & SHARON M		1702 BIOVU DR		GALVESTON	TX	77551-1419
133356	5225-0009-0014-001	WISE DENNIS WAYNE		3220 MAIN ST		LA MARQUE	TX	77568-4611
132428	3105-0000-0005-001	ISLAND FIRE AND SAFETY EQUIPMENT INC		3201 MAIN ST		LA MARQUE	TX	77568
360991	3105-0000-0005-008	ISLAND FIRE AND SAFETY EQUIPMENT INC		3201 MAIN ST		LA MARQUE	TX	77568
354947	4785-0000-0001-001	RUTLEDGE WILLIAM R & LYNELLE		2312 NEWMAN RD		LA MARQUE	TX	77568-4633
132420	3105-0000-0003-003	Confidential Owner						
132995	4785-0000-0028-000	MONTGOMERY JAMES		PO BOX 544		LA MARQUE	TX	77568-0544

132972	4785-0000-0004-000	SPANGLER LISA	4905 BLUE WATER LN	DICKINSON	TX	77539-6501	
132421	3105-0000-0003-004	LOZANO CAROL ANN	2322 DUROUX RD	LA MARQUE	TX	77568	
132973	4785-0000-0005-000	ALLEN JOHN T JR	2326 NEWMAN RD	LA MARQUE	TX	77568-4633	
132984	4785-0000-0016-000	KUENZI RES	1117 WILLKNOX DR	GALVESTON	TX	77551	
132989	4785-0000-0021-000	GARCIA CESAR	2409 WILLIAMS DR	LA MARQUE	TX	77568	
132974	4785-0000-0006-000	REAGAN DAVID LEE	2328 NEWMAN RD	LA MARQUE	TX	77568-4633	
132419	3105-0000-0003-002	COPELAND CLARENCE IV	2330 DUROUX RD	LA MARQUE	TX	77568-4651	
132975	4785-0000-0007-000	HERNANDEZ MARIANO S &	ARMANDINA	2330 NEWMAN RD	LA MARQUE	TX	77568-4633
132976	4785-0000-0008-000	WARD GRANT S	2500 NEWMAN RD	LA MARQUE	TX	77568	
132979	4785-0000-0011-000	PRITCHARD WILLARD R & MARY E	2416 NEWMAN RD	LA MARQUE	TX	77568-4634	
132981	4785-0000-0013-000	SALAS DEBORAH	2420 NEWMAN RD	LA MARQUE	TX	77568-4634	
134670	7265-0000-0005-000	FOREMAN SCOTT	2506 DUROUX ROAD	LA MARQUE	TX	77568-4654	
134669	7265-0000-0003-000	IRONSIDE DEVELOPMENTS LLC	4520 WILLIAMHURST LN	LEAGUE CITY	TX	77573	
132985	4785-0000-0017-000	GREEN HENRY M & LOVENIA A	1100 MACADAMIA ST	VENUS	TX	76084-3627	
134666	7265-0000-0001-000	BUNKER BRETT A & LISA M	4118 17TH ST N	TEXAS CITY	TX	77590-4035	
132983	4785-0000-0015-000	KUENZI RES	1117 WILLKNOX DR	GALVESTON	TX	77551	
739912	7265-0000-0007-000	DOUGLAS WILLIAM	2450 DUROUX RD	LA MARQUE	TX	77568	
372088	6740-0000-0005-008	MUNCASTER-JEWELL PENNY	3520 CR 159	ALVIN	TX	77511	
132983	4785-0000-0015-000	KUENZI RES	1117 WILLKNOX DR	GALVESTON	TX	77551	
173991	0055-0001-0000-000	DENTON JOHN	6122 FAIRWOOD RD	HITCHCOCK	TX	77563-2041	
174106	1215-0000-0025-000	DENTON JOHN	6122 FAIRWOOD RD	HITCHCOCK	TX	77563-2041	
134671	7265-0000-0006-000	JONES JONATHAN & JOY	2502 DUROUX RD	LA MARQUE	TX	77568	



City of La Marque Planning & Zoning Commission

STAFF REPORT

Meeting Date: January 23, 2024

Agenda Item: Discussion / possible action regarding a request to change the zoning district from R-1 Single Family Residential to a Planned Development District on +- 46 Acre Tract out of Abstract 2, S.F. Austin Survey, being tracts 238, 32.630 acres and tract 239, 15.090 acres, La Marque, Galveston, County, Texas, Galveston County Parcel ID Nos. 131373 and 131374, located on FM 519 (Main Street)

Item Type: Rezone

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 211 Texas Local Government Code

Council approval: Required with 2 readings.

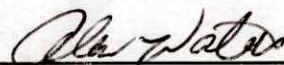
Public comments: None

Recommendation:

___ APPROVED ___ DENIED ☒ TABLED until DATE: FEB MEETING 2024

VOTE TALLY:

___ APPROVED ___ DENIED 3 TABLED.

 DATE: 1-23-2024
Chair Signature

JANUARY 23, 2024

PLEASE SIGN IN IF YOU WISH TO SPEAK TO THE COMMISSION

NAME	ADDRESS	PHONE #	EMAIL
Robert Micheltich	24 N. Carlew	409-692-4545	ram805whel.me
B.11 Prithmeo	2416 Newman Rd	409 739-1019	B.11 Prithmeo 2001@yahoo
Kelly Reagan	2328 Newman Rd	409. 771.7083	raygunsaac@gmail.com
David Reagan	2328 Newman Rd	407-7441803	Rayguns17@gmail.com
Debra Graunard	3230 Main St	301-514-0113	debra.graunard@gmail.com
Angela J Odubing	3228 main st	409. 935 2953	gloasshup@aol.com

Citizen questions concerning the Planned Development District request on 3227 Main Street at the January 23, 2024 Planning & Zoning Meeting:

1. David Reagan, 2328 Newman:

Extra traffic, construction noise, headlights shining in current home windows from extra traffic, elevation causing flooding issues, sewer outfall to bayou, street improvement wants more than just overlay of current street.

2. Debra Graugnard, 3230 Main Street:

Sewer backing up issues with Public Works & City, development entrance will be across from her driveway, will it interfere with her access to FM 519, will there be a turning lane, and will it take part of her property?

3. Bill Pritchard, 2416 Newman:

Drainage issues, will trees in the ditches be removed? Sewer issues at the end of the street not repaired by the city, will the street be widened? Will streetlights be added?

4. George Loessberg, 3228 Main St:

Extra traffic on Main Street, traffic heavy already, sewer backing up issues not repaired by the city.

5. Kelly Reagan, 2328 Newman:

Why change from residential to PDD if only building homes, why 50' lots instead of required 60', elevation & flooding, describe street improvements, sewer issues not repaired by the city yet.

6. Mary Graugnard, 3230 Main St:

Wants to see the layout proposed (in packet), extra traffic concerns, sewer back up issues not repaired by the city, drainage concerns.

7. Joseph Reid, 2417 Williams:

Complaint that the city has not fixed the sewer issues.

8. Marcus Giusti, 2408 Duroux:

His home flooded during Harvey and is worried about the elevation of this development causing flooding, Why rezone to PDD, instead of just building homes.

9. John Denton, 6122 Fairwood:

Why rezone to a PDD, drainage concerns into the bayou.

10. ? Peerson, 2621 Newman (zoom & email):

Complaint on receiving the letter only 24 days before the meeting, wants 90 days' notice of meeting to discuss with his neighbors, removing trees and adding concrete will add the accumulating thermal affect and displace wildlife, water standing in the ditch in front of his home, he feels this property should be under public ownership and protected from development.

11. Jennifer Doerr, 2413 Williams (email):

Increased traffic, traffic impact on existing streets, proposed disc golf open to the public and if so it will increase traffic, flooding due the number of homes and outfall to the bayou may impact the bay, concerned about the zoning allowed use for drilling, the condition of the existing road is already in need of repair and the increase of traffic will further damage it and the city doesn't maintain it now.

January 22, 2024

Jennifer C. Doerr
2413 Williams Dr.
La Marque, TX 77568

To Whom It May Concern:

I'm writing to formally register my opposition to the rezoning of (R-1) Single Family Residential to a (PDD) Planned Development District being a 46-acre tract out of Abstract 2, S.F. Austin Survey, Being Tracts 238, 32.630 acres and Tract 239, 15.090 acres, La Marque, Galveston County, TX. Galveston County Property Parcel ID Nos. 131373 and 131374 located on FM 519 (Main Street). There are several reasons I oppose this rezoning request, the specifics of which are detailed below, with references to specific pages in the rezoning application document where applicable.

Page 8 of the rezoning application document plainly states that the floodplain on the property is a coastal floodplain and all stormwater will directly outfall to Highland Bayou. Given the high number of lots and homes in the planning sketches, the accompanying amount of paved and concrete surfaces will result in an immense amount of stormwater flowing into Highland Bayou. In addition, the removal of the current green space will result in an increased probability of flooding for the residents of Newman Rd. and Williams Dr. Highland Bayou is an extensive water system with direct connections to Galveston Bay. The rezoning document made no mention of an environmental impact statement connected to this development, yet with direct connections to the Galveston Bay system this should be required prior to considering this rezoning request.

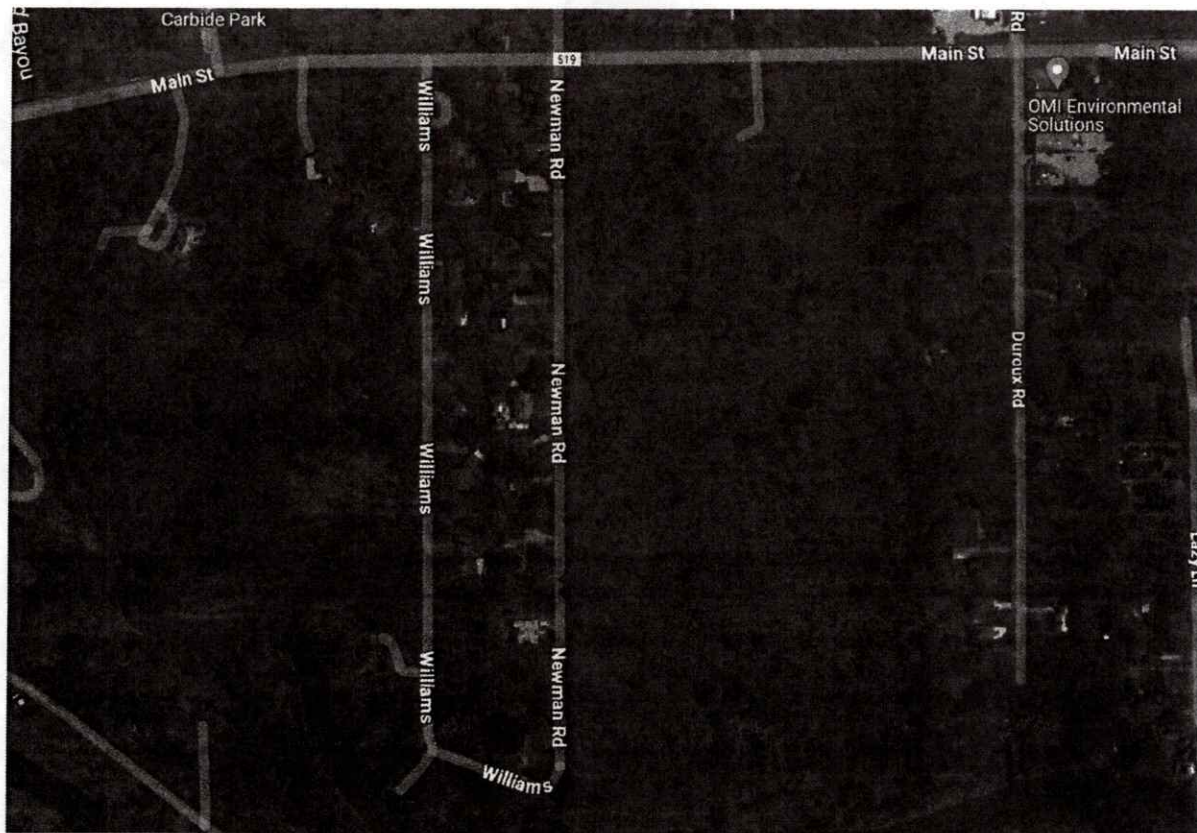
Page 12 of the rezoning application document lists drilling as a permitted use. An activity of this nature should not be allowing in any shape or form in the middle of a residential neighborhood. What are the potential drilling activities that might be allowed? Additional information on this potential use is required, particularly when the site is a coastal floodplain and the developers themselves note that all outflow will go directly into Highland Bayou. This requires numerous environmental studies and environmental impact studies. Finally, potential extraction of oil and gas in nearshore coastal areas will further facilitate flooding potential and thereby increase flood insurance for residents already residing in the area.

Page 53 of the rezoning application document presents a rendering of a disc golf course, yet there is no mention of this course anywhere in the textual portion of the document. The developer should provide additional information on the plans for this course as it presents concerns for residents in the area. In particular, is the course open to the general public and thus will bring additional traffic to the neighborhood?

In addition to my above comments and concerns related to specific pages of the rezoning application document, below are additional general concerns about this proposed development:

First, the addition of vehicle traffic from the 61-78 homes located in the southern portion of the development tract will create immense stress load and traffic on a single-lane neighborhood street, which the city already does not maintain properly and is failing in numerous locations. The width of the existing street (Newman Rd.) also will not allow for the increased amount of vehicles and there is no existing space allotted for an expansion suitable to accommodate the increased amount of vehicular traffic.

Second, I have observed a Texas Tortoise (*Gopherus berlandieri*) on the edge of this tract of land. The approximate location of this sighting is indicated on the figure below with a red "X":



Since this species is listed as threatened by the state of Texas and normally maintains a very small home range, it is possible that the area of the proposed development would destroy this species' native habitat, thus extirpating it from the area. See these web sites for additional information: <https://tpwd.texas.gov/huntwild/wild/species/txtort/> and https://tpwd.texas.gov/huntwild/wild/wildlife_diversity/habitat_assessment/media/TexasTortoise_brochure_english.pdf. At a minimum, surveys directed toward attempting to confirm the presence of the Texas Tortoise in the area must be completed prior to any type of development activities proceeding.

In short, I am concerned about the possibility of a development of this type "popping up" in such proximity to the single family homes currently located on Newman Rd. and Williams Dr. The residents of these streets value the quiet nature of the surrounding area and this type of development will effectively ruin the very reason that many residents choose to live here. I support maintaining the current single family home status of this tract of land.

Thank you for the opportunity to submit comments in response to this application. Please don't hesitate to respond if further information about any comments included herein are needed.

Sincerely,

Jennifer C. Doerr

Jennifer C. Doerr

Sec. 71-18. PD planned development district.

- (a) *Purpose and scope.* The PD planned development district is designed to provide flexibility in development planning and the opportunity for the application of planning concepts. Planned development zoning shall require the submission and approval of a development site plan. The city council after public hearing and proper notice to all parties affected, and after recommendation from the planning and zoning commission, may require the creation of planned development districts when any of the following developments are being considered:

- (1) Large shopping center;
- (2) Housing development on tracts of five acres or more;
- (3) Industrial parks or districts on tracts of ten acres or more;
- (4) Medical center or hospital;
- (5) Civic center and/or community center;
- (6) Office, motel or hotel center on tracts of two acres or more;
- (7) Recreation center;
- (8) Research park or scientific research center; or
- (9) A combination of uses that are not customarily allowed in any one of the districts established in this chapter.

- (b) *Application procedures.* Application for a PD district shall be made in the same manner as an application for any amendment to this chapter and shall include the following additional information:

- (1) *Proposed uses.* An application for a PD district shall specify and describe the category or type of use or the combination of uses proposed. Permitted uses under PD zoning shall be specified in each PD ordinance. If such ordinance specifies permitted uses by references to a zoning district, the permitted uses shall include those uses permitted in the reference district, including those permitted through the cumulative provision of this chapter.
- (2) *Development requirements.* An application for a PD district shall include a list of development requirements, which may be incorporated into the PD ordinance. Development requirements may include, but not be limited to, density, lot size, unit sizes, setbacks, building heights, lot coverage, parking ratios, screening and other requirements the council may deem appropriate.

Standards set forth in specific zoning districts will be used as guidelines for planned developments. Modifications of standards may be considered if the modification substantially meets the intent of the ordinance and improves the overall development design, or if a unique project design is proposed which cannot readily be accommodated through other districts. Pecuniary reasons shall not be the sole reason for modifying standards.

- (3) *Concept plan.* An application for a PD district shall include a concept plan showing the relationship to existing natural features and adjacent properties and uses.

The concept plan shall be construed as an illustration of the development concepts and not as an exact representation of all specific development details.

- (c) *Development site plan.* Approval of a development site plan shall be a prerequisite to the issuance of building permits for any property in a PD district. The approval of a development site plan may also serve as preliminary plat approval, provided that all requirements of the subdivision ordinance and its subsequent amendments are satisfied.

-
- (1) *Compliance with approvals.* The development site plan must comply with all provisions of the PD ordinance specifying development standards and substantially reflect the precepts and layout set forth in the concept plan. If, in the judgment of the planning and zoning commission, a development site plan does not comply with the provisions of the PD ordinance and the concept plan incorporated therein, the planning and zoning commission may reject such plan, in which case a new site plan may be submitted or application must be made to amend the PD ordinance, including all requirements for notices and public hearings. If a PD ordinance does not specify development standards or has not incorporated a concept plan, the development plan approval shall specify such standards. Development requirements on such development plans may be revised under the same review, notice and approval procedures as applied to the original approval of the plan and application to amend the PD ordinance shall not be required.
 - (2) *Review process.* The development plan review process shall include review by the planning and zoning commission, referral by the planning and zoning commission to the city council with a recommendation, and review and final approval of the development plan by the city council.
 - (3) *Modifications.* The planning and zoning commission may recommend, and the council may require, such modifications of a development site plan that will ensure the proposed project will be in harmony with the existing and anticipated development of surrounding areas.
 - (4) *Requirements.*
 - a. General information. 20 copies of development site plan; vicinity map or adequate reference to intersecting streets to locate specific property; north arrow, date, scale (not less than one inch equals 100 feet).
 - b. Site/adjacent property information. Site, indicating boundaries and project phase lines, if any; public or private rights-of-way and easements on site or abutting or intersecting the site; adjacent properties, with zoning and existing uses identified.
 - c. Building layout. Existing and proposed structures, showing approximate outline of perimeter walls and including distances to property lines and other structures; front, side and rear building setback lines; proposed category of use or uses of structures; elevation views or renderings indicating architectural design, building materials proposed and window orientations (one copy required); number of stories, in height and feet; gross floor area; location of entrances and exits.
 - d. Circulation and parking. Location, dimensions and proposed construction of all streets, private drives, alleys, parking areas and drive approaches; street drives and alleys which are adjacent to or dead-end into the site, including the location, of existing and proposed median openings and left-turn lanes in boulevard streets; number and dimensions of parking spaces and width of drive approaches and aisles; sidewalks and other facilities for pedestrian circulation; location, width and curve radii for required fire lanes.
 - e. Drainage/utilities/services. Existing and proposed topography, reflecting proposed handling of on-site surface drainage; limits of the 100-year floodplain and floodway as shown on current FIA mapping, including location and acreage; proposed improvements and method of maintenance for any drainage channels; existing and proposed water and sanitary sewer layout; existing and proposed fire hydrant locations; propose locations for solid waste container pads.
 - f. Screening/open space/recreational facilities. Location, height and building materials for any proposed or required walls or fences; height, location and type of any proposed berms or living screens; location and size (if applicable) of proposed recreation facilities (swimming pools, tennis courts, etc.); location of open play areas and playgrounds with play equipment; landscape plan.
 - g. Living units. Table showing type of units by size, number of bedrooms, and number of each type; floor plans for all units.

-
- (d) *Administrative action.* Upon approval of a development site plan by the city council and approval of the preliminary plat, application may be made for the permits and certificates necessary for construction. Subsequent to such approval, the planning and zoning commission may authorize minor changes when such changes will not cause any of the following circumstances to occur:
- (1) A change in the character of the development;
 - (2) An increase in the ratio of the gross floor area in structures to the area of any lot;
 - (3) An increase in the intensity of use;
 - (4) A reduction in the originally approved separations between buildings;
 - (5) An increase in the problems of circulation, safety, and utilities;
 - (6) An increase in the external effects on adjacent property;
 - (7) A reduction in the originally approved setbacks from property lines;
 - (8) An increase in ground coverage by structures;
 - (9) Reduction in the ratio of off-street parking and loading space to the gross floor area in structures; and
 - (10) Change in the locations, lighting or orientation of originally approved signs.
- (e) *Standards for townhouse developments.* Development of townhouse projects shall be considered within the scope of the PD planned development zoning classification, thereby providing flexibility in planning and design, and allowing the application of innovative and creative development concepts.

The following standards are set forth as guidelines for the preparation of a development plan as required by section 71-18(b). Consistent with the intent of the planned development district, these standards may be modified as may serve the best interests of the community upon approval of the development plan.

- (1) *Townhouse lots.* The following minimum requirements should apply to each townhouse lot:
 - a. Area of lot: 3,000 square feet;
 - b. Depth of lot: 100 feet, except where the lot backs to a freeway, expressway, or thoroughfare in which case the minimum depth of lot shall be 110 feet;
 - c. Width of lot: 26 feet;
 - d. Front yard setback: 20 feet; and
 - e. Exterior side yard: Where a side lot line abuts a street, the width of the side yard shall be 15 feet.Access to townhouse lots shall be adequate to provide fire protection and sanitation service.
- (2) *Spacing between buildings.* Dwelling units should be in groups of not less than three townhouse units nor more than seven townhouse units; in no event should more than one-quarter of the total building groups contain seven townhouses. The total length of any one group of units should not exceed an overall length of 225 feet. There shall be a minimum space of 36 feet between building groups and 15 feet between the end of a building and a street, private drive, or alley.
- (3) *Open space.* No less than 40 percent of the total gross land area should be open space that shall not be used as an area of principal construction, nor for automobile driveways or parking facilities. Such open space should be used exclusively for the purpose of installation of recreational facilities and green or landscaped areas. Flood plains, or any standing surface water, other than swimming pools, may be considered open space if specifically approved by council.

-
- (4) *Density.* The average density of townhouse units should not exceed eight units per acre. The density is to be computed by taking the gross land area of each town house tract and dividing the total number of dwelling units within the tract.
 - (5) *Living area in each townhouse unit.* The minimum living area for a one-bedroom townhouse unit shall be 850 square feet; two or more bedroom units shall have a minimum of 1,200 square feet living area, exclusive of garages, breezeways, patios, and porches.
 - (6) *Exterior fire resistant construction.* All main buildings shall be of exterior fire resistant construction having exterior walls constructed of brick, stone, concrete block, or other masonry, or materials of equal characteristics, or as approved in the review of the development plan.
 - (7) *Fire walls.* Within each townhouse complex, a four-hour, fire-rated firewall shall be placed every 4,500 square feet. All such fire walls shall be continuous and unbroken from the foundation slab to the underside of the roof deck and conform to the other requirements for fire walls as outlined in the building code for the city. All other townhouse unit separation walls shall be of a two-hour rating.
 - (8) *Utilities.* All utilities shall be placed underground, except installations aboveground shall be permitted when approved by the city council under the following circumstances:
 - a. Aboveground installations of transformers;
 - b. Where utility lines cross a major drainage channel or depression of such depth as to make underground installation impractical; and
 - c. At the point where the utility enters the development.
 - (9) *Parking regulations.* Two and one-half parking spaces shall be provided off the street for each townhouse unit. Each townhouse should provide a carport or garage and shall have a capacity for two motor vehicles (pickups and vans not exceeding three-quarters-ton capacity). The additional one-half parking space per unit shall be placed in groups scattered through the development to accommodate the guests of the homeowners. No more than 50 percent of the additional off-street parking spaces shall be located on private or public streets or alleys.
 - (10) *Recreational facilities.* Recreational and community facilities, including community buildings, swimming pools, and playground areas, shall be considered in the review of the development plan.
 - (11) *Recreational vehicles and equipment.* Adequate storage areas for the storage of recreational vehicles and equipment shall be considered in the review of the development plan.
 - (12) *Screening.* Screening shall be provided according to the following requirements:
 - a. In the event that a townhouse development backs up or sides upon a R-1, R-2, R-3, or C district, a solid masonry screening fence of not less than six feet nor more than eight feet shall be erected and maintained along the property line separating the two districts;
 - b. A masonry screening fence shall consist of materials of equal composition and characteristics as the main buildings in the townhouse development; and
 - c. No such screening fence shall be erected so as to obstruct the vision of motorists at alley, street, or drive intersections.
 - (13) *Construction requirements.* All streets, parking areas, access drives, sidewalks, and drainage structures constructed on private or public property shall be approved by the city and constructed in accordance with the city's specifications and requirements.
 - (14) *Homeowners' association.* Before approval of any plat containing any common area, it shall be necessary to assure the city that provisions have been made for adequate upkeep and maintenance of such area and facilities. Any such homeowners' or maintenance association, so established to maintain

and manage all such common area, shall be approved by the city council prior to the issuance of any building permits. In the event of failure to maintain said common area, the city may, by ordinance, provide for maintenance at the expense of the property owners, and provide for a lien against the property of the members, as in the case of individual homeowners. The power of the city to file a lien shall be recited in the bylaws of the association.

(Ord. No. 953, 12-12-2005)

Citizen questions concerning the Planned Development District request on 3227 Main Street at the January 23, 2024 Planning & Zoning Meeting:

1. David Reagan, 2328 Newman:

Extra traffic, construction noise, headlights shining in current home windows from extra traffic, elevation causing flooding issues, sewer outfall to bayou, street improvement wants more than just overlay of current street.

2. Debra Graugnard, 3230 Main Street:

Sewer backing up issues with Public Works & City, development entrance will be across from her driveway, will it interfere with her access to FM 519, will there be a turning lane, and will it take part of her property?

3. Bill Pritchard, 2416 Newman:

Drainage issues, will trees in the ditches be removed? Sewer issues at the end of the street not repaired by the city, will the street be widened? Will streetlights be added?

4. George Loessberg, 3228 Main St:

Extra traffic on Main Street, traffic heavy already, sewer backing up issues not repaired by the city.

5. Kelly Reagan, 2328 Newman:

Why change from residential to PDD if only building homes, why 50' lots instead of required 60', elevation & flooding, describe street improvements, sewer issues not repaired by the city yet.

6. Mary Graugnard, 3230 Main St:

Wants to see the layout proposed (in packet), extra traffic concerns, sewer back up issues not repaired by the city, drainage concerns.

7. Joseph Reid, 2417 Williams:

Complaint that the city has not fixed the sewer issues.

8. Marcus Giusti, 2408 Duroux:

His home flooded during Harvey and is worried about the elevation of this development causing flooding, Why rezone to PDD, instead of just building homes.

9. John Denton, 6122 Fairwood:

Why rezone to a PDD, drainage concerns into the bayou.

10. ? Peerson, 2621 Newman (zoom & email):

Complaint on receiving the letter only 24 days before the meeting, wants 90 days' notice of meeting to discuss with his neighbors, removing trees and adding concrete will add the accumulating thermal affect and displace wildlife, water standing in the ditch in front of his home, he feels this property should be under public ownership and protected from development.

11. Jennifer Doerr, 2413 Williams (email):

Increased traffic, traffic impact on existing streets, proposed disc golf open to the public and if so it will increase traffic, flooding due the number of homes and outfall to the bayou may impact the bay, concerned about the zoning allowed use for drilling, the condition of the existing road is already in need of repair and the increase of traffic will further damage it and the city doesn't maintain it now.

January 22, 2024

Jennifer C. Doerr
2413 Williams Dr.
La Marque, TX 77568

To Whom It May Concern:

I'm writing to formally register my opposition to the rezoning of (R-1) Single Family Residential to a (PDD) Planned Development District being a 46-acre tract out of Abstract 2, S.F. Austin Survey, Being Tracts 238, 32.630 acres and Tract 239, 15.090 acres, La Marque, Galveston County, TX. Galveston County Property Parcel ID Nos. 131373 and 131374 located on FM 519 (Main Street). There are several reasons I oppose this rezoning request, the specifics of which are detailed below, with references to specific pages in the rezoning application document where applicable.

Page 8 of the rezoning application document plainly states that the floodplain on the property is a coastal floodplain and all stormwater will directly outfall to Highland Bayou. Given the high number of lots and homes in the planning sketches, the accompanying amount of paved and concrete surfaces will result in an immense amount of stormwater flowing into Highland Bayou. In addition, the removal of the current green space will result in an increased probability of flooding for the residents of Newman Rd. and Williams Dr. Highland Bayou is an extensive water system with direct connections to Galveston Bay. The rezoning document made no mention of an environmental impact statement connected to this development, yet with direct connections to the Galveston Bay system this should be required prior to considering this rezoning request.

Page 12 of the rezoning application document lists drilling as a permitted use. An activity of this nature should not be allowing in any shape or form in the middle of a residential neighborhood. What are the potential drilling activities that might be allowed? Additional information on this potential use is required, particularly when the site is a coastal floodplain and the developers themselves note that all outflow will go directly into Highland Bayou. This requires numerous environmental studies and environmental impact studies. Finally, potential extraction of oil and gas in nearshore coastal areas will further facilitate flooding potential and thereby increase flood insurance for residents already residing in the area.

Page 53 of the rezoning application document presents a rendering of a disc golf course, yet there is no mention of this course anywhere in the textual portion of the document. The developer should provide additional information on the plans for this course as it presents concerns for residents in the area. In particular, is the course open to the general public and thus will bring additional traffic to the neighborhood?

In addition to my above comments and concerns related to specific pages of the rezoning application document, below are additional general concerns about this proposed development:

First, the addition of vehicle traffic from the 61-78 homes located in the southern portion of the development tract will create immense stress load and traffic on a single-lane neighborhood street, which the city already does not maintain properly and is failing in numerous locations. The width of the existing street (Newman Rd.) also will not allow for the increased amount of vehicles and there is no existing space allotted for an expansion suitable to accommodate the increased amount of vehicular traffic.

Second, I have observed a Texas Tortoise (*Gopherus berlandieri*) on the edge of this tract of land. The approximate location of this sighting is indicated on the figure below with a red "X":



Since this species is listed as threatened by the state of Texas and normally maintains a very small home range, it is possible that the area of the proposed development would destroy this species' native habitat, thus extirpating it from the area. See these web sites for additional information: <https://tpwd.texas.gov/huntwild/wild/species/txtort/> and https://tpwd.texas.gov/huntwild/wild/wildlife_diversity/habitat_assessment/media/TexasTortoise_brochure_english.pdf. At a minimum, surveys directed toward attempting to confirm the presence of the Texas Tortoise in the area must be completed prior to any type of development activities proceeding.

In short, I am concerned about the possibility of a development of this type "popping up" in such proximity to the single family homes currently located on Newman Rd. and Williams Dr. The residents of these streets value the quiet nature of the surrounding area and this type of development will effectively ruin the very reason that many residents choose to live here. I support maintaining the current single family home status of this tract of land.

Thank you for the opportunity to submit comments in response to this application. Please don't hesitate to respond if further information about any comments included herein are needed.

Sincerely,

Jennifer C. Doerr

Jennifer C. Doerr

Kathleen VanStavern

From: Peersen <peersen@fastmail.com>
Sent: Tuesday, January 23, 2024 10:54 AM
To: Kathleen VanStavern
Subject: Public Hearing TODAY on request to rezone 46 acres across from our homes.

[External Email] This message originated from outside your organization.

City of La Marque / Kathleen Van Stavern,

As You can see, I emailed the City of La Marque **September of 2020 the last time the issue of rezoning came up for the acreage across from Newman Rd., bordering Main St. (FM 519).**

Practically, all the issues addressed in the below email from three years, four months ago continue to apply.

WE RECIEVED your certified letter December 30th, **ONLY twenty-four days ago, today.**

The "agenda packet" made available for "at least 72 hour prior to the meeting.." means **there was not sufficient time to get hold of it, then read through and assimilate it -- then get a hold of our fellow neighbors** to discuss amongst ourselves. **ALL THESE STEPS REQUIRE T I M E.** The residents/homeowners affected in this matter deserve more time to be fully informed, PRIOR TO ANY city meeting where a "vote" could be cast.

Three weeks from receipt of your letter is insufficient time for myself and others to coordinate our personal/work schedules, for the purpose of communicating with one another.

Ninety days seems like a bare minimum for affected residents/homeowners to coordinate amongst themselves.

I have only ***touched base with*** thirteen of the total 22 households on Newman and Williams Rd. Getting a hold of everybody is a challenge, hit and miss, b/c of personal schedules. AND, **conversations vary in length** from one household to the next, depending on their available time.

I've not even approached my neighbors on Duroux and Main Street yet !!

You guys are RUSHING an issue that doesn't require immediate action.

I'm REQUESTING the Mayor and city council set aside SUFFICIENT TIME for ALL of my neighbors to get up to speed on this issue. MEANING, a "vote" not occur till ***after the end of APRIL*** this year.

Thank You for your time and consideration.

Sincerely,
peersen
11 a.m. Tuesday, 01/23/2024

City of La Marque / Sussie Sutton,

EVERY MORNING, **before 7 a.m.**, for countless months **up to Thursday or Friday last week**, our front porch temperature gauge seemed stuck at **85 degrees F -- in the shade**. The humidity gauge almost always showed a reading OFF THE SCALE as well !!

INSIDE the house, going back more than four months now, we can **FEEL the HUMIDITY** so much, to the point we have to run the AC much earlier in the day and much later into the evening -- **most days almost non-stop**.

THIS summer, for the first time, I've had to MAINTAIN PLACEMENT of a **steady supply of** rodent glue traps and baited traps outback by the rear porch, to help keep rodents from entering the house. In fact, I have also been placing traps in the garage and kitchen, as well as outback by the rear porch -- and poison bait inside the workshop, shed and greenhouse. **Scientists warn that the steady, long-term temperature increases contribute to** rodent population increases, not just certain insects, like fire ants and crazy ants FROM THE 46 acre field, **which I've had to take on MYSELF** for at least NINE YEARS NOW -- **at my own expense**.

THIS is NOT THE FIRST YEAR I've noticed how long a period of time rainwater remains standing in the grass ditch across the road, alongside the 46 acre field in question, as well as the grass ditch in front of many of our homes along Newman Rd.

THE LAST THING THIS NEIGHBORHOOD NEEDS is to "develop" that 46 acre field. Bulldozing more trees, pouring MORE CONCRETE and installing more road surfaces wont alleviate **the accumulating thermal effects** we are experiencing. In fact, the more raw land we mindlessly bulldoze, the more we contribute to heat accumulation and displace the wildlife that exists.

I see PLENTY OF land clearing and individual family home construction in the area. AND I can't recall HOW LONG we've noticed EMPTY homes. THE NATIONAL ECONOMY HAS BEEN TOO SOFT, long before the Covid 19 pandemic, to be engaged in the kind of short-sighted development this and other cities and towns are currently engaged.

Claiming economic considerations for the city &/or the county, with regard to "developing" this 46 acres is EXTREMELY SHORT-SIGHTED. **Whatever the "tax base" benefit you folks are claiming, we're not buying.**

AT BEST, U R securing a SHORT-TERM financial benefit. Before too long, this city and other cities will be looking to "develop" more and more raw land space, while failing to address the underlying problems -- without appreciation for the long-term planning that we have yet to see. **You can't make the city and county and state treasuries whole again by such short sighted seed corn eating.**

Proper city planning includes a forward looking view for SUSTAINABILITY.

Reducing green spaces, in favor of short-term economic gain is irresponsible, foolish -- and dangerous.

The 46 acres in question should not even be available for individual or corporate ownership. In fact, that piece of land should revert to public ownership AND BE PROTECTED from the type of development Evans is asking for. IF ANYTHING, that 46 acres should be "maintained" as a semi-wild green space. In Other Words, resume the periodic mowing of the grassy areas, especially along the perimeter of the acreage, and allow the trees to maintain. Whatever animal life that is there, following the removal of the rescue horses, the the cattle before that, will stay mostly THERE-- unless WE DO SOMETHING to displace them or cause certain creatures there to multiply unchecked. Example, removing cattle, then removing horses -- AND UNFETTERED DEVELOPMENT with no regard to local climactic consequences.

AS ELECTED OFFICIALS your responsibility is to touch base with elected officials of other cities and towns across the state -- **as well as across the country**.

Your communications should be aimed at pressuring the national legislature in Wash. D.C. to repeal GOP Austerity and establish a NATIONAL PROGRESSIVE TAX CODE, like we had under republican Dwight D. Eisenhower in the early 1950s -- but with **NO LOOPHOLES** FOR THE ULTRA-WEALTHY !!

Once we accomplish these two things, we will be well on our way to making our NATIONAL treasury whole again, and subsequently all the state treasuries and soon after local municipalities' treasuries.

Your job, as local elected officials, is to EDUCATE YOURSELVES on the issues I have alluded to above, THEN begin getting the electorate up to speed -- so that they will support your efforts to pressure Wash. D.C. as I've mentioned.

BTW: How about pressuring Evans to sell the 46 acres BACK at some point in the not too distant future. In exchange for his agreement to sell back, **when we can afford to do so**, he could be given some sort of break on whatever "taxes" he may owe, and apply that break as a discount on the eventual sale price back to the community.

SPEAKING OF TAX BREAKS, giving 10 year tax breaks to humongous corporations like Walmart, as well as subsidizing their employees with various welfare programs is a practice that has to stop across the country !! THEY shouldn't be allowed to externalize their costs onto tax payers !! THEY must be mandated by law to pay proper living wages -- and benefits to their hourly employees. **Enough is ENOUGH.**

AND, at some point after Evans sells back, perhaps a series of community gardens can be set up there for La Marque &/or county residents to participate in and benefit from. You guys are familiar with "victory gardens" ?

Let's do some PROGRESSIVE things -- sustainable, not wreckless, not ultimately costly to our pocket books AND QUALITY OF LIFE.

peersen

3:38 p.m. Tuesday, 9/15/2020

Legal Notice

CITY OF LA MARQUE PLANNING AND ZONING COMMISSION PUBLIC HEARING NOTICE

Notice is hereby given that the City of La Marque Planning and Zoning Commission will hold a **PUBLIC HEARING on FEBUARY 27, 2024**, beginning at 4:00pm in the City Council Chambers, located at 1109-B Bayou Road, La Marque, Texas for the purpose of discussion and possible action on:

A rezone request to change the zoning district from (R-1) single family residential to a (PDD) Planned Development District for a 46-acre tract located on FM 519 in La Marque, TX 77568. Galveston County Property ID#'s 131373 & 131374.

This is a PUBLIC MEETING, and the public has the right to appear at the hearing to voice any concerns or comments.

For further information please contact K. Van Stavern, Development Services Director for the City of La Marque, Texas.

Email: k.vanstavern@cityoflamarque.org

Published: February 9, 2024

INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **The Galveston County Daily News** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(409) 683-5200**.

For TCEQ notices, If a custom affidavit is required by law, please email it to
legals@galvnews.com

Notice ID: FcYvaVj0j6Oc8tpuseNi | **Proof Updated: Feb. 08, 2024 at 08:36am CST**
 Notice Name: City of La Marque Planning and Zoning

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Kathleen Van Stavern

k.vanstavern@cityoflamarque.org

(409) 938-9202

FILING FOR

The Galveston County

Daily News

Columns Wide: 2

Ad Class: Legals

02/09/2024: Legal Notice	184.59
Affidavit Fee	30.00
Legal Package	20.00
Admin Fee	7.28

Subtotal	\$241.87
Tax %	0
Total	\$241.87

See Proof on Next Page

Legal Notice
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PLANNING AND ZONING COMMISSION
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Email: k.vanstavern@cityoflamarque.org

Published: February 9, 2024

✓	132972	4785-0000-0004-000	SPANGLER LISA	4905 BLUE WATER LN	DICKINSON	TX	77539-6501
✓	132421	3105-0000-0003-004	LOZANO CAROL ANN	2322 DUROUX RD	LA MARQUE	TX	77568
✓	132973	4785-0000-0005-000	ALLEN JOHN T JR	2326 NEWMAN RD	LA MARQUE	TX	77568-4633
✓	132984	4785-0000-0016-000	KUENZI RES	1117 WILLKNOX DR	GALVESTON	TX	77551
✓	132989	4785-0000-0021-000	GARCIA CESAR	2409 WILLIAMS DR	LA MARQUE	TX	77568
✓	132974	4785-0000-0006-000	REAGAN DAVID LEE	2328 NEWMAN RD	LA MARQUE	TX	77568-4633
✓	132419	3105-0000-0003-002	COPELAND CLARENCE IV	2330 DUROUX RD	LA MARQUE	TX	77568-4651
✓	132975	4785-0000-0007-000	HERNANDEZ MARIANO S &	ARMANDINA	2330 NEWMAN RD	LA MARQUE	77568-4633
✓	132976	4785-0000-0008-000	WARD GRANT S	2500 NEWMAN RD	LA MARQUE	TX	77568
✓	132979	4785-0000-0011-000	PRITCHARD WILLARD R & MARY E	2416 NEWMAN RD	LA MARQUE	TX	77568-4634
✓	132981	4785-0000-0013-000	SALAS DEBORAH	2420 NEWMAN RD	LA MARQUE	TX	77568-4634
✓	134670	7265-0000-0005-000	FOREMAN SCOTT	2506 DUROUX ROAD	LA MARQUE	TX	77568-4654
✓	134669	7265-0000-0003-000	IRONSIDE DEVELOPMENTS LLC	4520 WILLIAMHURST LN	LEAGUE CITY	TX	77573
✓	132985	4785-0000-0017-000	GREEN HENRY M & LOVENIA A	1100 MACADAMIA ST	VENUS	TX	76084-3627
✓	134666	7265-0000-0001-000	BUNKER BRETT A & LISA M	4118 17TH ST N	TEXAS CITY	TX	77590-4035
✓	132983	4785-0000-0015-000	KUENZI RES	1117 WILLKNOX DR	GALVESTON	TX	77551
✓	739912	7265-0000-0007-000	DOUGLAS WILLIAM	2450 DUROUX RD	LA MARQUE	TX	77568
✓	372088	6740-0000-0005-008	MUNCASTER-JEWELL PENNY	3520 CR 159	ALVIN	TX	77511
✓	132983	4785-0000-0015-000	KUENZI RES	1117 WILLKNOX DR	GALVESTON	TX	77551
✓	173991	0055-0001-0000-000	DENTON JOHN	6122 FAIRWOOD RD	HITCHCOCK	TX	77563-2041
✓	174106	1215-0000-0025-000	DENTON JOHN	6122 FAIRWOOD RD	HITCHCOCK	TX	77563-2041
✓	134671	7265-0000-0006-000	JONES JONATHAN & JOY	2502 DUROUX RD	LA MARQUE	TX	77568

~~ALBERT A. G. RATHAM ST~~ 3304 MAHND ST

PA2 FEB 27, 2024

Galveston Central Appraisal District

ID	GEOID	NAME	ADDRESS	ADDRESS2	ADDRESS3	CITY	ST	ZIP
✓ 131306	0002-0237-0000-000	CLARK ROBERT JOHNNIE JR		1411 DUROUX RD		LA MARQUE	TX	77568
✓ 133353	5225-0009-0012-000	GRAUGNARD MILTON R SR		3230 MAIN ST		LA MARQUE	TX	77568-4611
✓ 132996	4785-0000-0029-000	CAMPBELL SUSAN MARIE		2303 WILLIAMS DR		LA MARQUE	TX	77568
✓ 132971	4785-0000-0003-000	GARCIA RAFAEL C & MARIBEL A GARCIA		2324 NEWMAN RD		LA MARQUE	TX	77568
✓ 132993	4785-0000-0026-000	HOBBS RICHARD B JR		2325 WILLIAMS DR		LA MARQUE	TX	77568
✓ 132991	4785-0000-0024-000	REED NARY JOSEPH & EMMA J		2417 WILLIAMS DR		LA MARQUE	TX	77568-4632
✓ 132410	3105-0000-0001-003	DAVIS JAMES L JR & SHERI L		2402 DUROUX RD		LA MARQUE	TX	77568-4653
✓ 132982	4785-0000-0014-000	BACCINELLI PAMELA M		2424 NEWMAN RD		LA MARQUE	TX	77568
✓ 133354	5225-0009-0013-000	LOESSBERG GEORGE H		3228 MAIN ST		LA MARQUE	TX	77568-4611
✓ 132969	4785-0000-0001-000	ABRAHAM ALBERT A JR		3309 MAIN STREET		LA MARQUE	TX	77568-4600
✓ 132994	4785-0000-0027-000	HOBBS RICHARD B JR		2325 WILLIAMS DR		LA MARQUE	TX	77568-4631
✓ 132409	3105-0000-0001-002	GIUSTI SARAH M		2408 DUROUX RD		LA MARQUE	TX	77568
✓ 134673	7265-0000-0008-000	BLACKBURN ESMENIA & LESLIE J III		2412 DUROUX ROAD		LA MARQUE	TX	77568-4653
✓ 132986	4785-0000-0018-000	GREEN HENRY M & LOVENIA A		1100 MACADAMIA ST		VENUS	TX	76084-3627
✓ 134668	7265-0000-0004-000	BLANKS JEDEDIAH		14715 CEDAR ST		SANTA FE	TX	77517-3125
✓ 133343	5225-0009-0001-000	GRAUGNARD CATHERINE LYNNE		3230 MAIN STREET		LA MARQUE	TX	77568-4611
✓ 132418	3105-0000-0003-001	IGLESIA DE CRISTO FILADELFA		6505 FAIRWAY DR		GALVESTON	TX	77551
✓ 132997	4785-0000-0030-000	MOCTEZUMA CHRIS & ERICA J		13127 S SAYKO ST		SANTA FE	TX	77510-9321
✓ 132970	4785-0000-0002-001	TORRES ERIC A & TERRIE V		2320 NEWMAN RD		LA MARQUE	TX	77568-4633
✓ 132992	4785-0000-0025-000	DUNKIN DANA CAMILE		2411 WILLIAMS DR		LA MARQUE	TX	77568
✓ 132990	4785-0000-0023-000	DOERR JENNIFER C		2413 WILLIAMS DR		LA MARQUE	TX	77568
✓ 132977	4785-0000-0009-000	ESQUEDA MARCO & CLAUDIA		2400 NEWMAN RD		LA MARQUE	TX	77568
✓ 132978	4785-0000-0010-000	CHITTUM SARAH JANE & RICHARD		2404 NEWMAN RD		LA MARQUE	TX	77568-4634
✓ 134667	7265-0000-0002-000	BUNKER BRETT A & LISA M		4118 17TH ST N		TEXAS CITY	TX	77590-4035
✓ 734684	4785-0000-0021-002	GARCIA CESAR		2409 WILLIAMS DR		LA MARQUE	TX	77568
✓ 132987	4785-0000-0019-000	RIOJAS DAVID & CYNTHIA ANGELICA		2429 WILLIAMS DR		LA MARQUE	TX	77568
✓ 131305	0002-0236-0000-000	CLARK ROBERT JOHNNIE JR		1411 DUROUX RD		LA MARQUE	TX	77568
✓ 134699	7350-0001-0001-000	JONES ROY E & SHARON MI		1702 BIOVU DR		GALVESTON	TX	77551-1419
✓ 133356	5225-0009-0014-001	WISE DENNIS WAYNE		3220 MAIN ST		LA MARQUE	TX	77568-4611
✓ 132428	3105-0000-0005-001	ISLAND FIRE AND SAFETY EQUIPMENT INC		3201 MAIN ST		LA MARQUE	TX	77568
✓ 360991	3105-0000-0005-008	ISLAND FIRE AND SAFETY EQUIPMENT INC		3201 MAIN ST		LA MARQUE	TX	77568
✓ 354947	4785-0000-0001-001	RUTLEDGE WILLIAM R & LYNELLE		2312 NEWMAN RD		LA MARQUE	TX	77568-4633
✓ 132420	3105-0000-0003-003	Confidential Owner						
✓ 132995	4785-0000-0028-000	MONTGOMERY JAMES		PO BOX 544		LA MARQUE	TX	77568-0544



City of La Marque
1130 1st Street
La Marque, Texas 77568
409.938.9204

**CITY OF LA MARQUE
NOTICE TO PROPERTY OWNERS
OF A REQUESTED REZONE OF PROPERTY WITHIN 200 FEET**

January 2, 2024

Dear Property Owner:

This PUBLIC NOTICE is required by the City of La Marque Code of Ordinances, Section 71-26. An application to rezone property in your area has been received by the Planning and Zoning Commission. Land under your ownership or care, as listed with the Galveston County Appraisal District Tax Records, is located within 200 feet of the property that is being considered for rezoning. Your property is not being rezoned as part of this request.

This is your OFFICIAL NOTICE that the City of La Marque Planning and Zoning Commission will hold a Public Hearing on **Tuesday, January 25, 2024, at 4:00 p.m. by telephone and video conference** regarding: a request to change the zoning district from (R-1) Single Family Residential to a Planned Development District located on a 46 acre tract out of the SF Austin League, Survey No. 4-2, Galveston, County, Texas To allow a development of 50'x 120' lot subdivision.

You may provide comments during the meeting by telephone or video using the following Zoom meeting information: Dial in number: 1 (346) 248-7799; <https://zoom.us/j/92887385489> Press *6 to mute or unmute your phone line. You may also connect to the meeting on your smartphone, tablet or computer by going to the following internet address: <https://zoom.us/j/92887385489>. The full agenda packet will be available at least 72 hour prior to the meeting on the City's website <https://ci.la-marque.tx.us/AgendaCenter>.

If you are unable to attend, and wish to comment, you may also provide comments by email at permits@cityoflamarque.org, or by mail at:

City of La Marque
Development Services Department
1130 1st Street
La Marque, TX 77568

Respectfully,
Kathleen Van Stavern
Development Services



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Alice Ashley

Department: Administration

Agenda Item: 8.II.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Authorizing application submission for Blue Cross Blue Shield of Texas - Blue Impact Grants Program Application Program

STAFF BRIEFING:

- In February, a Letter of Intent was submitted for review to BCBSTX to assess the viability of the Blue Impact Project.
- BCBSTX selected our project as one that would benefit the citizens of La Marque.
- The project encompasses the construction of a 0.16-mile walking trail and the installation of fitness equipment at MLK Park
- Work alongside QR Fit Trail offering a phone application and signage for guided exercises,
- Partnering with local healthcare centers such as HCA of the Mainland to offer community health days.
- This project aligns with the Parks Master Plan

HISTORY:

N/A

FISCAL IMPACT:

N/A

RESOLUTION NO. XXXX-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, DESIGNATING APPLICATION FOR GRANT APPLICATION SUBMISSION AND SIGNATORY FOR CONTRACTUAL DOCUMENTS PERTAINING TO, THE BLUE CROSS BLUE SHIELD OF TEXAS -BLUE IMPACT GRANTS PROGRAM.

.

WHEREAS, the City of La Marque, Texas, is in preparation of the application submittal for the Blue Cross Blue Shield of Texas -Blue Impact Grants Program.; and

WHEREAS; the City of LaMarque, Texas finds it in the best interest of the citizens of the City of La Marque that the city be operated for the FY 2024-2025; and

WHEREAS; it is necessary to appoint persons to execute contractual application documents directly pertaining to the application submittal for the Blue Cross Blue Shield of Texas -Blue Impact Grants Program; and

WHEREAS; the City of La Marque, Texas, acknowledges that if an authorized signatory of the City changes (elections, illness, resignations, etc.) the City shall provide them with a resolution stating the new authorized signatory shall be and

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

WHEREAS; the City of La Marque designates the City Manager, Cesar Garcia, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the City of La Marque, Texas, approves the submission of the grant applications for the Blue Cross Blue Shield of Texas -Blue Impact Grants Program.

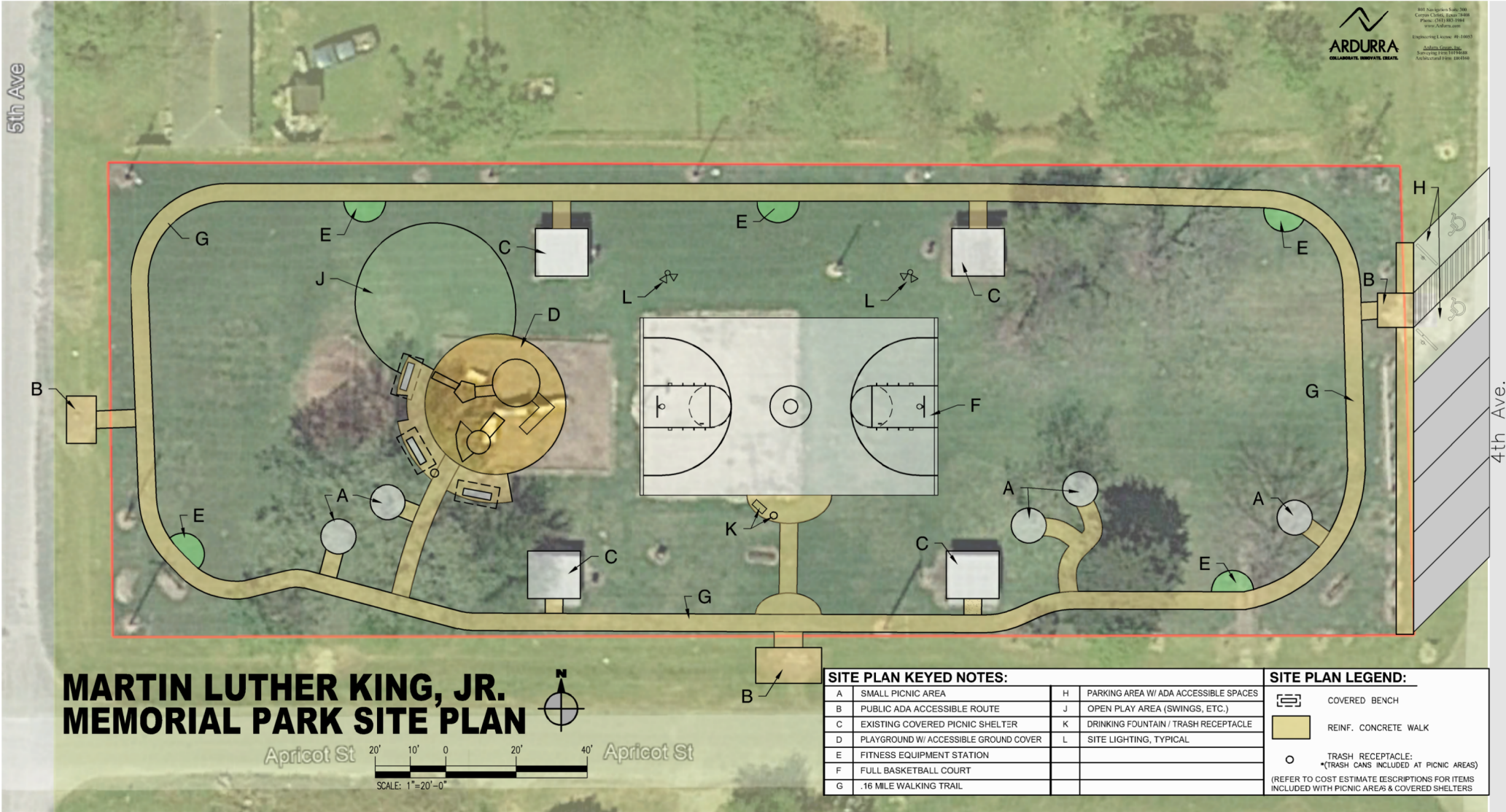
PASSES APPROVED AND ADOPTED by the City Council of the City of La Marque on this the _____ day of _____, 2024.

CITY OF LA MARQUE, TEXAS

Keith Bell
Mayor

ATTEST:

Kierra Nance
City Clerk



* Location Texas

* Project Title La Marque Lifelines: HCA & BCBSTX Health Horizons

* Requested Amount \$60,000.00

*Operating Budget Yes

* Project Summary The "La Marque Lifelines: HCA Houston Healthcare Mainland "HCA" & BCBSTX Health Horizons" initiative aims to transform MLK Jr. Park into a beacon of health and community engagement in La Marque's primary low to moderate-income area.

By installing advanced fitness equipment and a .16 mile walking trail, the project seeks to make physical activity accessible and enjoyable for everyone, fostering a healthier, more connected community.

The fitness court, featuring seven movement zones for a comprehensive workout, alongside a free app and signage for guided exercises, ensures inclusivity and broad appeal.

This revitalization effort not only improves physical health outcomes but also strengthens social bonds, making MLK Jr. Park a vibrant hub for recreation and social interaction. Through these enhancements, the initiative sets a replicable model for using public spaces to enhance community well-being and quality of life.

* Project Plan To effectively implement "La Marque Lifelines: HCA & BCBSTX Health Horizons" at

MLK Jr. Park, we emphasize collaboration with partners to enhance health and well-being in La Marque's low to moderate-income areas. Here's a concise project plan:

Pre-Implementation Phase:

Community Engagement: Host community meetings with local schools and organizations to gather design and program input.

Partnership Building: Strengthen ties with HCA Healthcare, Blue Cross Blue Shield, and local entities for support.

Implementation Phase:

Infrastructure Development: Install fitness equipment and a .16 mile walking trail, ensuring accessibility.

Program Development: Design free fitness programs, facilitated by local professionals, catering to diverse needs.

Launch and Operational Phase:

Launch Event: Introduce facilities and programs with fitness demos and health screenings.

Ongoing Programs: Offer regular fitness classes and health workshops.



Volunteer Program: Establish a volunteer corps for maintenance and outreach.

Sustainability and Evaluation Phase:

Maintenance Plan: Routine checks and volunteer patrols ensure safety and upkeep.

Digital Engagement: Launch a free app for exercise guides and health tips. Host health webinars.

Feedback Loop: Use surveys and meetings for improvements.



Community Integration:

Annual Health Fair: Collaborate with healthcare providers for free screenings and education.

Partnership Expansion: Seek new partnerships to broaden impact.

This plan aims to revitalize MLK Jr. Park into a community hub for health, leveraging strategic partnerships and community input to create a sustainable wellness model for La Marque.

* Collaboration The success of the "La Marque Lifelines: HCA & BCBS Health Horizons" initiative hinges on our robust network of partners, each contributing unique strengths to achieve our health and community engagement goals.

City of La Marque Departments (Parks and Recreation, Public Works): These departments are pivotal for integrating the program into community activities, ensuring safe and accessible park facilities, and maintaining the fitness equipment and walking trail.

Healthcare Partners (HCA Houston Healthcare Mainland, Blue Cross Blue Shield Texas): They provide critical funding, health education, and support for wellness activities, including health screenings and workshops, leveraging their expertise for community benefit.

Safety and Governance (Neighborhood Watch, La Marque Police Department, City Council): These partners ensure a secure environment for participants and align the project with city health priorities, facilitating community outreach and support.

Community and Educational Institutions (Local Schools, Community Centers): Essential for broadening participation, these institutions help disseminate information and encourage diverse community involvement in fitness and wellness activities.

Innovative Solutions and Professional Expertise (Q.R. Fit Trail, Local Fitness Instructors, Nutritionists, Mental Health Professionals): Offer engaging fitness experiences and provide comprehensive wellness services, ensuring the program addresses physical and mental health needs effectively.

Collaboration Approach: Our strategy focuses on leveraging each partner's expertise, facilitating open communication, and shared success metrics. This collaborative framework ensures a comprehensive approach to improving community health and well-being, making "La Marque Lifelines" a model for sustainable community wellness initiatives. Through this concerted effort, we aim to transform MLK Jr. Park into a vibrant hub for health, fostering a stronger, healthier La Marque.

* Previous Funding No

* Total Project Budget \$75,000.00

* Focus Area Neighborhood and Built Environment

*Outcomes and Metrics: For the "La Marque Lifelines: HCA & BCBS Health Horizons" initiative, we're committed to enhancing neighborhood and built environments through targeted metrics:
Neighborhood and Built Environment Focus Area

Spaces Created: Documentation of fitness equipment and the walking trail installations at MLK Jr. Park will measure the increase in health-promoting spaces.

Users of Spaces: We plan to estimate the number of users engaging with these spaces via counters and app registration, providing insights into community utilization and engagement.



Living Environments Altered: Directly, the initiative transforms MLK Jr. Park to promote health. Indirectly, we aim to influence home environments towards healthier living, gauged through participant surveys detailing at-home changes.

People Benefitting: By aggregating data on park activity participation, event attendance, and app usage, we'll estimate the overall community benefitting from the project.

Transportation Options: Enhancements like the trail aim to boost local transportation options, including walking and cycling. Collaboration with transit authorities may expand access further.

Increased Transportation Options: Utilizing community surveys and transit data, we'll estimate the number of residents gaining improved park access, reflecting the initiative's broader impact on community mobility.

These metrics, derived from both quantitative tools and qualitative feedback, will assess our success in fostering accessible, healthier community environments.

* Program Area (multi select) Health and Wellness- Physical Activity-Fitness Programs
Health and Wellness- Physical Activity-Other
Health and Wellness- Physical Activity-Parks, Fitness Courts, or Trails
Neighborhood and Built Environment

Other Program Area

Texas Counties Served Galveston

* Region Southeast

Other TX Geographical Area City of La Marque and Surrounding Areas

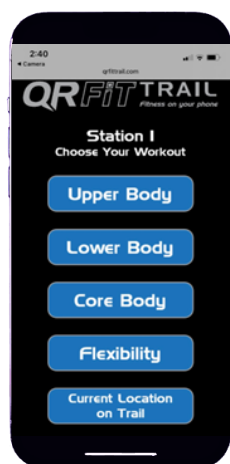


**WE EQUIP PARK AND RECREATION DEPARTMENTS
WITH OVER 300 BODY WEIGHT EXERCISES**

OUR WORK FLOW



SCAN IT



CHOOSE IT



VIEW IT

DO IT



WHY CHOOSE US

- Visitors gain free access to 300 body weight fitness videos targeting various muscle groups
- Rotation of exercise videos ensures positive experience and repeat visitors
- Customizable signage that is easily installed
- Robust, equipment-free system at a fraction of the cost of traditional fitness systems
- Choose between two different options to best fit your needs:
 - QR F.I.T. Trail- Six station outdoor exercise system for any trail
 - QR FitBoard- One station exercise system for a fitness center, track, park, etc.
- Usage analytics for ROI

STAFF REPORT

PURPOSE:

CenterPoint Energy Houston Electric, LLC (“CenterPoint” or “Company”) filed an application on March 6, 2024 with cities retaining original jurisdiction seeking to increase system-wide transmission and distribution rates by \$60 million per year. The Company asks the City to approve an increase of \$17 million in retail transmission and distribution rates (an increase of about 1%) and \$43 million in wholesale transmission rates (an increase of about 6.6%). According to CenterPoint, the impact on an average residential customer would be an increase of about \$1.25 per month.

The resolution suspends the April 10, 2024 effective date of the Company’s rate increase for the maximum period permitted by law to allow the City, working in conjunction with other members of GCCC served by CenterPoint to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

The law provides that a rate request made by an electric utility cannot become effective until at least 35 days following the filing of the application to change rates. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. **If the City fails to take some action regarding the filing before the effective date, CenterPoint’s rate request is deemed approved.**

DISCUSSION

The City of La Marque, Texas is a member of a coalition of political subdivisions in the Greater Houston area known as the Gulf Coast Coalition of Cities (“GCCC”). GCCC has been in existence since the early 1990s. The GCCC represents the interests of its members on gas and electric utility matters before the Public Utility Commission of Texas, the Railroad Commission of Texas, the Electric Reliability Council of Texas, and the courts. For the past 20 years, GCCC has protected the authority of municipalities over monopoly electric and natural gas providers and has defended the interests of the residential and small commercial customers within the cities. Cities are often the only consumer advocates that work to keep utility rates reasonable. The work undertaken by GCCC has saved ratepayers millions of dollars in unreasonable charges. GCCC has previously approved the hiring of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to intervene in matters related to the electric utility rate case filings, representing GCCC members’ interests.

Current members include the following 44 cities: Alvin, Brazos Country, Brookshire, Bunker Hill Village, Clear Lake Shores, Deer Park, Dickinson, Fairchilds, Friendswood, Fulshear, Galveston, Hedwig Village, Hilshire Village, Hunters Creek, Iowa Colony, Jersey Village, Jones Creek, Kemah, La Marque, Lake Jackson, Manvel, Missouri City, Mont Belvieu, Morgan’s Point, Nassau Bay, Oyster Creek, Pattison, Piney Point Village, Pleak, Prairie View, Rosenberg, Santa Fe, Seabrook, Sealy, Simonton, South Houston, Spring Valley Village, Stafford, Sugar Land, Taylor Lake Village, Texas City, Tiki Island, Webster, and Weston Lakes.

Explanation of “Be It Resolved” Paragraphs:

Section 1. The City is authorized to suspend the rate change for 90 days after the date that the rate change would otherwise be effective for any legitimate purpose. Time to study and investigate the application is always a legitimate purpose. Please note that the resolution refers to the suspension period as “the maximum period allowed by law” rather than ending by a specific date. This is because the Company controls the effective date and can extend the deadline for final city action to increase the time that the City retains jurisdiction if necessary to reach settlement on the case. If the suspension period is not otherwise extended by the Company, the City must take final action on CenterPoint’s request to raise rates by April 10, 2024.

Section 2. This provision authorizes the City to participate in a coalition of cities served by CenterPoint, GCCC, in order to more efficiently represent the interests of the City and their citizens.

Section 3. The Company will reimburse the cities for their reasonable rate case expenses. Legal counsel and consultants approved by GCCC cities will submit monthly invoices that will be forwarded to CenterPoint for reimbursement. No individual city incurs liability for payment of rate case expenses by adopting a suspension resolution.

Section 4. This section merely recites that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.

Section 5. This section provides that both CenterPoint’s counsel and GCCC’s counsel will be notified of the City’s action by sending a copy of the approved and signed resolution to certain designated individuals.

RESOLUTION NO. _____

RESOLUTION OF THE CITY OF LA MARQUE, TEXAS SUSPENDING THE APRIL 10, 2024 EFFECTIVE DATE OF CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING CONTINUED COOPERATION WITH THE GULF COAST COALITION OF CITIES; HIRING LLOYD GOSSELINK ATTORNEYS AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL FOR THE GULF COAST COALITION OF CITIES

WHEREAS, on or about March 6, 2024, CenterPoint Energy Houston Electric, LLC ("CenterPoint" or "Company"), pursuant to PURA §§ 33.001 and 36.001 filed with the City of La Marque, Texas ("City") a Statement of Intent to change electric delivery rates in all municipalities exercising original jurisdiction within its service area, effective April 10, 2024; and

WHEREAS, the City is a member of the Gulf Coast Coalition of Cities ("GCCC") and will cooperate with the other similarly situated city members and other city participants in conducting a review of the Company's application and to hire and direct legal counsel and consultants to prepare a common response and to negotiate with the Company and direct any necessary litigation; and

WHEREAS, GCCC's member cities have previously authorized intervention in electric utility rate case proceedings before the Public Utility Commission of Texas ("Commission"); and

WHEREAS, GCCC has previously authorized the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, to make recommendations regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or the Commission; and

WHEREAS, PURA § 36.108 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days after the date the rate change would otherwise be effective; and

WHEREAS, PURA § 33.023 provides that costs incurred by cities in ratemaking activities are to be reimbursed by the regulated utility.

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

1. That the April 10, 2024, effective date of the rate request submitted by CenterPoint on or about March 6, 2024, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

2. That the City is authorized to cooperate with GCCC to coordinate efforts to protect the interests of the City and protect the interests of CenterPoint's end-use customers residing and conducting business within municipal limits.

3. That the City's reasonable rate case expenses shall be reimbursed by CenterPoint on a timely basis.

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

5. A copy of this Resolution shall be sent to CenterPoint, care of Patrick Peters, CenterPoint Energy, Inc., 1005 Congress Avenue, Suite 650, Austin, Texas 78701 (patrick.peters@centerpointenergy.com), and to Roslyn Dubberstein at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701 (rdubberstein@lglawfirm.com).

PASSED AND APPROVED this _____ day of _____, 2024.

MAYOR

ATTEST:

Kierra Nance, TRMC, City Clerk

APPROVED AS TO FORM:

Gus Knebel, Consulting City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Stacy Froeschner

Department: Court

Agenda Item: 8.IV.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Consideration and approval for a Professional Collection Services Agreement with Linebarger Goggan Blair & Sampson, LLP, as being fully qualified as special counsel to perform all legal services necessary to collect unpaid utility accounts, fees, fines and court costs as provided in Article 103.0031 of the Texas Code of Criminal Procedure and to collect delinquent ad valorem taxes as provided in Section 6.30 of the Texas Property Tax Code

STAFF BRIEFING:

This is a renewal of our ongoing contract with Linebarger Goggan Blair & Sampson, LLP for assistance in collecting outstanding fees and fines on cases that have gone into warrant status and includes for the first time collections regarding delinquent utility bills .

HISTORY:

The city has contracted with Linebarger Goggan Blair & Sampson in years prior and has successfully assisted in the collection process.

FISCAL IMPACT:

This contract has no fiscal impact on the city budget as the contract states that upon sending delinquent accounts to them a 30% fee is added. Upon payment of the delinquent account, the 30% fee that is added is paid to Linebarger Goggan Blair and Sampson, LLP.

Contract for Fines and Fees Collection Services

STATE OF TEXAS

COUNTY OF GALVESTON

THIS CONTRACT (hereinafter "AGREEMENT") is made and entered into by and between the CITY OF LA MARQUE acting herein by and through its governing body, hereinafter styled "CLIENT", and Linebarger Goggan Blair & Sampson, LLP, hereinafter styled "FIRM".

Article I

Nature of Relationship and Authority for Contract

1.01 The parties hereto acknowledge that this AGREEMENT creates an attorney-client relationship between CLIENT and FIRM.

1.02 The CLIENT hereby employs the FIRM to provide the services hereinafter described for compensation hereinafter provided.

1.03 This AGREEMENT is entered into pursuant to and as authorized by Section 2254.1036 of the Texas Government Code for delinquent utility collection services.

Article 2

Scope of Services

2.01 CLIENT agrees to employ and does hereby employ FIRM to provide specific legal services provided herein and enforce the collection of delinquent utility accounts that are subject to this AGREEMENT, pursuant to the terms and conditions described herein. Such legal services shall include but not be limited to recommendations and legal advice to CLIENT to take legal enforcement action; representing CLIENT in any dispute or legal challenge over authority to collect such utility accounts; defending CLIENT in litigation or challenges of its collection authority; and representing CLIENT in collection interests in bankruptcy matters as determined by FIRM and CLIENT. This AGREEMENT supersedes all prior oral and written agreements between the parties regarding utility accounts, and can only be amended if done so in writing and signed by all parties. Furthermore, this contract cannot be transferred or assigned by either party without the written consent of all parties.

2.02 The CLIENT may from time-to-time specify in writing additional actions that should be taken by the FIRM in connection with the collection of utility accounts that are subject to this AGREEMENT. CLIENT further constitutes and appoints the FIRM as CLIENT's attorneys to sign all legal instruments, pleadings, drafts, authorizations and papers as shall be reasonably necessary to pursue collection of the CLIENT's claims.

2.03 Utility accounts that are subject to this AGREEMENT are those that are more than sixty (60) days past due as of the effective date hereof and those that become more than sixty (60) days past due during the term hereof.

2.04 The CLIENT agrees to provide to the FIRM data regarding any fines and fees that are subject to this AGREEMENT. The data shall be provided by electronic medium in a file format specified by the FIRM. The CLIENT and the FIRM may from time-to-time agree in writing to modify this format. The CLIENT shall provide the data to the FIRM not less frequently than monthly.

2.05 The FIRM, in all communications seeking the collection of utility accounts, shall direct all payments directly to the CLIENT at an address designated by the CLIENT. If any fines, fees, or court cost are paid to the FIRM, said payments shall be expeditiously turned over to the CLIENT.

Article 3

Compensation

3.01 The CLIENT agrees to pay the FIRM as compensation for the services required hereunder thirty (30%) percent of the total amount collected on all utility accounts that are subject to the terms of this AGREEMENT as set forth in Section 2.03 above that are collected by the CLIENT during the term of this AGREEMENT. All compensation shall become the property of the Firm at the time payment of utility accounts are made to the CLIENT.

3.02 The CLIENT shall pay the FIRM by the twentieth day of each month all compensation earned by the FIRM for the previous month as provided in this Article 3. The CLIENT shall provide an accounting showing all collections for the previous month with the remittance.

Article 4

Intellectual Property Rights

4.01 The CLIENT recognizes and acknowledges that the FIRM owns all right, title and interest in certain proprietary software that the FIRM may utilize in conjunction with performing the services provided in this AGREEMENT. The CLIENT agrees and hereby grants to the FIRM the right to use and incorporate any information provided by the CLIENT ("CLIENT Information") to update the databases in this proprietary software, and, notwithstanding that CLIENT Information has been or shall be used to update the databases in this proprietary software, further stipulates and agrees that the CLIENT shall have no rights or ownership whatsoever in and to the software or the data contained therein, except that the CLIENT shall be entitled to obtain a copy of such data that directly relates to the CLIENT's accounts at any time.

4.02 The FIRM agrees that it will not share or disclose any specific confidential CLIENT Information with any other company, individual, organization or agency, without the prior

written consent of the CLIENT, except as may be required by law or where such information is otherwise publicly available. It is agreed that the FIRM shall have the right to use CLIENT Information for internal analysis, improving the proprietary software and database, and generating aggregate data and statistics that may inherently contain CLIENT Information. These aggregate statistics are owned solely by the FIRM and will generally be used internally, but may be shared with the FIRM's affiliates, partners or other third parties for purposes of improving the FIRM's software and services.

Article 5

Costs

5.01 The FIRM and CLIENT recognize that certain costs may be incurred in the process of providing any additional services contemplated in Section 2.02 above or in providing any special litigation services. The CLIENT agrees that all such costs shall be billed to the CLIENT, but that the FIRM will either (i) advance such costs on behalf of the CLIENT or, (ii) when possible, arrange with the vendor or agency providing the service that the costs of services will not be paid unless and until such costs are recovered by the CLIENT from the debtor.

5.02 The CLIENT acknowledges that the FIRM may provide such services with its own employees or with other entities or individuals who may be affiliated with the FIRM, but the FIRM agrees that any charges for such services will be reasonable and consistent with what the same services would cost if obtained from a third party.

5.03 The CLIENT agrees that upon the recovery of such costs, the CLIENT will (i) pay the FIRM for any such costs that have been advanced by the FIRM or performed by the FIRM and (ii) pay any third party agency or vendor owed for performing such services.

Article 6

Term and Termination

6.01 This AGREEMENT shall be effective February 12, 2024 (the "Effective Date") and shall expire February 12, 2029 (the "Expiration Date") unless extended as hereinafter provided.

6.02 Unless prior to sixty (60) days before the Expiration Date, the CLIENT or the FIRM notifies the other in writing that it does not wish to continue this AGREEMENT beyond its initial term, this AGREEMENT shall be automatically extended for two (2) additional one (1) year periods without the necessity of any further action by either party.

6.03 If, at any time during the initial term of this AGREEMENT or any extension hereof, the CLIENT determines that the FIRM's performance under this AGREEMENT is unsatisfactory, the CLIENT shall notify the FIRM in writing of the CLIENT's

determination. The notice from the CLIENT shall specify the particular deficiencies that the CLIENT has observed in the FIRM's performance. The FIRM shall have sixty (60) days from the date of the notice to cure any such deficiencies. If, at the conclusion of that sixty (60) day remedial period, the CLIENT remains unsatisfied with the FIRM's performance, the CLIENT may terminate this AGREEMENT effective upon the expiration of thirty (30) days following the date of written notice to the FIRM of such termination ("Termination Date").

6.04 Whether this AGREEMENT expires or is terminated, the FIRM shall be entitled to continue to collect any items and to pursue collection of any claims that were referred to and placed with the FIRM by the CLIENT prior to the Termination Date or Expiration Date for an additional ninety (90) days following termination or expiration. The CLIENT agrees that the FIRM shall be compensated as provided by Article 3 for any such item or pending matters during the ninety (90) day period.

6.05 The CLIENT agrees that the FIRM shall be reimbursed for any costs advanced and shall be paid for any services performed pursuant to Article 5 when such costs are recovered by or on behalf of the CLIENT, regardless of the date recovered. It is expressly agreed that neither the expiration nor the termination of this AGREEMENT constitutes a waiver by the FIRM of its entitlement to be reimbursed for such costs and to be paid for such services. It is further expressly agreed that the expiration of any ninety (90) day period under Section 6.04 does not constitute any such waiver by the FIRM.

Article 7

Miscellaneous

7.01 Subcontracting. The FIRM may from time-to-time obtain co-counsel or subcontract some of the services provided for herein to other law firms or entities. In such cases, the FIRM will retain supervisory control and responsibility for any services provided by such co-counsel or subcontractors and shall be responsible to pay any compensation due to any such co-counsel or subcontractor.

7.02 Arbitration. Any controversy between the parties to this AGREEMENT involving the construction or application of any of the terms, covenants, or conditions of this AGREEMENT shall, on the written request of one party served on the other, be submitted to arbitration, and such arbitration shall comply with and be governed by the provisions of the Texas General Arbitration Act.

7.03 Integration. This AGREEMENT contains the entire AGREEMENT between the parties hereto and may only be modified in a written amendment, executed by both parties.

7.04 Representation of Other Governmental Entities. The CLIENT acknowledges and consents to the representation by the FIRM of other governmental entities that may be seeking the payment of fines and fees or other claims from the same person(s) as the CLIENT.

7.05 Notices. For purposes of sending any notice under the terms of this contract, all notices from CLIENT shall be sent to FIRM by certified United States mail, or delivered by hand or by courier, and addressed as follows:

Linebarger Goggan Blair & Sampson, LLP
Attention: Director of Client Services
P.O. Box 17428
Austin, Texas 78760-7428

All notices from the FIRM to the CLIENT shall be sent to CLIENT by certified United States mail, or delivered by hand or by courier, and addressed as follows:

City Manager
City of La Marque
1111 Bayou Road
La Marque, TX 77568
409.938.9202

7.06 *Compliance with Tx. Govt. Code §2270.002.* In order to comply with Tx. Govt. Code §2270.002, the Firm verifies that it does not boycott Israel and will not boycott Israel during the term of the contract.

EXECUTED ON the _____ day of February, 2024.

City of La Marque

By: _____
Keith Bell, Mayor

Linebarger Goggan Blair & Sampson, LLP

By: _____
Richard S. Hill
Capital Partner



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Stacy Froeschner

Department: Court

Agenda Item: 8.V.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Consideration and approval for a Professional Collection Services Agreement with Linebarger Goggan Blair & Sampson, LLP, after having provided adequate notice as required by Section 2254.1036 of the Texas Government Code, and authorizing the City Mayor to execute said Agreement

STAFF BRIEFING:

This is a renewal of our ongoing contract with Linebarger Goggan Blair & Sampson, LLP, for assistance in collecting delinquent taxes.

HISTORY:

The city has contracted with Linebarger Goggan Blair & Sampson in previous years prior and has successfully assisted in the collection process.

FISCAL IMPACT:

This contract has no fiscal impact on the city budget as the contract states that upon sending delinquent accounts to them a 30% fee is added. Upon payment of the delinquent account, the 30% fee that is added is paid to Linebarger Goggan Blair and Sampson, LLP.

Agreement for Collection Services

This Agreement is made between Linebarger Goggan Blair & Sampson, LLP (hereinafter referred to as the “Firm”) and City of La Marque (hereinafter referred to as the “Client”).

Article 1 – Nature of Relationship

1.01 The parties hereto acknowledge that this Agreement creates an Attorney-Client relationship.

1.02 The Client hereby employs the Firm to provide the services hereinafter described for compensation hereinafter provided.

1.03 This Agreement is entered into pursuant to and as authorized by Texas law, including Texas Tax Code §6.30 and Subsection (a) of ART. 103.0031, Texas Code of Criminal Procedure.

Article 2 – Scope of Services

2.01 *Delinquent Property Tax Collections* - The Firm shall take reasonable and necessary actions to enforce collection of delinquent property taxes that are owed to the Client and that are subject to this agreement, as hereinafter provided and allowed by law.

2.02 The Client may from time-to-time specify in writing additional actions to be taken by the Firm in connection with the collection of taxes that are owed to the Client. Client further constitutes and appoints the Firm as Client's attorneys to sign all legal instruments, pleadings, drafts, authorizations and papers as shall be reasonably necessary to prosecute the Client's claim for taxes.

2.03 Taxes owed to the Client shall become subject to this agreement upon the following dates, whichever occurs first:

- (a) On February 1 of the year in which the taxes become delinquent if a previously filed tax suit is then pending against the property subject to the tax and attorney's fees are recovered and paid pursuant to a delinquent tax suit;
- (b) On the date any lawsuit is filed with respect to the recovery of the tax or estimated tax along with attorney's fees awarded and paid pursuant to a lawsuit, in accordance with the Texas Property Tax Code;
- (c) On the date of filing any application for tax warrant where recovery of the tax or estimated tax is sought;
- (d) On the date of filing any claim in bankruptcy where recovery of the tax is sought; or
- (e) On July 1 of the year in which the taxes become delinquent.

2.04 *Delinquent Municipal Court Fees and Fines and Special Assessment Liens* - The Firm shall take reasonable and necessary actions to enforce the collection of the following receivables owing to Client and that are subject to this Agreement, pursuant to the terms and conditions described herein:

- (a) Delinquent municipal court fees and fines; and

(b) Special assessment liens, including but limited to those securing payment of demolition, mowing expenses; junk and debris removal.

2.05 The Client may from time-to-time specify in writing additional actions that should be taken by the Firm in connection with the collection of the receivables that are subject to this Agreement. Client further constitutes and appoints the Firm as Client's attorneys to sign all legal instruments, pleadings, drafts, authorizations and papers as shall be reasonably necessary to pursue collection of the Client's claims.

2.06 Such legal services shall include but not be limited to recommendations and legal advice to Client to take legal enforcement action; representing Client in any dispute or legal challenge over authority to collect such receivables; defending Client in litigation or challenges of its collection authority; and representing Client in collection interests in bankruptcy matters as determined by Firm and Client. For the purposes of this Agreement, the term 'representing Client in bankruptcy matters' shall be defined as filing claims and prosecuting such claims in proceedings in United States Bankruptcy Courts on behalf of Client for delinquent taxes, special assessment liens, utility liens and unpaid utility receivables for which Client has received a bankruptcy notice. Such bankruptcy notices received by Client shall be promptly forwarded to Firm to enable Firm to assert and prosecute any such bankruptcy claim. The bankruptcy services as described will be provided to Client by the Firm at no cost to Client. This Agreement supersedes all prior oral and written agreements between the parties regarding such receivables, and can only be amended if done so in writing and signed by all parties. Furthermore, this contract cannot be transferred or assigned by either party without the written consent of all parties.

2.07 Fees and fines that are subject to this Agreement are those that are more than sixty (60) days past due as of the effective date hereof and those that become more than sixty (60) days past due during the term hereof. As used in this section, "more than 60 days past due" has that meaning assigned by Subsection (f) of Art. 103.0031, Texas Code of Criminal Procedure [as amended by Senate Bill 782, 78th Legislature (2003), effective June 18, 2003]. The meaning assigned to the phrase "more than 60 days past due" shall, for the term and purposes of this Agreement, survive any future amendments to, or repeal of, Article 103.0031, Texas Code of Criminal Procedure, or any parts thereof.

2.08 Special assessment municipal liens that are subject to this Agreement are those that are secured by duly perfected liens and that are owed by persons who are likewise delinquent in payment of property taxes as defined herein. Client and Firm hereby acknowledge that Firm serves as Client's attorney in the collection of delinquent property taxes. Firm's obligation in collecting the municipal and utility liens shall be to include the same in any delinquent property tax foreclosure suit it files against those persons owing said liens, as authorized by Texas Tax Code §33.41(c).

2.09 The Client agrees to provide to the Firm data regarding any receivables that are subject to this Agreement. The data shall be provided by electronic medium in a file format specified by the Firm. The Client and the Firm may from time-to-time agree in writing to modify this format. The Client shall provide the data to the Firm not less frequently than monthly for delinquent fees and fines.

2.10 The Firm, in all communications seeking the fee and fine receivables subject to the Agreement, shall direct all payments for fees and fines directly to the Client at an address designated by the Client. If any receivables are paid to the Firm, said payments shall be expeditiously turned over to the Client.

Article 3 - Compensation

3.01 *Delinquent Tax Collections* - Client agrees to pay the Firm, as compensation for the delinquent tax collection services, twenty (20%) percent of the amount of all delinquent taxes, penalty and interest, subject to the terms of this contract as set forth in Paragraph 2.03 above, collected and paid to the collector of taxes during the term of this contract, as and when collected.

3.02 *Delinquent Fees and Fines* - The Client agrees to pay the Firm thirty (30%) percent of the total amount of all the fines and fees [exclusive of any collection fee assessed by the Client pursuant to Subsection (b) of Article 103.0031, Texas Code of Criminal Procedure] subject to the terms of this Agreement as set forth in Section 2.04 above that are collected by the Client during the term of this Agreement.

3.03 The Client, through its Interlocal Agreement with Galveston County for tax collection services, shall pay the Firm compensation owed for tax collection services by the twentieth (20th) day of each month, all compensation earned by the Firm for the previous month as provided in this Article 3. All compensation above provided for shall become the property of the Firm at the time payment of the taxes, penalty and interest is made to the collector.

3.04 The Client shall pay the Firm by the twentieth day of each month all compensation earned by the Firm for delinquent fees and fines collections and special assessment liens for the previous month as provided in this Article 3. The Client shall provide an accounting showing all collections for the previous month with the remittance. All compensation shall become the property of the Firm at the time payment of the receivable is made to the Client.

Article 4 - Retention of Files and Intellectual Property Rights

4.01 The Firm recognizes and acknowledges that all items contained in the Firm's litigation files related to the Firm's representation of the Client are the property of the Client. The Firm agrees to retain and safeguard such files on behalf of the Client, provided that, the Client agrees that such files may, from time to time, be disposed pursuant to the File Retention Policy attached hereto as Schedule 'A' File Retention.

4.02 The Client recognizes and acknowledges that the Firm owns all right, title and interest in certain proprietary software that the Firm may utilize in conjunction with performing the services provided in this Agreement. The Client agrees and hereby grants to the Firm the right to use and incorporate any information provided by the Client ("Client Information") to update the databases in this proprietary software, and, notwithstanding that Client Information has been or shall be used to update the databases in this proprietary software, further stipulates and agrees that the Client shall have no rights or ownership whatsoever in and to the software or the data contained therein, except that the Client shall be entitled to obtain a copy of such data that directly relates to the Client's accounts at any time.

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

Article 5 - Costs

5.01 The Firm and Client recognize that certain costs, *e.g.*, publication costs and title research fees, *etc.*, will be incurred in the process of providing the services contemplated in this Agreement. The Firm will either: (i) advance such costs on behalf of the Client, or (ii) arrange with the vendor or agency providing the service that the costs of services will not be paid unless and until such costs are recovered from the delinquent taxpayer. All such costs incurred will be wholly advanced by Firm and Firm will seek reimbursement of such advanced costs through legal remedies allowed by law. Client has no liability for any such advanced cost.

5.02 The Client acknowledges that the Firm may provide services, such as title research, with its own employees or with other entities or individuals who may be affiliated with the Firm, but the Firm agrees that any

charges for such services will be reasonable and consistent with what the same services would cost if obtained from a third party.

5.03 The Client agrees that upon the recovery of such costs, the Client will (i) pay the Firm for any such costs that have been advanced by the Firm or performed by the Firm and (ii) pay any third party agency or vendor owed for performing such services.

Article 6 - Term and Termination

6.01 This agreement shall be effective on _____, 2024 and shall expire on _____, 2027, (the "Expiration Date") unless extended as hereinafter provided.

6.02 Unless prior to thirty (30) days before the Expiration Date, the Client or the Firm notifies the other in writing that it does not wish to continue this Agreement beyond its initial term, this Agreement shall be automatically extended for an additional two (2) year period without the necessity of any further action by either party. In the absence of any such thirty (30) day notice by either the Client or the Firm, the Agreement shall continue to automatically renew for additional and successive two (2) year terms in the same manner at the end of each renewal period.

6.03 If at any time during the initial term of this Agreement or any extension hereof, the Client determines that the Firm's performance under this Agreement is unsatisfactory, the Client shall notify the Firm in writing of the Client's determination. The notice from the Client shall specify the particular deficiencies that the Client has observed in the Firm's performance. The Firm shall have sixty (60) days from the date of the notice to cure any such deficiencies. If at the conclusion of that sixty (60) day remedial period, the Client remains unsatisfied with the Firm's performance, the Client may terminate this Agreement effective upon the expiration of ten (10) days following the date of written notice to the Firm of such termination ("Termination Date").

6.04 Notwithstanding the foregoing, Client may terminate this Agreement effective upon the expiration of thirty (30) days written notice of such termination.

6.05 Whether this Agreement expires or is terminated, the Firm shall be entitled to continue to prosecute any tax suits, applications for tax warrants or bankruptcy claims pending on the Termination Date or Expiration Date for an additional six (6) months following termination or expiration. The Client agrees that the Firm shall be compensated as provided by Article 3 for any base tax, penalties and interest collected in the pending matters during the six (6) month period.

6.06 The Client agrees that the Firm shall be reimbursed for any costs advanced and shall be paid for any services performed pursuant to Article 5 when such costs are recovered by or on behalf of the Client, regardless of the date recovered. It is expressly agreed that neither the expiration nor the termination of this Agreement constitutes a waiver by the Firm of its entitlement to be reimbursed for such costs and to be paid for such services. It is further expressly agreed that the expiration of any six (6) month period under Section 6.04 does not constitute any such waiver by the Firm.

Article 7 – Miscellaneous

7.01 *Assignment and Subcontracting.* This Agreement is not assignable, provided however, the Firm may from time-to-time obtain co-counsel or subcontract some of the services provided for herein to other law firms or entities. In such cases, the Firm will retain supervisory control and responsibility for any services provided by such co-counsel or subcontractors and shall be responsible to pay any compensation due to any such co-counsel or subcontractor.

7.02 *Mediation and Venue.* Any controversy between the parties to this Agreement involving the construction or application of any of the terms, covenants, or conditions of this Agreement shall, on the written request of one party served on the other, be submitted to mediation. In the event mediation is unsuccessful, the parties are free to pursue their right in a court of competent jurisdiction. Any legal proceedings relative to this Agreement or the obligations thereunder shall be in Galveston County, Texas.

7.03 *Integration.* This Agreement contains the entire agreement between the parties hereto and supersedes all previous oral or written agreements. This Agreement may only be modified in a written amendment, executed by both parties.

7.04 *Representation of Other Taxing Entities.* The Client acknowledges and consents to the representation by the Firm of other taxing entities that may be owed taxes or other claims and be secured by the same property as the Client's claim.

7.05 *Notices.* For purposes of sending any notice under the terms of this contract, all notices from Client shall be sent to Firm by certified United States mail, or delivered by hand or by courier, and addressed as follows:

Linebarger Goggan Blair & Sampson, LLP
Attention: Director of Client Services
P.O. Box 17428
Austin, Texas 78760-7428

All notices from the FIRM to the CLIENT shall be sent to CLIENT by certified United States mail, or delivered by hand or by courier, and addressed as follows:

City Manager
City of La Marque
1111 Bayou Road
La Marque, TX 77568
409.938.9202

IN CONSIDERATION OF THE TERMS AND COMPENSATION HEREIN STATED, the Firm hereby accepts said employment and undertakes the performance of this Agreement as above written. This Agreement is executed on behalf of the Firm and of the Client by the duly authorized persons whose signatures appear below.

CITY OF LA MARQUE

LINEBARGER GOGGAN BLAIR & SAMPSON, LLP

BY: _____
Cesar Garcia, City Manager

BY: _____
Mark E. Ciavaglia, Partner

Date: _____

Date: _____

ATTEST:

City Secretary

SCHEDULE 'A' – FILE RETENTION

DELINQUENT TAX SUIT FILES

- (a) Cases in which non-suits are taken, dismissals are granted, or judgments are vacated, may be destroyed upon the expiration of five (5) years following the date of non-suit or dismissal or one (1) year after a judgment is taken on the same property in a subsequent suit, whichever first occurs.
- (b) Cases in which judgments are taken, followed by satisfaction of the judgment by any means other than foreclosure sale, may be destroyed upon the expiration of five (5) years following satisfaction of the judgment.
- (c) Cases in which real property judgments are taken or real property seizures conducted under tax warrant, followed by tax sale, are destroyed upon the expiration of twenty-five (25) years following the date of original tax sale.
- (d) Cases in which judgments are taken for personal property taxes, followed by abstract of judgment, are destroyed upon the expiration of twenty (20) years following the filing of the abstract or one (1) year following satisfaction of the judgment, whichever first occurs.

PERSONAL PROPERTY TAX WARRANT FILES

- (a) Cases in which non-suits are taken, dismissals are granted, or dissolution of warrant occurs prior to a seizure of any property are destroyed upon the expiration of one (1) year following the date of non-suit, dismissal, dissolution.
- (b) Cases in which seizures under a warrant occurs, regardless of whether actual sale of property occurs, are destroyed upon the expiration of four (4) years following the date of seizure.

BANKRUPTCY FILES

- (a) Cases that have been dismissed are destroyed upon the expiration of one (1) year following the date of dismissal.
- (b) “No Asset Chapter 7” cases in which a discharge has been granted to the debtor are destroyed upon the expiration of one (1) year following the date of discharge or final payment, whichever occurs earlier.
- (c) “Chapter 13” cases in which a discharge has been granted to the debtor are destroyed upon the expiration of one (1) year following the date of discharge.
- (d) “Chapter 7 Asset” cases are destroyed upon the expiration of one (1) year following the filing of the Trustee’s Final Report.
- (e) “Chapter 11” cases in which there is a Confirmed Plan are destroyed upon the expiration of eight (8) years following the date of Confirmation, unless the plan has not been completed. In the event payment under the plan is not complete following eight (8) years, then the file shall be destroyed upon the expiration of one (1) year following receipt of the final payment under the plan.



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Stacy Froeschner

Department: Court

Agenda Item: 8.VI.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Consideration, discussion, and possible action regarding adopting a resolution of the City Council of the City of La Marque regarding Linebarger Goggan Blair & Sampson, LLP as being fully qualified as special council to perform all legal services pursuant to Sec 2254.1036 of the Texas Government Code for collection of unpaid fines, fees, and court costs

STAFF BRIEFING:

This is a renewal of our ongoing contract with Linebarger Goggan Blair & Sampson, LLP for assistance in collecting outstanding fees and fines on cases that have gone into warrant status as well as delinquent tax collection services. The contract before the council now includes utility billing as well.

HISTORY:

The city has contracted with Linebarger Goggan Blair & Sampson in years prior and has successfully assisted in the collection process.

FISCAL IMPACT:

This contract has no fiscal impact on the city budget as the contract states that upon sending delinquent accounts to them a 30% fee is added. Upon payment of the delinquent account, the 30% fee that is added is paid to Linebarger Goggan Blair and Sampson, LLP.

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS REGARDING LINEBARGER GOGGAN BLAIR & SAMPSON, LLP AS BEING FULLY QUALIFIED AS SPECIAL COUNCIL TO PERFORM ALL LEGAL SERVICES NECCESARY TO COLLECT UNPAID UTILITY ACCOUNTS, FINES, FEES, COURT COSTS, FORFEITED BONDS, AND RESTITUTION AS PROVIDED IN TEXAS CODE OF CRIMINAL PROCEDURE, ARTICLE 103.0031.

WHEREAS, providing adequate notice as required by Sec. 2254.1036 of the Texas Government Code, the consideration of a Contract for Utilities, Fines and Fees Collection Services with Linebarger Goggan Blair & Sampson, LLP, and

AFTER EXCERCISING ITS DUE DILIGENCE, THE CITY OF LA MARQUE FINDS THAT:

1. There is a substantial need for the legal services to be provided pursuant to the Contract for Utilities, Fines and Fees Collection Services; and
2. These legal services cannot be adequately performed by the attorneys and supporting personnel of the City of La Marque at a reasonable cost; and
3. These legal services cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the collection fee authorized by Texas Code of Criminal Procedure Art. 103.0031 and because the City of La Marque does not have the funds to pay the estimated amounts required under a contract only for the payment of hourly fees; and

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

SECTION 1. This statement set out in the preamble to this Resolution are true and correct.

SECTION 2. The meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings, Texas Government Code, Chapter 551.

PASSED AND APPROVED this ____ day of _____, 2024.

Keith Bell, Mayor

ATTEST:

Cesar Garcia, City Manager



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Gus Knebel

Department: Administration

Agenda Item: 8.VII.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Discussion/ possible action regarding authorizing the City Manager to enter into a water service agreement with CRV Development, LLC, for the construction of a water supply facility

STAFF BRIEFING:

A prospective business owner proposes to develop a currently undeveloped tract of land in the City of La Marque, Texas. This land is not currently served by city water. In order to develop the tract the developer proposes to construct the water infrastructure, pursuant to city specifications, and then dedicate the water infrastructure to the City of La Marque, Texas.

HISTORY:

FISCAL IMPACT:

N/A.

WATER SERVICE AGREEMENT

This is an Agreement between the City of La Marque, Texas (“CITY”) and CRV Development, LLC (“CRV”) is for the purpose of providing water supply services by the CITY to CRV.

W I T N E S S E T H:

WHEREAS, CRV owns or will own an approximately 64-acre tract located between Highway 146 and Interstate 45, as shown on the attached Exhibit A, hereinafter referred to as the “CRV Site” and located within the corporate limits of the CITY; and

WHEREAS, CRV intends to develop the CRV Site for mixed-use offering high-end, resort-style Community RV Resort, along with a hotel, restaurants, retail stores, boardwalk and open space amenities; and

WHEREAS, CRV is in need of water supply services to be provided by the CITY for the development of the CRV Site; and

WHEREAS, the CITY and CRV desire to provide for the design, permitting, construction and installation of an additional point of delivery located at the located approximately 0.3 miles north of Texas City Wye Intersection through which water will be delivered to the CRV Site; and

WHEREAS, the CITY has entered into that certain Mainland Water Project Customer Contract (South Project) with Gulf Coast Water Authority (“GCWA”), as amended and supplemented from time to time (the “GCWA Agreement”), under which the CITY is a Mainland Customer of GCWA; and

WHEREAS, CRV has agreed to fund all costs and expenses related to the design, permitting, construction and installation of the facilities at the point of delivery, which at this time is expected to include installation of a Meter Vault & Wet Connection, 131,550 Gallon Ground Storage Tank, 15,000 Gallon Hydropneumatic Tank and Booster Pump System (collectively, the “Interconnect Facilities”) for an approximate cost of \$1,316,250.00; and

WHEREAS, CRV has agreed to install or cause to be installed, at its sole cost and expense, any water distribution lines necessary to deliver water from the meter at the Interconnect Facilities to the CRV Site.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, including the premises, the parties agree as follows:

AGREED, the recitals above are true and correct and incorporated for all purposes as a part of this Agreement.

AGREED, CRV shall be responsible for all costs and expenses (the “Costs”) related to the design, permitting, construction and installation of the Interconnect Facilities, including pass-through administrative costs, engineering costs, GCWA legal fees, and acquisition of easements and licenses, incurred by the CITY as a result of the Interconnect Facilities. CRV shall only use contractors approved by the GCWA in advance for work that includes access to GCWA water facilities.

AGREED, the CITY shall be responsible for engineering design of the Interconnect Facilities; provided, however, that the Interconnect Facilities shall be designed to allow at least 116,000 gallons per day of water supply flow, but not more than is necessary to serve the CRV Site.

AGREED, CRV shall deposit with the CITY funding to pay for the design of the Interconnect Facilities within 30 days of receipt of the CITY’s estimate of design costs for the Interconnect Facilities. The engineering design funds will be held by the CITY in a special account (the “Account”) to be used solely for the purposes of payment of costs due from the CITY for the Interconnect Facilities’ design costs. Any and all interest generated in the Account shall be used solely for the purposes of funding the design costs. Any amounts on deposit in the Account at the completion of the design shall be returned to CRV.

AGREED, the CITY shall provide to CRV copies of all invoices, with such backup documentation as is reasonably requested by CRV, showing costs and expenses to be paid by the CITY for the engineering design costs under the Agreement.

AGREED, CRV shall construct or cause to be constructed the Interconnect Facilities, subject to periodic inspection by CITY personnel and contractors, including the CITY’S Consulting Engineer, Dinh Ho, PE. The contract for construction of the Interconnect Facilities shall include a one-year maintenance warranty that is assignable to the City. Upon completion of the Interconnect Facilities CRV shall offer the Interconnect Facilities to CITY by dedication. Before the CITY accepts the Interconnect Facilities CRV shall provide all reasonably requested documents including “As Built” plans for the Interconnect Facilities.

AGREED, upon dedication of the Interconnect Facilities to the CITY, the CITY (and not CRV) shall be responsible for the ownership and maintenance of the Interconnect Facilities.

AGREED, CRV shall install or cause to be installed, at its sole cost and expense, a CITY meter at the point of delivery and any necessary water storage or water distribution lines necessary to deliver water from the point of delivery to the CRV Site. The water distribution lines running from the CITY meter through CRV property shall be a private line of CRV.

AGREED, that CRV shall cause its contractor to provide a performance bond for the construction of the Interconnect Facilities in accordance with Chapter 2253 of the Texas Government Code, including the one-year warranty period. The City shall be named as a dual obligee on the performance bond. CRV shall also cause its contractor execute a payment bond covering the costs of the Interconnect Facilities in the amount prescribed by Chapter 2253 of the Texas Government Code. CRV shall also cause its contractor to add the CITY as an additional insured to its commercial general liability insurance policy.

AGREED that CITY shall have no obligations other than those specifically enumerated in this Agreement.

AGREED, all water delivered through the Interconnect Facilities shall be for the benefit of the CRV Site and no additional participants shall be allowed to connect to the Interconnect Facilities for a period of twenty (20) years from the effective date of this Agreement unless and until such participant pays into a cost refunding agreement with CRV to pay for its proportionate share of the Costs.

AGREED, that notices and bills sent under this Water Services Agreement shall be delivered to the corresponding party via First Class US Mail and e-mail at the following addresses:

City:
City of La Marque, Texas
Attn: Public Works Director
1111 Bayou Road
La Marque, Texas 77568
r.sailer@cityoflamarque.org

With a Copy to:
Mills Shirley, LLP
Attn: Gus Knebel
2200 Market St.
Suite 300
Galveston, TX 77550
gknebel@millsshirley.com

CRV:
CRV Development, LLC
Attn: Michael Bell
10226 Georgibelle #5
Houston, TX 77043
MichaelBell@communityrvresorts.com

AGREED THAT CRV SHALL DEFEND, INDEMNIFY AND HOLD CITY, ITS AFFILIATES, PARENTS, AND THEIR RESPECTIVE OFFICERS, COUNCILMEMBERS, EMPLOYEES, AND AGENTS (COLLECTIVELY "INDEMNITEE") HARMLESS FROM AND AGAINST ANY CLAIMS, ACTIONS, DEMANDS, LAWSUITS, LOSSES, DAMAGES, COSTS, EXPENSES, JUDGMENTS, FINES, PENALTIES, AND LIABILITIES (INCLUDING REASONABLE ATTORNEY'S FEES AND COURTS COSTS) INCURRED IN CONNECTION WITH ANY THIRD-PARTY DEMANDS, ASSERTIONS, CLAIMS, SUITS, ACTIONS OR OTHER PROCEEDINGS: ARISING FROM THE ACTS OR OMISSIONS OF CRV OR ITS EMPLOYEES, AGENTS OR OFFICERS IN CONNECTION WITH THIS AGREEMENT (IN EACH CASE A "CLAIM"), EXCEPT TO THE EXTENT SUCH CLAIM IS

CAUSED BY CITY’S WILLFUL MISCONDUCT OR GROSS NEGLIGENCE. THIS SECTION SHALL SURVIVE THE TERMINATION, EXPIRATION, OR CANCELATION OF THIS AGREEMENT.

AGREED IN NO EVENT SHALL CITY BE LIABLE TO CRV FOR ANY SPECIAL, INDIRECT, CONSEQUENTIAL, EXEMPLARY, OR PUNITIVE DAMAGES, INCLUDING LOSS OF PROFITS OR GOODWILL, IN ANY FORUM FOR ANY CLAIM OR LOSS ARISING OUT OF OR RELATED TO THIS AGREEMENT, EVEN IF CITY IS ADVISED IN ADVANCE OF THE POSSIBILITY OF SUCH DAMAGES.

AGREED, once the Interconnect Facilities is installed, water service and billing will continue in the usual and customary manner as before.

AGREED, this Agreement shall be effective as of the date that the CITY and CRV sign this Agreement (the “Effective Date”).

[Signature pages follow.]

EXECUTED this the ____ day of _____, 2024, in multiple counterparts, each of which shall be deemed to be an original..

CITY OF LA MARQUE

By: _____
Keith Bell, Mayor

ATTEST:

By: _____
Kierra Nance, City Clerk

APPROVED AS TO FORM:

By: _____
Matthew “Gus” Knebel, Consulting City Attorney

CRV Development, LLC

By: _____

Its: _____

DRAFT



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Amy Miller

Department: Library

Agenda Item: 8.VIII.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Discussion/ possible action regarding enacting a Memorandum of Understanding between the City of La Marque and Culture Corporation

STAFF BRIEFING:

City would like to partner with this organization to provide recreational and educational programming for youth during the Summer and Out-of-School Time (OST).

HISTORY:

MOUs have been previously established with other organizations based on differing needs of the community. The City of La Marque has not had an MOU with this organization previously.

FISCAL IMPACT:

None at this time.



Memorandum of Understanding

Between

Culture Corporation
and
City of La Marque

This agreement is entered into effective 03/25/2024 through 03/25/2025 between the City of La Marque and Culture Corporation to collaborate on recreational and educational programming for youth.

Culture Corporation agrees to:

- Assist in recruiting students for youth recreational and educational programs during school breaks.
- Identify and implement appropriate staffing for recreational and educational programs.
- Provide necessary equipment and supplies for recreational component of program(s)
- Assist City staff on program planning and on evaluation procedures.

City of La Marque agrees to:

- Assist with planning and implementing educational programs for students both at La Marque Public Library and off site at City of La Marque parks and/or at other program facilities.
- When available, provide assistance from City of La Marque summer interns in both the educational and recreational aspects of the program.
- Provide information on La Marque Public Library programs and services to participants and their families.
- Share information and increase awareness about La Marque Library programs and services and other City of La Marque programs and events.

Cesar Garcia, City of La Marque
City Manager

Jared Williams, President
Culture Corporation

Date

Date



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Rick Sailler

Department: Public Works

Agenda Item: 8.IX.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Discussion/ possible action regarding ratifying the expenditure of \$84,677.50 for emergency pipeline replacement completed by Ram Rod Utilities on February 17, 2024

STAFF BRIEFING:

- The Sanitary Sewer (SS) pipeline on Shady Lane, between Winnie Drive and Lift Station #6 (Shady Lane) had a complete failure on or about February 17, 2024.
- Public Works SS Collections crew could not clear a blockage within the pipe that was causing SS backups within the homes that were serviced by this pipeline.
- Historical data indicates that multiple SS backups occurred at several homes on this block dating back to 2019.
- A severe SS backup at 703 Shady Lane led to the decision to replace the existing pipe on an emergency basis.
- Ram Rod was contacted by Department Staff to complete the emergency repair on Saturday, February 17, 2024.
- The expense is considered a Capital Project, since new pipe replaced existing pipe.

HISTORY:

2018 - One SS Backup (SSBCKUP)

2019- Three (3) SSBCKUPs

2020 - Three (3) SSBCKUPs

2021 -Thirteen (13) SSBCKUPs

2022 - One (1) SSBCKUP

2023 - Three (3) SSBCKUPs

2024 - Three (3) SSBCKUPs

FISCAL IMPACT:

\$84,677.50 to be paid from C.O. Bond Funds - Sanitary Sewer Improvements

Ram Rod Utilities, LLC

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

Invoice # 189

Date: 2/22/2024

To : City of La Marque
Shady Lane

Net 30

Item No.	UNIT	Item Description	QTY	Unit Price	Total
1	LS	Emergency Mobilization	1	\$ 4,000.00	\$ 4,000.00
2	LF	6" to 8" Static PipeBurst up to 8' depth with HDPE IPS Dr19	465	\$ 125.00	\$ 58,125.00
3	EA	4" Sanitary sewer service reconnect with PVC SDR26 pipe	7	\$ 900.00	\$ 6,300.00
4	EA	New Precast Manhole	1	\$ 5,500.00	\$ 5,500.00
5	LS	3-inch Bypass Setup & Pumping	1	\$ 1,000.00	\$ 1,000.00
6	LS	Site restoration	1	\$ 1,400.00	\$ 1,400.00
7	LF	Post CCTV	465	\$ 8.50	\$ 3,952.50
8	LS	Trench Safety up to 8' depth	1	\$ 1,300.00	\$ 1,300.00
9	EA	Manhole connections	2	\$ 500.00	\$ 1,000.00
10	LS	Asphalt Replacement	0	\$ 1,500.00	\$ -
11	LS	Traffic Control setup	1	\$ 800.00	\$ 800.00
12	LS	Exploratory work for tap locations	1	\$ 1,300.00	\$ 1,300.00
					\$ -
Subtotal					\$ 84,677.50
Tax Rate					0%
Total Cost					\$ 84,677.50

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!

Ram Rod Utilities, LLC

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

Estimate # 197

Date: 2/16/2024

To : City of La Marque
Shady lane

Net 30

Item No.	UNIT	Item Description	QTY	Unit Price	Total
1	LS	Emergency Mobilization	1	\$ 4,000.00	\$ 4,000.00
2	LF	6" to 8" Static PipeBurst up to 8' depth with HDPE IPS Dr19	465	\$ 125.00	\$ 58,125.00
3	EA	4" Sanitary sewer service reconnect with PVC SDR26 pipe	7	\$ 900.00	\$ 6,300.00
4	EA	New Precast Manhole	1	\$ 5,500.00	\$ 5,500.00
5	LS	3-inch Bypass Setup & Pumping	1	\$ 1,000.00	\$ 1,000.00
6	LS	Site restoration	1	\$ 1,400.00	\$ 1,400.00
7	LF	Post CCTV	465	\$ 8.50	\$ 3,952.50
8	LS	Trench Safety up to 8' depth	1	\$ 1,300.00	\$ 1,300.00
9	EA	Manhole connections	2	\$ 500.00	\$ 1,000.00
10	LS	Asphalt Replacement	1	\$ 1,500.00	\$ 1,500.00
11	LS	Traffic Control setup	1	\$ 800.00	\$ 800.00
12	LS	Exploratory work for tap locations	1	\$ 1,300.00	\$ 1,300.00
		Add 6% if Bond is required			\$ -
Notes: City/ GC to provide all permits & water meter					Subtotal
					\$ 86,177.50
Dewatering/Well Points are not included, a price will be submitted if encountered					Tax Rate
					0%
					Total Cost
					\$ 86,177.50

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!

Project ID # 24-01304

SEWER : Sanitary Sewer Main Repair

Repair sanitary sewer main - 703 Shady (2), 714 Shady (9), 716 Shady (20), 722 Shady (3) backups from 2019 to present.

Shady Lane , La Marque TX 77568

2/17/24 - Emergency Repair Winnie to LS6 Earnest/Oscar -

Printed - March 20, 2024 at 4:00 pm

Started by Lisa Perez

Update Information

Date / Time: _____

Update Title: _____

Description: _____

Project Complete ☐ YES - Archive ☐ NO

Update By: _____

Additional Notes

1. _____

2. _____

3. _____

PROJECT MANAGERS

> Darryel Freeman

WORKERS

1. Darryel Freeman Hours:

2. Kleen Environmental Hours:

3. Oscar Del Bosque Alas Hours:

4. Ram Rod Utilities LLC Hours:

5. Shannon Breaux Hours:

6. Texas Pride Hours:

7. Tyrone Griffin Hours:

8. Other: Hours:

9. Other: Hours:

MATERIALS

1. 1 0 Units:

2. 4 Units:

3. 6 Units:

4. 8 Units:

5. Other: :

6. Other: :

EQUIPMENT

1. Backhoe Hours:

2. F-350 1-ton PU Hours:

3. Gradall, Hours:

4. Vac Truck Hours:

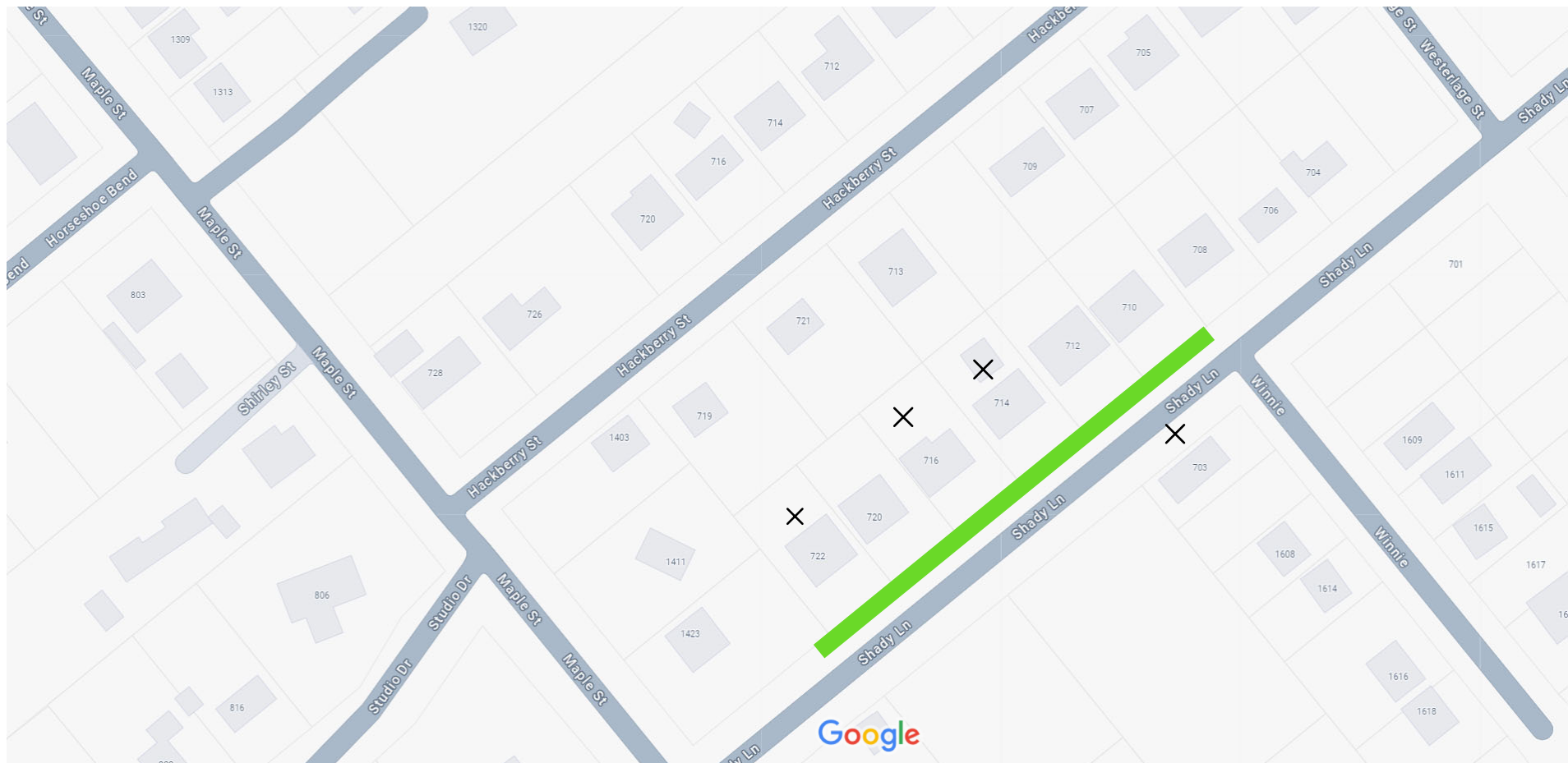
5. Other: :

6. Other: :

MEASUREMENTS

1. Other: :

2. Other: :



Map data ©2024 Google 50 ft

Home » Active Projects » Public Works » Archived Projects

Archived Projects

↳ Sewer (SEWER) - Sanitary Sewer Back-Up

▶ Add a Project ▶ Filters: Hide | Off ▶ My Projects ▶ Pending ▶ Advance Search

All Projects 

<< prev

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☐	id # ↑↓	code ↑↓	type ↑↓	address ↑↓	time ↑↓	cost ↑↓	updates ↑↓	priority ↑↓	done ↑↓	
☐	21-00975	SEWER	Sanitary Sewer Back-Up	 716 shady lane	 0d 0h	\$ 0.00	1			
☐	21-00962	SEWER	Sanitary Sewer Back-Up	 714 shady lane	 0d 0h	\$ 0.00	1			
☐	21-00835	SEWER	Sanitary Sewer Back-Up	 716 Shady Lane	 0d 0h	\$ 2.18	1			
☐	21-00595	SEWER	Sanitary Sewer Back-Up	 716 shady lane	 0d 0h	\$ 4.06	1			
☐	21-00547	SEWER	Sanitary Sewer Back-Up	 617 Shady Lane	 0d 0h	\$ 0.00	1			
☐	21-00036	SEWER	Sanitary Sewer Back-Up	 716 shady lane	 0d 0h	\$ 14.50	1			
☐	21-00029	SEWER	Sanitary Sewer Back-Up	 716 shady lane	 0d 0h	\$ 0.00	1			
☐	20-01695	SEWER	Sanitary Sewer Back-Up	 shady lane	 0d 0h	\$ 43.50	1			
☐	20-00560	SEWER	Sanitary Sewer Back-Up	 720 shady lane	 0d 0h	\$ 0.00	2			
☐	20-00427	SEWER	Sanitary Sewer Back-Up	 805 shady lane	 0d 0h	\$ 0.00	0			
☐	20-00201	SEWER	Sanitary Sewer Back-Up	 716 shady lane	 0d 0h	\$ 18.85	1			
☐	19-01443	SEWER	Sanitary Sewer Back-Up	 716 shady lane	 0d 0h	\$ 6.53	1			
☐	19-01442	SEWER	Sanitary Sewer Back-Up	 716 shady lane	 0d 0h	\$ 6.53	1			
☐	19-00241	SEWER	Sanitary Sewer Back-Up	 722 Shady Lane	 0d 0h	\$ 2.64	1			
☐	18-00191	SEWER	Sanitary Sewer Back-Up	 708 SHADY LANE	 0d 0h	\$ 2.20	1			

Home » Active Projects » Public Works » Archived Projects

Archived Projects

↳ Sewer (SEWER) - Sanitary Sewer Back-Up

▶ Add a Project ▶ Filters: Hide | Off ▶ My Projects ▶ Pending ▶ Advance Search

All Projects 

Showing 1 - 15 of 30 next >>

☐	id # ↑↓	code ↑↓	type ↑↓	address ↑↓	time ↑↓	cost ↑↓	updates ↑↓	priority ↑↓	done ↑↓	
☐	24-00489	SEWER	Sanitary Sewer Back-Up	 714 Shady Lane	 33d 21h	\$ 57.48	2			
☐	24-00709	SEWER	Sanitary Sewer Back-Up	 703 Shady Lane	 17d 5h	\$ 19.66	1			
☐	24-00670	SEWER	Sanitary Sewer Back-Up	 716 Shady Lane	 23d 21h	\$ 209.85	2			
☐	23-01350	SEWER	Sanitary Sewer Back-Up	 716 Shady Lane	 26d 18h	\$ 50.14	1			
☐	23-01274	SEWER	Sanitary Sewer Back-Up	 724 Shady Lane	 42d 7h	\$ 69.08	1			
☐	23-01029	SEWER	Sanitary Sewer Back-Up	 716 Shady Lane	 24d 1h	\$ 7.27	1			
☐	22-00890	SEWER	Sanitary Sewer Back-Up	 714 Shady Lane	 32d 16h	\$ 7.93	1			
☐	21-02099	SEWER	Sanitary Sewer Back-Up	 714 Shady Lane	 0d 0h	\$ 0.00	1			
☐	21-02002	SEWER	Sanitary Sewer Back-Up	 714 shady lane	 0d 0h	\$ 4.35	1			
☐	21-01514	SEWER	Sanitary Sewer Back-Up	 714 Shady Lane	 0d 0h	\$ 0.00	1			
☐	21-01449	SEWER	Sanitary Sewer Back-Up	 716 shady lane	 0d 0h	\$ 0.00	1			
☐	21-01447	SEWER	Sanitary Sewer Back-Up	 716 shady lane	 0d 0h	\$ 0.00	1			
☐	21-01446	SEWER	Sanitary Sewer Back-Up	 716 shady lane	 0d 0h	\$ 0.00	1			
☐	21-01283	SEWER	Sanitary Sewer Back-Up	 815 shady lane	 0d 0h	\$ 14.50	1			
☐	21-01066	SEWER	Sanitary Sewer Back-Up	 714 Shady Lane	 0d 0h	\$ 0.00	1			

next >>

↳ ☐ With Selected: ▼

☐ Repeating Project ☐ Pre - Warning ☐ Over - Warning

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CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Rick Sailler

Department: Public Works

Agenda Item: 8.X.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Discussion / possible approval of Work Order submitted by Adico Engineers, LLC (City Engineer) for Phase 2 implementation of Geographical Information System (GIS) for Water and Sanitary Sewer Infrastructure

STAFF BRIEFING:

- The current maps for Water & Sanitary Sewer are in paper form, dated 2006, created by Mike Morgan - former Public Works Director.
- A prior map created by Cobb Findley Engineers is in digital form, but very outdated.
- The Cobb Findley map was used to create a semi-GIS map by LJA Engineering.
- GIS technology allows the capture of data for specific infrastructure items such as date installed, manufacturer, and GPS location using latitude and longitude data points.
- There are no maps for street signage locations.
- The need for accurate GIS maps and information is an essential element for Public Works.

HISTORY:

2010 (estimated) - LJA GIS (simulated) map was developed

2006 - Current Book Map developed

2000 - (estimated) - Cobb Findley Map created

FISCAL IMPACT:

\$33,520.00

**CITY OF LA MARQUE
WORK ORDER – No. 2024-01**

**Professional Engineering Services for GIS Mapping Solutions
Phase Two Public Works – Water and Sewer System**

PROJECT DESCRIPTION:

Adico, LLC (“**ADICO**”) is pleased to present this proposal to perform professional engineering services for GIS Mapping Solution for the City of La Marque (“**City**”). The project will consist of developing a Municipal GIS layers and Web-based GIS system for Public Works Department – Water and Sewer System

SCOPE OF WORK

A. Document Scanning and Digitizing

1. Adico will obtain existing documents from the City, organize and code the documents for reference.
2. Review existing shapefiles from the City.
3. Create layers from the existing Water and Sewer Map Books and archived documents.

B. Creation of Utility Layers in GIS

Using spatial data collected, Adico will add linear geometry to each GIS utility set. If points are not available, Adico will use the utility plans provided to geo-rectify features and draw the following lines:

1. Water
2. Sanitary Sewer Collection System

C. Spatial Attribute Data and Update

1. Load spatial attribute data for each feature collected into the geodatabase
2. QA/QC data with the City
3. Create and publish maps
4. Maps to be provided will be Sanitary Manhole Survey and Water Valve Survey

Additional Services:

Item No. 1 - GPS Point Feature Collection

Adico will collect geotagged feature points. This will help the operator locate the feature in the field. Features collected will include:

1. Fire Hydrants
2. Water valves
3. Sanitary Sewer Manholes
4. Lift Stations
5. Water Plant
6. WWTP

COMPENSATION:

Compensation for this assignment shall be in accordance with this letter agreement for Engineering Services executed between the Owner and Adico, LLC. Billing for this assignment will be a monthly invoice based on a total percentage of effort provided. Based on this agreement and the scope of work described above, we recommend that a lump sum fee of **Total Professional Services Fee Not to Exceed \$74,555.00** be established.

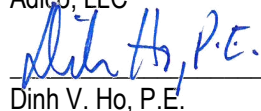
<u>Item No.</u>	<u>Description</u>	<u>Contract Amount</u>
Basic Services		
1	Documents Scan & Digitizing	\$3,260.00
2	Creation of Utility Layers in GIS	\$24,805.00
3	Spatial Attribute Data and Update	\$12,970.00
	TOTAL	\$41,035.00
Additional Services		
1	GPS Point Feature Collection	\$33,520.00

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.

1/17/2024

Date

Accepted: City of La Marque, Texas

Mr. Rick Sailer, Public Works Director

Date

BASIC SERVICES			Principal		Project Manager		GIS Analysts		Admin		Field Inspector		Total Hours	Total Fee
ITEM	DESCRIPTION	Notes:	Hours	Rate	Hours	Rate	Hours	Rate	Hours	\$	Hours	Rate		
				\$235.00		\$195.00		\$125.00		\$80.00		\$105.00		
1	Documents Scan & Digitizing													
	Scanning/Digitizing/Coding		2	\$470.00	2	\$390.00		\$0.00	30	\$2,400.00	0	\$0.00	34	\$3,260.00
													Subtotal:	\$3,260.00
2	Creation of Utility Layers in GIS													
	Water		10	\$2,350.00		\$0.00	80	\$10,000.00	0	\$0.00		\$105.00	90	\$12,455.00
	Sanitary		10	\$2,350.00		\$0.00	80	\$10,000.00	0	\$0.00		\$0.00	90	\$12,350.00
													Subtotal:	\$24,805.00
3	Spatial Attribute Data Update													
	Load spatial attribute data for each feature collected in to geodatabase		0	\$0.00		\$0.00	10	\$1,250.00	0	\$0.00		\$0.00	10	\$1,250.00
	Upload and link construction drawings to the corresponding features		0	\$0.00	0	\$0.00	20	\$2,500.00	0	\$0.00		\$0.00	20	\$2,500.00
	QA/QC data		4	\$940.00	6	\$1,170.00	20	\$2,500.00	0	\$0.00		\$0.00	30	\$4,610.00
	Create and Publish map service		4	\$940.00	6	\$1,170.00	20	\$2,500.00	0	\$0.00		\$0.00	30	\$4,610.00
													Subtotal:	\$12,970.00
													Total	\$41,035.00

La Marque

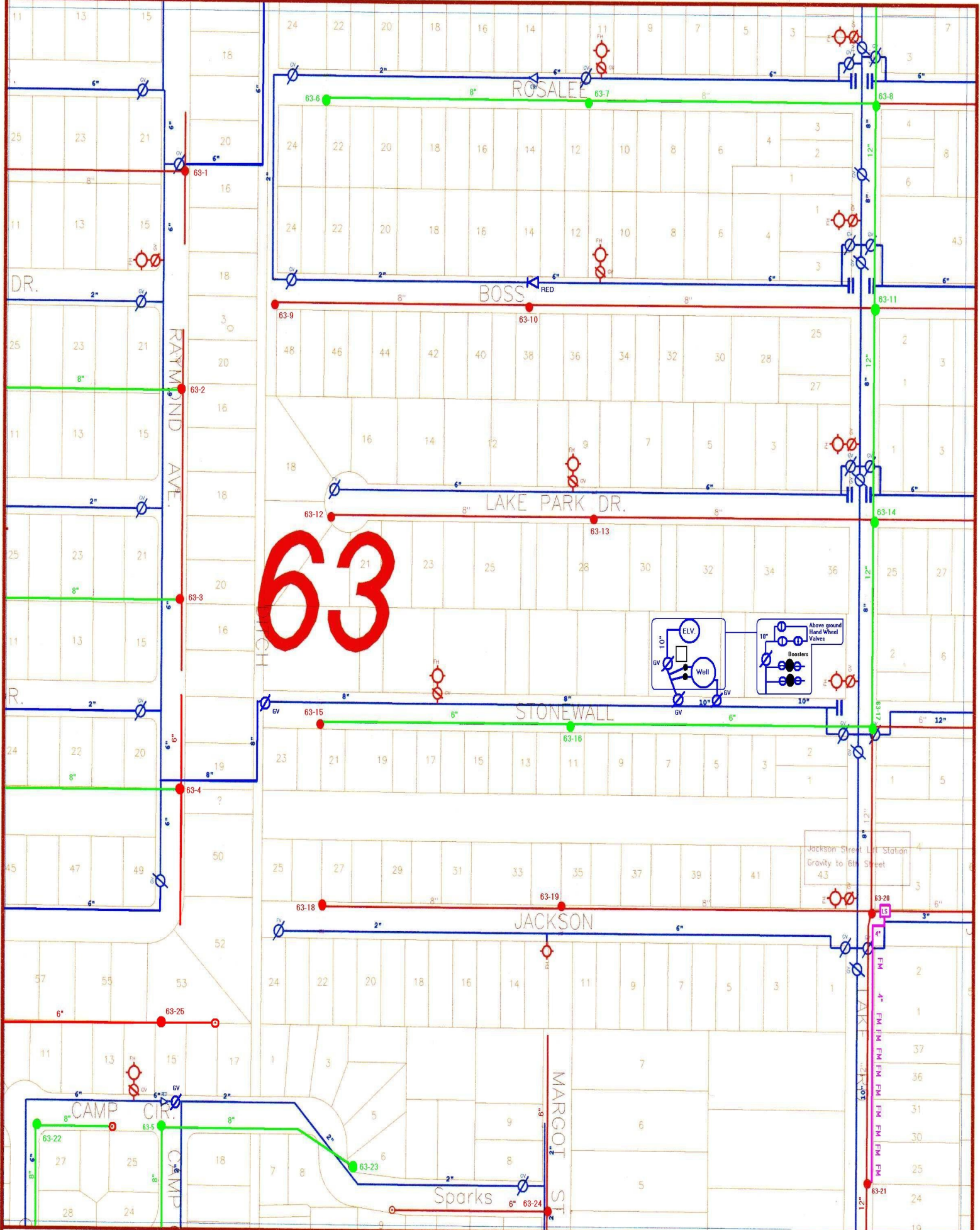
Utility Department

Water & Sewer System



Public Works

Director : M. MORGAN



La Marque

- Water Legend**

 - Fire Hydrant (Existing)
 - Fire Hydrant (New)
 - Valve
 - Cap / Plug
 - Flow Direction
 - Pipe
- Power Legend**

 - Clean Out
 - Light Station
 - Manhole
 - Reconditioned Manhole
 - Cap / Plug
 - Grinder / Pump
 - Flow Direction
 - Pipe
 - Reconditioned Pipe
 - Force Main

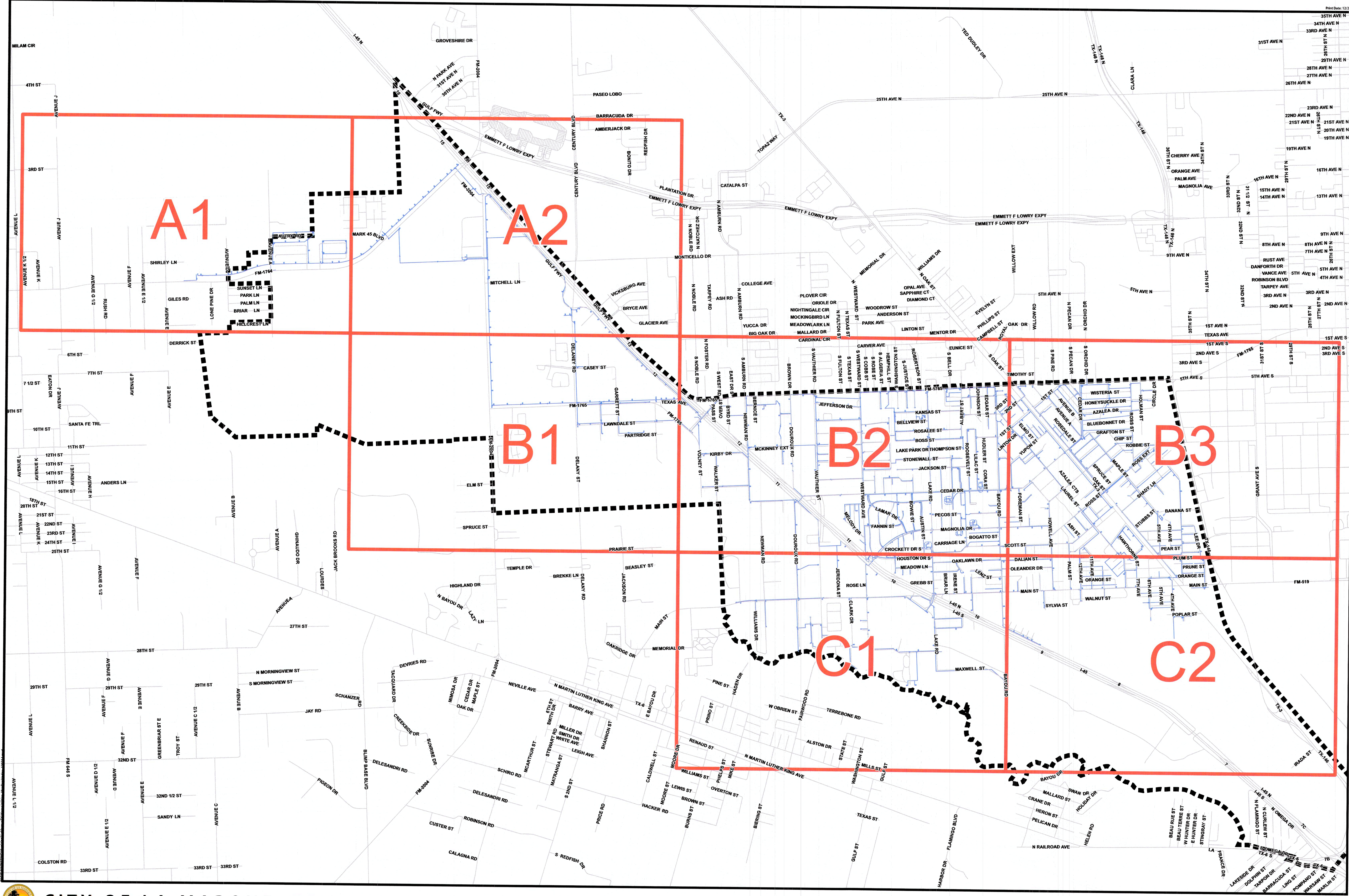
Section 63



49		
62	63	64
	77	



WATER UTILITIES MAP INDEX



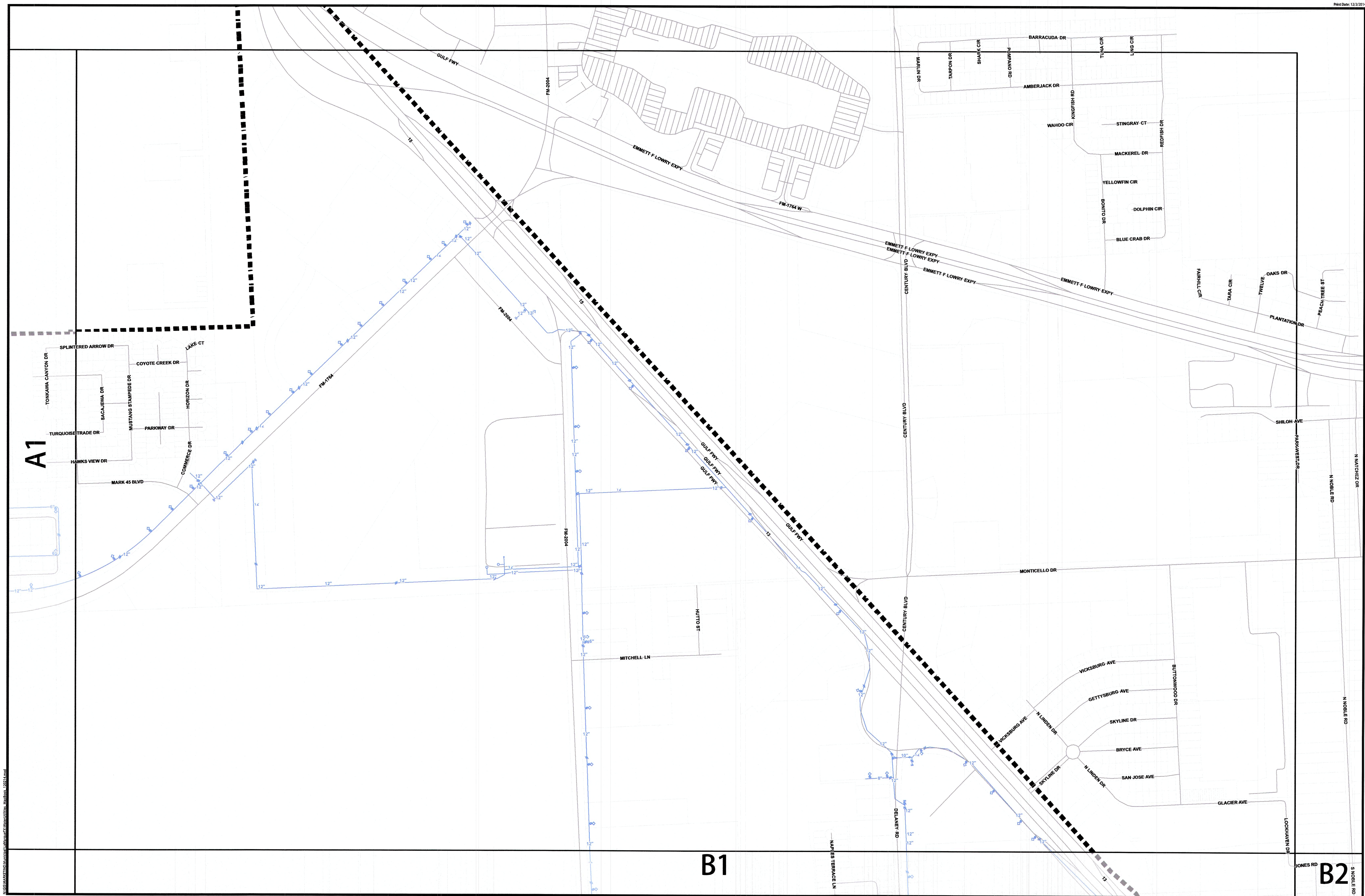
A2

B1





WATER UTILITIES MAP







B1

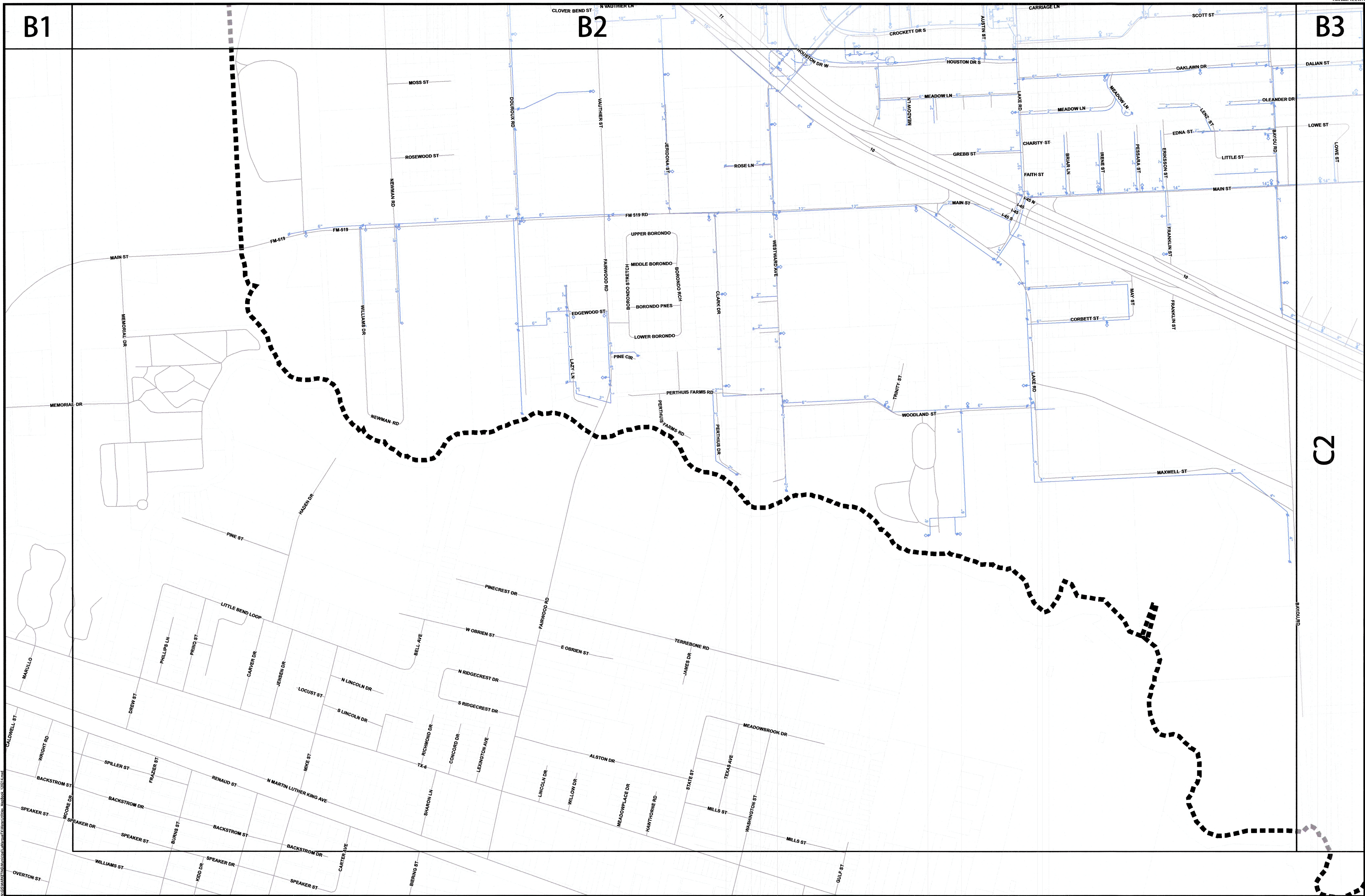
B2

B3



WATER UTILITIES MAP

C2



CITY OF LA MARQUE, TEXAS

1 inch = 400 feet

CobbFendley



WATER UTILITIES MAP





CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: _____

Department: Public Works

Agenda Item: 8.XI.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Authorizing ADICO LLC to perform professional engineering services for the 2024 City of La Marque Roadway Pavement Assessment Study

STAFF BRIEFING:

La Marque has a plethora of infrastructure needs to include many streets in need of repair. Although the recent County Bond started to address the need of said repairs, there are many more streets that need improvement. To best categorize the streets in need, the City desires to complete the assessment of the approximate 60 miles of asphalt and concrete streets within the City to determine their relative conditions and provide an update to the complete inventory. We will provide the field inspection, data collection, ranking analysis and report detailing the results in a similar manner as was done with the streetlight survey. Samples of two streets in question are included as back-up documentation for reference but not for action purposes at this time.

HISTORY:

City Council has requested for us to develop a Street Maintenance Program.

FISCAL IMPACT:

\$24,500

Professional Engineering Services for Pavement Assessment Study

**PRELIMINARY COST ESTIMATE
CITY OF LA MARQUE
BROWN STREET REPAIRS (CURB & GUTTER)
FROM TEXAS AVENUE TO DEAD END
ADICO, LLC
Wednesday, March 6, 2024**

Prepared By: Dinh V. Ho, P.E.

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
<u>PAVEMENT</u>					
(All estimates are completed in-place)					
1.	Mill Surface of Existing Asphalt Pavement	SY	1,611	\$ 5.00	\$ 8,053.33
2.	6" Thick 4,000 PSI Reinforced Concrete Pavement	SY	1,745	\$ 65.00	\$ 113,417.78
3.	6" Reinforced Concrete Curb	LF	1,208	\$ 10.00	\$ 12,080.00
4.	Remix existing Stabilized Subgrade	SY	1,879	\$ 8.00	\$ 15,032.89
5.	Lime (36 lb/sy)	TONS	34	\$ 280.00	\$ 9,470.72
7.	Import Fill	CY	840	\$ 20.00	\$ 16,800.00
8.	Reconstruct Existing Driveway	EA	12	\$ 1,500.00	\$ 18,000.00
9.	Traffic Control	Month	3	\$ 5,000.00	\$ 15,000.00
10.	Mobilization & Bonds	LS	1	\$ 25,000.00	\$ 25,000.00
SUBTOTAL PAVEMENT					\$ 232,854.72
<u>STORM DRAINAGE</u>					
11.	24" RCP	LF	686	\$ 60.00	\$ 41,160.00
12.	Type "C" Inlet	EA	6	\$ 4,000.00	\$ 24,000.00
13.	Connect to Existing Storm Sewer	EA	1	\$ 1,500.00	\$ 1,500.00
SUBTOTAL STORM DRAINAGE					\$ 66,660.00
SUBTOTAL CONSTRUCTION ESTIMATE					\$ 299,514.72
CONTINGENCY (20%)					\$ 59,902.94
ENGINEERING & SURVEYING (20%)					\$ 59,902.94
CONSTRUCTION MATERIAL TESTING					\$ 8,985.44
TOTAL BUDGET					\$ 428,306.05

**PRELIMINARY COST ESTIMATE
CITY OF LA MARQUE
BROWN STREET REPAIRS (OPEN DITCH)
FROM TEXAS AVENUE TO DEAD END
ADICO, LLC
Wednesday, March 6, 2024**

Prepared By: Dinh V. Ho, P.E.

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
<u>PAVEMENT</u>					
(All estimates are completed in-place)					
1.	Mill Surface of Existing Asphalt Pavement	SY	1,646	\$ 5.00	\$ 8,231.11
2.	6" 4,000 PSI Reinforced Concrete Pavement	SY	1,745	\$ 65.00	\$ 113,417.78
3.	Remix Existing Stabilized Subgrade	SY	1,879	\$ 8.00	\$ 15,032.89
4.	Lime (36 lb/sy)	TONS	34	\$ 280.00	\$ 9,470.72
5.	Regrade Existing Roadside Ditch	LF	604	\$ 10.00	\$ 6,040.00
6.	Reconstruct Existing Driveways	EA	12	\$ 1,500.00	\$ 18,000.00
7.	Traffic Control	Month	3	\$ 5,000.00	\$ 15,000.00
8.	Mobilization & Bonds	LS	1	\$ 15,000.00	\$ 15,000.00
SUBTOTAL PAVEMENT					\$ 200,192.50
SUBTOTAL CONSTRUCTION ESTIMATE					\$ 200,192.50
CONTINGENCY (20%)					\$ 40,038.50
ENGINEERING & SURVEYING (20%)					\$ 40,038.50
CONSTRUCTION MATERIAL TESTING					\$ 6,005.77
TOTAL BUDGET					\$ 286,275.27

**PRELIMINARY COST ESTIMATE
CITY OF LA MARQUE
JEFFERSON STREET REPAIRS (CURB & GUTTER)
FROM VAUTHIER STREET TO WESTWARD AVENUE
ADICO, LLC
Wednesday, March 6, 2024**

Prepared By: Dinh V. Ho, P.E.

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
<u>PAVEMENT</u>					
(All estimates are completed in-place)					
1.	Mill Surface of Existing Asphalt Pavement	SY	4,842	\$ 5.00	\$ 24,208.89
2.	7" Thick 4,000 PSI Reinforced Concrete Pavement	SY	5,214	\$ 75.00	\$ 391,066.67
3.	6" Reinforced Concrete Curb	LF	3,352	\$ 10.00	\$ 33,520.00
4.	Remix Existing Stabilized Subgrade	SY	5,587	\$ 8.00	\$ 44,693.33
5.	Lime (36 lb/sy)	TONS	101	\$ 280.00	\$ 28,156.80
6.	Import Fill	CY	2190	\$ 20.00	\$ 43,800.00
7.	Reconstruct Existing Driveways	EA	21	\$ 1,500.00	\$ 31,500.00
8.	Traffic Control	Month	3	\$ 5,000.00	\$ 15,000.00
9.	Mobilization & Bonds	LS	1	\$ 60,000.00	\$ 60,000.00
SUBTOTAL PAVEMENT					\$ 671,945.69
<u>STORM DRAINAGE</u>					
10.	24" RCP	LF	900	\$ 60.00	\$ 106,800.00
11.	30" RCP	LF	540	\$ 85.00	\$ 45,900.00
12.	36" RCP	LF	180	\$ 110.00	\$ 19,800.00
13.	Type "C" Inlet	EA	8	\$ 4,000.00	\$ 32,000.00
14.	Connect to Existing Storm Sewer	EA	1	\$ 1,500.00	\$ 1,500.00
SUBTOTAL STORM DRAINAGE					\$ 206,000.00
SUBTOTAL CONSTRUCTION ESTIMATE					\$ 877,945.69
CONTINGENCY (20%)					\$ 175,589.14
ENGINEERING & SURVEYING (20%)					\$ 175,589.14
CONSTRUCTION MATERIAL TESTING (5%)					\$ 43,897.28
TOTAL BUDGET					\$ 1,273,021.25

**PRELIMINARY COST ESTIMATE
CITY OF LA MARQUE
JEFFERSON STREET REPAIRS (OPEN DITCH)
FROM VAUTHIER STREET TO WESTWARD AVENUE
ADICO, LLC
Wednesday, March 6, 2024**

Prepared By: Dinh V. Ho, P.E.

ITEM NO.	DESCRIPTION	UNIT	ESTIMATED QUANTITY	UNIT PRICE	AMOUNT
<u>PAVEMENT</u>					
(All estimates are completed in-place)					
1.	Mill Surface of Existing Asphalt Pavement	SY	4,700	\$ 5.00	\$ 23,501.11
2.	7" 4,000 PSI Reinforced Concrete Pavement	SY	5,062	\$ 75.00	\$ 379,633.33
3.	Remix Existing Stabilized Subgrade	SY	5,423	\$ 8.00	\$ 43,386.67
4.	Lime (36 lb/sy)	TONS	98	\$ 280.00	\$ 27,333.60
5.	Regrade Existing Roadside Ditch	LF	1,627	\$ 10.00	\$ 16,270.00
6.	Reconstruct Existing Driveways	EA	21	\$ 1,500.00	\$ 31,500.00
7.	Traffic Control	Month	3	\$ 5,000.00	\$ 15,000.00
8.	Mobilization & Bonds	LS	1	\$ 40,000.00	\$ 40,000.00
SUBTOTAL PAVEMENT					\$ 576,624.71
SUBTOTAL CONSTRUCTION ESTIMATE					<u><u>\$ 576,624.71</u></u>
CONTINGENCY (20%)					<u><u>\$ 115,324.94</u></u>
ENGINEERING & SURVEYING (20%)					<u><u>\$ 115,324.94</u></u>
CONSTRUCTION MATERIAL TESTING (5%)					<u><u>\$ 28,831.24</u></u>
TOTAL BUDGET					<u><u>\$ 836,105.83</u></u>

La Marque Public Library

February 2024



Money Saved
\$7,954.00



Visitors
1,546



Computers
Users - 522
Time - 498 hrs.



Circulation
866 items



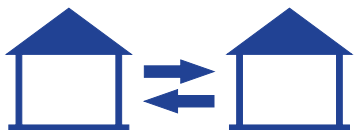
Programs - 31 Attendance - 380



New Items
113 added



New Accounts
32 cards



Inter-Library Loans
30 items



Digital Circulation
227 items

Notable Events

February 2024



Library Director Amy Miller attended the Texas Youth Advisory Commission (YAC) Summit in Lewisville on February 3. She spoke with leaders in other cities on best practices for facilitating a successful Youth Council.

Amy and Youth Services Coordinator, Sarah Tamayo participated in a networking breakfast at Galveston County Health District on February 8.

On February 10, La Marque Library offered a matinee showing of the documentary, *Black Art: In the Absence of Light*.

Sarah shared information on La Marque Library programs and services at Galveston County Health District's Healthy Living for Seniors event at the Wayne Johnson Community Center in Carbide Park on February 12.

La Marque hosted the monthly meeting of Galveston County Library System directors on February 13.

Sarah and Library Assistant, Princess Baldwin joined with Parks Board Vice Chair, Tonia Griffin to paint Kindness Rocks with Hayley Elementary 2nd graders on February 13.

La Marque Library served as a community registration site for Little League baseball each Saturday in February.

La Marque Library was honored to host a book reading and discussion with Reverend Shirley Harrington of Jackson, Mississippi on February 22. Rev. Harrington is the author of *Grown @ 13*. She discussed her creative writing process and shared her history of civil rights activism.

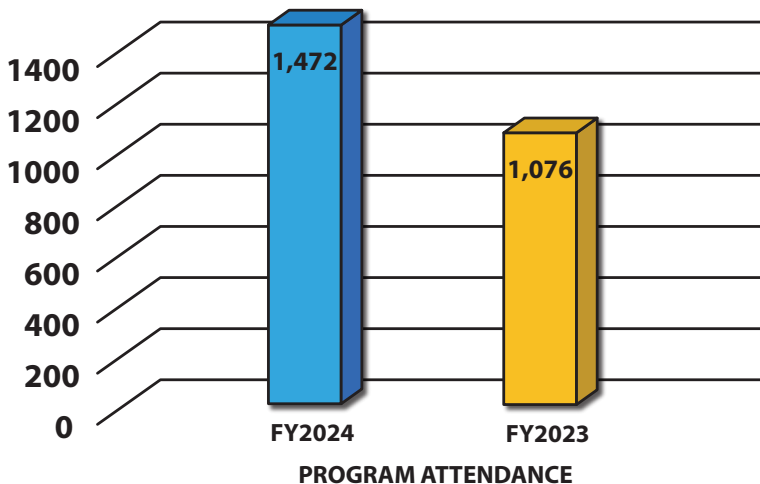
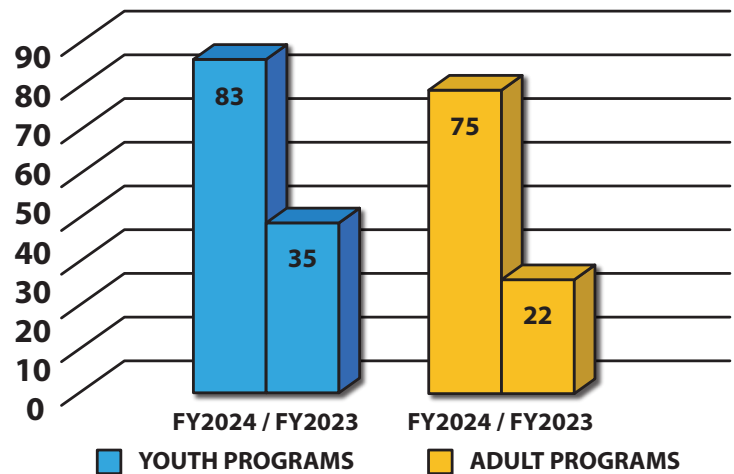
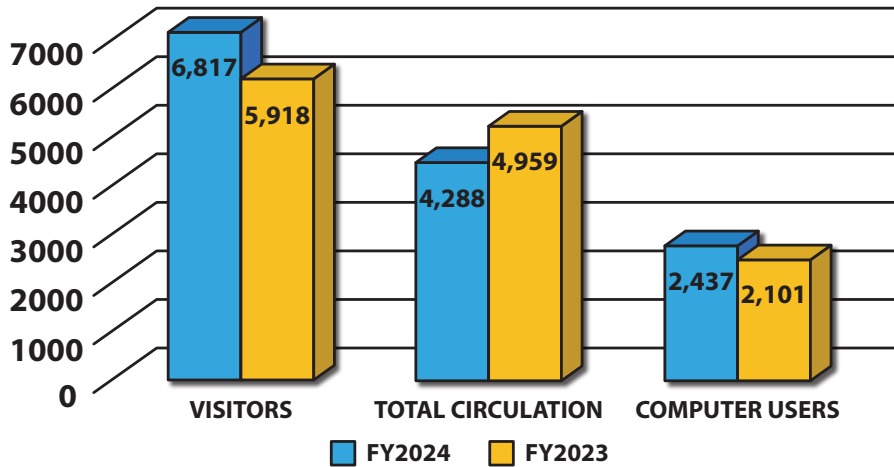
Sarah and Princess are leading a new Pokémon Club that meets weekly on Saturdays. To kick off the new program, a Pokémon Party was held on February 24. Participants enjoyed a scavenger hunt, crafts, themed games, and snacks.

Sarah participated in Family Literacy Night at Heights Elementary School on February 28.

Amy attended the Texas Recreation and Parks Society annual conference in Galveston on February 28-29. She attended information sessions on improving organizational culture, senior programming trends, leadership development, youth safety, and effective mentoring.

La Marque Public Library

February 2024 YTD Comparisons



MUNICIPAL COURT

February 2024



Total Cases Pending

Traffic Misdemeanors
Non-Traffic Misdemeanors

5041
5226

New Cases Filed

Traffic Misdemeanors
Non-Traffic Misdemeanors

293
81

Disposed Cases

Traffic Misdemeanors
Non-Traffic Misdemeanors

186
88

Warrants Issued

Arrest Warrants
Capias Pro Fine Warrants

107
94

Notes :

CRIMINAL SECTION

Court		Traffic Misdemeanors			Non-Traffic Misdemeanors			
Month	February	Year 2024	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
1. Total Cases Pending First of Month:			5,039	0	2	3,164	1,701	361
a. Active Cases			778	0	1	229	187	57
b. Inactive Cases			4,261	0	1	2,935	1,514	304
2. New Cases Filed			293	0	0	43	28	10
3. Cases Reactivated			79	0	0	42	25	19
4. All Other Cases Added			0	0	0	0	0	0
5. Total Cases on Docket (Sum of Lines 1a,2,3&4)			1,150	0	1	314	240	86
6. Dispositions Prior to Court Appearance of Trial:								
a. Uncontested Dispositions <i>(Disposed without appearance before a judge (CCP Art. 27.14))</i>			121	0	0	38	21	1
b. Dismissed by Prosecution			7	0	0	2	8	0
7. Disposition at Trial:								
a. Convictions								
1) Guilty Plea or Nolo Contendere			8	0	0	2	1	2
2) By the Court			0	0	0	0	0	0
3) By the Jury			0	0	0	0	0	0
b. Acquittals:								
1) By the Court			0	0	0	0	0	0
2) By the Jury			0	0	0	0	0	0
c. Dismissed by Prosecution			2	0	0	3	1	1
8. Compliance Dismissals:								
a. After Driver Safety Course (CCP, Art. 45.0511)			17					
b. After Deferred Disposition (CCP, Art. 45.051)			23	0	0	3	2	1
c.City After Teen Court (CCP, Art. 45.052)			0	0	0	0	0	0
d. Date From After Tobacco Awareness Course (HSC, Sec. 161.253)							0	
e. After Treatment for Chemical Dependency (CCP, Art. 45.053)						0	0	
f. After Proof of Financial Responsibility (TC, Sec. 601.193)			1					
g. All Other Transportation Code Dismissals			5	0	0	0	0	0
9. All Other Dispositions			2	0	0	0	2	0
10. Total cases Disposed (Sum of lines 6,7,8&9)			186	0	0	48	35	5
11. Cases Placed on Inactive Status			136	0	0	126	72	21
12. Total Cases Pending End of Month:			5,146	0	2	3,159	1,694	366
a. Active Cases (Equals Lines 5 minus the sum of Lines 10&11)			828	0	1	140	133	60
b. Inactive Cases (Equals Line 1b minus Lines 3 plus Line 11)			4,318	0	1	3,019	1,561	306
13. Show Cause Hearings Held			248	0	0	102	69	8
14. Cases Appealed:								
a. After Trial			0	0	0	0	0	0
b. Without Trial			0	0	0	0	0	0

CIVIL / ADMINISTRATIVE SECTION

Court	
Month February Year 2024	
1. Total Cases pending First of Month:	0
a. Active Cases	0
b. Inactive Cases	0
2. New Cases Filed	0
3. Cases Reactivated	0
4. All Other Cases Added	0
5. Total Cases on Docket (Sum of Lines 1a,2,3,&4)	0
DISPOSITIONS	
6. Uncontested Civil Fines or Penalties	0
7. Default Judgments	0
8. Agreed Judgments	0
9. Trial Hearing by Judge/Hearing Officer	0
10. Trial by Jury	0
11. Dismissed for Want of Prosecution	0
12. All Other Dispositions	0
13. Total Cases Disposed (Sum of Lines 6 thru 12)	0
14. Cases Placed on Inactive Status	0
15. Total Cases Pending End of Month:	0
a. Active Cases (Equals Line 5 minus the sum of Lines 13&14)	0
b. Inactive Cases (Equals Line 1b minus Line 3 plus Line 14)	0
16. Cases Appealed:	
a. After Trial	0
b. Without Trial	0

JUVENILE / MINOR ACTIVITY

Court	
Month February Year 2024	
1. Transportation Code Cases Filed	0
2. Non-Driving Alcoholic Beverage Code Cases Filed	0
3. Driving Under the Influence of Alcohol Cases Filed	0
4. Drug Paraphernalia Cases Filed (HSC, Ch. 481)	0
5. Tobacco Cases Filed (HSC, Sec. 161.252)	0
6. Failure to Attend School Cases Filed (Ed.Code, Sec. 25.094)	0
7. Education Code (Except Failure to Attend) Cases Filed	0
8. Violation of Local Daytime Curfew Ordinance Cases Filed (Local Govt. Code, Sec. 341.905)	0
9. All Other Non-Traffic Fine-Only Cases Filed	1
10. Transfer to Juvenile Court:	
a. Mandatory Transfer (Fam.Code, Sec. 51.08(b)(1))	0
b. Discretionary Transfer (Fam.Code, Sec. 51.08(b)(1))	0
11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct) (CCP, Art. 45.05(c)(1))	0
12. Held in Contempt by Criminal Court(Fined and/or Denied Driving Privileges) (CCP, Art. 45.050(c)(2))	0
13. Juvenile Statement Magistrate Warning:	
a. Warnings Administered	0
b. Statements Certified (Fam.Code, Sec. 51.095)	0
14. Detention Hearings Held (Fam. Code, Sec. 54.01)	0
15. Orders for Non-Secure Custody Issued	0
16. Parent Contributing to Nonattendance Cases Filed (Ed. Code, Sec. 25.093)	0

ADDITIONAL ACTIVITY

Court		NUMBER GIVEN	NUMBER REQUESTS FOR COUNSEL
Month	Year		
February	2024		
1. Magistrate Warnings:			
a. Class C Misdemeanors		41	
b. Class A and B Misdemeanors		0	0
c. Felonies		0	0
			TOTAL
2. Arrest warrants Issued:			107
a. Class C Misdemeanors			
b. Class A and B Misdemeanors			0
c. Felonies			0
3. Capiases Pro Fine Issued			94
4. Search Warrants Issued			0
5. Warrants for Fire, Health and Code Inspections Filed (CCP, Art. 1805)			0
6. Examining Trials Conducted			0
7. Emergency Mental Health Hearings Held			0
8. Magistrate's Orders for Emergency Protection Issued			0
9. Magistrate's Orders for Ignition Interlock Device Issued (CCP, Art. 17.44)			0
10. All Other Magistrate's Orders Issued Requiring Conditions for release on Bond			0
11. Driver's License Denial, Revocation or Suspension Hearings Held (IC, Sec.521.300)			0
12. Disposition of Stolen Property Hearings Held (CCP, Ch. 47)			0
13. Peace Bond Hearings Held			0
14. Cases in which Fine and Court Costs Satisfied by Community Service:			0
a. Partial Satisfaction			
b. Full Satisfaction			0
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit			0
16. Cases in Which Fine and Court Costs Waived for Indigency			15
17. Amount of Fines and Court Costs Waived for Indigency			\$8,176.40
18. Fines, Court Costs and Other Amounts Collected:			\$50,102.42
a. Kept by City			
b. Remitted to State			\$15,437.55
c. Total			\$65,539.97



Effective 2/29/2024

LA MARQUE POLICE DEPARTMENT:
Calendar Year Metrics:

Legend: YTD- Year to Date
LYTD = Last Year to Date
YPC = Yearly Percentage Change
CR% = Clearance Rate (Solved Cases)

ARREST DATA:

Type	2021	2022	2023	2024	Total
Adult	1062	1629	2254	297	5242
Juvenile	5	5	10	3	23
Total	1067	1634	2264	300	5265

La Marque Pop. 20,254
Officers per 1K Pop: LMPD 2.01 / Texas 2.0 (estimated)

ARREST DATA:

IBR Offense	2021	2022	2023	2024	Total
DRIVING UNDER THE INFLUENCE	31	40	98	23	192
DRUG/NARCOTIC OFFENSES	61	140	177	33	411
Total	92	180	275	56	603

City of La Marque Data

Year ibrdesc (groups)	2021 Crime Rate	Crime Rate YPC	2022 Crime Rate	Crime Rate YPC	2023 Crime Rate	Crime Rate YPC	2024 Crime Rate
⊞ VIOLENT CRIME	626.81	-18.63%	530.19	-15.41%	528.29	-0.36%	69.12
⊞ PROPERTY CRIME	3,030.47	-20.02%	3,048.62	0.60%	1,797.18	-41.05%	187.62
Total	3,657.27	-19.69%	3,578.81	-2.15%	2,320.53	-35.16%	256.74

Calls for Service

Year	Count
2024	2456
2023	14230
2022	13698
2021	13478
Total	43862

Year ibrdesc (groups)	2021 Crime Rate	Crime Rate YPC	2022 Crime Rate	Crime Rate YPC	2023 Crime Rate	Crime Rate YPC	2024 Crime Rate										
▣ VIOLENT CRIME	626.81	-18.63%	530.19	-15.41%	528.29	-0.36%	69.12		▣ PROPERTY CRIME	3,030.47	-20.02%	3,048.62	0.60%	1,797.18	-41.05%	187.62	
▣ SEX OFFENSES (FORCIBLE)	212.57	56.38%	201.47	-5.22%	162.93	-19.13%	19.75		▣ MOTOR VEHICLE THEFT	354.28	-22.78%	328.72	-7.21%	261.68	-20.40%	34.56	
FORCIBLE RAPE	109.01	37.48%	132.55	21.59%	123.43	-6.88%	19.75		MOTOR VEHICLE THEFT	354.28	-22.78%	328.72	-7.21%	261.68	-20.40%	34.56	
FORCIBLE SODOMY	10.90	-35.84%	5.30	-51.36%		-100.00%			▣ LARCENY/THEFT OFFENSES	2,136.59	-22.06%	2,131.38	-0.24%	1,086.21	-49.04%	98.75	
FORICBLE FONDLING	92.66	133.71%	63.62	-31.34%	39.50	-37.92%			THEFT FROM BUILDING	92.66	-9.11%	84.83	-8.45%	49.37	-41.80%		
▣ ROBBERY	70.86	-51.88%	42.42	-40.14%	64.18	51.32%	9.87		THEFT FROM COIN OPERATED MACH/DEV	5.45	-3.77%	5.30	-2.73%	14.81	179.37%	9.87	
ROBBERY	70.86	-51.88%	42.42	-40.14%	64.18	51.32%	9.87		THEFT FROM MOTOR VEHICLE	555.95	-25.64%	418.85	-24.66%	167.87	-59.92%	4.94	
▣ HOMICIDE OFFENSES	27.25	60.39%	21.21	-22.18%	14.81	-30.16%	4.94		THEFT MV PARTS OR ACCESSORIES	158.06	16.28%	121.94	-22.85%	79.00	-35.22%	4.94	
MURDER/NON NEGLIGENT MANSLAUGHTER	21.80	28.31%	21.21	-2.73%	14.81	-30.16%	4.94		THEFT-POCKET-PICKING		-100.00%						
NEGLIGENT MANSLAUGHTER	5.45			-100.00%					THEFT-PURSE SNATCHING			5.30			-100.00%		
▣ ASSAULT OFFENSES	316.13	-32.75%	270.40	-14.47%	286.36	5.90%	34.56		THEFT-SHOPLIFTING	1,324.47	-24.08%	1,495.15	12.89%	775.16	-48.16%	79.00	
AGGRAVATED ASSAULT	316.13	-32.75%	270.40	-14.47%	286.36	5.90%	34.56		▣ BURGLARY/B&E	539.60	-10.96%	588.52	9.07%	449.29	-23.66%	54.31	
									BURGLARY/BREAKING & ENTERING	539.60	-9.27%	588.52	9.07%	449.29	-23.66%	54.31	
									BURGLARY/BREAKING AND ENTERING		-100.00%						
									Total	3,657.27	-19.69%	3,578.81	-2.15%	2,320.53	-35.16%	256.74	



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Christine Turner

Department: Finance

Agenda Item: 9.IV.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

STAFF BRIEFING:

Please find the attached monthly financial report. Please bear with us as we continue to improve the way we share this information and expand on our reporting documents.

HISTORY:

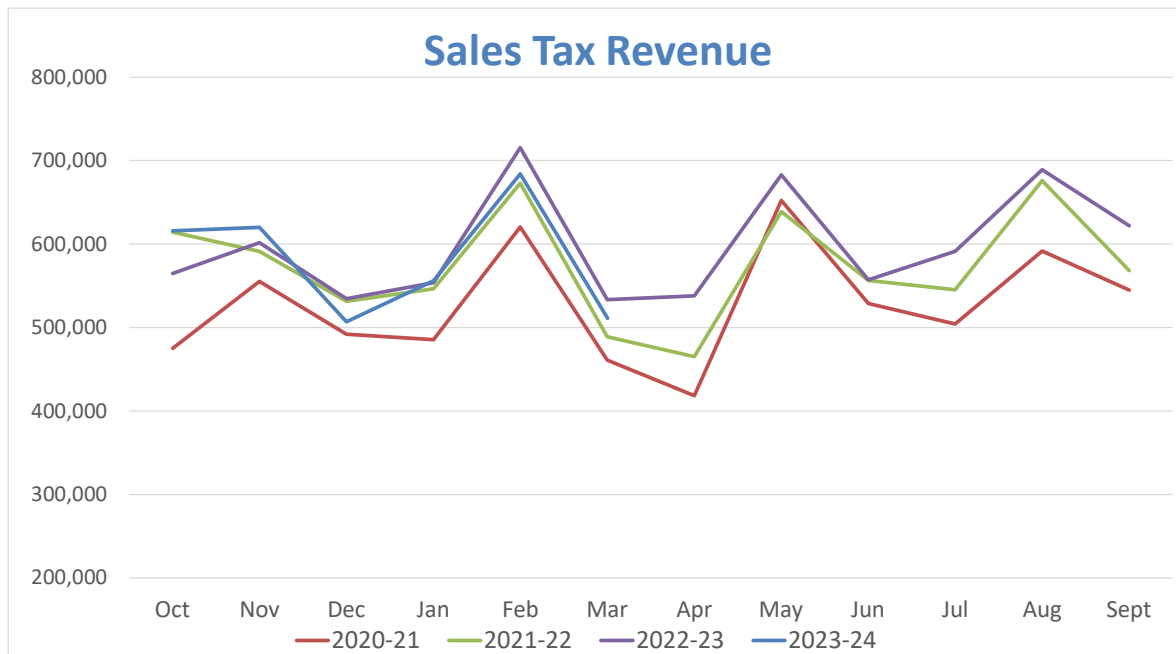
This report is to be shared monthly on the second meeting of each month reflecting the numbers based on the end of the prior month.

FISCAL IMPACT:

N/A

Feb 2024 Issued permits only

Permit Type	# Issued	Fees Collected
ADDRESS REQUEST - NEW	2	100
ALARM REGISTRATION	2	80
CERTIFICATE OF OCCUPANCY	1	325
COMMERCIAL - NEW	2	49,984.06
COMMERCIAL - REPAIR/REMODEL	3	57,219.08
COMMERCIAL CIVIL PERMIT	3	142,256.78
CULVERT SETTING	3	300.00
DRIVEWAY/SIDEWALK PERMIT	1	225.00
ELECTRICAL	15	3,780.00
FIRE ACCESS CONTROL	3	1,825.00
FIRE SPRINKLER SYSTEM PLAN REVIEW AND INSPECTION	1	500.00
FOUNDATION REPAIR/LIFT	1	250.00
GARAGE SALE	5	0.00
GENERATOR - STAND BY RESIDENTIAL	1	250.00
MECHANICAL	10	2,464.00
PLANNING & ZONING	1	920.00
PLUMBING - GAS TEST	6	650.00
PLUMBING - IRRIGATION	1	309.00
PLUMBING - NEW CONSTRUCTION	8	3,515.00
PLUMBING - REMODEL	7	925.00
PLUMBING - WATER HEATER	4	475.00
PLUMBING - WATER/SEWER LINE	4	400.00
RESIDENTIAL - NEW	3	18,941.25
RESIDENTIAL - REPAIR/REMODEL	5	8,135.06
ROOF	9	900.00
SIGN	8	4,832.78
SOLAR PANEL	1	250.00
GRAND TOTAL	110	\$299,812.01
CONTRACTOR REGISTRATIONS SINCE January 1, 2024	80	



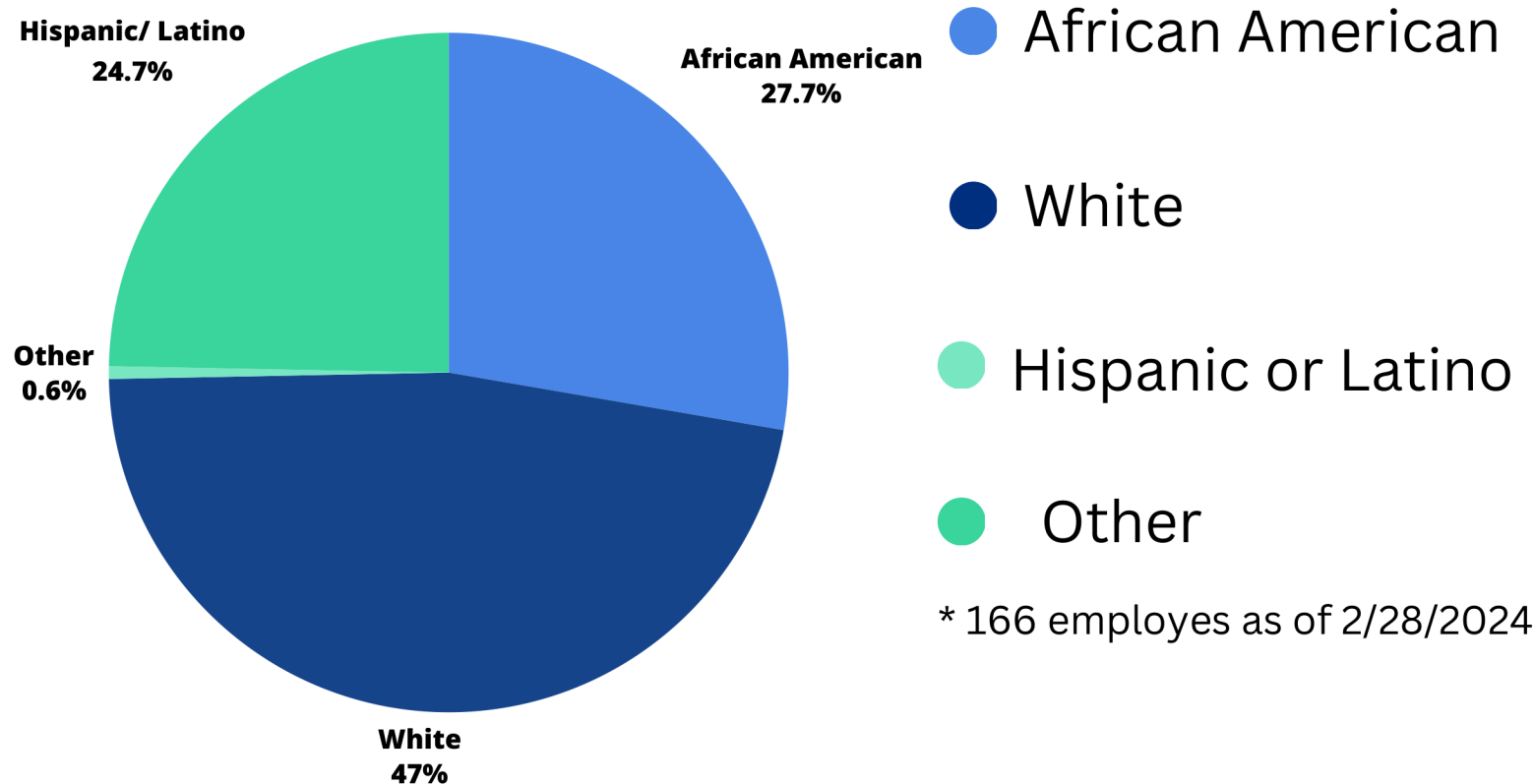
	2020-21	2021-22	2022-23	2023-24	Variance	% Change
Oct	474,908	614,387	564,989	615,789	50,800	8%
Nov	555,351	591,122	601,617	619,862	18,245	3%
Dec	492,045	531,587	534,367	507,167	-27,200	-5%
Jan	485,376	546,590	553,612	556,087	2,475	0.4%
Feb	620,387	672,968	715,843	684,276	-31,567	-5%
Mar	461,055	488,951	533,386	511,172	-22,214	-4%
Apr	418,314	465,157	538,045			
May	652,259	638,759	682,998			
Jun	528,884	556,317	557,247			
Jul	504,261	545,362	591,396			
Aug	591,760	676,212	688,897			
Sept	544,742	568,161	622,050			
Total	<u>6,329,343</u>	<u>6,895,574</u>	<u>7,184,447</u>	<u>3,494,353</u>	<u>-9,461</u>	<u>-0.3%</u>

City of La Marque Employee Diversity Report

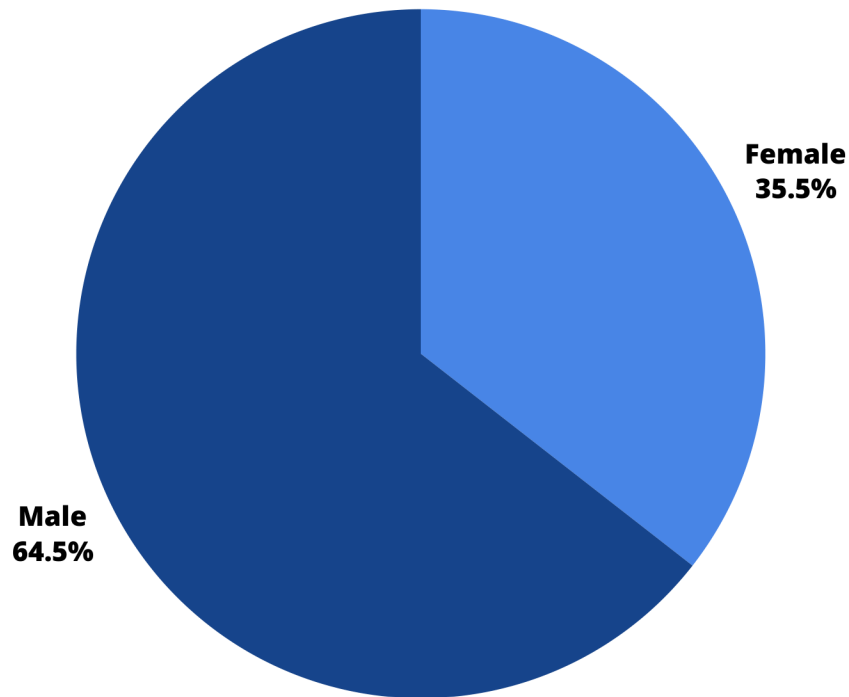
March 2024

EMPLOYEE DIVERSITY CHART

MARCH 2024



GENDER DIVERSITY CHART 2024



*59 female employees as of 2/28/2024

*107 male employees as of 2/28/2024

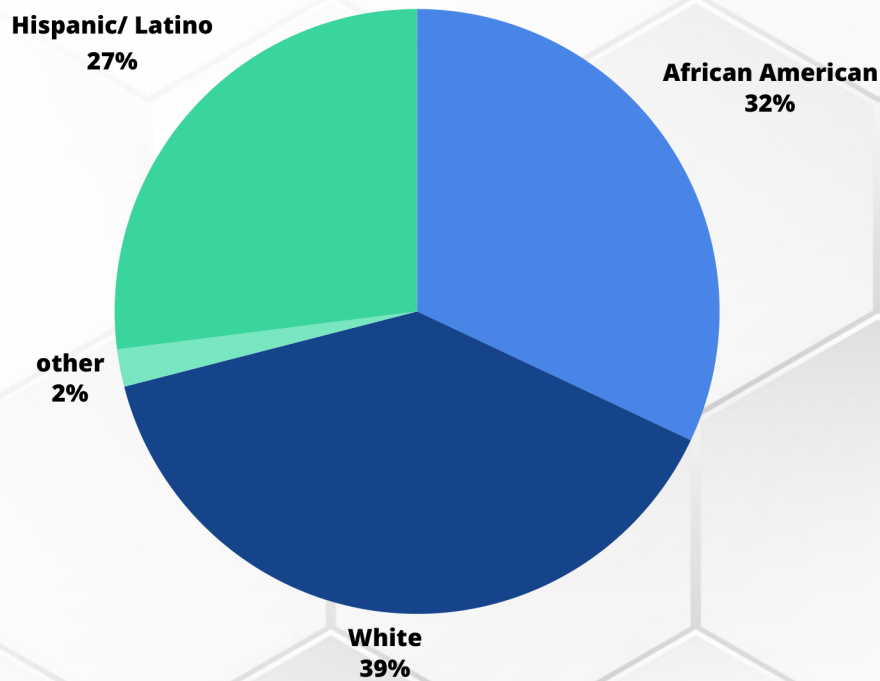
* Out of 166 employees as of 2/28/2024

CITY OF LA MARQUE EMPLOYEE DIVERSITY REPORT

- Demographic Breakdown:
 - 59 Female employees
 - White- 47.5 %
 - African American- 25.4%
 - Hispanic or Latino- 27.1%
 - 107 male employees
 - White- 46.7%
 - African American- 29%
 - Hispanic or Latino- 23.4%
 - other- 1%

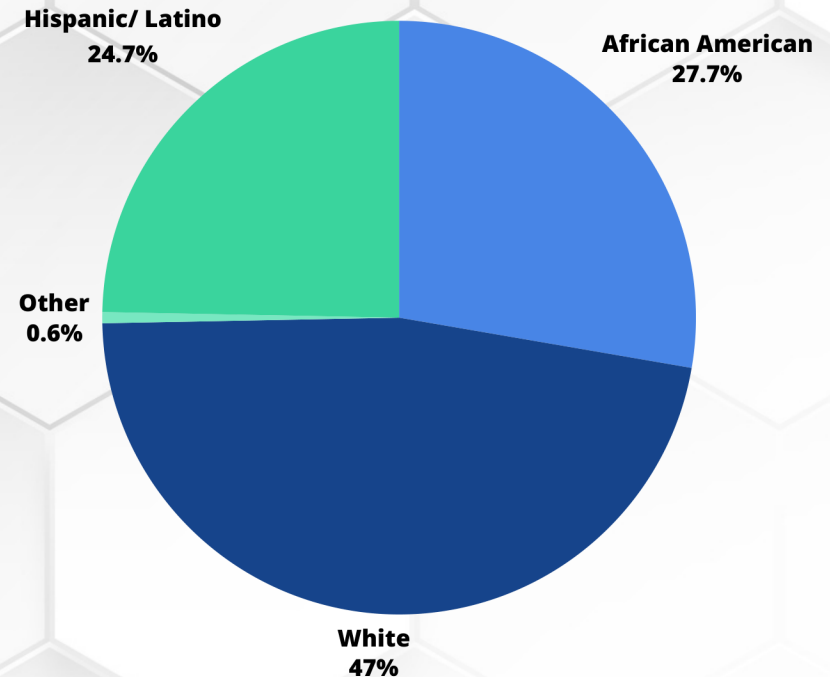
OUT OF 166 EMPLOYEES AS OF 2/28/2024

La Marque Resident Demographics 2023



*Current Year Estimated Population by Race

La Marque Employee Demographics February 2024



*Current Year Employee Population by Race

- Similar comparison of demographics amongst all the departments will be provided quarterly.
- Batches of current applicants who are being vetted at all levels will continue to bring us closer to representation that better reflects our city's demographics.
- Continuous recruiting methods to continue this trend are being formulated by HR staff, CMO's office, and pertinent department heads and will be shared once complete.



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Aaron Hoosier

Department: Human Resources

Agenda Item: 9.VIII.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

The Five Pillars of Customer Service Training Plan

STAFF BRIEFING:

La Marque's Enhanced Customer Service Plan focuses on seamless interactions, accessible information, and consistent service delivery. Through employee empowerment and customer feedback, we aim for excellence

HISTORY:

At the behest of the City Manager's Office, City Council, and resident feedback, La Marque initiates an Enhanced Customer Service Plan to meet community expectations

FISCAL IMPACT:

None

Executive Summary:

Enhanced Customer Service Plan for the City of La Marque

In response to the goal of delivering the highest quality services that meet the needs of residents, the City of La Marque has developed an Enhanced Customer Service Plan. This plan aims to improve customer service standards across all City departments by focusing on our pillars of customer service excellence:

1. Making a good first and last impression
2. Knowing the job and community
3. Communicating clearly
4. Handling problems effectively
5. Providing consistent service.

Through a collaborative effort involving the City Manager's Office, Council guidance, and considering residents' concerns voiced during City Council meetings, key insights were gathered to understand customer expectations and areas for improvement. Residents expect seamless interactions, accessibility of information, and consistent delivery of promised services. Strengths such as service-oriented employees, and a large workforce of employees with two or more years of experience in their roles were identified. Weaknesses include a lack of centralized customer care, knowledge gaps among employees, and unclear expectations.

The enhanced Customer Service Principles Plan outlines actionable strategies to address these weaknesses and build upon strengths, with a focus on empowering employees, fostering a customer-centered culture, and empowering customers to improve their experiences. Key actions that need to be taken for our five pillars of customer service to thrive include developing knowledge management solutions, enhancing cross-departmental networking, and incorporating customer service pillars into all areas of the city.

To ensure the success of the plan, metrics for tracking strategy success and guidelines for surveying customers have been established. These guidelines include identifying key processes, selecting appropriate survey tools, and setting targets for levels of satisfaction. By executing this plan, the city aims to improve customer service within the span of the remainder of 2024 to 2025 and foster a culture of continuous improvement and accountability.

What Citizens Expect

- **Seamless interactions** – Citizens are understanding when someone doesn't have all the answers, but they expect the organization to be capable of getting them to where they need to go with the least amount of effort on the citizen's part. They don't want to be transferred from employee to employee until the right person is found. The citizen expects to be transferred to the proper person to discuss their issue or question.
- **Accessibility of information** – Citizens want to be able to access rules and information. If the City is going to apply rules and policies, they want to be able to see those and feel confident that the rules are applied fairly. They want information to be jargon-free, up to date, and shared in a way that they can understand.
- **Services promised should be delivered consistently** – Citizens want to know that when we say we will do something, it gets done. They want to know that we won't stop working for them until we've delivered what they need and beyond.

The Customer Service Pillars

Plan Execution of this plan should improve customer service within each city department in the 12 months.

The plan includes:

- (1) City Five Customer Service Pillars
- (2) Pillars that should be followed by all City employees,
- (3) strategies and specific actions to be undertaken to improve services,
- (4) metrics to track strategy success,
- (5) guidelines to measure satisfaction of both internal and external customers for all City departments.

City of La Marque's Five Customer Service Pillars

Making a Good First and Last Impression	Ensuring that every interaction with residents, whether it's the first encounter or the last, leaves a positive and memorable impression, reflecting the city's commitment to excellent service.
Knowing the Job and Community	Equipping city employees with comprehensive knowledge about their roles, responsibilities, and the services offered by the city, as well as fostering a deep understanding of the La Marque community's needs, culture, and values.
Communicating Clearly	Providing clear, transparent, and easily understandable communication to residents regarding city services, policies, procedures, and initiatives, thereby fostering trust and engagement within the community.
Handling Problems Effectively	Resolving resident issues and concerns in a timely, empathetic, and efficient manner, demonstrating a commitment to addressing challenges and ensuring resident satisfaction with city services.
Providing Consistent Service	Delivering city services consistently and reliably, maintaining a high standard of quality across all departments and interactions, and striving to exceed resident expectations with every engagement.

Strategies for delivering excellent customer service:

This section lists the agreed upon strategies for delivering excellent customer service for the City by September 30, 2024. Each strategy has multiple corresponding actions. For each action, there is a deadline and a department responsible for ensuring that the action is completed.

1. Empower employees to meet customer needs.

Action	Deadline	Implementation Responsibility
- Develop a knowledge management solution for staff by Building basic categories of knowledge all employees might need in an organization-wide intranet. - The finishing the creation, and design of organization-wide intranet. - Allow all employees access to the organization-wide intranet. - Allow designated employees from each department to be editors in knowledge network to continue to update the content. - Create a simple guide on how to use an organization-wide intranet. - Ensure processes are in place to maintain & update the information.	12-30-24	IT All Departments with regards to content.
Formalize a list of frequently asked questions to help staff in all departments provide easily retrievable answers to common customer questions and keep materials on hand, such as citizen guides, that can be provided to citizens upon request	05-10-24	All Departments
- Facilitate cross-departmental networking between employees. - Create a training program where experienced employees train others on skills they have mastered to form the peer training team.	5/10/24	HR
Produce an employee profile web series highlighting different roles in the organization that will support the Civic Academy.	6/28/24	Communications
Identify key work processes in every department, create/update Standard Operating Procedure for each key process, and make department SOPs accessible to all. Key Processes are the most important processes and are critical to achieving the departmental mission. Publish processes that impact internal and external customers.	09-29-24	All Departments
- Establish Peer Training Team Leaders - Train Peer Training Team leaders to provide on-the-job training to new employees regarding customer service pillars that will be tracked. - Provide regular Customer Service tips to all City departments and work groups so that they can routinely reinforce best practices in Customer Service Pillars.	05/10/24 06/07/24 06/14/24	HR & All Departments HR Peer Training Team
Success metrics: Employee survey responses: - I have received the training needed to be an effective and efficient employee. - I feel well-informed about what is going on in the city. - There is good cooperation between the departments with whom I work. # of key work process Standard Operating Guidelines posted Average # of hours of Customer Service training per employee per year		

2. Build a customer-centered culture to make each experience as seamless as possible for customers.

Action	Deadline	Implementation Responsibility
Ensure Customer Service is included in the criteria used for the hiring selection process	04/10/24	All Departments
Incorporate Customer Service Principles into orientation	04/10/24	HR
Build an Information Desk at public entrance to City Hall managed by the HR Department. The Information Desk will use the Request Tracker with all resident engagement	04/19/24 4/20/24	Facilities HR
Develop systems to easily update customers on the progress or status of lengthy requests, inquiries, or transactions. Close created work orders or cases only when the work is complete	08/23/24	All Departments
Investigate a plan to incorporate Customer Service Principles and metrics into contracts for City vendors and partners, that have front facing engagement with residents	01/30/25	Finance & All Departments

3. Build a customer-centered culture to make each experience as seamless as possible for customers.

Action	Deadline	Implementation Responsibility
Increase opportunities and channels for customers to provide feedback: 1. Update the City website to add language that explains the overall process for handling complaints and provide contact information to follow up on a complaint. 2. Request survey responses upon closing of Customer Care tickets to obtain feedback on satisfaction with complaint/issue resolution i.e. Request Tracker 3. Begin using standard surveys to obtain feedback from internal and external customers upon finalizing the use of a City service. 4. Enhance the general citizen satisfaction survey every year	09/30/24	All departments City Manager's Office Communications
Improve self-serve opportunities: 1. Evaluate potential usage of IPAD for customers to conduct key City business (e.g. pay utility bill, pay permitting fees, pay parking fine, etc.) at a single location.	08/30/24	City Manager Office
Execute City communications and engagement with all those that engage in any form with the City of La Marque: 1. Develop a City Communications and Engagement Strategic Plan and Manual.	03/30/25	Communications It City Clerk HR& City Manager

Using Customer Surveys as Key Performance Indicators (KPIs) in La Marque

In La Marque, city leaders are dedicated to continuous improvement, particularly in customer service. Utilizing customer surveys as Key Performance Indicators (KPIs) is essential for assessing satisfaction levels and identifying areas for enhancement. Here's how these guidelines will be used as KPIs:

1. Identify Key Processes and Customers:

- By determining critical processes tied to the department's mission and identifying the actual or potential users of products and services, departments can focus on areas crucial to customer satisfaction.

2. Select an Appropriate Survey Tool:

- Different survey tools, such as in-person or phone surveys, will be selected based on customer interactions and preferences. This ensures that surveys are accessible and convenient for customers.

3. Identify When to Survey Customers:

- Surveys will be conducted at strategic times, preferably when the experience is fresh in the customer's mind. This allows for immediate feedback and corrective action if needed, minimizing future problems.

4. Ask Standard Questions:

- Standardized questions, aligned with the City's Customer Service Principles, will gauge satisfaction levels across various service aspects. Answers will be rated on a scale to provide quantitative data for analysis.

5. Ask Additional Detailed Questions:

- Additional questions will be included to gather specific feedback that can help improve services further. Only questions relevant to service improvement will be asked to ensure customer input is valued.

6. Set Targets for Levels of Satisfaction:

- Baseline satisfaction levels will be established through initial surveys, and targets for improvement will be set accordingly. Benchmarking with similar organizations will aid in setting realistic goals.

7. Share Results with Employees:

- Survey results, including who was surveyed and participation rates, will be shared with employees involved in the process. This fosters transparency and accountability within the organization. Incorporated into the city's performance management processes to help identify areas of growth.

8. Develop Action Plans for Improvement:

- Areas with satisfaction levels below targets will prompt the development of action plans to address deficiencies. Conversely, strategies will be devised to sustain high satisfaction levels in areas meeting or exceeding targets.

By implementing these guidelines and using customer surveys as KPIs, the City of La Marque aims to enhance service delivery, address customer needs effectively, and continuously improve the overall customer experience.

Conclusion:

In response to the aspirations of delivering exemplary services aligned with resident needs, the City of La Marque has meticulously crafted an Enhanced Customer Service Plan. This comprehensive plan, bolstered by the pillars of customer service excellence, underscores the city's commitment to fostering positive interactions, enhancing communication, and resolving issues effectively.

Through an inclusive process involving the City Manager's Office, Council Guidance, and insights gleaned from resident feedback during City Council Meetings, the plan has been meticulously tailored to meet citizen expectations and address areas for improvement. Residents seek seamless interactions, accessibility of information, and consistent service delivery, driving the city's focus on empowering employees and fostering a customer-centric culture.

As the City embarks on this journey, it stands poised to redefine the benchmark for customer service excellence, foster stronger community bonds, and pave the way for a brighter, more responsive future for all its residents.

**CITY OF LA MARQUE
INTER-DEPARTMENTAL
COMMUNICATION**

TO: Mayor & Council

FROM: Kierra Nance, City Clerk

DATE: March 18, 2024

SUBJECT: Newspaper Postings/ Public Hearing Procedures

At the time of this memo, the City Clerk's Office acknowledges that due to the rapid pace at which the City of La Marque is growing and producing, the methods and processes being used within the department may be outpaced by the productivity of the City. Our effort is to reposition the department to better serve the community while also being mindful of our partner entities and their internal processes.

Therefore, beginning April 8, 2024, the City of La Marque will initiate a new process for public notices and hearings. As the City Council meets twice a month, we will now schedule all public hearings for the first meeting of the month, occurring on the second Monday of each month. This creates uniformity in our public hearing process, providing for better citizen participation and sufficient review and discussion by the elected body, staff, affected third parties, and legal services.

Moving forward, all public notices are to be scheduled to be published in the local newspaper (at the time of this memo, that remains Galveston Daily News but can/will include any other publications as required if such a time arises) on the Wednesdays following council meetings with an overflow date of Friday in the event that the notice is not published on the regular Wednesday posting date. By implementing these uniform dates, we truly hope that any confusion regarding public hearings is eliminated.

In the event that there is an item that requires deviation from the uniform Public Hearing date, the item will need to receive approval from the City Clerk's Office, the City Manager, and the Mayor as the presiding officer of the City Council Meetings.

Thanks,

Kierra K. Nance
City Clerk





CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Rick Sailler

Department: Public Works

Agenda Item: 9.X.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Slide presentation depicting Public Works Structure and Responsibilities

STAFF BRIEFING:

- Public Works has four separate Divisions - the 4 Pillars of Public Works to support the City.
- Each Division has specific goals and responsibilities - some tasks are performed by Department Staff while others are performed by Contractors.
- Citizens have some public responsibilities to assist Public Works in their efforts to support the City.

HISTORY:

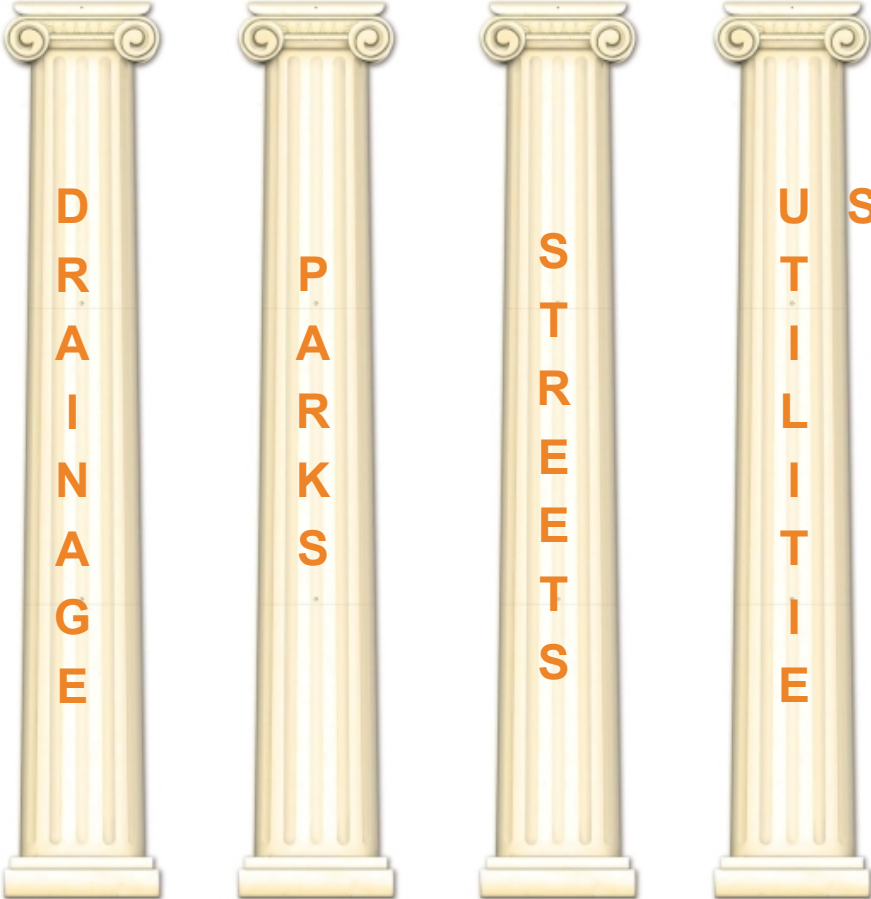
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FISCAL IMPACT:

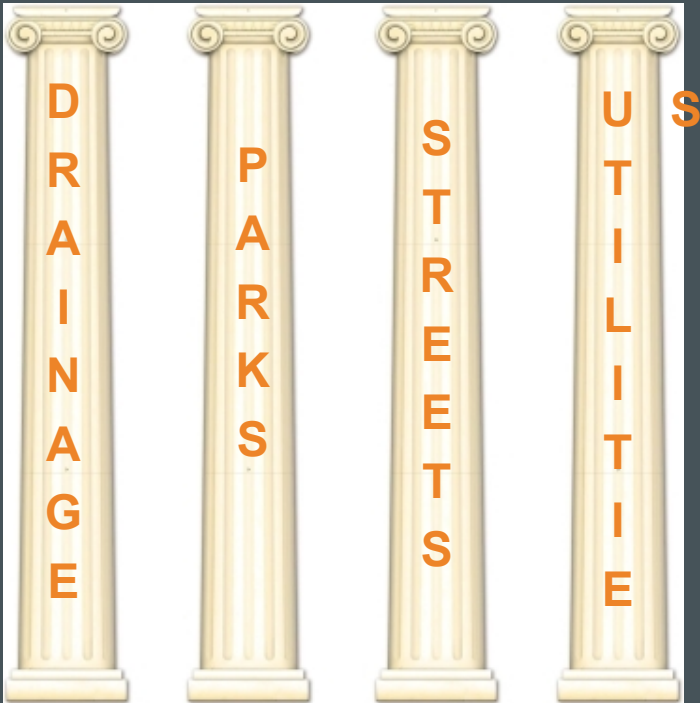
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DEPARTMENT OF PUBLIC WORKS



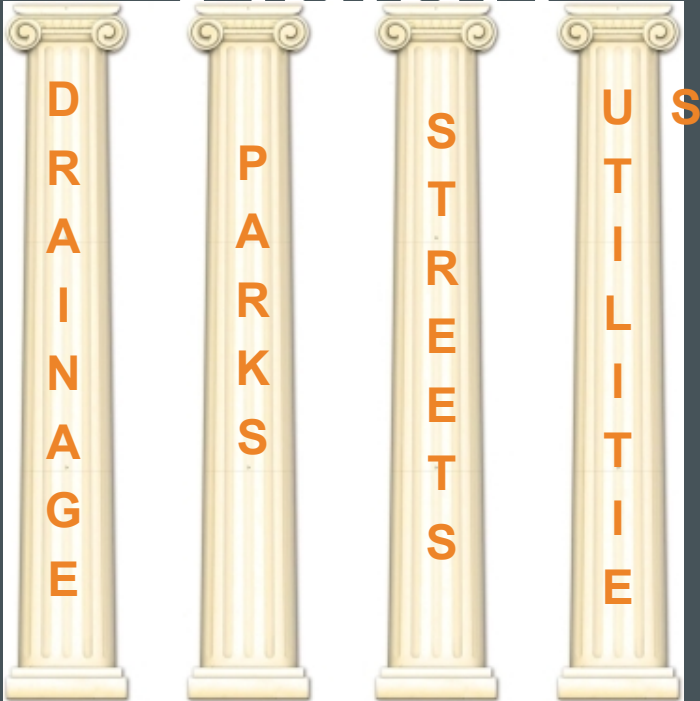
PURPOSE & RESPONSIBILITY



- Providing essential services that are critical to the operation and maintenance of the City of La Marque.
- Ensures the efficient and safe delivery of public services, such as the operation & maintenance of the City's water & wastewater (utilities) and stormwater (drainage) systems, street maintenance and park maintenance.
- Manages construction projects, ensures compliance with environmental regulations, and provides support during emergencies such as hurricanes and floods.
- The current staff of 40 is assigned to the various Divisions within the Department – **THE FOUR PILLERS OF PUBLIC WORKS** supports the City
- Drainage, Parks, Streets, Utilities



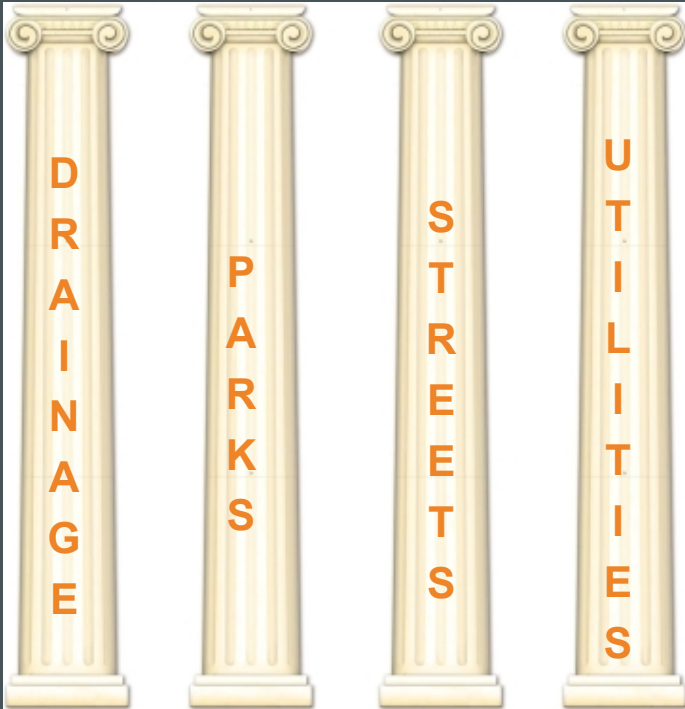
Mission and Vision



- Public Works plays an important role in maintaining the quality of life for residents and businesses in La Marque. By ensuring that infrastructure and facilities are well-maintained, the department contributes to the safety, health, and well-being of the community.
- Additionally, Public Works supports economic development by providing essential services that enable businesses to operate smoothly and attract new investment.
- Overall, the work of Public Works is essential to the functioning of the City of La Marque and the prosperity of its residents.
- **Mission** – *Public Works is committed to provide essential services for the citizens and businesses of La Marque, to ensure that the City has safe drinking water, efficient wastewater collection & treatment, protection of the environment, safe roadways and clean parks.*
- **Vision** - *The Public Works Department strives to enhance the quality of life of all residents by maintaining public works infrastructure and providing safe, reliable, effective services consistent with the mission and goals of our community.*

SPECIFIC TASKS

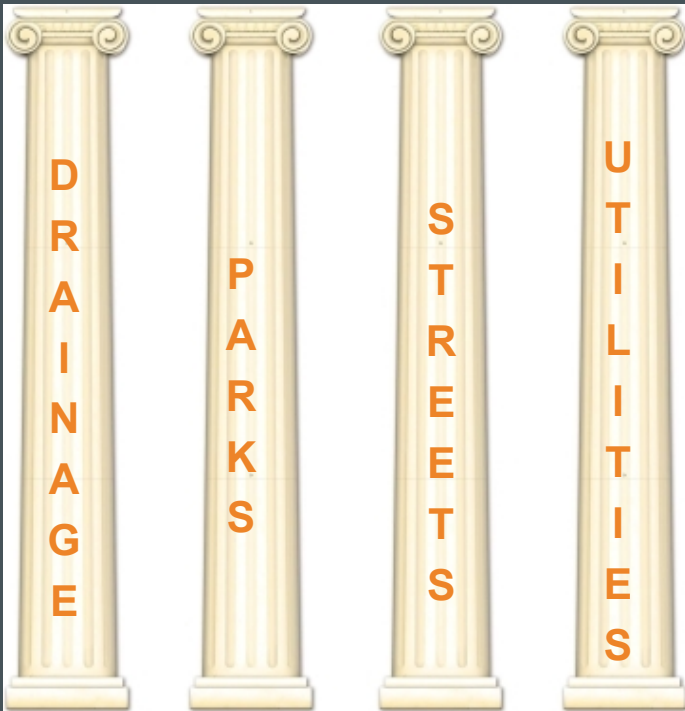
DRAINAGE



- Public Works recently dedicated a team to improve the stormwater drainage system throughout the City. The goal is clear culverts under city streets and private driveways located in the City right-of-way and remove silt and settled soil and debris from drainage channels (ditches).
- **Public Works Responsibilities –**
 - Clear / clean large culverts under City streets
 - Clear / clean street inlets and area drains
 - Clear / clean driveway culverts
 - Remove silt deposits in drainage channels as needed.
 - Maintain drainage channels which are 4-feet or greater in depth.
- **Citizens Responsibilities –**
 - Collect grass clippings and leaves on private property and the adjoining right-of-way,
 - Remove litter and other debris that could create blockages in culverts and downstream areas.

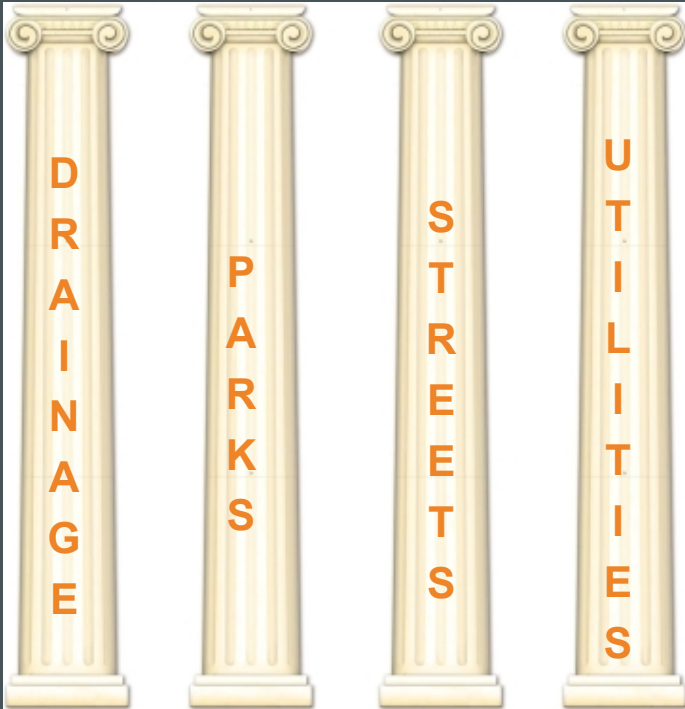
SPECIFIC TASKS

PARKS



- Public Works includes a Parks Division which recently was reformed with a dedicated team to improve the City Parks.
- Working together with the Parks Board, it is our Goal to improve the conditions and usefulness of our nine (9) City Parks.
- **Public Works Responsibilities –**
 - Empty trash as needed; pickup litter & refill dog waste stations
 - Clean and properly maintain restrooms (Highland & Mahan)
 - Clean & properly maintain picnic areas, benches, tables, BBQ stands
 - Trim trees and maintain small vegetation or flower beds
 - Inspect, clean and properly maintain playground structures
 - Cut grass (Contracted)
 - Maintain drainage channels which are 4-feet or greater in depth.
- **Citizens Responsibilities –**
 - Do not litter, use provided trash cans for trash items
 - Use Park facilities as intended, report graffiti or other problems

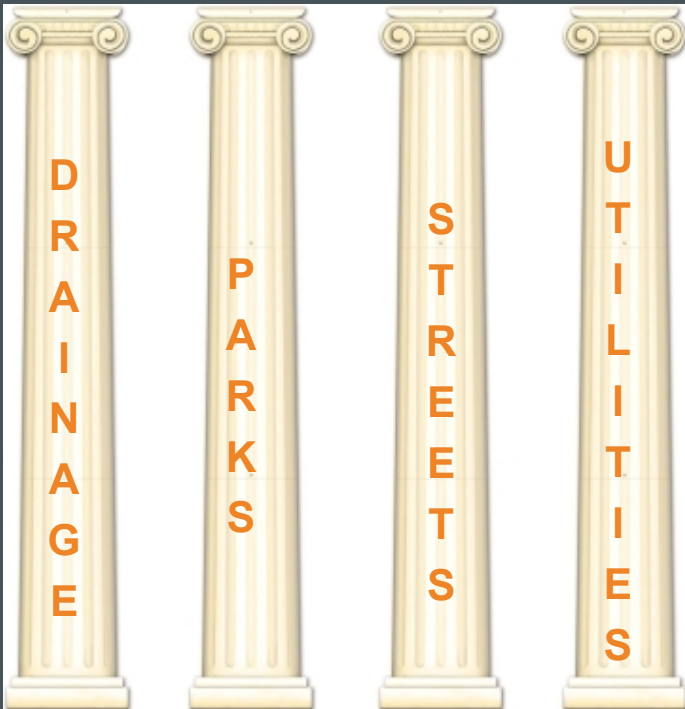
SPECIFIC TASKS STREETS



- Public Works performs various tasks to maintain public city streets to ensure safe travel throughout our City.
- **Public Works Responsibilities** – (Department Staff)
 - Replace signs – Regulatory, Directional, & Informational
 - Patch potholes
 - Cut grass in large Right-of-Way (R/W) areas
 - Trim trees extending into the R/W
- **Public Works Responsibilities** – (Contracted)
 - Major street repairs and paving projects
 - Streetlight maintenance
 - Traffic Control signal maintenance
- **Citizens Responsibilities** –
 - Trim trees on private property which extend over sidewalks or streets
 - Cut grass & control weeds on adjoining R/W to private property
 - Report potholes

SPECIFIC TASKS

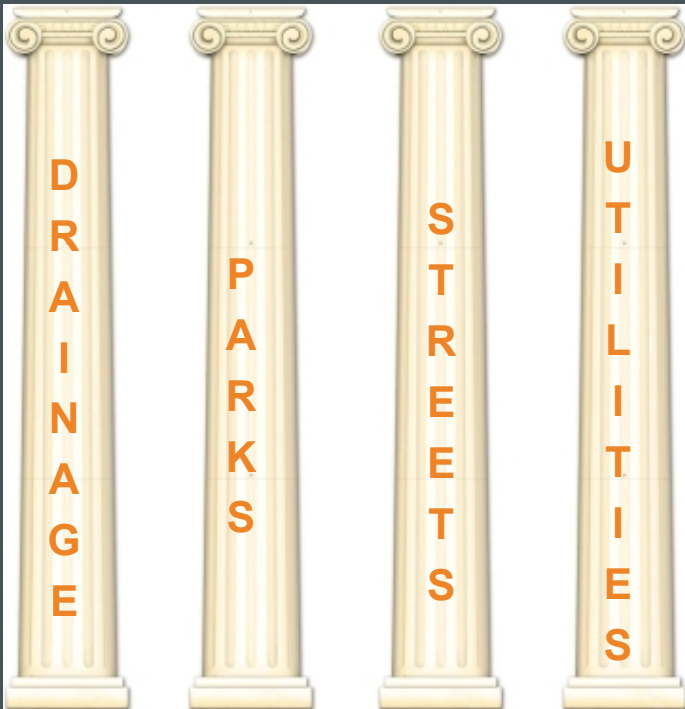
UTILITIES



- **Drinking Water** is purchased from Gulf Coast Water Authority, the main water supplier for Galveston area south of Houston.
- The City owns groundwater rights and has the ability to provide groundwater supply if needed during emergency situations.
- Large Capital Improvement Projects are currently underway to improve the Water Distribution System
- **Public Works Responsibilities – Water** (Department Staff)
 - Water Distribution facilities – storage tanks, pump facilities & wells
 - Routine water sampling and testing to ensure safe Drinking Water
 - Repair waterline leaks
 - Exercise valves and fire hydrants – routine maintenance
- **Public Works Responsibilities – (Contracted)**
 - Major Projects – Waterline repairs and construction of new waterlines
 - Pump repairs, including electrical and mechanical problems
- **Citizens Responsibilities –**
 - Report water leaks
 - Use water conservation to protect this valuable natural resource.

SPECIFIC TASKS

UTILITIES



- Public Works (PW) operates a **Wastewater Treatment Plant** (WWTP) for water reclamation – treating wastewater prior to discharge into Highland Bayou.
- Large Capital Improvement Projects are currently underway to improve the Wastewater Collection System
- **PW Responsibilities – Wastewater** (Department Staff)
 - Operate the WWTP and 21 pump stations
 - Routine maintenance for manholes
 - Clean sanitary sewer pipelines; clear blockages when needed
- **PW Responsibilities – (Contracted)**
 - Major Projects - Sanitary Sewer pipelines repairs & construction
 - Pump repairs, including electrical and mechanical problems
 - Specific functions at the WWTP
- **Citizens Responsibilities –**
 - Do not flush grease or heavy debris down the drain
 - Avoid using flushable wipes which can create clogs in pipes.



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Randall Aragon

Department: Police

Agenda Item: 9.XI.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

Concerns have surfaced that our city needs enforcement relating to hazardous materials/cargo being transported on unauthorized city roadways.

STAFF BRIEFING:

Additional research needs to take place to determine: 1. whether our city meets the state law requirements to employ a Commercial Vehicle Enforcement Officer; 2. the financial outlays related to purchasing the necessary enforcement resources (e.g., scales, etc.); and finally, 3. if an officer is in fact authorized to receive such federal training, and is authorized to serve in this role in our city, whether this officer must work in a full-time status conducting such enforcement operations.

HISTORY:

This concern has surfaced in the past (circa 2009 through 2014)--officers were assigned traffic enforcement duties (on an overtime basis) working in the COLM with the primary goal of monitoring and citing commercial vehicle operators that violated hazardous cargo traffic by transporting such cargo upon city streets. Additionally, refineries were mailed letters requesting that commercial vehicle companies comply with the hazardous cargo routes.

FISCAL IMPACT:

To be determined.



Police Department

Randall Aragon
Chief of Police

Chad Waggoner
Deputy Chief of Police

MEMORANDUM

TO: Cesar Garcia, City Manager

R. Aragon

FROM: Chief of Police Randall Aragon

DATE: March 18, 2024

SUBJECT: Memo #39—Status of Commercial Vehicle Enforcement Officer

All contained herein relates to the La Marque Safe City Initiative.

References:

- Memo #37—Enforcement Action Plans (Ch #1)
- Texas Transportation Code, Sec. 644.101

Attached as an enclosure is a segment of “Memo #37—Enforcement Action Plans (Ch #1)” that related to implementing a “Commercial Vehicle Enforcement Officer” effort to conduct enforcement operations to cite violators that transport hazardous cargo upon roadways in La Marque that are not zoned for hazardous cargo.

Our department will be initiating items #1 and #2 of Phase I: i.e., overtime for enforcement and preparing letters of concern to the refineries—both actions that were executed in the past. Additionally, as recommended by City Attorney Gus Knebel, the department is researching with the Texas Comptroller’s office to determine whether our agency meets the criteria specified within paragraph (a) (15) of the referenced Texas Transportation Code.

Finally, at this juncture (that will be fully researched and presented to you), it appears that implementing a certified *Commercial Vehicle Enforcement Officer* operation, besides requiring extensive high-level training also requires:

1. expensive equipment and
2. to be effective, a full-time officer--uncommitted from other enforcement duties.

cc: City Manager Cesar Garcia/Deputy City Manager JB Pritchell/Deputy Chief Chad Waggoner

Enclosure:

Segment of Memo #37—Enforcement Action Plans (Ch #1)

Action Plan: Commercial Vehicle Enforcement: Hazardous Material Cargo

Phase I (before quarter 2 of this CY):

1. Officers will be assigned traffic enforcement duties on an overtime basis working in the COLM with the primary goal of monitoring and citing commercial vehicle operators that violated hazardous cargo traffic laws.
2. As performed in the past, refineries will be mailed letters that request that commercial vehicle companies comply with the hazardous cargo routes.
3. Patrol Services Division Commander will continuously apprise the Chief and Deputy Chief of the metrics relating to this action plan.

Phase II (prior to the end of this CY):

Once our Neighborhood Safety Team (NST) is staffed, directed patrol actions (DPA's) will begin on a dedicated basis relating to commercial vehicle enforcement.

Phase III (prior to end of CY 2025):

1. A minimum of two (2) NST officers will be fully trained in commercial vehicle enforcement and will be assigned directed patrol actions relating to commercial vehicle enforcement.
2. When budgetarily practicable, authorize increasing our officer strength to include two (2) full-time commercial vehicle enforcement officers.



CITY COUNCIL AGENDA FORM

Meeting Date: March 25, 2024

Prepared by: Kathleen Van Stavern

Department: Development Services

Agenda Item: 9.XII.

Reviewed by: Cesar Garcia, City
Manager

AGENDA ITEM DESCRIPTION:

STAFF BRIEFING:

In response to council requests for clarity in the new development process a Unified Development Guide was created to ensure that public as well as current and future developers have a written resource regarding the La Marque development process.

HISTORY:

N/A

FISCAL IMPACT:

N/A



LA MARQUE

EST 1953

Development Guide

A GUIDE TO DEVELOPMENT
SERVICES MOST COMMON
PROCESSES



Welcome!

Thank you for your interest in developing in the City of La Marque!

This guide provides information that will help you navigate the planning, permitting and zoning processes associated with developing in La Marque. It includes basic submittal requirements, development processes and more.





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A close-up photograph of a person's hands pointing at a large architectural plan spread out on a wooden table. The person is wearing a light-colored long-sleeved shirt with maroon sleeves rolled up. Another person's hand is visible on the right side of the table. The scene is brightly lit, likely by natural light from a window, creating strong shadows.

Pre-Development Meetings

Pre-Development Meetings (PDMs) provide an opportunity for an applicant and city staff to review a proposed development as it relates to the standards for development in La Marque, Texas. This includes reviewing applicable submittal requirements, procedures, and schedules, drainage requirements, right of way easements, plating, utility availability, building codes; discussing the scope, features, and potential impacts of the proposed development; and identifying primary contacts for the applicant and City staff.

[Applications-Forms](#)

Pre-Development Meeting submittals

- When do I need a Pre-Development meeting?
- Meetings are highly encouraged (but not required) before submitting a development plan. PDMs may be requested by completing the PDM request form [Applications-Forms](#) and emailing it to: permits@cityoflamarque.org
- Meetings must be scheduled at least 7 days in advance to provide adequate time for our team to review submissions by the requestor.
- PDMs are held either virtually or in-person (preferred) in 30-minute or one-hour increments every Wednesday between 1pm and 4pm, and are scheduled on a first-come, first-serve basis.
- What if I'm not ready for a PDM, but I need zoning information for my development?
- To see existing zoning information on a property, please visit our City Web Site under the Development Services Page for the zoning map or contact Development Services and request a Zoning Verification Letter.
- Post PDM meeting:
- If you have any outstanding questions after the PDM, contacts from each department will be provided at the PDM as well as on the City Web Site.
- What should I submit for a PDM for City Staff to review?
- Completed PDM request form,
- Drawings or conceptual layout or site plan, including parking, building footprint, setbacks & heights, streets, easements.

Site Plan

A site plan is a plan drawing of a site that includes the layout of buildings, circulation system, parking, walls, open space and any other appropriate information as required by the City.

- [When do I need a Site Plan?](#)
- Site plans are required prior to any new development, redevelopment, expansion, alteration, or change in use on a property or lot in order to ensure compliance with the City's Zoning and Code of Ordinances.
- [Submittal Requirements for site plans:](#)
 - 1. Application
 - 2. Site Plan(digital) containing:
 - a. Utilities
 - b. landscaping
 - c. setbacks, build lines, existing buildings or improvements
 - d. streets, easements, parking, paving
 - e. drainage map with calculations, storm water, sanitary sewer, flood plain management
 - f. Fire lanes including width, turning radius, hydrants, Fire Suppression system lines (if applicable)
 - g. Other requirements listed in the City of La Marque Design Criteria Manual.
 - 3. Site plans may be emailed to permits@cityoflamarque.org or delivered to Development Services located at 1130 1st Street, La Marque, TX 77568

Site Plan (Sample Only)

[Design Criteria Manual](#)

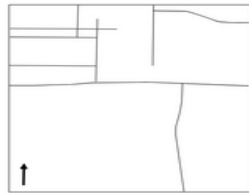
North Arrow & Scale at 1" =

Standard Notations

Tips & Tricks

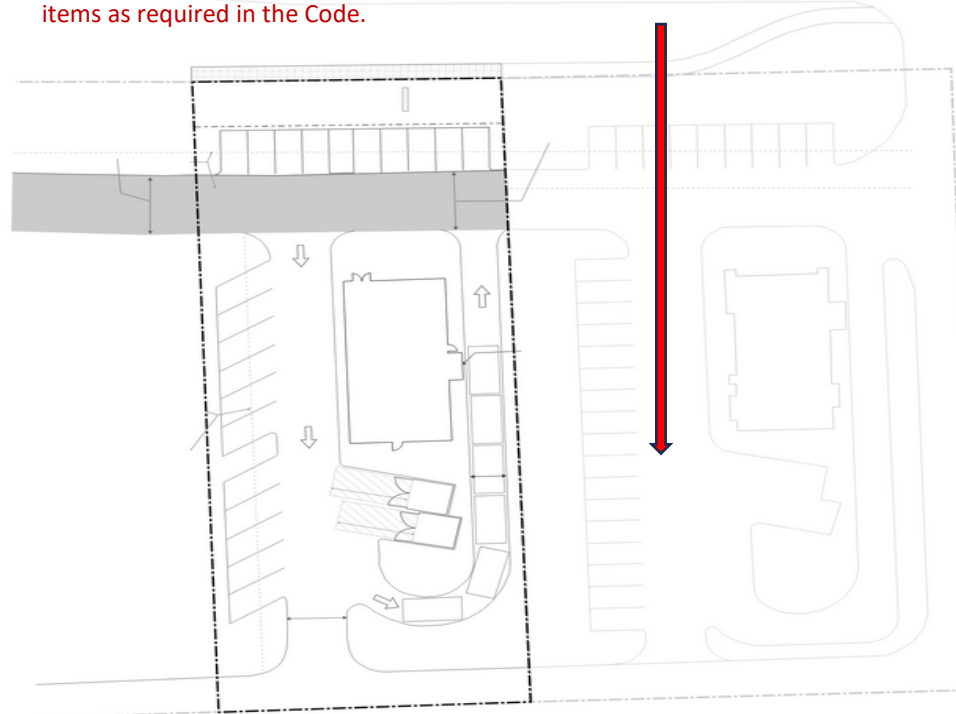
1. Make sure your drawings are clean & not blurry
2. Don't use color, use only black & gray
3. Use different lines for different features(solid, dashed)
4. Include topography or show actual easement lines.

Vicinity Map



Site Graphic Including:

Building footprint, adjacent uses & improvements within 200', parking spaces (dimensioned), existing & proposed easements with filing information, stacking spaces, drive-thru location (if applicable), distance between driveways & intersecting streets, drive approach dimensions & radii, delineation & width of internal drives, dumpster location & dimensioned backing, other items as required in the Code.



Legend

Site Data Table

Existing zoning, proposed use(s), lot coverage, impervious area, required & provided parking, height, density, and lot area

Title Block

Name of project, applicant & owner names, addresses, phone numbers, development location (lot, block, and addition)

A plat is a plan that shows a subdivision or creates building lots or tracts. It shows all essential dimensions, lot designations, easements and rights-of-way.

Preliminary Plat

The purpose of a preliminary plat is to provide preliminary information when a development or subdivision is to occur in phases and when it:

1. subdivides land into more than 4 lots for development; or
2. includes lots without frontage on an existing street; or
3. requires the creation of a new street; or
4. requires the extension of municipal facilities.

A PP provides preliminary approval of the proposed subdivision or development by the city Planning & Zoning Commission.

A final plat shall subsequently be required and must be approved by P & Z and City Council for filing with the county for record, following any necessary approvals and the construction/acceptance of required infrastructure by the city.

Minor Plat

The purpose of a minor plat is to subdivide land for development when there are 4 or fewer lots and when the dedication of streets or extension of utilities is not required.

Since a MP does not involve any improvements to infrastructure, after its approval the plat may move forward to be filed with the county for record.

Replat

The purpose of a replat is to further subdivide an existing platted property and/or further extend streets or utilities.

If the replat involves residential property, additional property owner notices and public hearings may be required.

If improvements to infrastructure are required, construction and acceptance of said improvements is required prior to filing the replat with the county.

Amending Plat (for corrections)

The purpose of an amending plat is to correct errors and amend property information on an existing plat.

An amending plat does not involve any improvements to infrastructure. After its approval, the plat may be filed with the county for record.

[Submittals for all Plats:](#)

1. Application-[Applications-Forms](#)
2. Plat (digital)
3. Current Tax Certificates with seal (original)
4. City Planning Letter / Title Report
5. Agency Letter (If the owner is not the applicant)
6. Lien Holder Subordination Agreement
7. Application Fee
8. Submittals should be emailed to:
permits@cityoflamarque.org

Plats (cont)

When do I need a Preliminary Plat?

A Preliminary plat provides preliminary approval of a proposed subdivision or development by the city. It is required when a proposed development or subdivision is to occur in phases on land that has not yet been platted and when the proposed subdivision is creating more than 4 lots; requires the creation of a new street; or requires the extension of municipal facilities. A final plat shall subsequently be required for each phase of the development and will be filed with the county for record, following any necessary approvals and the construction/acceptance of required infrastructure by the city.

When do I need a Final Plat?

A Final Plat provides approval of a proposed subdivision or development by the city and is filed with the county to create lots of record. A final plat is required when a proposed development or subdivision is located on land that has not yet been platted for development and when the proposed development or subdivision is creating more than 4 lots; requires the creation of a new street; or requires the extension of municipal facilities.

When do I need a Minor Plat?

A Minor Plat provides approval of a proposed subdivision or development by the city and is filed with the county to create lots of record. A Minor Plat is required when a proposed development or subdivision is located on land that has not yet been platted for development and when the proposed development or subdivision involves 4 or fewer lots and does not require the dedication of streets or extension of utilities.

When do I need a Replat?

A replat allows for existing platted property to be further subdivided or platted into a different configuration.

When do I need an Amending Plat?

An amending plat is used to correct errors and amend property information on an existing plat. It does not involve the creation of new lots or the extension of any rights-of-way or utilities.

Plat review timing: Initial Submittal 20 to 30 days in most cases, Secondary Review Submittal 10 to 15 days in most cases.

Zoning

[Zoning Map](#)

Zoning was adopted in the City of La Marque in 2005. Zoning is required for each property within the city limits and provides the land uses and regulations for which the property may be developed. The Planning and Zoning Commission and City Council must approve all proposed zoning changes.

[Rezone:](#)

Any time a property owner wishes to change the zoning on a property to another established zoning district of the city, a (re)zoning is required.

[Current Zoning Districts in the City of La Marque:](#) (this list shows the major zoning districts, but not all zoning districts or regulations for each one)

AG- Agricultural District: is intended to provide for land within the corporate limits of the city which are not subdivided and/or are relatively undeveloped. This district is designed to promote orderly, timely, economic growth and to recognize current conditions.

R-1: Single-Family Residential: This district is the predominant single-family housing district in the city, Development in the R-1 district is limited primarily to single-family dwellings and certain community and recreational facilities to serve residents of the district.

R-2: Two-Family Residential: Development in the R-2 District is limited primarily to two-family dwellings and certain community and recreational facilities to service residents of the district.

R-3: Multiple-Family Residential: Multiple-family dwellings (Apartment Communities) and clustered multiple-family dwellings and Two-family dwelling units.

C-1: General Commercial: This district is established to accommodate those uses that are of citywide and regional significance such as retail, service, and office uses.

C-2: Restricted Commercial: This district is established to accommodate those standard retail uses that are generally not hazardous and do not pose a fire or health hazard to neighboring areas and are commonly purchased and used by consumers in their homes.

C-3: Corridor Commercial: This district accommodates those uses that are considered appropriate for major corridors within the city to promote public and private investment that encourages high quality development.

C-4: Interstate Commercial: This district is established to provide for more intense nonresidential mixed-use development that provides a pedestrian oriented environment.

I-1: Light Industrial: This district is established to provide locations for outlets offering goods and services to a targeted segment of the general public as well as industrial users. The district allows for assembly, packaging, and manufacturing of nonhazardous, nonvolatile products.

I-2: Industrial: district is established to accommodate most industrial uses and protect such areas from the intrusion of certain incompatible uses that might impede the development and use of such lands for industrial purpose.

PD: Planned Development District: This district is designed to provide flexibility in development planning and the opportunity for the application of planning concepts.

MHP: Manufactured Home Park: This district to provide areas for the location of manufactured homes in an attractive, moderate density setting and ensure the presence of amenities required for satisfactory quality of life in areas designated for manufactured home use.

New Construction Permit Process

- Partial submittals will not be accepted or reviewed.
- Permit submittals are accepted by email to: permits@cityoflamarque.org
- All submittals must be in a digital format
- Construction plans must clearly describe the scope of work, refer to drawing sheet file name and plan set
- Plans shall be prepared by a licensed, registered Architect
- All structural, mechanical, electrical and plumbing plans must be prepared by a licensed, registered Professional Engineer.
- An energy compliance report prepared and signed by an independent third-party code certified ICC energy inspector and plans examiner
- Master Development Plan, Traffic Analysis, TXDOT approval, DD2 approval (if applicable)
- Construction, renovation or alteration of a building or facility with an estimated construction cost of \$50,000 or more shall be submitted to the Texas Department of Licensing and Regulation (TDLR). TDLR registration number required.
- Water and sewer capacity form completed
- Base Flood Elevation Certificate
- Civil plans must include scaled and dimensioned drawings showing property lines, legal description, site location map, driveways and drive approaches, parking lots and striping layout, easements, existing site grading, existing and proposed utilities, drainage areas, and hydraulic calculations, grading and drainage plans, erosion control plans, and stormwater pollution prevention plans, as required by the City of La Marque Design Criteria Manual.
- All contractors and trades must register with the City of La Marque and provide a liability insurance certificate showing the City of La Marque as the certificate holder.
- Renovation or demolition to any public or commercial building requires an asbestos survey conducted by a state licensed asbestos inspector

Building Codes

- Adopted Codes (with City Amendments) or Per State Code:
- 2018 INTERNATIONAL BUILDING CODE (IBC)
- 2018 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
- 2018 INTERNATIONAL PLUMBING CODE (IPC)
- 2018 INTERNATIONAL MECHANICAL CODE (IMC)
- 2018 INTERNATIONAL FUEL GAS CODE (IFGC)
- 2018 INTERNATIONAL FIRE CODE (IFC)
- 2017 NATIONAL ELECTRICAL CODE (NEC) 2020 NEC EFFECTIVE NOVEMBER 1, 2020 PER STATE
- Amendments to all codes and the Zoning Ordinance are available by following this link: [Code of Ordinances | La Marque, TX | Municode Library](#)

Helpful tips

- To process and review, permit applications in a timely fashion, the documents and document descriptions listed in this guide are the minimum requirements necessary for permit submittal and review. The more information supplied, the easier and faster the approval process will be for the project.
- To ensure a timely permit review; plans and information submitted must be complete, clearly describing the scope of work and method of compliance with the adopted codes and ordinances.
- If you should have any questions regarding the minimum requirements of submittal, please contact the Development Services Department before permit application submittal.
- Work performed without a valid permit will result in double fees for each permit required.

Architectural plans (Must include the following information)

Cover Sheet: Provide design criteria identifying Occupancy Classification, Type of Construction, Type of Sprinkle System (if required, existing or installed), Building Height and Area (actual vs. allowable), Number of Stories, Occupant Load, and Egress Calculations, Fire Resistive Construction as applicable and Code Edition used for design.

Site Plan: Identify location and dimensions of property lines, all utilities, public or private easements, all proposed buildings, existing buildings, fences, retaining walls, trash enclosures, structures on-site, mechanical equipment, fire lanes, parking lot lights, parking, ramps, accessible parking and accessible route of travel to the building and public right of way.

Floor Plan: Completely dimension and label the use of spaces, wall types, required fire-resistive walls, location of required signs, accessibility clear floor space, turning spaces, grab bars, counters, and furniture. For multi-family projects note on floor plan type of unit(s) per IBC Chapter 11.

Foundation Plan: Provide complete footing and foundation plan(s) with sections and details that include size and placement of reinforcing steel, anchor bolts size and location, and depth of footings. Any special inspections must also be identified on plans.

Framing Plan: Must describe all structural elements including the wall, floor and roof framing, posts, beams, headers, shear walls, hangers, spacing and span of framing members, connections and engineered truss designs as applicable.

Roof Plan: Indicates location of all equipment; size and location of all roof drain, overflow and scuppers.

Elevations and Sections: Provide elevations illustrating building height, materials, and tempered glass in a hazardous location. Cross-sections details that reflect structural systems,

Fire Resistive Construction: All fire-resistive construction must be identified on the floor plan, building sections and details keyed to approved listing documentation that part of construction document. Opening and/or penetrations are required to be detailed on plans with listing documentation.

Miscellaneous: Provide plans and details for all light pole bases, retaining walls, curb ramps, ramps, landings, handicap parking stall signs, stairs, handrails, guard, shaft enclosure construction for Type I hoods.

Electrical Plans Building: Provide a single line riser diagram showing service, feeder wire, equipment grounds, service disconnects, etc. Panel schedule(s) and descriptions of circuits with connected loads and panel rating(s). Location of all panels, light fixtures, outlets, GFCI, smoke detectors, emergency power system, exit signs, exit illumination, equipment, and all required work clearances.

Mechanical Plans: Provide the layout, sizing, and classification of ductwork and location of exhaust systems, make-up air, and duct detectors. Show adequate ventilation indicating compliance. Identify locations and type(s) of dampers when required through fire or smoke rated assemblies. Indicate access and working space for all mechanical equipment.

Plumbing Plans: Must include an isometric diagram with pipe size and type for gas, water, drain waste, and vent piping. For gas piping, indicate the total developed length, the length of each branch, the demand for each appliance and the total demand calculations for gas piping. Show the size and location of roof drains and overflows. Show type and location of all backflow prevention devices, grease and chemical interceptors.

Civil: Sealed drawings by a licensed Professional Civil Engineer, with scaled and dimensioned drawings showing property lines, legal description, site location map, driveways and drive approaches, parking lots and striping layout, easements, existing site grading, existing and proposed utilities, drainage areas, and hydraulic calculations, grading and drainage plans, erosion control plans, and stormwater pollution prevention plans, traffic impact analysis, flood management, base flood elevation with flood zone notations as required by the City of La Marque Design Criteria Manual.

Inspections

- To request an inspection for any project, a valid approved building or civil permit must be on file with Development Services.
- Inspection requests must be submitted Monday-Thursday by 4:00p.m. Inspection requests made on Friday will not be scheduled until Monday.
- Permit Specialists will not guarantee next day inspections,
- On-demand or emergency inspection requests must be pre-approved, and fees paid at time of request.
- Re-inspections require a separate fee.
- Cancellation requests must be made through permitting before 9:00 a.m. on the day of the scheduled inspection, or a re-inspection fee will be due.
- Inspection requests and cancellations may be emailed to permits@cityoflamarque.org or call 409-938-9219
- All fees are NON-REFUNDABLE.



Schedule of Fees



Planning & Zoning

PRELIMINARY PLAT	\$750.00 + \$20.00 PER LOT, \$100.00 PER RESERVE ACRE
REPLAT	\$750.00 + \$20.00 PER LOT, \$110.00 PER RESERVE ACRE
MINOR/VACATING	\$350.00
FINAL PLAT	\$750.00 + \$20.00 PER LOT, \$110.00 PER RESERVE ACRE
AMENDING PLAT	\$500.00 + \$150.00 Filing Fee
ADMINISTRATIVE PLAT	\$500.00
ABBREVIATED PLAT	TOTAL SUM OF PRELIMINARY PLAT AND FINAL PLAT
GENERAL PLAN	\$1,000.00
LEGAL REVIEW FEE	\$750.00
PLAT RECHECK FEE	\$350.00 AFTER 2ND RECHECK
ADDRESS REQUEST NEW OR CHANGE APPLICATION FEE	\$100.00
REZONE REQUEST FEE: 0 - 25 ACRES	\$600.00 PLUS \$50.00 EACH TYPE OF REZONE OR \$740.00 IF PLANNED DEVELOPMENT UNIT
REZONE REQUEST FEE: 26 - 50 ACRES	\$700.00 PLUS \$50.00 EACH TYPE OF REZONE OR \$850.00 IF PLANNED DEVELOPMENT UNIT
REZONE REQUEST FEE: 51 - 75 ACRES	\$800.00 PLUS \$50.00 EACH TYPE OF REZONE OR \$950.00 IF PLANNED DEVELOPMENT UNIT
REZONE REQUEST FEE: 76 - 100 ACRES	\$900.00 PLUS \$50.00 EACH TYPE OF REZONE OR \$1050.00 IF PLANNED DEVELOPMENT UNIT
REZONE REQUEST FEE: 100 + ACRES	\$1000.00 PLUS \$50.00 EACH TYPE OF REZONE OR \$1250.00 IF PLANNED DEVELOPMENT UNIT
VARIANCE REQUEST APPLICATION FEE	\$450.00
ABANDONMENT OF STREET, ALLEY, EASEMENT APPLICATION FEE	\$700.00
ZONING VERIFICATION LETTER / CERTIFICATE OF COMPLIANCE	\$50.00
NOTIFICATION FEE PER OWNER	\$9.00 IS THE COST PER NOTICE MAILED
PUBLISHED NOTICE	(PER LGC SECTION 231.017) \$150.00 COST PER NEWSPAPER AD
SPECIFIC USE PERMIT FEE	\$450.00
CONDITIONAL USE PERMIT	\$450.00
FLOODPLAIN DEVELOPMENT PERMIT FEE	\$450.00

Schedule of fees was updated adopted by City Council in 2022, per City Ordinance 0-2022-0009.

Fees are listed as information only and not all inclusive. Please contact Permitting for specific project fees.

Commercial Fees

Civil Plan Review & Permit Fees

COMMERCIAL CIVIL PLAN REVIEW FEE (DOES NOT INCLUDE BUILDING)	\$500.00 + 1% OF TOTAL PROJECT COST
COMMERCIAL CIVIL PLAN RECHECK	\$350.00
COMMERCIAL LANDSCAPE REVIEW FEE (INCLUDES HARDSCAPE, SOFTSCAPE, IRRIGATION)	\$500.00 + 1% of Total Project Cost
SIGN PLAN REVIEW (MONUMENT / BILLBOARD REQUIRES ENGINEER APPROVAL)	\$350.00
DRAINAGE REPORT REVIEW FEE - 0 TO 100 ACRES	\$3,500.00
DRAINAGE REPORT REVIEW FEE - OVER 100 ACRES	\$3,500.00
TRAFFIC IMPACT ANALYSIS REVIEW FEE (CATEGORY 1)	\$250.00
TRAFFIC IMPACT ANALYSIS REVIEW FEE (CATEGORY 2)	\$1,000.00
TRAFFIC IMPACT ANALYSIS REVIEW FEE (CATEGORY 3)	\$2,000.00
TRAFFIC IMPACT ANALYSIS REVIEW FEE (CATEGORY 4)	\$3,000.00
CIVIL - FILL/ CLEARING/GRADING/DRAINAGE/WATER/SEWER/PAVING	\$500.00 + 2% of total civil project cost
COMMERCIAL LANDSCAPE PERMIT FEE (INCLUDES HARDSCAPE, SOFTSCAPE & IRRIGATION)	\$500.00 + 2% of total civil project cost
AFTER HOURS INSPECTIONS (AND WEEKEND HOURS INSPECTIONS) - CIVIL ONLY	\$100.00 per hour, minimum 4 hours
IMPACT FEES (BASED ON WATER & SEWER USE CALCULATIONS)	See City Ordinance 0-2019-003

Schedule of fees was updated and adopted by City Council in 2022, per City Ordinance 0-2022-0009.

Fees are listed as information only and not all inclusive.
Please contact Permitting for project fees.

Building Plan Review & Permit Fees

COMMERCIAL BUILDING PLAN REVIEW FEE (NOT INCLUDING FIRE)(INCLUDES MEP's)	MIN FEE \$500.00 + 10% of BUILDING PERMIT COST
SIGN PLAN REVIEW (ALL OTHERS) (NOT INCLUDING BILLBOARDS)	\$150.00
FLOODPLAIN DEVELOPMENT PLAN REVIEW FEE	\$150.00
TELECOMMUNICATION TOWER PLAN REVIEW FEE	MIN FEE \$350.00 PLUS 1% OF TOTAL PROJECT COST
PIPELINE PLAN REVIEW FEE	\$500.00 + 2% of total project cost
ROW PLAN REVIEW FEE	\$150.00
COMMERCIAL BUILDING PERMIT FEE	\$350.00 + 1% OF TOTAL PROJECT COST
COMMERCIAL CERTIFICATE OF OCCUPANCY APPLICATION FEE	\$150.00
ADDRESS REQUEST APPLICATION FEE (COMMERCIAL)	\$100.00
PLUMBING PERMIT NEW COMMERCIAL	\$425.00 + 1% of total plumbing project cost
PLUMBING PERMIT FEE FOR ADDITIONS AND ACCESSORY STRUCTURES	\$250.00
PLUMBING PERMIT FEES ALL OTHERS	\$100.00
ELECTRICAL PERMIT FEE NEW COMMERCIAL	\$425.00 + 1% of total plumbing project cost
ELECTRICAL PERMIT FEE FOR ADDITIONS AND ACCESSORY STRUCTURES	\$250.00
ELECTRICAL PERMITS FEES ALL OTHERS	\$100.00
MECHANICAL PERMIT FEES NEW COMMERCIAL	\$425.00 + 1% of total plumbing project cost
MECHANICAL PERMIT FEES FOR ADDITIONS AND ACCESSORY STRUCTURES	\$250.00
MECHANICAL PERMIT FEES ALL OTHERS	\$100.00

RESIDENTIAL FEES

Schedule of fees was updated and adopted by City Council in 2022, per City Ordinance 0-2022-0009.

Fees are listed as information only and not all inclusive. Please contact Permitting for project fees.

Residential Plan Review & Permit Fees

RESIDENTIAL REMODEL PLAN REVIEW FEE	MIN FEE \$150.00
RESIDENTIAL IRRIGATION PLAN REVIEW FEE	MIN FEE \$150.00
RESIDENTIAL BUILDING - NEW PLAN REVIEW FEE	MIN FEE \$150.00
RESIDENTIAL GARAGE, CARPORT, ACCESSORY STRUCTURES PLAN REVIEW FEE	MIN FEE \$150.00
RESIDENTIAL - NEW PLAN REVIEW ADDENDUM FEE	MIN FEE \$150.00
RESIDENTIAL - NEW DRAINAGE PLAN REVIEW	MIN FEE \$150.00
RESIDENTIAL - MULTI-UNIT DRAINAGE, PAVING, WATER, SEWER, IRRIGATION PLAN REVIEW FEE	MIN FEE \$350.00 PLUS 1% OF TOTAL PROJECT COST
RESIDENTIAL BUILDING Permit - NEW	MIN FEE \$100.00 + \$1.25 PER SQ FT
RESIDENTIAL CERTIFICATE OF OCCUPANCY	\$250.00
RESIDENTIAL TEMP/CONDITIONAL CERTIFICATE OF OCCUPANCY	\$150.00
RESIDENTIAL NEW POOL PERMIT FEE (INCLUDES PLAN REVIEW)	\$300.00
RESIDENTIAL SOLAR PANEL PERMIT (INCLUDES PLAN REVIEW FEE)	\$250.00
RESIDENTIAL DRIVEWAY/SIDEWALK PERMIT (INCLUDES PLAN REVIEW FEE)	\$200.00
GENERATOR – PERMANENT INSTALL	\$100.00

RESIDENTIAL REMODEL PERMIT FEE	MIN FEE \$100.00 + \$1.00 PER SQ. FT
RESIDENTIAL FOUNDATION REPAIR PERMIT FEE	\$100.00
RESIDENTIAL ROOF REPAIR PERMIT FEE	\$100.00
RESIDENTIAL NEW ROOF PERMIT FEE	\$100.00
RESIDENTIAL DRIVEWAY/SIDEWALK PERMIT FEE	\$75.00
RESIDENTIAL ALARM PERMIT FEE PER YEAR	\$40.00
RESIDENTIAL DEMOLITION PERMIT FEE	\$50.00
RESIDENTIAL GARAGE, CARPORT, ACCESSORY STRUCTURES, BULKHEADS	\$150.00
RESIDENTIAL/ COMMERCIAL IRRIGATOR REGISTRATION FEE	\$75.00
RESIDENTIAL/ COMMERCIAL IRRIGATOR REGISTRATION RENEWAL FEE	\$75.00
RESIDENTIAL IRRIGATION PERMIT FEE	\$150.00
RESIDENTIAL FENCE PERMIT FEE (Over 7 ft)	\$100.00
ELECTRICAL – NEW RESIDENTIAL	\$375.00
PLUMBING – NEW RESIDENTIAL	\$425.00
MECHANICAL – NEW RESIDENTIAL	\$375.00
ADDITIONS AND ACCESSORY STRUCTURES	\$250.00
MEP ALL OTHER	\$100.00

Important Numbers

CITY OFFICES

FIRE DEPARTMENT	5715 FM 1765, LA MARQUE, TX	EMERGENCY - 911 / NON-EMERGENCY 409-938-9260	Fire Department
POLICE DEPARTMENT	431 BAYOU RD, LA MARQUE, TX	EMERGENCY - 911 / NON-EMERGENCY 409-938-9269	Police Department
MUNICIPAL COURT	1111 BAYOU RD, LA MARQUE, TX	409-938-9245	Municipal Court
CITY ADMINISTRATION	1111 BAYOU RD, LA MARQUE, TX	409-938-9202	City Manager
CITY CLERK	1111 BAYOU RD, LA MARQUE, TX	409-938-9202	City Clerk
HUMAN RESOURCES	1111 BAYOU RD, LA MARQUE, TX	409-938-9202	Human Resources
CODE ENFORCEMENT	5715 FM 1765, LA MARQUE, TX	409-938-9256	Code Compliance Division
PUBLIC WORKS	4916 FM 1765, LA MARQUE, TX	409-938-9280	La Marque Public Works
WATER / UTILITY BILLING	1111 BAYOU RD, LA MARQUE, TX	409-938-9209	Utility Billing
LIBRARY	1013 BAYOU RD, LA MARQUE, TX	409-938-9270	La Marque Public Library
ECONOMIC DEVELOPMENT CORP.	1130 1ST STREET, LA MARQUE, TX	409-938-9201	Economic Development
PERMITTING	1130 1ST STREET, LA MARQUE, TX	409-938-9219, permits@cityoflamarque.org	Applications & Forms
DEVELOPMENT SERVICES	1130 1ST STREET, LA MARQUE, TX	409-938-9219	Development Services
PUBLIC RELATIONS	1111 BAYOU RD, LA MARQUE, TX	409-938-9202	Public Relations

COUNTY OFFICES

[Galveston County, TX | Home \(galvestoncountytexas.gov\)](#)

ANIMAL CONTROL	3412 25TH AVE N, TEXAS CITY	409-948-2485	https://www.texascitytx.gov/1095/Animal-Control
GC HEALTH DEPT.	9850-D EFL EXPY, TEXAS CITY	409-938-2411	https://www.gchd.org
MOSQUITO CONTROL		800-842-5622	https://www.gchd.org
TXNMP EMERGENCY	POWER OUTAGE	888-866-7456	https://tnmp.com
TXNMP NEW SERVICE		888-866-7456	https://tnmp.com
CENTER POINT ENERGY	EMERGENCY OUTAGE	713-207-2222 OR 800-332-7143	CENTERPOINTENERGY.COM
GC APPRAISAL DISTRICT	9850 EFL EXPY, TEXAS CITY, TX	866-277-4725	Galveston Central Appraisal District

Forms

Permit Application/Forms are available on our City Web Site on the Development Services page

[Applications-Forms](#)

or contact permits@cityoflamarque.org and we will be happy to email the form you need.



A GUIDE TO DEVELOPMENT AND BUILDING IN THE CITY OF LA MARQUE, TEXAS 2024

City of La Marque Development Guide for New Construction, Remodels, Commercial & Residential Development, Zoning, Plats and Submittal requirements.

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1.0 INTRODUCTION

This guide has been developed to assist local landowners, architects, engineers, developers, and other interested parties with understanding the significant phases of the development review process in the corporate limits and extraterritorial jurisdiction (ETJ) of the City of La Marque. With the numerous codes, policies, regulations, and procedures involved in securing development approval, this guide has been prepared to provide a basic understanding of the major City requirements when seeking to develop property within the City of La Marque and its ETJ.

Project Elements

Every project within the City limits must be:

1. ZONED for the intended use;
2. Located on a PLATTED lot or legally subdivided lot;
3. Approved through the Civil and/or BUILDING PERMIT process;
4. INSPECTED during and upon completion of construction; and
5. Issued CERTIFICATE OF OCCUPANCY (if applicable).

Each of these elements has a specific process. Summary details of each process are provided in this guide.

The reader is advised that additional permitting requirements may apply to specific projects. All construction projects should be carefully reviewed for any additional federal, state, or county requirements.

2.0 Pre-Development Meeting

The City strongly recommends that applicants schedule a **PRE-DEVELOPMENT MEETING** prior to submitting plans to the Development Services Department. The purpose of this meeting is to determine the necessary steps for each project and to provide the necessary information to successfully complete each step. Topics traditionally covered in a Pre-Development meeting include zoning, platting, utility availability, right-of-way and easement dedications, drainage requirements, building code compliance, and fire code compliance.

The City of La Marque's Pre-Development Meeting is comprised of representatives from the Development Services Department including Engineering, Planning, and Building Divisions, Fire Marshal's Office, Economic Development Corp. and other City Officials, as applicable.

The applicant is encouraged to bring any relevant site development information such as a site plan, plat, or other documents to the meeting. It is also strongly recommended that the property owner or their representative bring the project engineer, architect, and/or surveyor to the Pre-Development meeting to help decipher the technical dialogue when considering a project in La Marque.

To schedule a Pre-Development Meeting, contact the Development Services Department at permits@cityoflamarque.org

3.0 ZONING

3.1 Zoning Overview “Importance of Zoning”

Zoning is an important land use and development tool for many municipal governments. Authorized by state law, zoning allows the City to develop distinct districts for the purpose of regulating the use and development of land. Through the zoning process, the City attempts to ensure compatible land use patterns, minimize conflicts between land uses, protect public and private property, and enhance the natural and built environments.

Chapter 71 - Zoning defines the geographic area, regulates the allowable land uses, and defines standards of development for each zoning district.

Uses Allowed in the Current Zoning

When considering the use of a property, the first step is to review the City of La Marque’s Zoning Map locate the subject property, determine what zoning district the property is located within, and review the *Use Regulations (charts)* contained in Section 71, to determine whether the proposed use, of the property, is allowed within that district.

3.2 Zoning Verification Request

The purpose of the zoning verification letter is to obtain written confirmation from the City of La Marque regarding the zoning district(s), permitted uses, and other information requested regarding the zoning of a property. In order to determine if zoning permits a proposed project on a property, the applicant may request a zoning verification letter by completing the Zoning Verification Request Form and remitting the fee required. It is important to remember that Chapter 71 - Zoning is only enforceable in the corporate city limits. All properties located in the ETJ are exempt from the City’s Zoning but may be subject to other City codes and regulations (i.e. platting, signage, etc.).

The Application for Zoning Verification can be downloaded from the City of La Marque’s website. <https://www.ci.la-marque.tx.us/169/Applications-Forms>

3.3 Zoning Changes

Options to Change Current Zoning

If the applicant determines that the proposed use conflicts with the allowable uses within the existing zoning district, the applicant/owner may request to change the designated zoning of the site to one that will accommodate the proposed use. This request may entail:

- Expansion of existing adjacent zoning boundaries.
- Change of the existing district to another standard zoning district.

- Establishment of a Planned Development District (Planned Development districts are unique zoning districts designed to allow creative site design, flexibility in use, or additional regulation not provided for within the standard zoning districts); or
- Conditional Use Permit (in specified zoning districts, certain uses are allowed only with specific conditions and restrictions. Requests to utilize land for one of these uses require a Conditional Use Permit to be approved by City Council).

Application for a Zoning Change

The City recognizes that zoning cannot be static; it must change with the changing needs of the public, the demands of changes in technology, or the manner of doing business. The staff of the Development Services Department oversees this continual change process.

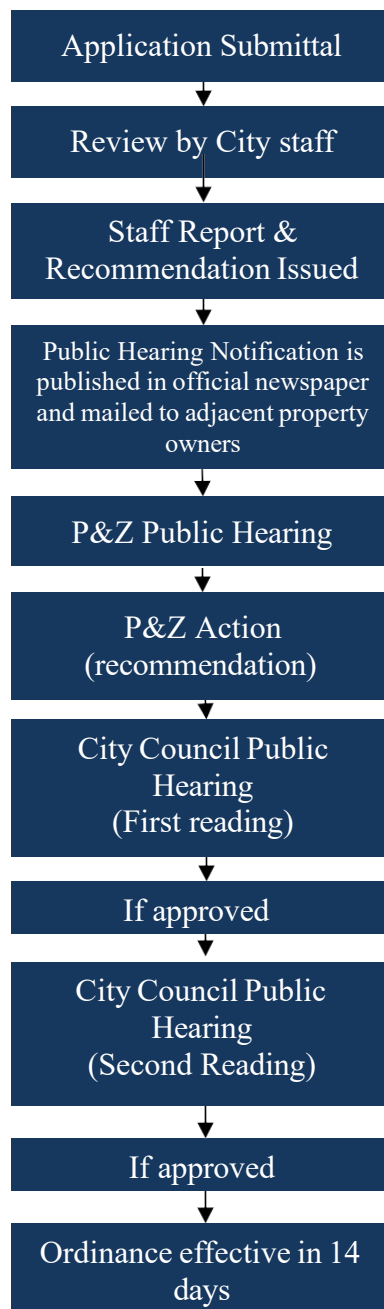
- The first step in the zoning change process (which establishes an actual amendment to Chapter 71 - Zoning) will be to contact the Development Services Director by email to schedule a meeting to discuss the nature of the zoning request. The Development Services Director will answer any questions pertaining to the zoning process and will help explore the feasibility of a request. Each request will be reviewed for its compatibility with the existing land uses, zoning patterns, and City of La Marque's Comprehensive Plan.
- The second step will be the submission of a Rezoning, Planned Development, or Conditional Use Permit Application. Each application provides a comprehensive checklist of the submittal requirements.
- Based upon the Submittal Schedule the case will be scheduled for public hearings before the Planning & Zoning Commission (P&Z) and City Council.

3.4 Public Hearings

Public hearings will be held before the City's Planning & Zoning Commission and City Council, respectively. Each body will hear the request, staff recommendation, and receive public input before reaching a decision on the matter. The Planning & Zoning Commission will make a formal recommendation to City Council regarding approval or denial of the request. City Council will conduct the first reading of the ordinance and consider the request. If approved, a second reading of the ordinance will be conducted. If the second reading is passed, the ordinance will be effective 14 days from that date.

The Planning & Zoning Commission meets on the fourth Tuesday of every month at 4:00 p.m. and City Council meets on the first and third Mondays of each month at 6:00 p.m., unless otherwise stated. The meetings are held in the City Council Chambers, located at 1109-B Bayou Road, La Marque, Texas 77568.

3.5 Zoning Process Flowchart



4.0 PLATTING - The Subdivision of land

4.1 Platting Overview

“Platting” is the process required by the Texas Local Government Code to obtain an approval of a subdivision of real property. By definition, a “Plat” is the written depiction of the lots, blocks, and reserves created by the subdivision of real property, which must be recorded in the Official Public Records of Real Property of Galveston County, after it has received the requisite approvals.

“Subdivision” is the division of land without regard to the transfer of ownership. The City has further codified the platting process and requirements in Chapter 41-101 titled “Subdivisions”. The City has specifically defined “Subdivision” to mean the division of any lot, tract or parcel of land by plat, map or description into two or more parts, lots or sites for the purpose, whether immediate or future, of sale, rental or lease, or division of ownership. Any dedication and the laying out or realignment of new streets, or other public or private access ways, with or without lotting, shall constitute a subdivision. Subdivision shall also include the re-subdivision and replating of land or lots that are part of a previously recorded subdivision. An “addition” is a subdivision as defined herein. The term “subdivision” shall also include the division of land whether by plat with a metes and bounds description and when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

In general terms, a plat is a map of a parcel of land identifying the location and boundaries of street rights-of-way, individual lots or parcels, and other site information. The plat shows features such as lot lines, utility easements, land dedicated for public use (e.g. streets and parks), ownership, and metes and bounds (boundary dimensions). A plat also establishes the lot, block, and subdivision name (legal description) used in real estate transactions. A plat is a legal document complete with a drawing of the property boundaries, metes and bounds, an owner's statement dedicating streets to the public, an owner's certification statement, a title block, approval statements, and a location map. A plat is not the property survey required by a mortgage company when closing the sale of a property. The platting overview is provided as a quick overview of the requirements. Detailed requirements are outlined in Chapter 41. Questions or clarifications should be directed to the Development Services Department.

4.2 Importance of Platting

The manner in which land is subdivided, how streets are designed, and how the lots are laid out have a lasting effect on the physical character of the city. Chapter 41 regulates all subdivisions of land within the City and its ETJ to ensure that the public health and safety, and public and private property are protected. Street, water, sanitary, and storm drainage systems must be adequately sized, designed, and constructed to meet the public's needs.

4.3 When to Plat

There are several situations that require the platting of property. Generally, a plat is required if:

- The property has never been platted.
- An existing platted lot is subdivided.
- It is necessary to make changes to a previously recorded plat due to an error or omission; and/or
- The owner desires to relocate, add, or remove lot/building lines between adjacent lots.

It is unlawful for any person or entity to subdivide any tract, lot, or parcel of land within the City or within La Marque's ETJ, until a preliminary and final plat have been approved by the Planning and Zoning Commission and recorded with the respective County. Additionally, permits may not be issued on land that has not been legally subdivided.

All plats must be prepared by a Registered Public Land Surveyor (RPLS) licensed by the State of Texas.

The city requests that the applicants schedule a pre-development meeting with the Development Services Department prior to submitting a plat. It is strongly recommended that the property owner, surveyor, and/or engineer attend this Meeting. This meeting is intended to provide a dialogue between City Staff and the applicant regarding subdivision requirements, land use, development regulations, and the plating process.

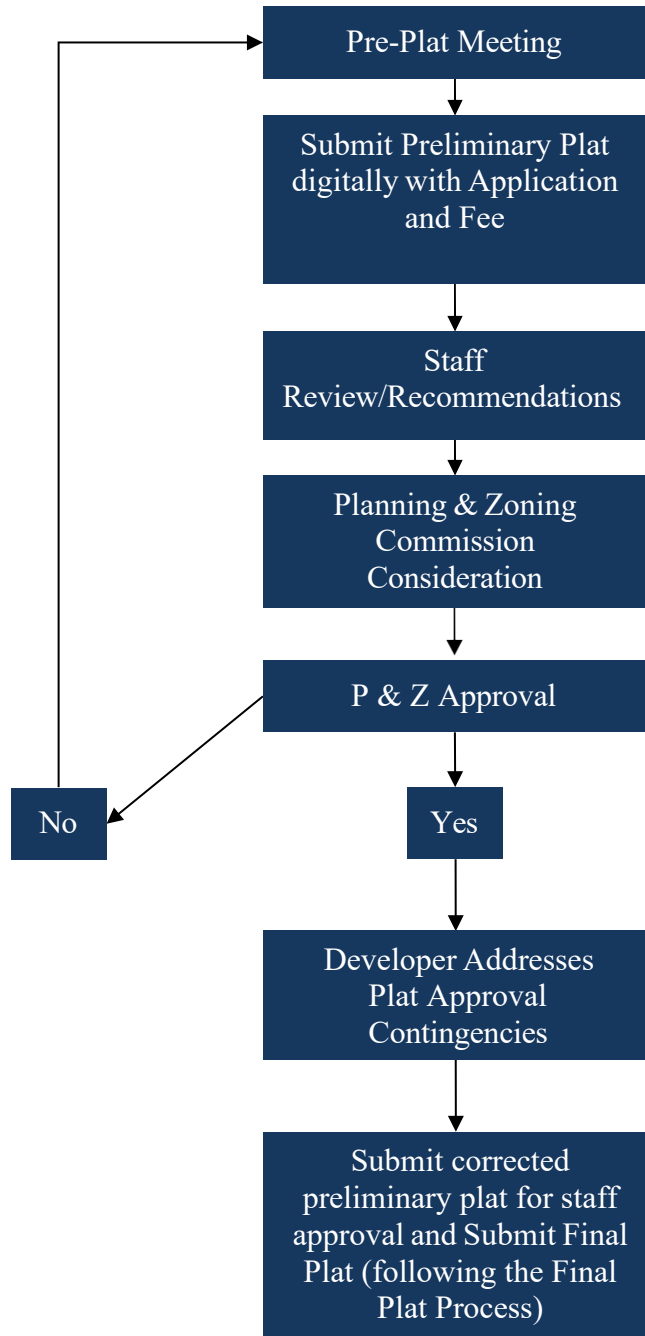
4.4 The Platting Process

Both the Preliminary and Final plat process consists of seven (7) general steps:

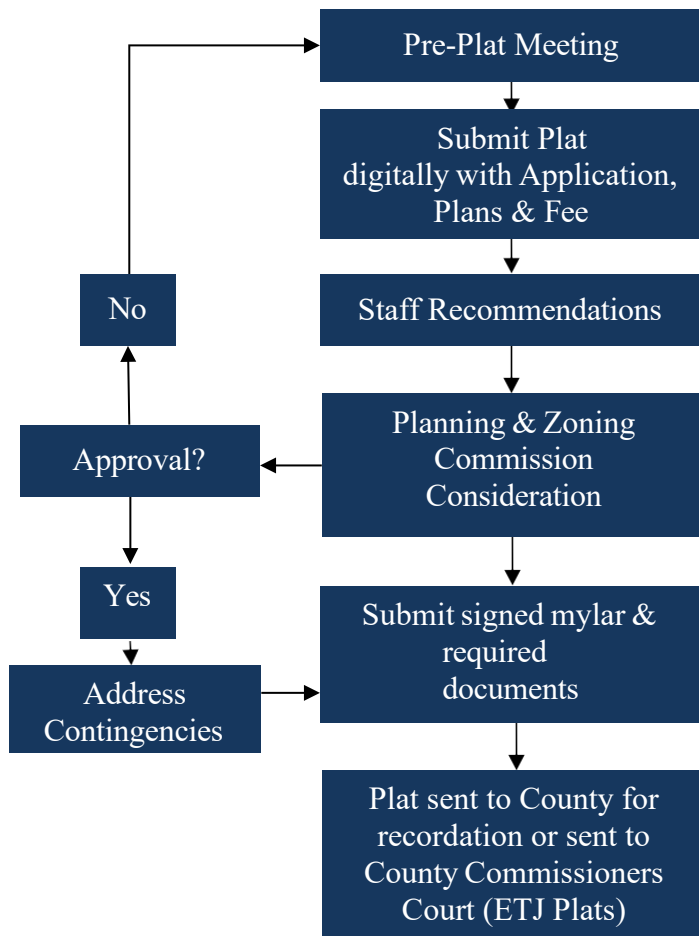
1. Pre-Plat Meeting with City staff.
2. Formal submission of the digital application, plat and the payment of filing/review fees (refer to the Plat Application on the City of La Marque's website for all submittal requirements).
3. Technical review by City staff and Engineering for formal recommendations to the Planning & Zoning Commission with regard to compliance with City ordinances.
4. Consideration by the Planning & Zoning Commission.
5. The developer shall address approval contingencies prior to submittal of the plat for consideration. City staff shall confirm that such contingencies have been fully addressed prior to allowing a Mylar to be printed.
6. Recordation (City) with the County Clerk of Galveston County

The Planning & Zoning Commission will either approve, with or without contingencies, or deny the plat for failure to meet platting requirements. Recommended approvals are valid for a period of six (6) months. Once all conditions have been met and the Planning & Zoning Commission approves the Final Plat, the applicant will submit two (2) signed and sealed mylar and two bond copies with signatures of all owners and lien holders, as well as current tax certificates stating that all taxes have been paid to date. Appropriate City signatures will be obtained and the plat, along with current tax certificates, will be sent to Galveston County for recordation.

4.5 Preliminary Plat Process Flowchart



4.6 Final Plat Process Flowchart



5.0 SITE PLANS

City policies, standards, and regulations on land use and development are designed to ensure public health and safety, and to protect both private and public property. Site plan review allows City Staff to review projects for land use, zoning, transportation, drainage, environmental and safety considerations. Site plan reviews also determine if the proper infrastructure is in place to service the development in accordance with City requirements (applicable codes and ordinances).

Although City Staff reviews plans for these issues, the ultimate responsibility for the construction documents rests with the Design Professional preparing the plan. The reader is advised that additional permitting requirements may apply to specific projects. All construction projects should be carefully reviewed for any additional federal, state, or county requirements.

We are currently accepting digital submittals of all applications. You will submit all applications, plans, and any supporting documents to permits@cityoflamarque.org.

5.1 Civil Site Plan Review

Once any plating and zoning matters are addressed (if applicable), a civil site plan review application must be submitted for all projects within the City limits. There are two basic types of site plan review:

1. Building Plan Application for all single-family (one dwelling) and duplex (two-family) developments/projects, **excluding** residential subdivisions; and
2. Civil Plan Review Application for all nonresidential developments, residential subdivisions, and multi-family developments. A civil site plan submittal must be approved by the Engineering, Planning, and Fire Divisions prior to submitting a building permit application.

Each civil site plan application provides a complete list of submittal requirements; not all requirements listed may be applicable to every project. Additionally, depending on the nature of the project, additional plans or documents may be required in order to adequately review the submittal. Additional requirements may include a Traffic Impact Analysis (TIA), drainage report, photometric study, required permits by federal, state, or county agencies, etc. The initial review will take approximately (10-30) business days from time of application submittal and payment. If the application is incomplete or inaccurate, the project may be delayed until corrections or additions are received.

5.2 Residential Building Plans

Residential Building Plan Applications are required for all new single and two-family homes, additions to existing single and two-family homes, decks, detached garages, carports, patios, and accessory structures over 200 square feet. Development Services uses 3rd party plan reviewers to review the building plan submittal for compliance with the zoning subdivision regulations and any proposed public improvements, drainage, utilities, grading, etc., if necessary. If it is found that the proposal does not meet the City's requirements, the applicant/contractor will be notified by email with a comment letter listing any corrections required. Once the Residential building plans are approved the applicant will be notified of the approval for permit issuance and pay the permit fees and Impact fees.

The Development Services Department is responsible for the issuing of permits, scheduling inspections when requested and collection of fees. Contact permits@cityoflamarque.org for additional information on the building permit process.

5.3 Civil Site Plan Review Applications (Commercial development, Subdivisions, and Multi- Family)

A Civil Site Plan Review Application, with complete civil plans, including landscaping, screening/buffering, exterior building elevations, Additionally, depending on the nature of the project, additional plans or documents may be required in order to adequately review the submittal. Additional requirements may include a Traffic Impact Analysis (TIA), drainage report, detention/retention calculations, water & sewer capacity for Impact Fee analysis, photometric study, required permits by federal, state, or county agencies, TXDOT approval, Drainage District approval, etc. The initial review will take approximately (10-30) business days from time of application submittal and payment. If the application is incomplete or inaccurate, the project may be delayed until corrections or additions are received.

All supporting documents and fees must be submitted to the Development Services Department for review prior to the construction of any development. The civil site plan submittal will be reviewed by the City of La Marque Civil Engineer and the Fire Marshal's Office for conformance with codes and regulations applicable to site development.

La Marque's Civil Engineering Division will review the site plan for drainage, utilities, paving and grading, traffic impacts, and other civil engineering related issues. The following sheets must be included in the plan set for review: Cover, Recorded Plat, General Construction Notes (including the City's general, water, sewer, storm, gas, and detention notes), Site Plan, Paving and Grading, Drainage, Detention (if required), Utilities, Landscaping, Irrigation (if proposed), Storm Water Pollution Prevention Plan (SWP3) (including erosion and sediment controls plan), and Details (including water, sewer, gas, storm, paving, SWP3, etc.). Applicable sheets must be signed and sealed by a Professional Engineer.

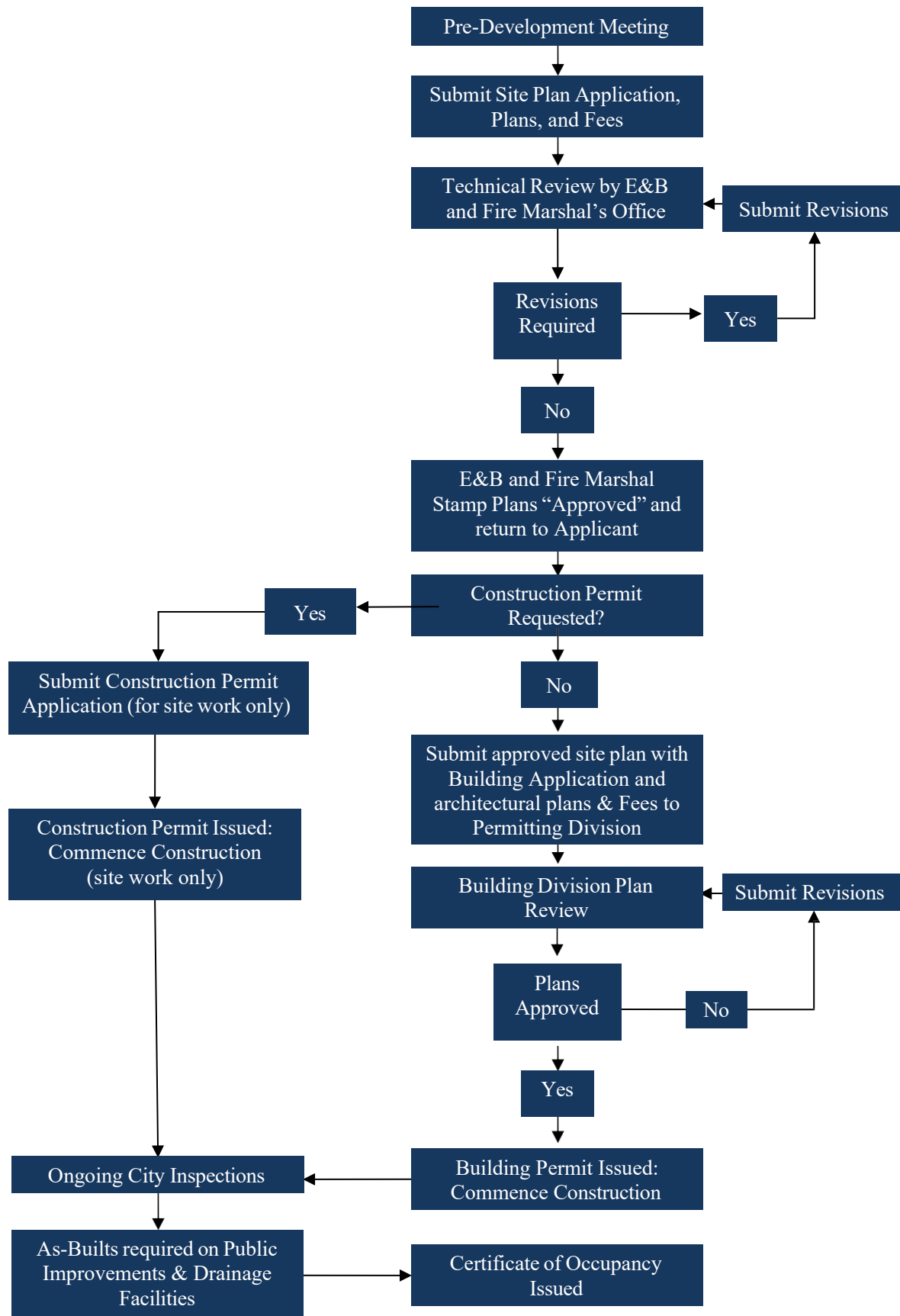
The building plan reviewer will review the site plan for compliance with Chapter 71-27 of the City of La Marque Zoning Ordinance for building height limits, lot area/width/depth, building setbacks, lot coverage, density, off-street parking, landscaping, and screening/buffering/fencing.

The Fire Marshal's Office will review the Civil site plan for fire hydrant location, emergency vehicle access, fire sprinkler requirements, and other fire code issues. The Fire Marshal will also review the architectural plans during the building permit process.

If it is determined that the project does not meet the City's requirements, the applicant will be notified and alternatives may be discussed to address any issues.

Once the civil site plans are approved by the Engineering, Building, and Fire Divisions, the applicant must submit the approved plan set with the [Civil Permit Application](#) and all required plans (floor plans, building elevations, structural, foundation and electrical), and documents to the Permitting Division. Contact permits@cityoflamarque.org for additional information on the building permit process.

5.4 Site Plan Process Flowchart



6.0 PERMITTING

6.1 Construction Permits

A CIVIL construction permit will allow the developer to begin site work upon approval of the civil site plan, but prior to the issuance of a building permit. This permit is for work that is generally located outside of the building footprint. This would include all grading, paving, utilities, detention, storm water, landscaping, irrigation, screening, etc., that is located on public or private property, as reflected on the approved site plans. All construction permits are issued by the Permitting Department.

The Civil Permit Application can be downloaded from the City of La Marque's website.

*Note that Impact fees may be required at the time of permitting for water, sewer, and drainage. A performance guarantee may be required prior to issuance of a permit. The performance guarantee shall equal 120% of the cost of the proposed public improvements and any storm water management components including, but not limited to, public utility extensions, public roadways, detention ponds and erosion controls. An engineer's estimate of those improvements will need to be approved by the City Engineer prior to filing the performance bond. Also, as-builts for the public improvements needs to be submitted to the City Engineer by emailing permits@cityoflamarque.org and a maintenance guarantee equal to 100% covering the same items listed above will need to be posted upon acceptable completion of the improvements and will be held by the City for the one-year warranty period.

6.2 Floodplain Development Permit

This permit is required when a developer wishes to build in or alter the character of property located within a special flood hazard area. This permit is for all structures including manufactured homes and for all development including fill and other activities within a designated floodplain. If any proposed grading or improvements involve property in the floodplain, a hydraulic flood study performed by an engineer licensed in the State of Texas may be required. The applicant's engineer will submit the study and supporting hydraulic data to the City's Floodplain Administrator. This information will be reviewed by City staff and subsequently submitted (if necessary) by the City Floodplain Administrator to the Federal Emergency Management Agency (FEMA) for approval. The appropriate FEMA applications forms and fees shall be provided to the City by the developer. FEMA will review and submit its findings to the City in the form of a "Conditional Letter of Map Revision (CLOMR)", including submittal to the City of all required engineering and surveying data and payment of all fees to satisfy the conditions in the CLOMR for the purposes of issuance by FEMA of a "Letter of Map Revision" (LOMR). All correspondence shall be directed to the City Floodplain Administrator for submittal to FEMA. A detailed study may also be required for development areas that do not yet have a mapped floodway but have been identified as flood prone areas. After construction, elevation certificates and/or flood proofing certificates may be required as applicable to the project.

For additional information, refer to Chapter 32, Article I - Flood Damage Prevention.

Please contact the Development Services Division at (409) 938-9219 for more information on Floodplain Permits.

6.3 Building Permits

Building permitting is the process through which the City ensures compliance with all codes and ordinances relative to the construction of buildings and building sites. Generally, such permits will fall into one of two categories: 1) residential; or 2) commercial.

The permitting process includes the review and approval of building construction and civil site plans, the payment of permit fees, plan review fees, inspection fees along with the issuance of a Building Permit, civil site work permit and schedules inspections. Building permit applications and plans may be submitted separately, but concurrently with the civil site plans. Building plan review fees will be due at submittal, but building plans will not be reviewed or a building permit will not be issued until the civil site plans are approved by the City Engineer and fees paid..

The Permit Specialist will ensure that the civil site plans have the City Engineer's stamp of approval or LONO (Letter of No Objection) attached and will then route the building plans to the City's 3rd party plan reviewer and Fire Marshal's Office for review and approval. Once the Fire Marshal and Plan Reviewer approve the building plans, a permit may be issued only after the civil site work is completed and passed all required inspections by the City Engineer.

Plan review fees are due at the time of submittal. Building Permit Fees, and impact fees are due at the issuance of a building permit. Additionally, all contractors are required to register with the city and provide a Certificate of Liability Insurance with the City of La Marque listed as the Certificate Holder. After the Building Permit is issued, the applicant is ready to start construction. All requests for building inspections must be submitted through email to permits@cityoflamarque.org or by calling 409-938-9219.

Non-Commercial Plan Review approval time ranges from 5 days to 15 days, depending on the complexity of the project. **ALL FEES ARE NON-REFUNDABLE**

6.4 Stop Work Orders

Stop Work Orders will be issued for all work performed without a valid, approved civil permit or building permit on file. Working without a permit will result in a penalty of double fees charged when a permit application is submitted for approval. **NO EXCEPTIONS**

6.5 Inspections

ALL INSPECTION REQUESTS MUST BE EMAILED TO permits@cityoflamarque.org or by calling 409-938-9219.

Inspection requests must be received by 4:00pm Monday - Thursday, Inspection requests received on Friday will be scheduled for the next business day, excluding holidays.

The City's contracts with a 3rd party Inspectors to provide professional and efficient service for a combination of inspections with each visit to the job site.

1. A project representative **must** be on-site when the inspector arrives. if access is secured, or access arrangements must be made when the inspection request is submitted to permitting.
2. Inspections are performed starting at 7:00am, permitting will NOT guarantee any inspection times, inspections are normally performed within 24 to 36 hours after a request is made, excluding holidays, and depending on the number of inspections scheduled.
3. The City of La Marque works diligently to process inspection requests when they are received, however the number of requests received that day may delay processing.
4. On-Demand Inspections require additional fees before On-Demand inspections are scheduled. You will receive instructions on contacting our inspector for these inspections.

To request an inspection you must:

- a. Have a valid permit on file and all fees are paid in full.
- b. An approved set of plans at the job site,
- c. The address must be in full view from the street or access road
- d. Requester must have permit number or address when calling or emailing for inspection.

The inspections shall be done in the order as followed:

1. Temporary Electrical Service Pole (T-Pole)
2. Ground Plumbing, Water Line and Sewer
3. Slab / Foundation
4. All rough-Ins (Inspector will do all inspections on the same day at the same time)
 - a. Framing
 - b. Electrical Rough-In
 - c. Plumbing Top-Out (internal gas lines must be holding pressure as well)
 - d. Mechanical

The above inspections must be done prior to installation of insulation and sheetrock.

5. Meter Loop (Electrical Service transfer from temporary to permanent)
6. All Finals (Inspector will do all inspections on the same day at the same time)
 - a. Building
 - b. Electrical
 - c. Plumbing (yard line must be holding pressure)
 - d. Mechanical
 - e. Drainage

7. Concrete or pavement on the driveway must be complete, and address must be permanently installed on the building.
8. All re-inspections require the re-inspection fee to be paid before another inspection is scheduled, NO EXCEPTIONS.
9. Reconnection of gas service or electric service that has been off for 6 months requires a permit (Gas test, Meter Loop) and inspection before services will be activated. (Requirement of TXNMP & Center Point)
10. Inspection fees are non-refundable.
11. Permitting must have a "As-Built" signed and sealed survey on file for a CO.
12. The requester is responsible for canceling the inspection by 4:00pm the day before the scheduled inspection or a re-inspection fee will be required before another inspection is scheduled.

This is a general guide to assist you in the City of La Marque Inspection process, but it is not all inclusive, please contact Permitting with any questions or special inspection requests.

6.6 Certificate of Occupancy Inspections

Before a Certificate of Occupancy (CO) can be issued, the Building Inspector and, Fire Marshal will conduct final inspections of the project to determine if it was constructed according to the approved plans. Prior to a request for a CO, "as-built" survey for all Public Improvements and drainage facilities must be accepted by the Development Services Department.

Once all final inspections and approvals have been obtained from the various City departments, the owner or tenant may request a CO. The building cannot be occupied until the CO has been issued. A CO is a document that permits a business to operate in a specific location. The process of issuing a CO ensures that a business complies with zoning and/or land use ordinances, as well as the structural and fire and life safety codes of the City; thereby assuring the applicant that their business structure is ready for occupancy. This document is required of all tenants in newly constructed commercial buildings and is obtained through the Development Services Department.

6.7 Impact Fees

Impact Fees are hereby assessed against new developments 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.

1. Impact fees shall be collected at the time of application for a building permit, or at the time of application for a utility connection, whichever comes first.
2. 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.

6.8 Calculation of Impact Fees

1. Water: \$2,190.00
2. Wastewater: \$ 1,580.00

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)

6.9 Commercial, Retail, Institutional, Light Industrial, and all other NON-Residential Dev.

<u>METER SIZE</u>	<u>FACTOR</u>	<u>TOTAL IMPACT FEE</u>
5/8" - 3/4"	1.00 ESFC'S	\$3,770.00
1"	1.67 ESFC'S	\$6,296.00
1.5"	3.33 ESFC'S	\$12,554.00
2" All Types	5.33 ESFC'S	\$20,094.00
3" COMPOUND	10.67 ESFC'S	\$40,226.00
3" TURBINE	11.67 ESFC'S	\$43,996.00
4" COMPOUND	16.67 ESFC'S	\$62,846.00
4" TURBINE	21.00 ESFC'S	\$79,170.00
6" COMPOUND	33.33 ESFC'S	\$125,654.00
6" TURBINE	43.33 ESFC'S	\$163,354.00
8" COMPOUND	53.33 ESFC'S	\$201,054.00
8" TURBINE	93.33 ESFC'S	\$351,854.00
10" COMPOUND	76.67 ESFC'S	\$289,046.00
10" TURBINE	140.00 ESFC'S	\$527,800.00
12" ALL TYPES	176.67 ESFC'S	\$666,046.00

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

Contact Permitting for additional information concerning Impact Fees or see the City of La Marque Ordinance 0-2019-003.

This guide is not all inclusive and should not be used solely on its contents. This guide should be reviewed along with the 2018 Building Codes, 2018 Fire Code and City Ordinances.

Please call 409-938-9219 or email permits@cityoflamarque.org if you have any questions.

7.0 CONTACTS

For questions regarding the development process, contact:

Development Services Department
1130 1st Street, La Marque, TX 77568
Permits Office : 409-938-9219
Email : permits@cityoflamarque.org

7.1 Links to Applications and forms

[Applications & Forms | La Marque, TX - Official Website \(la-marque.tx.us\)](https://la-marque.tx.us/applications-forms)

[Design Criteria Manual | La Marque, TX - Official Website \(la-marque.tx.us\)](https://la-marque.tx.us/design-criteria-manual)

[Code of Ordinances | La Marque, TX | Municode Library](https://la-marque.tx.us/code-of-ordinances)

[Zoning in La Marque | La Marque, TX - Official Website \(la-marque.tx.us\)](https://la-marque.tx.us/zoning)

8.0 PERMIT FEES

(This list of fees is not all inclusive, please call the Permitting Office for actual fees)

RESIDENTIAL BUILDING PERMIT FEES		Fees are NON-REFUNDABLE
RESIDENTIAL BUILDING - NEW	MIN FEE \$100.00 + \$1.25 PER SQ FT	NON-REFUNDABLE
RESIDENTIAL CERTIFICATE OF OCCUPANCY	\$250.00	INCLUDES ALL INSPECTIONS - Fees are NON-Refundable
RESIDENTIAL TEMP/CONDITIONAL CERTIFICATE OF OCCUPANCY	\$150.00	RE-INSPECTION FEES NOT INCLUDED
RESIDENTIAL NEW POOL PERMIT FEE (INCLUDES PLAN REVIEW)	\$300.00	1ST INSPECTION INCLUDED - Fees are not Refundable
RESIDENTIAL SOLAR PANEL PERMIT (INCUDES PLAN REVIEW FEE)	\$250.00	1ST INSPECTION INCLUDED - Fees are not Refundable
RESIDENTIAL DRIVEWAY/SIDEWALK PERMIT (INCUDES PLAN REVIEW FEE)	\$200.00	1ST INSPECTION INCLUDED - Fees are not Refundable
RESIDENTIAL REMODEL PERMIT FEE	MIN FEE \$100.00 + \$1.00 PER SQ. FT	1ST INSPECTION INCLUDED - Fees are not Refundable
RESIDENTIAL FOUNDATION REPAIR PERMIT FEE	\$100.00	1ST INSPECTION INCLUDED - Fees are not Refundable
RESIDENTIAL ROOF REPAIR PERMIT FEE	\$100.00	Requires Windstorm inspection and WPI-8 NON-REFUNDABLE
RESIDENTIAL NEW ROOF PERMIT FEE	\$100.00	1ST INSPECTION INCLUDED - Fees are not Refundable
RESIDENTIAL DRIVEWAY/SIDEWALK PERMIT FEE	\$75.00	1ST INSPECTION INCLUDED - Fees are not Refundable
RESIDENTIAL GARAGE, CARPORT, ACCESSORY STRUCTURES, BULKHEADS	\$150.00	1ST INSPECTION INCLUDED - Fees are not Refundable
RESIDENTIAL IRRIGATION PERMIT FEE	\$150.00	PLUS \$0.50 PER SPRINKLER HEAD - Fees are not Refundable
ELECTRICAL PERMIT FEE NEW RESIDENTIAL	\$375.00	1ST INSPECTION INCLUDED - Fees are not Refundable
ELECTRICAL PERMIT FEE FOR ADDITIONS AND ACCESSORY STRUCTURES	\$250.00	1ST INSPECTION INCLUDED - Fees are not Refundable
ELECTRICAL PERMITS FEES ALL OTHERS	\$100.00	1ST INSPECTION INCLUDED - Fees are not Refundable
PLUMBING PERMIT NEW RESIDENTIAL	\$425.00	1ST INSPECTION INCLUDED - Fees are not Refundable
PLUMBING PERMIT FEE FOR ADDITIONS AND ACCESSORY STRUCTURES	\$250.00	1ST INSPECTION INCLUDED - Fees are not Refundable
PLUMBING PERMIT FEES ALL OTHERS	\$100.00	1ST INSPECTION INCLUDED - Fees are not Refundable
PERMANENT GENERATOR PERMIT FEE	\$100.00	1ST INSPECTION INCLUDED - Fees are not Refundable
MECHANICAL PERMIT FEES NEW RESIDENTIAL	\$375.00	1ST INSPECTION INCLUDED - Fees are not Refundable
MECHANICAL PERMIT FEES FOR ADDITIONS AND ACCESSORY STRUCTURES	\$250.00	1ST INSPECTION INCLUDED - Fees are not Refundable
MECHANICAL PERMIT FEES ALL OTHERS	\$100.00	1ST INSPECTION INCLUDED - Fees are not Refundable
RESIDENTIAL BUILDING - NEW PLAN REVIEW FEE	\$150.00	NON-REFUNDABLE
RESIDENTIAL REMODEL PLAN REVIEW FEE	\$150.00	NON-REFUNDABLE
RESIDENTIAL GARAGE, CARPORT, ACCESSORY STRUCTURES PLAN REVIEW FEE	MIN FEE \$150.00	NON-REFUNDABLE
RESIDENTIAL - NEW PLAN REVIEW ADDENDUM FEE	MIN FEE \$150.00	NON-REFUNDABLE
RESIDENTIAL - NEW DRAINAGE PLAN REVIEW	MIN FEE \$150.00	PER DWELLING IN ZONE R1, R2
RESIDENTIAL - MULTI-UNIT DRAINAGE, PAVING, WATER, SEWER, IRRIGATION PLAN REVIEW FEE	MIN FEE \$350.00 PLUS 1% OF TOTAL PROJECT COST	R-3 ZONING

COMMERCIAL PERMIT FEES		FEES ARE NON-REFUNDABLE
COMMERCIAL BUILDING PERMIT FEE	\$350.00 + 1% OF TOTAL PROJECT COST	MIN \$350.00 PLUS 1% OF TOTAL PROJECT COST
COMMERCIAL CERTIFICATE OF OCCUPANCY APPLICATION FEE	\$150.00	(Fire Inspection Fee Not Included - Fees are not Refundable)
ADDRESS REQUEST APPLICATION FEE (COMMERCIAL)	\$100.00	PER PARCEL
PLUMBING PERMIT NEW COMMERCIAL	\$425.00 + 1% of total plumbing project cost	PLUS 1% OF TOTAL PLUMBING PROJECT COST
PLUMBING PERMIT FEE FOR ADDITIONS AND ACCESSORY STRUCTURES	\$250.00	1ST INSPECTION INCLUDED - Fees are not Refundable
PLUMBING PERMIT FEES ALL OTHERS	\$100.00	1ST INSPECTION INCLUDED - Fees are not Refundable
ELECTRICAL PERMIT FEE NEW COMMERCIAL	\$425.00 + 1% of total electrical project cost	PLUS 1% OF TOTAL ELECTRICAL PROJECT COST
ELECTRICAL PERMIT FEE FOR ADDITIONS AND ACCESSORY STRUCTURES	\$250.00	1ST INSPECTION INCLUDED - Fees are not Refundable
ELECTRICAL PERMITS FEES ALL OTHERS	\$100.00	1ST INSPECTION INCLUDED - Fees are not Refundable
MECHANICAL PERMIT FEES NEW COMMERCIAL	\$425.00 + 1% of total mechanical project cost	PLUS 1% OF TOTAL MECHANICAL PROJECT COST
MECHANICAL PERMIT FEES FOR ADDITIONS AND ACCESSORY STRUCTURES	\$250.00	1ST INSPECTION INCLUDED - Fees are not Refundable
MECHANICAL PERMIT FEES ALL OTHERS	\$100.00	1ST INSPECTION INCLUDED - Fees are not Refundable
COMMERCIAL CIVIL PLAN REVIEW FEE (DOES NOT INCLUDE BUILDING)	\$500.00 + 1% OF TOTAL PROJECT COST	PLUS 1% OF TOTAL PROJECT COST
COMMERCIAL CIVIL PLAN 3rd RECHECK	\$350.00	APPLIES AFTER 2ND REVIEW. RE-CHECK FEE VALID FOR EACH 2 SUBSEQUENT REVIEWS
COMMERCIAL LANDSCAPE REVIEW FEE (INCLUDES HARDSCAPE, SOFTSCAPE, IRRIGATION)	\$500.00 + 1% of Total Project Cost	PLUS 1% OF TOTAL PROJECT COST
SIGN PLAN REVIEW (MONUMENT / BILLBOARD REQUIRES ENGINEER APPROVAL)	\$350.00	REQUIRES LICENSED ENGINEER APPROVAL
DRAINAGE REPORT REVIEW FEE - 0 TO 100 ACRES	\$3,500.00	UP TO 2 REVIEWS (DUPLICATE FEES AFTER 2 REVIEWS)
DRAINAGE REPORT REVIEW FEE - OVER 100 ACRES	\$3,500.00	PLUS \$10.00 PER ADDITIONAL ACRE (UP TO 2 REVIEWS, DUPLICATE FEES AFTER 2 REVIEWS)
TRAFFIC IMPACT ANALYSIS REVIEW FEE (CATEGORY 1)	\$250.00	CIVIL ENGINEER
TRAFFIC IMPACT ANALYSIS REVIEW FEE (CATEGORY 2)	\$1,000.00	CIVIL ENGINEER
TRAFFIC IMPACT ANALYSIS REVIEW FEE (CATEGORY 3)	\$2,000.00	CIVIL ENGINEER
TRAFFIC IMPACT ANALYSIS REVIEW FEE (CATEGORY 4)	\$3,000.00	CIVIL ENGINEER
CIVIL - FILL/ CLEARING/GRADING/DRAINAGE/WATER/SEWER/PAVING	\$500.00 + 2% of total civil project cost	PLUS 2% OF TOTAL CIVIL PROJECT COSTS
COMMERCIAL LANDSCAPE PERMIT FEE (INCLUDES HARDSCAPE, SOFTSCAPE & IRRIGATION)	\$500.00 + 2% of total civil project cost	PLUS 2% OF TOTAL PROJECT COST
AFTER HOURS INSPECTIONS (AND WEEKEND HOURS INSPECTIONS) - CIVIL ONLY	\$100.00 per hour, minimum 4 hours	MINIMUM 4 HOURS

THIS LIST OF FEES IS not ALL INCLUSIVE, please contact the Permitting Office for fee information on your project.
409-938-9219 or EMAIL: permits@cityoflamarque.org



In observance of Good Friday

all City buildings

will be closed on

March 29, 2024

We will resume regular hours on

Monday April 1, 2024

Non- Emergency calls: 409-938-9269

Spring Cleanup

FREE FOR ALL
THE CITIZENS OF
LA MARQUE

APRIL 13, 2024
4916 FM 1765
LA MARQUE, TEXAS
8:00AM - 2:00PM



- Yard debris
- Beds & mattresses
- Anything non-hazardous you can fit in the bins.
- Document shredding



- Gas cans
- Batteries (car/regular)
- Flammable or combustible items
- Paint cans (unless empty or dry)

1

Load shredding or bulk items.

2

Deliver items and be prepared to unload.



Texas City
EST. 1911

LA  MARQUE
EST 1953
KEEP LA MARQUE BEAUTIFUL

2024 GREAT AMERICAN N CLEANUP

WHEN: SATURDAY, MAY 11

WHERE: TEXAS AVE (FM 1765) FROM HWY 3 TO I-45

CHECK IN: 8:30AM - EVENT FROM 9AM - NOON

VOLUNTEERS NEEDED



SCAN HERE TO SIGN UP



Keep Texas
Beautiful
KEEP AMERICA BEAUTIFUL AFFILIATE



KEEP TEXAS CITY
Beautiful

CALL 409-643-5730 OR
EMAIL COMMUNITYDEVELOPMENT@TEXASCITYTX.GOV