

AGENDA

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Public Hearing/Regular Meeting on Monday, February 13, 2012 at 6:00 p.m. at 1109-B Bayou Road for purpose of considering the following agenda:

(1) CALL MEETING TO ORDER

(2) ROLL CALL

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation – Sister Joyce Ford- St. Paul's Missionary Baptist Church

(4) APPROVAL OF MINUTES (1-4)

- a. Workshop Meeting – January 23, 2012
- b. Regular Meeting- January 23, 2012

(5) CITIZEN'S PARTICIPATION

Comments from the Public (At this time, any person with city-related business who has signed up may speak to Council (limited to three (3) minutes). In compliance with Texas Open Meeting Act the City Council 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.

(6) PUBLIC HEARING

- a. Public Hearing - Ordinance **No.1057** providing for the vacating, abandonment, and closing of a portion of Avenue A and Avenue D located within the City of La Marque, Texas

(7) OLD BUSINESS (5-62)

- a. Discussion/possible action of Ordinance **No.1057** on the proposed abandonment of a portion of Avenue A and Avenue D. This is the second reading.
- b. Discussion/possible action on appointments to City Boards & Commissions
 - 1. Board of Adjustment
 - 2. Building and Standards Commissioners
 - 3. Cemetery Board
 - 4. Civil Service Commission
 - 5. Clean City Commission
 - 6. Economic Development Board
 - 7. Electrical Board
 - 8. Library Board
 - 9. Parks Board
 - 10. Planning & Zoning Commission
 - 11. Plumbing Board
 - 12. Public Safety Commission

(8) NEW BUSINESS (63-115)

- a. Discussion/possible action of Resolution No. **R-2012-1173** authorizing Galveston County Mosquito Control District to provide aerial spraying over its territory for the abatement of mosquitoes
- b. Discussion/possible action of Resolution No. **R-2012 1174** calling for the 2012 General Election to be held May 12, 2012
- c. Discussion/possible action authorizing the City Manager to enter into a joint election agreement between the City of La Marque and La Marque ISD for the General Election to be held May 12, 2012

- d. Discussion/possible action of an appointment to the Galveston County Community Action Board in accordance with Texas Department of Housing and Community Affairs (TDHCA)
- e. Discussion/possible action on approval of Fiscal Year Budget Amendments
- f. Discussion/possible action on approving expenditures for city vehicles and equipment in the amount of \$270,915.27
- g. Discussion/possible action on a purchase order to O'Reilly Auto Parts for repair and service parts for all city vehicles and miscellaneous supplies
- h. Discussion/possible action –Resolution No. **R-2012-1175** in support of the proposed The Tribute Apartments, approving an application for tax credits and home funds to finance such project, providing an effective date

(9) CITY MANAGER REPORT – No Council Action Necessary

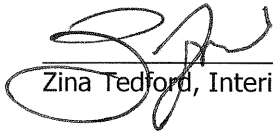
(10) REQUESTS AND ANNOUNCEMENTS

- a. Requests by Mayor and Council Members for items to be placed on future City Council agendas and announcements on city events/community interests

(11) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted on the bulletin board outside Council Chambers, 1109-B Bayou Road, La Marque, Texas before 5:00 p.m. on this **10th day of February 2012.**



Zina Tedford, Interim City Clerk

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● This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or
● interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's office at (409) 938-
● 9203, or Fax (409) 935-0401, or e-mail cityclerk@ci.la-marque.tx.us for further information.
●

**MINUTES
WORKSHOP
January 23, 2012**

Mayor Hocking called the Workshop Meeting to order at 4:00 p.m.

PRESENT:

Councilmember Brown
Councilmember Trube
Councilmember Osteen
Mayor Hocking

ABSENT:

Mayor Pro-Tem Bell (arrived 4:03 p.m.)

Discussion on appointments to following City Boards and Commission:

1. Board of Adjustments
2. Building and Standards Commissioners
3. Cemetery Board
4. Civil Service Commission
5. Clean City Commission
6. Economic Development Board
7. Electrical Board
8. Library Board
9. Park Board
10. Planning & Zoning Commission
11. Plumbing Board
12. Public Safety Board

City Council discussed each of the boards and commissions, vacancies, filling of vacancies and possibility of combining several of the boards.

There was discussion regarding the possible deletion of the Electrical and Plumbing Boards. Electrical Board has not met since 2009. If members of these boards were interested in serving, may be able to serve on another commission.

A suggestion was presented in combining the Clean City Commission and the Cemetery Board. Councilmember Osteen stated that the Cemetery Board was doing a great job in the upkeep of the cemetery and would not like to lose those individuals.

During discussions regarding the Economic Development Board, Councilmember Osteen stated that he would like to see an councilmember on this board. In the past, a councilmember has served on this board. It was the consensus that staff will research what steps would be necessary to add a 6th individual to the Board.

Mayor and Council will review the vacancies within their respective districts and have recommendations at the next meeting.

The meeting adjourned at 5:49 p.m.

Bobby Hocking, Mayor

Attest: _____
Zina Tedford
Interim City Clerk

**MINUTES
REGULAR CITY COUNCIL MEETING
January 23, 2012**

(1) CALL MEETING TO ORDER

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

(2) ROLL CALL

Councilmember Brown
Councilmember Trube
Councilmember Osteen
Mayor Pro-Tem Bell
Mayor Hocking

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Feigle led the Invocation and Mayor Hocking followed with the Pledge of Allegiance to the Flag.

(4) APPROVAL OF MINUTES

a. Regular Meeting- January 9, 2012

Mayor Pro-Tem Bell made a motion to approve the minutes of the Regular Meeting, January 9, 2012.
Councilmember Trube seconded. The minutes passed unanimously.

(5) CITIZEN'S PARTICIPATION

Comments from the Public (At this time, any person with city-related business who has signed up may speak to Council (limited to three (3) minutes). In compliance with Texas Open Meeting Act the City Council 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.

Ms. Geraldine Sam – addressed City Council regarding her concerns on increase in crime and appointments to the Boards and Commissions.

(6) PRESENTATIONS

a. Introduction - new employees

Public Works Superintendent Morgan introduced Paul Brown and Leonard Tottenham to City Council.
Chief Aragon introduced David Hunter as the newest member of the La Marque Police Department.

(7) OLD BUSINESS

a. Discussion/possible action on appointments to the Following Boards and Commissions

1. Board of Adjustments
2. Building and Standards Commissioners
3. Cemetery Board
4. Civil Service Commission
5. Clean City Commission
6. Economic Development Board
7. Electrical Board
8. Library Board
9. Park Board
10. Planning & Zoning Commission
11. Plumbing Board
12. Public Safety Board

Mayor Pro-Tem Bell made a motion to table this item. Councilmember Osteen seconded the motion. The motion passed unanimously.

ZT

BH

(8) NEW BUSINESS

Discussion/possible action of Ordinance **No.1057** on the proposed abandonment of a portion of Avenue A and Avenue D as described in Items a and b below. This is the first reading.

a. Discussion/possible action on the proposed abandonment of a tract comprising all of that certain 60 foot right-of-way of Avenue A lying between the East line of the South one half of lot 13, all of lots 14 thru 18 and west line of the South one half of lot 44, all of lots 39 thru 43 of Orchard Place Subdivision (Volume 92, Page 462, Galveston County Deed Records) in the J.R. Pace Survey, A-161 more particularly described by metes and bounds.

b. Discussion/possible action on the proposed abandonment of a tract comprising all of that certain 40 foot right-of way of Avenue D lying between lots 14 and 15 of Orchard Place Subdivision (Volume 92 Page 462, Galveston County Deed Records) and lots 48 and 49 of Alta Loma Subdivision (Volume 3, Page 7 Galveston County Map records) Volume 113, Page 9 Galveston County Deed Records) Galveston County, Texas, more particularly described by metes and bounds.

Mayor Pro-Tem made a motion to approve Ordinance No. 1057 for the first reading. Councilmember Osteen seconded. The motion passed unanimously.

c. Discussion/possible action on a re-plat of tracts 5 and 8 of La Marque Center Subdivision, a Subdivision in Galveston County Texas According to the plat recorded in film code 20110844323 Mayor Pro-Tem Bell made a motion to accept the a re-plat of tracts 5 and 8 of La Marque Center Subdivision, a Subdivision in Galveston County Texas according to the plat recorded in film code 20110844323. Councilmember Trube seconded. Motion passed unanimously.

d. Discussion/possible action on Quarterly Investment Report for period ending December 31, 2011 as required by City Investment Policy.

Finance Director Cooper presented the Quarterly Investment Report for period ending December 31, 2011. As Ms. Cooper indicated on her report there is a decline of approximately \$276,112 from December 31, 2011 as compared to September 30, 2011. This is due to day to day operations and that the bulk of property tax revenues have not been received until January 2012. This is a normal trend during the first quarter of each year.

Mayor Pro-Tem Bell made a motion to accept the Quarterly Investment Report for period ending December 31, 2011. Councilmember Trube seconded. The motion passed unanimously.

(9) CITY MANAGER REPORT – No Council Action Necessary

Councilmember Osteen stated the report (pg 188) indicates there are accounts over 210 days old and the city is owed approximately 3.4 million dollars. Councilmember Osteen asked for the reason and if the city will be able to collect these funds. Ms. Cooper stated some of the accounts are old, have been denied by insurance and Medicare. Ms. Cooper also informed Council that the past due accounts is from the contract's origination date. It may be possible for a collection agency to collect. Councilmember Osteen asked when the contract will expire. City Manager Buttler informed Council that the contract is expired and staff's course of action is to perform an internal audit and prepare to solicit for proposals.

Mayor Pro-Tem Bell stated it is how the narratives are worded. The computer picks up key words that trigger amounts to be paid. At one time, we had an EMS Coordinator on staff that reviewed the narratives to ensure proper billing.

Councilmember Osteen asked Ms. Cooper to indicate on the report where council expenses are recorded. Ms. Cooper stated that council expenses are encompassed within the city manager's expenses. Councilmember Osteen asked Ms. Cooper to separate the expenses.

Councilmember Trube questioned the fire ban.

City Manager Buttler- We had some rain, but it does not mean that conditions are safe enough to allow burning. Drought restrictions are still in effect.

ZT

BH

Mayor Pro-Tem Bell – stated that Council had requested the current emergency procedures be placed on the agenda for consideration.

Ms Pierce, Emergency Management Coordinator, stated that the finished product is not in place. The City has currently adopted the county plan and is working to establish a City of La Marque Disaster Plan which will include a multi-step plan for citizen notification in the event of a disaster.

City Manager Buttler stated that when the finished product is ready, Council will have the opportunity to review/adopt the procedures.

Mayor Hocking – commented on the involuntary demolitions and understands that it is an on-going process, but asked if staff is making those individuals aware there are grant funds available. Ms. Tims stated that staff has prepared information that will be given to the public.

(10) REQUESTS AND ANNOUNCEMENTS

- a. Requests by Mayor and Council Members for items to be placed on future City Council agendas and announcements on city events/community interests

Councilmember Brown thanked staff for their work on Boards and Commissions.

Thanked Kyle Hunter, Alex Getty and Chief Aragon for going to the Appraisal District.

Councilmember Trube – stated that it had been a productive day. Councilmember Trube informed City Manager Buttler that she preferred the more detailed reports from the departments.

Councilmember Osteen – commented on Mr. Brown and computer training.

Mayor Pro-Tem Bell – congratulated and welcomed the new city employees. Mayor Pro-Tem Bell also stated that he preferred the more detailed reports. The reports enable Council to get a better overview of what is occurring within the city.

Mayor Hocking- stated that this City Council has been very productive in the last 7 months. Mayor thanked each of the Councilmembers for all they do for their respective districts as well as the city as a whole. Mayor Hocking also informed the public that filing for the general election will start Feb 4th. The terms expiring are District A, currently held by Mayor Pro-Tem Bell, District C, and currently held by Councilmember Trube and Mayor.

(11) ADJOURNMENT

Councilmember Osteen moved to adjourn the meeting. Mayor Pro-Tem Bell seconded. The meeting adjourned at 7:15 p.m.

Bobby Hocking, Mayor

Zina Tedford, Interim City Clerk

ZT

BH



CITY COUNCIL AGENDA FORM

Meeting Date: 2-13-12

Agenda item: 7a

Prepared by: zt

Reviewed by: 

Department: Administration

AGENDA ITEM DESCRIPTION:

a. Discussion/possible action of Ordinance **No.1057** on the proposed abandonment of a portion of Avenue A and Avenue D. This is the second reading.

☒ **Attachments for Reference**

Staff Briefing:

History (if applicable):

Using city ordinances as a guide, the City recommended that R.C. Chuoke & Associates, Inc. perform an appraisal of the road sections for abandonment to determine market value. Petitioner pays the expense of the appraisal. Market value is estimated at a total of \$19,380.00. If approved for the second reading, the next step is preparation of the quitclaim deed.

The first reading of this ordinance was held January 23, 2012. As per City Charter, Section 2.17, after passage on first reading, it shall be published at least once in the official newspaper of the City of La Marque, together with a notice of the time and place it will be given a public hearing and be considered for final passage. The proposed ordinance was published January 25, 2012.

Target Implementation:

Significant Action Dates:

Action:

- | | |
|---|---|
| ☒ Ordinance | ☐ Resolution |
| ☐ Proclamation | ☐ Special Presentation |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other | |

Cost Details:	
Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name	
Line Item #	
Other Funding	

ORDINANCE NO. 1057

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS
PROVIDING FOR THE VACATING, ABANDONMENT, AND
CLOSING OF A PORTION OF AVENUE A AND AVENUE D
LOCATED WITHIN THE CITY OF LA MARQUE, TEXAS

WHEREAS, the City Council of the City of La Marque, Texas, finds that said portion of Avenue A described in Exhibit A and said portion of Avenue D described in Exhibit B were at one time dedicated and available as public thoroughfares.

WHEREAS, other portions of Avenues A and D have previously been abandoned making both Avenues A and D no longer available as thoroughfares for use by the public.

WHEREAS, there is no longer any public need for the City of La Marque, Texas to retain ownership of nor to perform maintenance on said portions of Avenues A and D.

WHEREAS, on December 9, 2011 Republic Services filed a Petition for Abandonment with the City of La Marque, Texas, in accordance with La Marque City Code of Ordinances, Section 56-4.

WHEREAS, on January 12, 2012 the Planning and Zoning Commission of the City of La Marque, Texas recommended approval of the Petition filed by Republic Services.

WHEREAS, the burden of continued maintenance and the risk of liability which would be incurred by the City of La Marque, Texas exceed any benefit to the City of La Marque, Texas from continued ownership.

WHEREAS, Republic Services has agreed to fulfill its obligations under Section 56-4 of the City of La Marque, Texas' Code of Ordinances including payment to the City of La Marque, Texas of the fair market value of the abandoned portions of Avenues A and D as a precondition of its receipt of a quitclaim deed memorializing the abandonment.

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

That the portion of Avenue A described in Exhibit A is hereby vacated, abandoned and closed to be sold to Republic Services via quitclaim deed in exchange for payment to the City of La Marque, Texas an amount equal to the fair market value of Avenue A.

That the portion of Avenue D described in Exhibit B is hereby vacated, abandoned and closed to be sold to Republic Services via quitclaim deed in exchange for payment to the City of La Marque, Texas an amount equal to the fair market value of Avenue D.

PASSED AND APPROVED on the first reading the ____ day of _____, 2012.

PASSED AND APPROVED on the second and final reading this the ____ day of _____, 2012.

Bobby Hocking, Mayor
City of La Marque, Texas

ATTEST:

Zina Tedford, Interim-City Clerk

Approved as to form:

Ellis Ortego, City Attorney

Exhibit A

Tract 2:

Being a 4.257 acre (185,450 sq. ft.) tract comprising all of that certain 60 foot wide right-of-way of Avenue A lying between the East line of the South one-half of Lot 13, all of Lots 14 thru 18 and the West line of the South one-half of Lot 44, all of Lots 39 thru 43 of Orchard Place Subdivision (Volume 92, Page 462, Galveston County Deed Records) in the J.R. Pace Survey, A-161 and being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof.

Exhibit B

Tract 1:

Being a 0.911 acre (39,663 sq. ft.) tract comprising all of that certain 40 foot wide right-of-way of Avenue D lying between Lots 14 and 15 of Orchard Place Subdivision (Volume 92, Page 462, Galveston County Deed Records) and Lots 48 and 49 of Alta Loma Subdivision (Vol. 3, Pg. 7, Galveston County Map Records)(Vol. 113, Pg. 9, GCDR), Galveston County, Texas and being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof.

R.C. Chuoke & Associates, Inc.

Appraisers & Consultants

P.O. Box 1447
League City, Texas 77574

Office- 281-338-9633
Fax- 281-338-9533

February 3, 2012

Mr. Harold Barber
Republic Services
13630 Fondren
Houston, Texas 77058

RE: Restricted Use appraisal regarding the Market Value of portions Avenue A and Avenue D in the Orchard Place First Addition to Hitchcock, located in the city of La Marque, Galveston County, Texas.

Dear Mr. Barber:

In accordance with your request, I have reviewed the following described property for the purpose of estimating its current Market Value as of the date of this appraisal report in fee simple title.

BRIEF LEGAL DESCRIPTION OF PROPERTY

Tract 1 - Avenue A- Known as +-4.257 acre or 185,450 square foot tract of land located out of a portion of the existing Avenue A which is a 60 foot wide road right of way and further described in addenda.

Tract 2 - Avenue D- Known as +-0.911 acre or 39,663 square foot tract of land located out of a portion of the existing Avenue D which is a 40 foot wide road right of way and further described in addenda. (See Survey and Metes & Bounds Description in addenda to the report).

I hereby certify that I have made a limited inspection of the property described on February 1, 2012 and that all data gathered by my investigation is from sources believed reliable and true.

It should clearly be understood that this letter only constitutes an abbreviated appraisal report format with a statement of the final value and that does not presume to be the complete analysis of the subject property nor

...Page 2...

a complete appraisal and is subject to the preparation of the full narrative appraisal report. At our client's request, the results of our investigation and analyses are being presented via a Restricted Appraisal Report Format as permitted by Standard 2-2c. A file memorandum is maintained in our office for review.

According to Standards Rule 2-2(c) a Restricted Appraisal Report should have these minimum requirements:

- Describe the extent of the process, collecting, confirming and reporting data.
- State all assumptions and limiting conditions that affect the analyses, opinions and conclusions.
- State the appraisal procedures followed, state the value conclusion and reference the existence of specific file information in support of the conclusion.
- State the appraiser's opinion of highest and best use of the real estate, when such an opinion is necessary and appropriate.
- State the exclusion of any of the usual valuation approaches.
- Contain a prominent use restriction that limits reliance on the report to the client and warns that the report cannot be understood properly without additional information in the work file of the appraiser, and clearly identify and explain permitted departures from the specific guidelines of Standard 1.
- Include a signed certification in accordance with Standards Rule 2-3.

Scope of Report. Per agreement with the client, the scope of this report was limited to a restricted appraisal format. The methodology of the analysis included the Direct Sales Approach. The Income Approach and Replacement Cost Approach to value were not used in this appraisal update. The appraiser did not make a physical inspection of the subject tracts. The adjacent properties to the subject tract were inspected from existing public streets as well as a review of aerial maps and surveys. In terms of analysis, the appraiser(s) obtained and reviewed the current land sales data and then compared this data to the subject property, making adjustments for any differences where applicable. In terms of data collection, the appraiser reviewed office data files, commercial sales Galveston County ROW data, and Central Appraisal District data, as well as having conversations within the

local market area. It should clearly be understood that this restricted letter appraisal only constitutes a "summarized" statement of the market value and that it does not presume to be the complete analysis of the subject property nor the complete appraisal and it may not be properly understood without all of the file data.

Property Data. The subject properties consists of portions of two existing street right of ways. Per the site plan provided Tract 1 is a +-4.257 acre or 185,450 square foot tract of land located out of a portion of the existing Avenue A which is a 60 foot wide road right of way. Tract 2 is a +-0.911 acre or 39,663 square foot tract of land located out of a portion of the existing Avenue D which is a 40 foot wide road right of way. These tracts are non-paved road right of ways located in central Galveston County and area south of FM 1764 in the city limits of La Marque. These two tracts are located in the confines of the Galveston County Landfill facility which contains a total of +-470.00 acre tract of land.

Highest & Best Use. Due to the shape and configuration of the subject property, the Highest & Best Use is considered to be an internal roadway or for use in conjunction with the adjacent property(s).

Intended Purposes/User. This report is not intended to be a self-contained or a complete appraisal report and cannot be properly understood without the file data located in the appraiser's office. Further, while it is not intended to be used for estimating collateral worth for loan underwriting by federally insured financial institutions. This appraisal is intended to be used only by the addressee/client for their own internal use. Any other use of this report is prohibited unless otherwise specified. The client/intended user is the Galveston County Landfill only.

Estimated Exposure and Marketing Time. The estimated exposure time and marketing time are 12 months.

Effective Date of Report: February 3, 2012

Effective Date of Appraisal: February 1, 2012

Property History. The subject property is not reported to be under contract or listed for sale at the present time. No sale of the subject property has taken place over the past 36 months per CAD data.

Market Data. The subject neighborhood was researched for comparable land sales which could be used in comparison to the subject property. Unit values for the comparable land sales appear to have wide range of between \$2,500 per acre to over \$10,000 per acre depending on various factors such as location, tract

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size and shape, frontage, utilities, etc. In making adjustments to the comparable sales some considerations were given in these adjustments for the subject property's location within the operating landfill, its limited accessibility and its limitations due to its size and shape.

After a review of the comparable sales a unit value of \$3,750 per acre was indicated for the subject property. Therefore:

Tract 1 - Avenue A- 4.257 Acres/185,450 SF X \$3,750/Acre = \$15,964

Tract 2 - Avenue D- 0.911 Acres/39,663 SF X \$3,750/Acre = \$3,416

Total Indicated Value of Tracts 1 and 2 = \$19,380

Conclusion. In my opinion, the total estimated "Market Value" of the property described above is as follows:

ESTIMATED MARKET VALUE: \$19,380

Respectfully Submitted,



Chris Chuoke, President
R.C. CHUOKE & ASSOCIATES, INC.

MARKET VALUE DEFINED

According to the definition contained in the *Glossary of USPAP*, "**Market Value**" is defined as "The most probable price in terms of money which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus." Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- Buyer and Seller are typically motivated.
- Both parties are well informed or well advised and each acting in what they consider their own best interest.
- A reasonable amount of time is allowed for exposure in the open market.
- Payment is made in cash in U.S. dollars or in terms of financial arrangements comparable thereto;
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

APPRAISER'S CERTIFICATION

We certify that, to the best of our knowledge and belief:

That the statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.

We have no present or prospective interest in the property that is the subject of this report, and we have no personal interest with respect to the parties involved.

We have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.

Our engagement in this assignment was not contingent upon developing or reporting predetermined results.

Our compensation for completing this assignment was not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result or the occurrence of a subsequent event directly related to the intended use of this appraisal.

The reported analyses, opinions and conclusions were developed and this report has been prepared, in conformity with the requirements of Uniform Standards of Professional Practice ("USPAP").

No other persons provided significant real property appraisal assistance to the persons signing this certification.

The appraiser(s) have made a personal inspection of the property that is the subject of this report.

A handwritten signature in dark ink, appearing to read 'CP Chuoke', is written over a horizontal line.

Chris Chuoke, President
STATE CERTIFIED GENERAL
REAL ESTATE APPRAISER, TX-1321347-G

CONTINGENT AND LIMITING CONDITIONS

- 1) The legal description furnished is correct.
- 2) The title to the property is good and marketable.
- 3) No responsibility for legal matters is assumed.
- 4) It is assumed that the property is free and clear of indebtedness of all taxes and assessments that have been paid.
- 5) Possession of this report does not carry with it the right of public nor may it, or any part thereof, be used by anyone but the applicant without the previous written consent of the appraiser.
- 6) Sketches and maps included in this report are to assist the reader to visualize the property, and responsibility is not assumed as to their accuracy as I have made no survey of the property.
- 7) No part of this appraisal shall be used in conjunction with any other appraisal, and all opinions expressed herein are invalid if so used.
- 8) We believe the information in this report to be reliable if furnished by others, but we assume no responsibility for its accuracy.
- 9) We are not required to give testimony or to appear in court by reason of this appraisal, with reference to the property in question, unless arrangements have been made previously.
- 10) Upon inspection of the subject property, no evidence of hazardous wastes were noted and, if hazardous wastes are found on the property, it may affect the value of the site. This appraisal has been made under the assumption that the subject property does not have potentially hazardous waste deposits.
- 11) Any lease, agreements or other written or verbal representations and/or communications and information received by the appraiser(s) have been reasonably relied upon in good faith but have not been analyzed for their legal implications. We urge and caution the user of this report to obtain legal counsel of his/her own choice to review the legal and factual matters, and to verify and analyze the underlying facts and merits of any investment decision in a reasonably prudent manner.

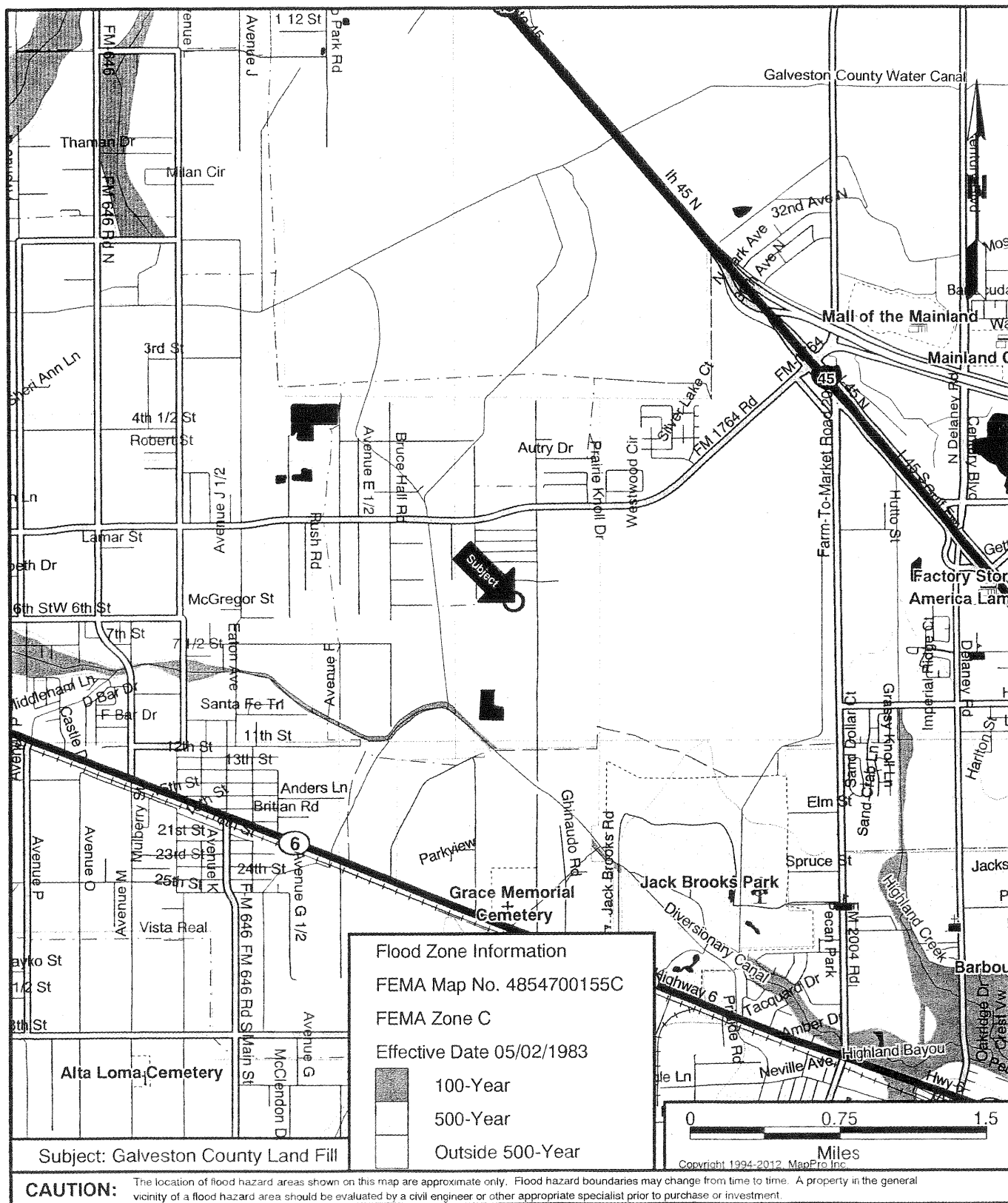
- 12) No soil or subsoil data or analysis based on engineering core borings or other tests were furnished to us. We have assumed that there are no subsoil defects present that would impair development of the land to its maximum permitted use or would render it more or less valuable. No responsibility is assumed for engineering which might be required to discover such factors.
- 13) The projections of income, expenses, terminal values or future sales prices are not predictions of the future, rather, they are the best estimate of current market thinking of what the future trends will be. No warranty or representations is made that these projections will materialize. The real estate market is constantly changing. It is not the task of the appraiser to estimate the conditions of a future real estate market, but rather to reflect what the investment community envisions for the future, and upon what assumptions the future investment decisions are based.
- 14) The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have NOT made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the ADA. It is possible that a detailed survey of the subject property would reveal that the subject property is not in compliance with the ADA.

Special Report Conditions, Appraiser's Liability & Limitations and Client Agreements.

The acceptance of this report and its use by the Client in any manner whatsoever or for any purpose is acknowledgement by the client that the designated recipient, participant or assignee has personally read the report and specifically agrees that the data herein is accurate to the best of the appraiser's ability. This report remains the personal property of the signer and may not be transmitted or relied on by any third party without the signer's written permission. (Permission is granted to a participating bank). It is agreed that the appraiser's responsibility does not extend to any third party under any circumstances whatsoever. As an amendment to the Appraiser/Client agreement, the Client agrees to read the appraisal and agrees to notify the Appraisal firm of any objections, errors, omissions or invalid data herein within 15 days of receipt of this report and return all copies of report to appraiser for correction prior to use whatsoever. Under no circumstances shall the Company's or any Appraiser's liability exceed the fee actually collected for this report and then only in case of a gross error(s) which would have materially affected the appraisal's value indication as of the date of the valuation. By acceptance of this report by the client, the client acknowledges the foregoing statements and also acknowledges that a value opinion is the product of company which produces an opinion not a provable fact. As a personal opinion, valuations may vary between Appraisers based on the same facts. The client agrees that the signer(s) of this appraisal have done so solely as employee(s) of R.C. Chuoke & Associates and not individually.

ADDENDA

FLOOD PLAIN MAP



SURVEY

LEGAL DESCRIPTION

Being a 0.911 acre (39,663 sq. ft.) tract comprising all of that certain 40 foot wide right-of-way of Avenue D lying between Lots 14 and 15 of Orchard Place Subdivision (Volume 92, Page 462, Galveston County Deed Records) and Lots 48 and 49 of Alta Loma Subdivision (Vol. 3, Pg. 7, Galveston County Map Records)(Vol. 113, Pg. 9, GCDR), Galveston County, Texas and more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with cap set for the Southeast corner of this 0.911 acre tract, the Southwest corner of said Lot 15 and the Northeast corner of that certain 2.309 acre street abandonment on March 14, 1996 (GAC 9610712).

THENCE S 88° 06' 14" W along the North line of said 2.309 acre tract a distance of 40.00 feet to a 5/8 inch iron rod with cap set for the Southwest corner of this 0.911 acre tract.

THENCE N 01° 53' 46" W along the West right-of-way line of Avenue D and the East boundary line of said Lots 48-49 a distance of 991.54 feet to a 5/8 inch iron rod found for the Southeast of that certain Galveston County 0.8675 acre tract (Tract 2) (GAC 9610712) and the Northwest corner of this 0.911 acre tract.

THENCE N 88° 01' 27" E a distance of 40.00 feet to a 5/8 inch iron rod found for the Southwest corner of that certain Galveston County 0.0950 acre tract (Tract 1) (GAC 9610712) and the Northeast corner of this 0.911 acre tract.

THENCE S 01° 53' 46" E along the East right-of-way line of Avenue D and the West boundary line of Lots 14 and 15 a distance of 991.60 feet to the POINT OF BEGINNING.

SURVEYED ON THE GROUND: October 27, 2011

BEARINGS BASED ON TEXAS COORDINATE SYSTEM, NAD83, SCZ

MARTIN SURVEY ASSOCIATES, INC.

Kevin A. Olson

Texas Registered Professional Surveyor No. 4524

Gc0.911acstreetclosing.doc

Being a 4.257 acre (185,450 sq. ft.) tract comprising all of that certain 60 foot wide right-of-way of Avenue A lying between the East line of the South one-half of Lot 13, all of Lots 14 thru 18 and the West line of the South one-half of Lot 44, all of Lots 39 thru 43 of Orchard Place Subdivision (Volume 92, Page 462, Galveston County Deed Records) in the J.R. Pace Survey, A-161 and more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with cap set for the Southeast corner of this 4.257 acre tract, the Southwest corner of Lot 39 and the Northeast corner of that certain 1.548 acre street abandonment on March 14, 1996 (GAC 9610712).

THENCE S 88° 06' 03" W along the North line of said 1.548 acre tract a distance of 60.00 feet to a 5/8 inch iron rod with cap set for the Southwest corner of this 4.257 acre tract and the Southeast corner of Lot 18.

THENCE N 01° 53' 28" W along the West right-of-way line of Avenue A and the East boundary line of Lots 13-18 a distance of 3090.86 feet to a 2" brass disk found for the Northwest corner of this 4.257 acre tract.

THENCE N 88° 09' 08" E a distance of 60.00 feet to a 5/8 inch iron rod with cap set for the Northeast corner of this 4.257 acre tract and from which a 2" brass disk found marking the Northwest corner of Lot 45 bears N 01° 53' 28" W – 842.50 feet.

THENCE S 01° 53' 28" E along the East right-of-way line of Avenue A and the West boundary line of Lots 39-44 a distance of 3090.80 feet to the POINT OF BEGINNING.

SURVEYED ON THE GROUND: October 27, 2011

BEARINGS BASED ON TEXAS COORDINATE SYSTEM, NAD83, SCZ

MARTIN SURVEY ASSOCIATES, INC.

Kevin A. Olson

Texas Registered Professional Surveyor No. 4524

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QUALIFICATIONS OF APPRAISER

CHRIS CHUOKE

Chris Chuoke has been engaged in the real estate appraisal profession since 1978, he is currently president of R.C. Chuoke & Associates, Inc. The scope of work has included real estate appraisals, real estate sales, and development. Experience in real estate appraisals include light industrial properties, commercial, retail, office buildings, some special purpose properties as well as single family houses, duplexes, and condominium/townhouse units and apartments. Additionally there is experience in right of way appraisals and condemnation and has been approved as an expert witness in both Harris and Galveston Counties. Listed below are some of the clients served:

CORPORATE

Pollo Loco Restaurants
Exxon/Mobil Land Management
Exxon Pipeline Company
South Shore Harbour Development
Pizza Inns, Inc.
Rockwell Space Operations, Inc.
CAE-Link Corporation
Nisseki Chemical

BANK

Moody National Bank
Bank of America
Sterling Bank
Regions Bank
Heritage Bank
Texas Advantage Community Bank
Amegy Bank
Patriot Bank
Prosperity Bank
Frost National Bank
Hometown Bank
Zions Bank
Texas Citizens Bank
First Bank
Express Bank
Prosperity Bank
JSC Federal Credit Union
Corporation

RELOCATION

Fidelity Relocation Services
Cendant Relocation
Prudential Relocation
Summit Relocation

GOVERNMENTAL

City of La Porte
Galveston County
City of Kemah
City of League City
City of Webster
City of Seabrook
SBA
City of El Lago
University of Houston-C Lake
City of Friendswood
TXDOT

MORTGAGE COMPANIES

Regions Mortgage
Federal Home Loan Mortgage
Amegy Mortgage
SWBC Mortgage
Home Trust Mortgage

EDUCATION

Bachelor of Business Administration, 1977, University of Houston at Clear Lake

PROFESSIONAL AFFILIATIONS

Texas Real Estate Brokers License, 1977, #216958
Certified Texas Real Estate Appraisers # TX- 1321347-G
Texas Associations of Realtors
National Association of Realtors
Gulf Coast Board of Realtors



CITY COUNCIL AGENDA FORM

Meeting Date: 2-13-12

Agenda item: 7b

Prepared by: zt

Reviewed by: 

Department: Administration

AGENDA ITEM DESCRIPTION:

b. Discussion/possible action on appointments to City Boards & Commissions. The list indicates that many of the terms have expired.

1. Board of Adjustment

There are 4 vacancies

Two (2) Boardmembers to be appointed by Districts B & C

Two (2) Alternates to be appointed by Districts D & B

2. Building and Standards Commissioners

Discussion was to move Mr. Augustino Molis to Commission –District A

and appoint a Master Plumber as Alternate - District C

3. Cemetery Board

There was discussion regarding a resignation of Ms. Manual. As of this date, staff has not received a resignation.

4. Civil Service Commission

5. Clean City Commission

General discussion regarding active participation of the Board.

6. Economic Development Board

Discussion involved increasing the number of Boardmembers and what it would entail. Staff will forward information to Council.

7. Electrical Board

Possible deletion of this Board.

8. Library Board

Three (3) vacancies to be appointed by Districts A, B & D.

9. Park Board

Discussion regarding residency requirements.

10. Planning & Zoning Commission

One (1) vacancy to be appointed by District D and confirmation of Mr. Kantowski's availability.

11. Plumbing Board

Possible deletion of this Board.

12. Public Safety Board

Three (3) vacancies to be appointed by Mayor and Districts A & C.



CITY COUNCIL AGENDA FORM

Attache ☒ for Reference

Staff Briefing:

During the workshop held January 23, 2012, Council reviewed the list of Boards and Commissions. There was discussion regarding the deletion of the Electrical and Plumbing Board.

History (if applicable):

Target Implementation:

Significant Action Dates:

Action:

- | | |
|---|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Proclamation | ☐ Special Presentation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other | |

Cost Details:	
Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name	
Line Item #	
Other Funding	

Staff's Recommendation

Fiscal Impact:

BOARD OF ADJUSTMENT- ORD. 953 CITY COUNCIL APPT5 MEMBERS AND MAY APPT. 2 ALTERNATE MEMBERS		Two Year Terms	
Charlotte Westerlage	825 Shady Lane	09	D
VACANT			C
Herman Harper	102 Union	09	A
Harold Augustus	1030 Laurel	10	M
VACANT			B
C.J. Leggett - Alternate	1225 Kirsten	09	B
VACANT			D
VACANT			B

<i>Building & Standards Commission—ORD. #459 COUNCIL APPT 5 Members.</i>		Two Year Terms	
Bart Jennings	806 Studio	12	D
Paul Ray Heinrich	63 Middle Borondo	13	B
Trina Phillips	1222 Kirsten	12	M
Billy Jefferson	89 Boronda Reach	12	M
Augustino Molis	Saltgrass Crossing		A
VACANT			C

CEMETERY BOARD –Ord. #1033 CITY COUNCIL APPT. 5 MEMBERS AND ONE EX-OFFICIO (COUNCIL MEMBER)		Two Year Term	
Guadalupe Maldonado	627 Rosedale	10	A
Maggie Manuel	1706 W. Crockett	11	C
Peggy Phillips	2902 Pine Shadows	10	B
Bim Crowder	401 Texas Avenue	11	D
David Pennington/Chairman	924 Cypress	10	M
Ex-Officio (Councilmember) Clent Brown	Appointed 12-12-11		

CIVIL SERVICE COMMISSION –ORD. #821 CITY		Three Year Terms	
COUNCIL APPT. 3 MEMBERS			
Maggie Manual	1706 Crocket	12	City Manager/CC
C. J. Leggett	1225 Kirsten	11	
Bob Beagan/Director	1111 Bayou Road	N/A	
Nancy Leader	2212 Oaklawn Drive	13	

CLEAN CITY COMMISSION ORD. #857 CITY COUNCIL APPT. 7 MEMBERS		Two Year Terms	
Ingrid Selzer	2614 Meadow Lane	10	B
Carlos Flores	509 Wisteria	10	D
Beverly Ferguson	2205 Glendale	10	A
David Pennington	924 Cypress	12	M
Dorothy Jeffcoat	1407 Lamar	11	B
Catherine Polk	620 Studio Drive	11	M
Delores Johnston	1309 Redbud	10	C

<i>ECONOMIC DEVELOPMENT CORP –ORD. #695 COUNCIL APPT.</i>		Six Year Terms	
Ron Crowder	#4 Chimney Corners	14	C
Gene Smith	2110 Evergreen	11	M
Deanie Barrett	2613 Cedar	16	A
James Rex	2114 Evergreen	14	B
Bill Charbonneau	2621 Meadow Lane	14	D

01-27-

TO: Mayor and City Council

FROM: Alex Getty, Economic Development Director

DATE: January 27, 2012

THRU: Carol Buttler, City Manager

SUBJECT: Amendment to Economic Development Corporation Bylaws

In response to the request of the La Marque City Council ("Governing Body") for information regarding the processes involved in expanding the number of board members serving on the La Marque Economic Development Corporation from five (5) members to six (6).

Texas Local Government Code, Chapter 501.062, BOARD OF DIRECTORS

(a) All of the powers of a corporation are vested in a board of directors consisting of **three or more directors appointed by the governing body** of the corporation's authorizing unit.

City of La Marque EDCBylaws, Article II, BOARD OF DIRECTORS, the Board of Directors shall consist of **five (5) Board of Directors, each of whom shall be appointed by the Governing Body**

The significant difference between the Texas Local Government and the La Marque Economic Development Bylaws is the number of Board of Directors.

In order to increase/decrease the number of Board of Directors, the Bylaws must be amended.

As per Article IV, PROVISIONS REGARDING ARTICLES OF INCORPORATION AND BYLAWS,

Section 1. Effective Date. These Bylaws shall become effective only upon occurrence of the following events:

- (1) the approval of these Bylaws by the Governing Body
- (2) the adoption of these Bylaws by the Board of Directors

Section 2 Amendments to Articles of Incorporation and Bylaws

- The Articles of Incorporation may at any time be and from time to time be amended, provided that the Board of Directors files with the Governing Body a written application requesting that the Governing Body approve such amendment to the Articles of Incorporation, specifying in such application the amendment or amendments proposed to be made. If the Governing Body by appropriate resolution finds and determines that it is advisable that the proposed amendment be made, authorizes the same to be made and approves the form of the proposed amendment, the Board

of Directors shall proceed to amend the Articles as provided in the Act (Development Corporation Act of 1979).

- The Articles of Incorporation may also be amended at any time by the Governing Body at its sole discretion by adopting an amendment to the Articles of Incorporation of the Corporation by resolution of the Governing Body and delivering the Articles of Incorporation to the Secretary of State as provided in the Act (Development Corporation Act of 1979).
- These Bylaws may be amended by majority vote of the Board of Directors

Estimated timeline would be approximately three-four months.

**ARTICLE OF INCORPORATION
FOR
LA MARQUE INDUSTRIAL DEVELOPMENT
CORPORATION**

**ARTICLE III:
AMENDING THE AMENDED BYLAWS OF LA
MARQUE INDUSTRIAL DEVELOPMENT
CORPORATION**

Signed: April 1, 1994

By:

Ron Crowder

AMENDED AND RESTATED BYLAWS OF
LA MARQUE INDUSTRIAL DEVELOPMENT CORPORATION
(Effective as of April 1, 1994)

ARTICLE I

POWERS AND PURPOSES

Section 1. Financing of Industrial Development Projects. In order to implement the purposes for which the Corporation was formed as set forth in the Articles of Incorporation, the Corporation shall issue obligations to finance all or part of the cost of one or more "projects" as defined in the Development Corporation Act of 1979, Article 5190.6, Vernon's Annotated Texas Civil Statutes, as amended (the "Act").

Section 2. Conditions Precedent to Issuance of Obligations. The Corporation shall not issue any obligations unless:

- 1) The City Council (the "Governing Body") of City of La Marque (the "Unit") has approved by written resolution, which resolution shall set out the amount and purpose of the obligations, adopted no more than sixty (60) days prior to the date of delivery of the obligations, the resolution of the Corporation providing for the issuance of the obligations; and
- 2) The Attorney General of the State of Texas has approved the obligations and the record of proceedings of the Corporation relating to the authorization of the obligations, to the extent required by Article 717k-8, Vernon's Annotated Texas Civil Statutes.

Section 3. Books and Records: Approval of Programs and Financial Statements. The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Board of Directors (the "Board of Directors") and committees having any of the authority of the Board of Directors. All books and records of the Corporation may be inspected by any director or his agent or attorney for any proper purpose at any reasonable time; and at all times the Governing Body will have access to the books and records of the Corporation. All books and records of the Corporation shall be kept at the principal office of the Corporation where they shall be available to the public in accordance with the Open Records Act, Chapter 552, Texas Government Code, as amended. The Unit shall be entitled to approve all programs and expenditures of the Corporation and annually review any financial statements of the Corporation.

Section 4. Nonprofit Corporation. The Corporation shall be a nonprofit corporation, and no part of its net earnings remaining after payment of its expenses shall inure to the benefit of any individual, firm or corporation, except that in the event the Board of Directors shall determine that sufficient provision has been made for the full payment of the expenses, bonds and other obligations of the Corporation issued to finance

EXHIBIT D

TO

GENERAL CERTIFICATE OF CORPORATION

Historical and Projected Corporation Sales Tax Collections

The 1/2 of 1% sales and use tax adopted by the Unit for the benefit of the Corporation and pledged to the Bonds as the "Sales Tax" has been levied on the same sales tax base as that for the Unit's own municipal sales and use tax for municipal purposes for many years. Following is an historical listing of the Corporation's 1/2 of 1% limited sales and use tax since fiscal year 1991. The Comptroller of Public Accounts of the State of Texas began collections of the Sales Tax in October of 1990.

	Projected Sales Tax Corporation Receipts 9-30-94	Actual Receipts		
		9-30-93	9-30-92	9-30-91
October	\$ 36,051	\$ 29,590	\$ 30,323	\$ (b)
November	53,554	45,137	47,334	(b)
December	29,736	25,072	24,225	22,445
January	33,248	25,365	25,739	26,172
February	55,235	61,364	45,902	46,389
March	31,330 (a)	28,746	24,053	22,379
April	28,170 (a)	25,846	23,442	21,870
May	60,950 (a)	55,920	41,211	39,296
June	35,680 (a)	32,735	30,180	26,878
July	42,100 (a)	38,628	29,784	25,211
August	55,150 (a)	50,599	41,383	45,398
September	42,320 (a)	38,827	29,962	28,219
	<u>\$503,524</u>	<u>\$457,829</u>	<u>\$393,538</u>	<u>\$304,257</u>

(a) Projected collections March, 1994 through September, 1994 estimated by the City.

(b) The Corporation's sales tax was approved in May, 1990 and became effective October, 1990.

all or part of the cost of a project, then any net earnings of the Corporation thereafter accruing with respect to such project shall be paid to the Unit.

Section 5. Audits. The Corporation shall provide for an annual financial audit of all its books and records by an independent certified public accountant. The Corporation shall submit or provide for the submittal of a copy of each such audit to the Unit.

Section 6. Political Activities. The Corporation shall not carry on propaganda or otherwise attempt to influence legislation and shall not participate in or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

Section 7. Compensation. The Corporation shall conduct its affairs and activities so as to assure that none of its officers or directors receive any compensation in connection with the financing of any project, except reasonable expenses approved by the Board of Directors.

ARTICLE II

BOARD OF DIRECTORS

Section 1. Powers, Number and Term of Office. The property and affairs of the Corporation shall be managed and controlled by the Board of Directors and, subject to the restrictions imposed by law, the Articles of Incorporation and these Bylaws, the Board of Directors shall exercise all of the powers of the Corporation.

The Board of Directors shall consist of five (5) directors, each of whom shall be appointed by the Governing Body.

The directors constituting the first Board of Directors shall be those directors named in the Articles of Incorporation, each of whom shall serve for six (6) years or until his or her successor is appointed as hereinafter provided. Subsequent directors shall hold office for a term of six (6) years or until their successors are appointed as hereinafter provided.

Any director may be removed from office, by the Governing Body, for cause or at will.

Section 2. Meetings of Directors. The directors may hold their meetings at such place or places in the State of Texas, as the Board of Directors may from time to time determine; provided, however, in the absence of any such determination by the Board of Directors, the meetings shall be held at the registered office of the Corporation in the State of Texas. Every regular or special meeting of the Board of Directors shall be open to the public, except as otherwise permitted by the Constitution of the State of Texas or the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 3. Regular Meetings. Regular Meetings of the Board of Directors shall be held without necessity of notice at such times and places as shall be designated, from time to time, by resolution of the Board of Directors and with such notice as may be required from time to time by law.

Section 4. Special Meetings. Special Meetings of the Board of Directors shall be held whenever called by the president, by the secretary, by a majority of the directors for the time being in office or upon advice of or request by the Governing Body and with such notice as may be required from time to time by law.

The secretary shall give notice to each director of each Special Meeting in person, or by mail, telephone or telegraph, at least two (2) hours before the meeting. Unless otherwise indicated in the notice thereof, any and all matters pertaining to the purposes of the Corporation may be considered and acted upon at a Special Meeting. At any meeting at which every director shall be present, even though without any notice, any matter pertaining to the purpose of the Corporation may be considered and acted upon.

Section 5. Public Notice. Written notice of the date, hour, place and subject of each meeting of the Board of Directors shall be posted at such times and in such places as notice of each meeting of the Governing Body of the Unit is posted, all as prescribed by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Section 6. Quorum. A majority of the directors fixed by the Articles of Incorporation shall constitute a quorum for the consideration of matters pertaining to the purposes of the Corporation. The act of a majority of the directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board of Directors, unless the act of a greater number is required by law.

Section 7. Conduct of Business. At the meetings of the Board of Directors, matters pertaining to the purposes of the Corporation shall be considered in such order as from time to time the Board of Directors may determine.

At all meetings of the Board of Directors, the president shall preside, and in the absence of the president, the vice president shall exercise the powers of the president.

The secretary of the Corporation shall act as secretary of all meetings of the Board of Directors, but in the absence of the secretary, the presiding officer may appoint any person to act as secretary of the meeting.

Section 8. Public Hearings. Public hearings required under Section 147(f) of the Internal Revenue Code of 1986, as amended, may be called and conducted by any officer or director of the Corporation or the City Attorney or the City Secretary of the Unit, and such person may establish the date, place and time of the hearing and may give notice of the hearing.

Section 9. Executive Committee. The Board of Directors, by resolution passed by a majority of the directors in office, may designate two or more directors to constitute an executive committee, which committee, to the extent provided in such resolution, shall have and may exercise all of the authority of the Board of Directors in the management of the Corporation, except where action of the Board of Directors is specified by law. The executive committee shall act in the manner provided in such resolution. The executive committee so designated shall keep regular minutes of the transactions of its meetings and shall cause such minutes to be recorded in books kept for that purpose in the office of the Corporation, and shall report the same to the Board of Directors from time to time.

Section 10. Compensation of Directors. Directors as such shall not receive any salary or compensation for their services, except that they shall be reimbursed for their actual expenses incurred in the performance of their duties hereunder.

Section 11. Indemnification. The Corporation shall have the power to indemnify any director or officer or former director or former officer of the Corporation for expenses and costs (including attorney's fees) actually and necessarily incurred by such director or officer in connection with any claim asserted against such director or officer by action in court or otherwise by reason of such director's or officer's being or having been a director or officer of the Corporation, except in relation to matters as to which such director or officer shall have been guilty of negligence or misconduct in respect of the matter in which indemnity is sought. If the Corporation has not fully indemnified such director or officer, the court in the proceeding in which any claim against such director or officer has been asserted or any court having the requisite jurisdiction of an action instituted by such director or officer on such director's or officer's claim for indemnity may assess indemnity against the Corporation, its receiver, or trustee for the amount paid by such director or officer (including attorneys' fees) in satisfaction of any judgment or in compromise of any such claim (exclusive in either case of any amount paid to the Corporation), actually and necessarily incurred by such director or officer in connection therewith to the extent that the court shall deem reasonable and equitable; provided, nevertheless, that indemnity may be assessed under this Section 11 only if the court finds that the person indemnified was not guilty of negligence or misconduct in respect of the matter in which indemnity is sought.

ARTICLE III

OFFICERS

Section 1. Titles and Term of Office. The officers of the Corporation shall be a president, a vice president, a secretary and a treasurer, and such other officers as the Board of Directors may from time to time elect or appoint. One person may hold more than one office, except that the president shall not hold the office of secretary. Terms of office shall not exceed three years.

All officers shall be subject to removal from office, with or without cause, at any time by a vote of a majority of the entire Board of Directors.

A vacancy in the office of any officer shall be filled by a vote of a majority of the directors.

Section 2. Powers and Duties of the President. The president shall be a member of the Board of Directors, shall be the chief executive officer of the Corporation and, subject to the Board of Directors, shall be in general charge of the properties and affairs of the Corporation; shall preside at all meetings of the Board of Directors; and in furtherance of the purposes of this Corporation, may sign and execute all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments in the name of the Corporation.

Section 3. Vice President. The vice president shall be a member of the Board of Directors; shall have such powers and duties as may be assigned by the Board of Directors; and shall exercise the powers of the president during that officer's absence or inability to act. Any action taken by the vice president in the performance of the duties of the president shall be conclusive evidence of the absence or inability to act of the president at the time such action was taken.

Section 4. Treasurer. The treasurer shall have custody of all the funds and securities of the Corporation which come into such treasurer's hands. When necessary or proper, the treasurer may endorse, on behalf of the Corporation, for collection, checks, notes and other obligations and shall deposit the same to the credit of the Corporation in such bank or banks or depositories as shall be designated in the manner prescribed by the Board of Directors; may sign all receipts and vouchers for payment made to the Corporation, either alone or jointly with such other officer as is designated by the Board of Directors; whenever required by the Board of Directors, shall render a statement of his cash account; shall enter or cause to be entered regularly in the books of the Corporation to be kept by the treasurer for that purpose full and accurate accounts of all monies received and paid out on account of the Corporation; shall perform all acts incident to the position of treasurer subject to the control of the Board of Directors; and shall, if required by the Board of Directors, give such bond for the faithful discharge of his or her duties in such form as the Board of Directors may require.

Section 5. Secretary. The secretary shall keep the minutes of all meetings of the Board of Directors in books provided for that purpose; shall attend to the giving and serving of all notices; in furtherance of the purposes of this Corporation, may sign with the president in the name of the Corporation, and/or attest the signature thereto, all contracts, conveyances, franchises, bonds, deeds, assignments, mortgages, notes and other instruments of the Corporation; shall have charge of the corporate books, records, documents and instruments, except the books of account and financial records and securities of which the treasurer shall have custody and charge, and such other books and papers as the Board of Directors may direct, all of which shall at all reasonable times be open to inspection upon application at the office of the Corporation during business hours; and shall in general perform all duties incident to the office of secretary subject to the control of the Board of Directors.

Section 6. Compensation. Officers as such shall not receive any salary or compensation for their services, except that they shall be reimbursed for their actual expenses incurred in the performance of their duties hereunder.

ARTICLE IV

PROVISIONS REGARDING ARTICLES OF INCORPORATION AND BYLAWS

Section 1. Effective Date. These Bylaws shall become effective only upon the occurrence of the following events:

- (1) the approval of these Bylaws by the Governing Body; and
- (2) the adoption of these Bylaws by the Board of Directors.

Section 2. Amendments to Articles of Incorporation and Bylaws. The Articles of Incorporation may at any time and from time to time be amended, provided that the Board of Directors files with the Governing Body a written application requesting that the Governing Body approve such amendment to the Articles of Incorporation, specifying in such application the amendment or amendments proposed to be made. If the Governing Body by appropriate resolution finds and determines that it is advisable that the proposed amendment be made, authorizes the same to be made and approves the form of the proposed amendment, the Board of Directors shall proceed to amend the Articles as provided in the Act.

The Articles of Incorporation may also be amended at any time by the Governing Body at its sole discretion by adopting an amendment to the Articles of Incorporation of the Corporation by resolution of the Governing Body and delivering the Articles of Amendment to the Secretary of State as provided in the Act.

These Bylaws may be amended by majority vote of the Board of Directors.

Section 3. Interpretation of Bylaws. These Bylaws and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein. If any word, phrase, clause, sentence, paragraph, section or other part of these Bylaws, or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of these Bylaws and the application of such word, phrase, clause, sentence, paragraph, section or other part of these Bylaws to any other person or circumstance shall not be affected thereby.

ARTICLE V

GENERAL PROVISIONS

Section 1. Principal Office. The principal office of the Corporation shall be located in La Marque, Texas.

The Corporation shall have and continuously maintain in the State of Texas (the "State") a registered office, and a registered agent whose business office is identical with such registered office, as required by the Act. The registered office may be, but need not be, identical with the principal office in the State, and the address of the registered office may be changed from time to time by the Board of Directors, pursuant to the requirements of the Act.

Section 2. Fiscal Year. The fiscal year of the Corporation shall be as determined by the Board of Directors.

Section 3. Seal. The seal of the Corporation shall be as determined by the Board of Directors.

Section 4. Notice to Board of Directors and Waiver of Notice. Whenever any notice whatsoever is required to be given to a director under the provisions of the Act, the Articles of Incorporation or these Bylaws, such notice shall be deemed to be sufficient if given by depositing the same in a post office box in a sealed postpaid wrapper addressed to the person entitled thereto at his or her post office address, as it appears on the books of the Corporation, and such notice shall be deemed to have been given on the day of such mailing. Attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. Neither the business to be transacted at nor the purpose of any Regular or Special Meeting of the Board of Directors need be specified in the notice or waiver of notice of such meeting, unless required by the Board of Directors. A waiver of notice in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Section 5. Resignations. Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time be specified, at the time of its receipt by the president or secretary. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

Section 6. Approval or Advice and Consent of the Governing Body. To the extent that these Bylaws refer to any approval by the Unit or refer to advice and consent by the Unit, such advice and consent shall be evidenced by a certified copy of a resolution, order or motion duly adopted by the Governing Body.

Section 7. Organizational Control. The Unit may, at its sole discretion, and at any time, alter or change the structure, organization, programs or activities of the Corporation (including the power to terminate the Corporation), subject to any limitation on the impairment of contracts entered into by the Corporation.

Section 8. Dissolution of the Corporation. Upon dissolution of the Corporation, title to or other interests in any real or personal property owned by the Corporation at such time shall vest in the Unit.

F:\VM0972\LAM557\BYLAWSAR.FIN

EXHIBIT C

TO

GENERAL CERTIFICATE OF CORPORATION



TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

JOHN SHARP • COMPTROLLER • AUSTIN, TEXAS 78774

2h17/sh

THE STATE OF TEXAS X

COUNTY OF TRAVIS X

I, John Sharp, Comptroller of Public Accounts of the State of Texas, DO HEREBY

CERTIFY that according to the records of this office

LA MARQUE INDUSTRIAL DEVELOPMENT CORPORATION

is exempt from payment of franchise tax and consequently is in good standing with this office.

GIVEN UNDER MY HAND AND
SEAL OF OFFICE in the City of
Austin, this 15TH day of
APRIL , 1994 A.D.

Comptroller of Public Accounts

GENERAL CERTIFICATE OF CORPORATION

THE STATE OF TEXAS	§	
	§	LA MARQUE INDUSTRIAL
COUNTY OF GALVESTON	§	DEVELOPMENT CORPORATION

WE, the undersigned officers of La Marque Industrial Development Corporation (the "Corporation") do hereby execute and deliver this certificate for the benefit of all persons interested in the Corporation's \$745,000 Tax-Exempt Sales Tax Revenue Bonds (Mark 45 Business Park Project) Series 1994A and \$1,175,000 Taxable Sales Tax Revenue Bonds (Mark 45 Business Park Project) Series 1994B (the "Bonds"), all dated April 1, 1994, as follows:

1. The Corporation is a nonprofit industrial development corporation duly created, organized and in good standing under the Constitution and laws of the State of Texas, particularly the Development Corporation Act of 1979, Article 5190.6, Vernon's Annotated Texas Civil Statutes, as amended (the "Act"). The Corporation is governed by Section 4A of the Act and is a constituted authority and instrumentality of the City of La Marque, Texas (the "Unit").

2. On April 5, 1994, and all times since that date the following named persons have been the duly constituted Board of Directors of the Corporation, holding the offices set forth opposite their names:

Ron Crowder,	President
Pete W. Rygaard,	Vice President
Henry Dowdy,	Secretary/Treasurer
Carlton Getty,	Director
Gary Meyer,	Director

3. Attached hereto as Exhibit A-1 is a copy of the Corporation's Articles of Incorporation, as certified by the Secretary of State of the State of Texas on August 30, 1993, and in effect on April 5, 1994 and at all times since, and attached hereto as Exhibit A-2 is a Certificate of the Secretary of State of the State of Texas, dated April 15, 1994, as to the continued existence of the Corporation.

4. Attached hereto as Exhibit B is a true and correct copy of the Bylaws of the Corporation as approved by the City Council (the "Governing Body") of the Unit and adopted by the Board of Directors of the Corporation and in effect as of April 1, 1994, and at all times since.

5. Attached hereto as Exhibit C is a certificate of the Comptroller of Public Accounts of the State of Texas, certifying as to the exemption of the Corporation from payment of Texas franchise taxes.

6. The Master Debt Resolution, First Supplemental Debt Resolution, and the Second Supplemental Debt Resolution authorizing the issuance of the Bonds (the "Bond Resolutions") and the Concurrent Sales Tax Collection Resolution adopted concurrently by the Corporation and the Governing Body of the Unit, the Bonds, the Bond Purchase Agreement (the "Bond Purchase Agreement") dated April 5, 1994 by and between the Corporation and Rauscher Pierce Refsnes, Inc., the Preliminary Official Statement dated March 24, 1994 and the Official Statement dated April 5, 1994, all as executed by the Corporation (together with the Bond Resolutions, collectively, the "Bond Documents"), are in substantially the same form and text as the copies of such instruments which were authorized and approved by the Bond Resolutions, with such changes and revisions therein as have been approved by the Board of Directors of the Corporation, and are in full force and effect on the date hereof;

7. The terms and performance of the Bond Documents by the Corporation are not in conflict with the Articles of Incorporation or Bylaws of the Corporation or any other instrument or restriction to which the Corporation is a party or to which the Corporation is subject.

8. To the best of our knowledge and belief, each of the representations and warranties of the Corporation contained in the Bond Resolutions is true and accurate in all material respects as if set forth herein and made on and as of the date hereof, and to the best of our knowledge and belief, all agreements to be complied with and obligations to be performed by the Corporation under the Bond Resolutions on or prior to the date of Closing have been complied with and performed.

9. To the best of our knowledge and belief, the representations of the Corporation contained in the Bond Purchase Agreement are true and correct on the date hereof as though made on and as of this date. To the best of our knowledge and belief, the Corporation has performed all obligations and satisfied all conditions on its part to be performed or satisfied pursuant to the Bond Purchase Agreement at or prior to the date hereof.

10. To the best of our knowledge and belief, there has not been any default with respect to payment of principal of or interest on any obligations of the Corporation.

11. None of the proceedings or authorizations heretofore taken or given for issuance of the Bonds or for the payment or security thereof, including the Bond Resolutions, have been repealed, revoked or rescinded.

12. The Mark 45 Business Park Project is located within the boundaries of the Unit.

13. No action has been taken and no proceedings are pending or, to the best of our knowledge, threatened for the dissolution or liquidation of the Corporation; and no litigation or other proceedings are pending or, to the best of our knowledge, threatened in

any court or other tribunal of competent jurisdiction, state or federal, in any way (a) restraining or enjoining the issuance, sale or delivery of any of the Bonds, or (b) questioning or affecting the validity of any of the proceedings relating to the authorization, sale, execution, issuance or delivery of the Bonds, or (c) questioning or affecting the validity of the Bond Resolutions, the Bond Purchase Agreement, the Bonds, the Preliminary Official Statement, or the Official Statement, or (d) questioning or affecting the pledge of the Pledged Revenues or the Pledged Funds under the Bond Resolutions to the payment of the Bonds, or (e) questioning the powers of the Corporation to enter into or perform its obligations under any of the foregoing or (f) questioning or affecting the title or authority of the present officers and directors of the Corporation.

14. The Bond Resolutions, the Bond Purchase Agreement, and the Bonds were properly executed or accepted by the Corporation, have not been amended or rescinded and due performance thereof has been authorized by the Corporation.

15. We officially executed and signed the Bonds manually or by causing facsimiles of our manual signatures to be imprinted on each of such Bonds, and we hereby adopt such facsimile signatures as our own, respectively, and declare that such facsimile signatures constitute our signatures the same as if we had manually signed each of the Bonds.

16. The Bonds are substantially in the form, bear interest at the rates, mature on the date or dates and in the amounts and have been duly executed and signed in the manner prescribed in the Bond Resolutions.

17. At the time we so executed and signed the Bonds we were the duly appointed, qualified and acting officers of the Corporation and were authorized to execute and sign same.

18. The Corporation has no official seal.

19. As of the date hereof, there has been no material adverse change in the affairs of or the financial condition of the Corporation from September 30, 1993, the last date as to which audited financial information for the Corporation is available.

20. The Attorney General of the State of Texas is hereby authorized to date this certificate on and as of the date of his approval of the Bonds, and this certificate and the matters herein certified shall be deemed for all purposes to be true, accurate and correct on and as of that date, unless the Corporation through an authorized officer shall notify the Attorney General in writing to the contrary prior to either of such dates.

21. Attached hereto as Exhibit D is a true and correct copy of the historical revenues of the Sales Tax as collected for the past three years.

WITNESS OUR HANDS, this the 5th day of May, 1994.

LA MARQUE INDUSTRIAL
DEVELOPMENT CORPORATION

By: [Signature]
Name: Ron Crowder
Title: President, Board of Directors

ATTEST

By: [Signature]
Name: Henry Dowdy
Title: Secretary/Treasurer

I, Pete W. Rygaard, Vice-President of the Corporation hereby certify that Ron Crowder and Henry Dowdy are the duly appointed, qualified and acting President and Secretary/Treasurer, respectively, of the Corporation and that their signatures appearing above are true and genuine.

[Signature]
Name: Pete W. Rygaard
Title: Vice-President

EXHIBITS:

- A -- Articles of Incorporation and Certificate of Existence
- B -- Bylaws
- C -- Comptroller's Certificate Regarding Exemption
- D-- Historical Sales Tax Revenues

PROPOSED DELETION OF BOARD

<i>ELECTRIC BOARD – ORD. #615 CITY COUNCIL APPT 5</i>		Four Year Terms	
<i>MEMBERS</i>			
Greg Cornett	1310 Cedar		D (Citizen)
Bert Henderson	1318 Third Avenue	09	A (Citizen)
Jr. Broze	1319 1 st	10	C (Master)
Mark Wesley	640 Ross	12	M (Citizen)
Calvin Jones	9210 Vicksburg, Texas City 77591	10	B (Master)
Moose Meadows	P. O. Box 2010 Texas City 77592		Ex-Officio
Erasmo Barrera	1029 Sycamore		C (Master)

Member	Address	Term	Appointing District
<i>LIBRARY BOARD ORD. #493 CITY COUNCIL</i>		<i>Two Year Terms</i>	
<i>APPT. 7 MEMBERS-</i>			
Velmer White	P. O. Box 656	12	A
Bertha Pruitt	103 Longridge Drive	12	C
VACANT			B
Michelle Washington	3012 Cedar Drive	12	M
Maggie Manuel	1706 Crockett Dr. W	10	C
VACANT			A
VACANT			D
<i>City Council/City Manager</i>			

PARKS BOARD ORD. #758 - CITY COUNCIL APPT. 8		Two Year Terms	
MEMBERS			
Al Reida	2217 Main	09	C
C.J. Leggett	1225 Kirsten	10	B
Fred Zimmerman	614 Sunset	10	M
Bo Hunter	2613 Lake Park Drive	09	A
Louis McGaffey	2314 Downey	09	M
Calvin Jones	9210 Vicksburg, Texas City	10	D
Herbert Franklin	1008 W. Camp Circle	10	A
Larry Walker, LMISD Coach	P. O. Box 1785		Ex-Officio

PLANNING AND ZONING COMMISSION ORD. #953/957 ORG SET UP BY CITY CHARTER SECTION 10.01 - CITY COUNCIL APPT. 5 MEMBERS		Two Year Terms	
Andrew Kantowski	2030 Oaklawn	10	A
Peggy Phillips	2902 Pine Shadows	10	B
Norman Koneman	2615 Meadow Lane	10	C
Dickey Stanley	1405 Bowie	13	M
VACANT			D

PROPOSED DELETION OF BOARD

PLUMBING BOARD ORD. #995 CITY COUNCIL APPT. 7 MEMBERS		FOUR YEAR TERMS	
J. W. Fewell	1115 Plum	11	C (Citizen)
Cliff Burks		12	B (Resident General Contractor)
Jack Kivch, Jr.	P. O. Box 359	11	D (Resident General Contractor)
Louis McGaffey	2314 Downey	11	M (Master Plumber)
VACANT			A (Master Plumber)

<i>PUBLIC SAFETY COMMITTEE ORD. #913 CITY</i>		<i>Two Year Terms</i>	
<i>COUNCIL APPT. 3 MEMBERS</i>			
VACANT			A
VACANT			C
VACANT			M

Board or Commission: _____

Name: _____

Address: _____

Home Phone #: _____ Years you lived in La Marque _____

Marital Status: _____ Number of Dependents: _____

Place of Employment: _____

Address: _____

Work Phone: _____ Can you be called at work?

Occupation: _____

Will your present occupation allow you sufficient time to serve on a city board? _____

Would your appointment propose a conflict of interest with your present occupation? _____

Briefly explain why you wish to be a member of this particular board or commission:

.....

.....

Date: _____ Signature: _____

Signature: _____

[illegible]

Serving in my capacity as _____

I hereby recommend _____

For appointment/reappointment to the _____

Date: _____ Signature: _____

Signature: _____

~~~~~

Date attended board meeting: \_\_\_\_\_

Date interviewed for appointment:

Date appointed/not appointed: \_\_\_\_\_ Term to expire: \_\_\_\_\_

Term to expire: \_\_\_\_\_

Date Reappointed: \_\_\_\_\_ Term to expire: \_\_\_\_\_

Term to expire: \_\_\_\_\_

**APPLICATION TO BOARD OR COMMISSION  
FOR APPOINTMENT BY LA MARQUE CITY COUNCIL**



## CITY COUNCIL AGENDA FORM

Meeting Date: 2-13-12

Agenda item: 8a

Prepared by: zt

Reviewed by: [Signature]

Department: Administration

### AGENDA ITEM DESCRIPTION:

a. Discussion/possible action of Resolution No. **R-2012-1173** authorizing Galveston County Mosquito Control District to provide aerial spraying over its territory for the abatement of mosquitoes

☒ **Attachments for Reference**

### Staff Briefing:

The Galveston County Mosquito Control Program, as providers of the county funded Mosquito Control Program which provides aerial spraying, are required to request the City's authorization each year.

History (if applicable):

Target Implementation:

Significant Action Dates:

### Action:

☐

Ordinance

☒

Resolution

☐

Proclamation

☐

Special Presentation

☐

Finance Report

☐

Public Hearing

☐

Other

### Cost Details:

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

Staff's Recommended Motion: Staff recommends approval of the Resolution No. R-2012-1173

Fiscal Impact: This a county funded project.

STATE OF TEXAS

COUNTY OF GALVESTON

CITY OF LA MARQUE

RESOLUTION NO. R-2012-1173

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

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

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

Signed this the 13<sup>th</sup> day of February 2012.

---

Bobby Hocking, Mayor  
City of La Marque, Texas

ATTEST: \_\_\_\_\_  
Zina Tedford  
Interim City Clerk

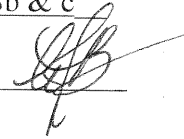


## CITY COUNCIL AGENDA FORM

Meeting Date: 2-13-12

Agenda item: 8b & c

Prepared by: zt

Reviewed by: 

Department: Administration

### AGENDA ITEM DESCRIPTION:

b. Discussion/possible action of Resolution No. **R-2012 1174** calling for the 2012 General Election to be held May 12, 2012

c. Discussion/possible action authorizing the City Manager to enter into a joint election agreement between the City of La Marque and La Marque ISD for the General Election to be held May 12, 2012

☒ **Attachments for Reference**

Staff Briefing:

Recommended

The Election Law Calendar has a recommended period for calling election and posting notice of election. The recommended period is Jan 30 – Feb 14. The election order serves as an official confirmation of the offices to be filled. The election should be ordered shortly before the beginning of filing period.

In an effort to encourage voter participation and use our tax dollars efficiently, staff is asking for Council consideration in authorizing the city manager to enter into a joint election agreement with La Marque ISD. The agreement states that both entities will conduct Early Voting and Election Day voting in the La Marque Community Room. As per the agreement, the City and LMISD agree to share the costs proportionately with Galveston County Election Division to conduct this Joint Election.

History (if applicable):

Target Implementation:

Significant Action Dates:

Action:

☐

Ordinance

☒

Resolution



## CITY COUNCIL AGENDA FORM

Presentation

☐

Finance Report

☐

Public Hearing

☒

Other

Proclamation

Special

### Cost Details:

|                       |          |
|-----------------------|----------|
| Budgeted              | 15,000   |
| Estimated Expenditure | 15,000   |
| Acct. Name            | Election |
| Line Item #           |          |
| Other Funding         | LMISD    |

### Staff's Recommendation

Staff recommends approval of Resolution R -2012-1175 calling for the 2012 General Election and entering into a joint election agreement with La Marque ISD

Fiscal Impact: The May 2011 Election proportionate costs with Galveston County were approximately \$4800.00. Staff is anticipating this to be higher due some costs increases and the Special Election for Charter Amendments.

**COUNTY OF GALVESTON  
CITY OF LA MARQUE**

**RESOLUTION R-2012-1174**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, ORDERING THE GENERAL ELECTION TO BE HELD ON MAY 12, 2012 AND ADMINISTERED BY THE GALVESTON COUNTY ELECTIONS ADMINISTRATOR ON MAY 12, 2012, FOR THE PURPOSE OF ELECTING THE POSITION OF MAYOR AND TWO (2) COUNCILMEMBERS (DISTRICTS A AND C), TO THE LA MARQUE CITY COUNCIL TO HOLD OFFICE FOR A PERIOD OF THREE YEARS; DESIGNATING LOCATIONS OF POLLING PLACES; APPOINTING A PRESIDING JUDGE FOR THE CENTRAL COUNTING STATION; DESIGNATING FILING DEADLINES; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION**

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

**Section 1.** An election is hereby ordered to be held May 12, 2012, for the purpose of electing a Mayor and a Councilmember from City Council Districts A and C.

**Section 2.** The Election Day polling place where qualified voters shall cast ballots at such location in the City of La Marque, 2011 General Municipal Election are as follows:

La Marque City Hall Community Room  
1109-B Bayou Road  
La Marque, Texas 77568

Election polls shall be open from 7:00 a.m. until 7:00 p.m. on the date of the election.

**Section 3.** Early voting by personal appearance will be conducted at the City of La Marque Community Room, 1109-B Bayou Road, La Marque, Texas 77568, on Monday, April 30, 2012 and Tuesday, May 1, 2012, from 7:00 a.m. to 7:00 p.m. and on weekdays beginning Wednesday May 2, 2012 through Tuesday, May 8, 2012 from 8:00 a.m. to 5:00 p.m.

Early Voting by mail shall be conducted by Zina Tedford who is designated and appointed as Early Voting by Mail Voting Clerk. Applications for ballot by mail shall be requested from and mailed:

Zina Tedford  
Early Voting by Mail Clerk  
1111 Bayou  
La Marque, Texas 77568

Applications for ballots by mail must be received no later than the close of business on May 4, 2012.

In accordance with Section 87.004 of Texas Election Code, Martha Woolridge and Dorothy Jeffcoat as the Presiding Judge and Alternate Judge respectively, shall serve on the Early Voting Ballot Board along with at least one other member as appointed by the Presiding Judge.

**Section 4.**

Dwight Sullivan, County Clerk Galveston County or his designee shall serve as the Presiding Judge of the Central Counting Station.

**Section 5.** Candidates must file for a specific place and adhere to the filing deadlines accordingly. Candidate packets are available in the City Clerk's office. The candidates filing periods for the General Election for Mayor and Districts A and C; are as follows:

General Election Filing for Mayor and City Council Districts A and C

Beginning: February 4, 2012 at 8:00 a.m.

Ending: March 5, 2012 at 5:00 p.m.

Candidates must file in the City Clerk's Office located at 1111 Bayou Road, La Marque, Texas 77568.

**Section 6.** The City Clerk is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this election. Galveston County Election Officer shall designate the election judges for the election. The election, including providing notice of the election, shall be conducted in accordance with the Texas Election Code and other applicable law, and all resident qualified and registered voters of the City shall be eligible to vote at the election.

**PASSED AND APPROVED** on this the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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

ATTEST: \_\_\_\_\_  
Zina Tedford  
Interim City Clerk

**AGREEMENT FOR JOINT ELECTION  
BETWEEN  
LA MARQUE INDEPENDENT SCHOOL DISTRICT  
AND  
THE CITY OF LA MARQUE  
FOR THE MAY 12, 2012 GENERAL ELECTION**

This contract is entered into between La Marque Independent School District (hereinafter referred to as "LMISD") and City of La Marque (hereinafter referred to as "City") hereinafter referred to jointly as "Entities" and separately as "Entity." The Entities have determined that it is in the public interest of the voters of the Entities that the following contract be made and entered into to secure a Joint Election Agreement for the General Election to be conducted on May 12, 2012 (hereinafter referred to as "Agreement"). This Agreement is being entered into to comply with House Bill 1. Both parties do hereby agree as follows:

- I. The Entities shall share a polling place for Early Voting to be conducted from April 30<sup>th</sup> through May 8<sup>th</sup>, 2012 and for Election Day on May 12, 2012. The location of the polling place for both Early Voting and Election day voting will be:

City of La Marque Community Room  
1109-B Bayou Road  
La Marque, TX 77568

- A. The City and LMISD agree to contract with the County of Galveston Election Division to conduct Early Voting and Election Day voting using County election judges and election clerks and County Election equipment and supplies.
- B. The City and LMISD agree to share the costs proportionately for the County Election Division to conduct this Joint Election.
- C. Each Entity will individually review all materials submitted to it by Galveston County and respond to all requests for approval of information in a timely manner.
- D. Each Entity will be responsible for Department of Justice pre-clearance for approval of the voting location.
- E. Each entity will be responsible for the appointment of an Early Voting Ballot Board.

II. General Provisions

- A. This Agreement becomes effective upon its execution by all participating entities.
- B. In connection with the performance of this Agreement, the City and LMISD shall not be individually or collectively liable to third parties for any default of the other Entity in connection with the holding of the joint election, including the failure of such Entity to pay any expenses hereunder.
- C. This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Galveston County, Texas.
- D. In case any one or more of the Entities in this Agreement are able to cancel their election, they will not be held responsible for costs incurred after cancellation of their election.
- E. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such as invalidity, illegality, or unenforceability, shall not affect any other provision thereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
- F. No amendment, modification, or alteration of the items hereof shall be binding unless the same is in writing, dated subsequent to the date of this Agreement and duly executed by the parties hereof.

Executed this the \_\_\_\_\_ day of \_\_\_\_\_, 2012

**La Marque Independent School District**

\_\_\_\_\_  
President, Board of Trustees  
La Marque Independent School District

Attest:

\_\_\_\_\_  
Secretary, Board of Trustees  
La Marque Independent School District

Executed this the \_\_\_\_\_ day of \_\_\_\_\_, 2012

**City of La Marque, Texas**

---

Bobby Hocking  
Mayor  
City of La Marque, Texas

Attest:

---

Zina Tedford  
Interim City Clerk  
City of La Marque, Texas



## CITY COUNCIL AGENDA FORM

Meeting Date: 2-13-12

Agenda item: 8d

Prepared by: zt

Reviewed by: [Signature]

Department: Administration

### AGENDA ITEM DESCRIPTION

e. Discussion/possible action of an appointment to the Galveston County Community Action Board in accordance with Texas Department of Housing and Community Affairs (TDHCA)

☒ **Attachments for Reference**

### Staff Briefing:

Please see attached letter requesting that the City of La Marque, Texas appoint an individual to serve on the Galveston County Community Action Council Board (GCCAC).

Please note the GCCAC Board is required to have representatives with the following qualifications: Background and expertise in fiscal management or accounting; an attorney familiar with issues coming before the board; and background and expertise in early childhood education and development.

### History (if applicable):

### Target Implementation:

### Significant Action Dates:

### Action:

☐

Ordinance

☐

Resolution

☐

Proclamation

☐

Special Presentation

☐

Finance Report

☐

Public Hearing

☒

Other

### Cost Details:

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

Staff's Recommendation

Fiscal Impact: n/a

# *Galveston County Community Action Council*

Maj. Ray Tuttoilmondo  
President

Jacquelyn R. Douglas  
Interim Executive Director

Telephone (409) 765-7878  
Fax Number (409) 765-9951  
2627 Avenue M \* P.O. Box 3206  
Galveston, Texas 77552

January 27, 2012

Mayor Bobby Hocking  
City of LaMarque  
4403 Highway 3  
Dickinson, TX 77539

## **PLEASE RESPOND**

Dear Mayor Hocking:

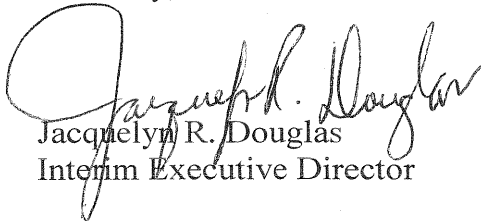
In accordance with Texas Department of Housing and Community Affairs (TDHCA) guidelines regarding structure of CAC Boards, your unit of county structure has again been designated a seat on the Galveston County Community Action Council Board. Presently, there is no one serving in this capacity.

Please advise this office by letter, as soon as possible, of the name of the person you would appoint to serve on the GCCAC Board.

Also note, the GCCAC Board is required to have representatives with the following qualifications: Background and expertise in fiscal management or accounting; an attorney familiar with issues coming before the board; and background and expertise in early childhood education and development. Please specify background in your letter if any of the above apply to the representative you appoint.

We look forward to hearing from you.

Sincerely,



Jacquelyn R. Douglas  
Interim Executive Director

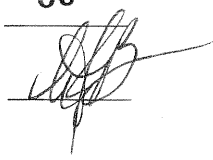


## CITY COUNCIL AGENDA FORM

Meeting Date: 2.13.2012

Agenda item: 8e

Prepared by: Karen Cooper

Reviewed by: 

Department: Finance

### AGENDA ITEM DESCRIPTION:

Discussion and possible action on approval of Fiscal Year 2011 Budget Amendments.

☒ **Attachments for Reference**

### Staff Briefing:

Clean Up and adjustments to transfer monies from unused line items to cover line items increases due to unforeseen repairs, operating supplies and increased costs for services.

### History (if applicable):

As in prior fiscal years, Finance submits budget amendments to cover line item increases to close out the past fiscal year.

### Target Implementation:

N/A

Significant Action Dates: Council approval of Budget Amendments for FY 2011

### Action:

☐

Ordinance

☐

Resolution

☐

Proclamation

☐

Special Presentation

☐

Finance Report

☐

Public Hearing

☒

Other

### Cost Details:

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



## CITY COUNCIL AGENDA FORM

Staff's Recommended Motion:

Finance Director recommends Council's approval of Budget Amendments for Fiscal Year 2011 as submitted.

Fiscal Impact: None, due to transfers of left over monies within departmental budgets.

Fiscal Year 2011  
Budget Amendments

| <u>Fund</u>                                             | <u>Increase</u> | <u>Decrease</u> |
|---------------------------------------------------------|-----------------|-----------------|
| <b>General Fund</b>                                     |                 |                 |
| <b>City Manager</b>                                     |                 |                 |
| <b>Administration</b>                                   |                 |                 |
| 01-2010-01-01 Operating Supplies                        | 2,000           |                 |
| 01-4071-01-01 Subscriptions                             | 300             |                 |
| 01-5010-01-01 Communications                            |                 | 2,000           |
| 01-5020-01-01 Utilities                                 |                 | 300             |
| <b>General Administration</b>                           |                 |                 |
| 01-2010-01-02 Operating Supplies/Misc Admin             | 2,150           |                 |
| 01-2011-01-02 Postage                                   | 65              |                 |
| 01-2031-01-02 Rental Expense                            | 4,200           |                 |
| 01-2070-01-02 Janitorial Supplies                       | 9,500           |                 |
| 01-4050-01-02 Advertising                               | 500             |                 |
| 01-5010-01-02 Communications                            | 3,900           |                 |
| 01-5020-01-02 Utilities                                 | 16,400          |                 |
| 01-3020-01-02 Repair/Maintenance - Building             |                 | 7,000           |
| 01-4030-01-02 General Insurance                         |                 | 6,100           |
| 01-4040-01-02 Professional Fees                         |                 | 23,615          |
| <b>City Council</b>                                     |                 |                 |
| 01-4030-01-03 General Insurance                         |                 | 1,056           |
| 01-4040-01-03 Professional Fees                         | 306             |                 |
| 01-4060-01-03 Schools & Travel                          | 550             |                 |
| 01-5020-01-03 Utilities                                 | 2,200           |                 |
| 01-7020-01-03 Bldgs/Furniture/Fixtures                  |                 | 2,000           |
| <b>City Manager - Total Amendment</b>                   | <b>42,071</b>   | <b>42,071</b>   |
| <b>Additional supplies need for Human Resources</b>     |                 |                 |
| <b>Added membership fees for personnel/staff</b>        |                 |                 |
| <b>Copier paper costs increase</b>                      |                 |                 |
| <b>Cost over run for mail outs</b>                      |                 |                 |
| <b>New postage machine lease after Budget</b>           |                 |                 |
| <b>Cleaning contract entered after Budget</b>           |                 |                 |
| <b>Promotional split with EDC - Coffee Table Book</b>   |                 |                 |
| <b>Increase in # phone lines &amp; equipment lease</b>  |                 |                 |
| <b>Additional Energy charges by TNMP unexpected</b>     |                 |                 |
| <b>Legal advice</b>                                     |                 |                 |
| <b>New Council member school</b>                        |                 |                 |
| <b>Allocation error/pro-rated through out GF depts.</b> |                 |                 |

Fiscal Year 2011  
Budget Amendments

| <u>Fund</u>                                  | <u>Increase</u> | <u>Decrease</u> |
|----------------------------------------------|-----------------|-----------------|
| <b>Finance/Accounting</b>                    |                 |                 |
| 01-1040-02-00 Overtime                       |                 |                 |
| 01-1065-02-00 Retirement                     | 350             |                 |
| 01-1070-02-00 Group Health Insurance         | 250             |                 |
| 01-2010-02-00 Operating Supplies/Misc Admin  |                 | 18,000          |
| 01-2060-02-00 Small Tools                    |                 | 750             |
| 01-2070-02-00 Janitorial Supplies            |                 | 1,500           |
| 01-3020-02-00 R&M - Bldg/Furn/Fix            |                 | 200             |
| 01-3040-02-00 R&M - Equipment                |                 | 450             |
| 01-4030-02-00 General Insurance              |                 | 4,500           |
| 01-4040-02-00 Professional Fees              |                 | 1,400           |
| 01-4040-02-01 Bank Fees                      | 8,300           |                 |
| 01-4040-02-02 Audit Fees                     | 86,300          |                 |
| 01-4040-02-03 Tax Assessor Fees              | 3,800           |                 |
| 01-4040-02-04 GC Appraisal District Fees     | 22,400          |                 |
| 01-4050-02-00 Advertising                    |                 | 500             |
| 01-4060-02-00 School                         |                 |                 |
| 01-4071-02-00 Subscriptions                  | 425             |                 |
| 01-5010-02-00 Communications                 |                 | 440             |
| 01-5020-02-00 Utilities                      |                 | 2,100           |
| 01-1070-01-01 Group Health Insurance         |                 | 1,500           |
| <b>Finance - Total Amendment</b>             | <b>121,825</b>  | <b>19,705</b>   |
|                                              |                 | <b>121,825</b>  |
| <b>Inspections</b>                           |                 |                 |
| 01-1040-03-00 Overtime                       | 71              |                 |
| 01-2010-03-00 Operating Supplies/Misc Admin  | 338             |                 |
| 01-2040-03-00 Uniforms                       | 68              |                 |
| 01-5010-03-00 Communications                 | 850             |                 |
| 01-5020-03-00 Utilities                      | 975             |                 |
| 01-4040-03-00 Professional Fees              |                 | 2,302           |
| <b>Inspection - Total Amendment</b>          | <b>2,302</b>    | <b>2,302</b>    |
| <b>Judicial</b>                              |                 |                 |
| 01-1020-04-00 Longevity                      | 6               |                 |
| 10-2020-04-00 Fuel                           | 1,700           |                 |
| 01-3030-04-00 Repair & Maintenance - Vehicle | 500             |                 |
| 01-4040-04-00 Professional Fees/Jury Fees    | 2,800           |                 |
| 01-5010-04-00 Communications                 | 2,100           |                 |
| 01-4041-04-00 Contract Judge                 |                 | 7,106           |
| <b>Judicial - Total Amendment</b>            | <b>7,106</b>    | <b>7,106</b>    |

Fiscal Year 2011  
Budget Amendments

| <u>Fund</u>                                    | <u>Increase</u> | <u>Decrease</u>                                    |
|------------------------------------------------|-----------------|----------------------------------------------------|
| <b>Police</b>                                  |                 |                                                    |
| 01-1010-05-00 Regular Payroll                  | 37,220          |                                                    |
| 01-1020-05-00 Longevity                        | 852             |                                                    |
| 01-1065-05-00 Retirement                       | 8,501           |                                                    |
| 01-2011-05-00 Canine Patrol Program            | 1,050           |                                                    |
| 01-2020-05-00 Fuel                             | 11,067          |                                                    |
| 01-2040-05-00 Uniforms                         | 2,550           |                                                    |
| 01-4071-05-00 Dues & Subscription              | 400             |                                                    |
| 01-5020-05-00 Utilities                        | 3,600           |                                                    |
| 01-2031-05-00 Rentals                          |                 |                                                    |
| 01-4041-05-00 Arbitration                      |                 |                                                    |
| 01-4060-05-00 Schools                          |                 |                                                    |
|                                                |                 | 14,000                                             |
|                                                |                 | 10,000                                             |
|                                                |                 | 4,020                                              |
|                                                |                 | <u>28,020</u>                                      |
| <b>Police - Total Amendment</b>                |                 |                                                    |
|                                                | 28,020          |                                                    |
| <b>Fire</b>                                    |                 |                                                    |
| 01-1010-06-00 Regular Payroll                  | 34,500          |                                                    |
| 01-1065-06-00 Retirement                       | 9,700           |                                                    |
| 01-2010-06-00 Operating Supplies               | 1,750           |                                                    |
| 01-2011-06-00 First Response Supplies          | 770             |                                                    |
| 01-2031-06-00 Rental Expense                   | 43              |                                                    |
| 01-2040-06-00 Uniforms & Safety Gear           | 2,825           |                                                    |
| 01-3030-06-00 Repair & Maintenance - Vehicle   | 905             |                                                    |
| 01-4040-06-00 Professional Fees                | 27,500          |                                                    |
| 01-4050-06-00 Legal Advertising                | 705             |                                                    |
| 01-4071-06-00 Dues, Subscriptions, Memberships | 435             |                                                    |
| 01-5020-06-00 Utilities                        | 3,400           |                                                    |
| 01-6091-06-00 Weed Control                     | 1,135           |                                                    |
| 01-1040-06-00 Overtime                         |                 |                                                    |
| 01-1060-06-00 Payroll Taxes                    |                 |                                                    |
| 01-2020-06-00 Fuel                             |                 |                                                    |
| 01-4042-06-00 Arbitration                      |                 |                                                    |
| 01-7030-06-00 10 Year Life Assets              |                 |                                                    |
| 01-3641-00-00 Financing Resource               |                 |                                                    |
|                                                | 444,000         |                                                    |
|                                                |                 | 47,000                                             |
|                                                |                 | 6,000                                              |
|                                                |                 | 12,000                                             |
|                                                |                 | 18,668                                             |
|                                                |                 | <u>444,000</u>                                     |
|                                                |                 | Fire Apparatus                                     |
|                                                |                 | 444,000 Financing from Municipal Funding Solutions |
| <b>Fire - Total Amendment</b>                  |                 |                                                    |
|                                                | 527,668         | 527,668                                            |

Fiscal Year 2011  
Budget Amendments

| <u>Fund</u>                                     | <u>Increase</u> | <u>Decrease</u> |
|-------------------------------------------------|-----------------|-----------------|
| <b>City Clerk</b>                               |                 |                 |
| 01-1020-07-00 Longevity                         | 42              |                 |
| 01-4021-07-00 Election Costs                    | 14,145          |                 |
| 01-4040-07-00 Professional Fees                 | 27,598          |                 |
| 01-4050-07-00 Legal Advertising                 | 669             |                 |
| 01-4060-07-00 School                            | 1,448           |                 |
| 01-4071-07-00 Dues & Subscriptions              | 5               |                 |
| 01-5010-07-00 Communications                    | 748             |                 |
| 01-5020-07-00 Utilities                         | 264             |                 |
| 01-1010-07-00 Regular Payroll                   |                 | 5,900           |
| 01-1060-07-00 Payroll Taxes                     |                 | 750             |
| 01-1065-07-00 Retirement                        |                 | 270             |
| 01-2010-07-00 Operating Supplies                |                 | 110             |
| 01-1070-07-00 Group Health Insurance            |                 | 13,400          |
| 01-4041-07-00 Civil Service                     |                 | 2,400           |
| 01-4030-07-00 General Insurance                 |                 | 722             |
| 01-3020-01-02 Repair & Maintenance              |                 | 827             |
| 01-4040-01-02 Professional Fees                 |                 | 18,240          |
| 01-4030-01-03 General Insurance                 |                 | 2,300           |
| <b>City Clerk - Total Amendment</b>             | <b>44,919</b>   | <b>44,919</b>   |
| <b>Library</b>                                  |                 |                 |
| 01-1020-08-00 Longevity                         | 36              |                 |
| 01-1030-08-00 Extra Help                        | 218             |                 |
| 01-2070-08-00 Janitorial Supplies & Maintenance | 80              |                 |
| 01-3040-08-00 Repair/Maint - Equipment          | 810             |                 |
| 01-5010-08-00 Communications                    | 840             |                 |
| 01-5020-08-00 Utilities                         | 14,200          |                 |
| 01-7010-08-00 Library Materials                 | 572             |                 |
| 01-1010-08-00 Payroll                           |                 | 8,202           |
| 01-1065-00-00 Retirement                        |                 | 2,100           |
| 01-1070-08-00 Group Health Insurance            |                 | 6,200           |
| <b>Library - Total Amendment</b>                | <b>16,502</b>   | <b>16,502</b>   |

Payout for Resigning City Clerk  
Galveston County Interlocal Agreement for Elections  
Municode (Charter/Ordinances) & Contract City Clerk  
GD News advertisements  
Travel for Contract City Clerk  
Additional costs for subscriptions  
Added costs for Internet and Phone  
Allocation error/pro-rated through out GF depts.

Resignation of Library Clerk payout  
Additional help needed during interview/hiring process  
Maintenance/Cleaning supplies  
Repairs to pc's & equipment used by public  
Added costs for Internet and Phone  
Allocation error/pro-rated through out GF depts.  
Additional Library Materials

| <u>Fund</u>                                    | <u>Increase</u> | <u>Decrease</u>                                       |
|------------------------------------------------|-----------------|-------------------------------------------------------|
| <b>Parks</b>                                   |                 |                                                       |
| 01-1020-09-00 Longevity                        | 6               |                                                       |
| 01-2010-09-00 Operating Supplies               | 400             | One month calculation error                           |
| 01-2020-09-00 Fuel                             | 4,020           | Additional supplies                                   |
| 01-3010-09-00 Repair/Maint - Facilities        | 2,405           | Increased cost on fuel                                |
| 01-3040-09-00 R&M - Equipment                  | 330             | Maintenance repairs                                   |
| 01-4040-09-00 Professional Fees                | 275             | Repairs to mowers and weed eaters                     |
| 01-5010-09-00 Communications                   | 882             | Background/Drug testing for new hire                  |
| 01-5020-09-00 Utilities                        | 9,500           | Internet & Phone increased costs                      |
| 011010-09-00 Payroll                           |                 | Allocation error/pro-rated through out GF depts.      |
| <b>Parks - Total Amendment</b>                 | <b>17,818</b>   | <b>17,818</b>                                         |
| <b>Shop/Service Facility</b>                   |                 |                                                       |
| 01-1070-10-00 Group Health Insurance           | 2,017           | Additional personnel insurance coverage               |
| 01-2010-10-00 Operating Supplies               | 437             | Additional operating supplies for shop                |
| 01-2020-10-00 Fuel                             | 1,667           | Increased fuel costs                                  |
| 01-2060-10-00 Small Tools                      | 1,810           | Replacement of broken tools and new items needed      |
| 01-3030-10-00 Repair/Maint - Vehicles          | 1,065           | Needed repairs to shop vehicles                       |
| 01-4040-10-00 Professional Fees                | 1,463           | Background/Drug testing for new hires                 |
| 01-4060-10-00 School                           | 466             | New hire classes on repair to equipment               |
| 01-5010-10-00 Communications                   | 1,612           | Increase in Internet for shop and phone for employees |
| 01-5020-10-00 Utilities                        | 1,548           | Allocation error/pro-rated through out GF depts.      |
| 01-1010-10-00 Payroll                          |                 |                                                       |
| <b>Shop/Service Facility - Total Amendment</b> | <b>12,084</b>   | <b>12,084</b>                                         |
| <b>Public Works - Administration</b>           |                 |                                                       |
| 01-1010-11-00 Regular Payroll                  | 104             | Budgeting error                                       |
| 01-1030-11-00 Extra Help                       | 1,320           | Contract help when Secretary is out on leave          |
| 01-1040-11-00 Overtime                         |                 |                                                       |
| 01-1060-11-00 Payroll Taxes                    | 71              | Budgeting error                                       |
| 01-1065-11-00 Retirement (TMRS)                | 118             | Budgeting error                                       |
| 01-2010-11-00 Operating Supplies/Misc Admin    | 950             | Additional supplies needed for operating office       |
| 01-4030-11-00 General Insurance                |                 |                                                       |
| 01-4040-11-00 Professional Fees                | 374             | GDN advertising                                       |
| 01-4060-11-00 School and Travel                | 660             | Added internet and phone costs                        |
| 01-5010-11-00 Communications                   |                 |                                                       |
| <b>P/W Administration - Total Amendment</b>    | <b>3,597</b>    | <b>3,597</b>                                          |

Fiscal Year 2011  
Budget Amendments

| <u>Fund</u>                                    | <u>Increase</u> | <u>Decrease</u> |
|------------------------------------------------|-----------------|-----------------|
| <b>Streets</b>                                 |                 |                 |
| 01-1010-12-00 Regular Payroll                  | 22,720          |                 |
| 01-1065-12-00 Retirement (TMRs)                | 2,343           |                 |
| 01-1070-12-00 Group Health Insurance           |                 | 11,900          |
| 01-1075-12-00 Workers' Compensation            |                 | 8,250           |
| 01-2010-12-00 Operating Supplies/Misc Admin    |                 | 2,348           |
| 01-2020-12-00 Fuel                             | 15,276          |                 |
| 01-2031-12-00 Rental                           | 355             |                 |
| 01-3010-12-00 R&M - Street/Road                |                 | 28,000          |
| 01-3030-12-00 Repair & Maintenance - Vehicle   | 7,906           |                 |
| 01-3040-12-00 Repair & Maintenance - Equipment | 2,900           |                 |
| 01-3090-12-00 Traffic Control Maintenance      | 4,860           |                 |
| 01-5020-12-00 Utilities                        |                 | 6,694           |
| 01-5010-12-00 Communications                   | 832             |                 |
| <b>Streets - Total Amendment</b>               | <u>57,192</u>   | <u>57,192</u>   |
| <b>Data Processing</b>                         |                 |                 |
| 01-1010-13-00 Regular Payroll                  | 1,681           |                 |
| 01-1020-13-00 Longevity                        | 6               |                 |
| 01-1065-13-00 Retirement                       | 182             |                 |
| 01-1070-13-00 Group Health Insurance           | 774             |                 |
| 01-2020-13-00 Operating Supplies               | 11              |                 |
| 01-2060-13-00 Small Tools                      | 151             |                 |
| 01-3040-13-00 Software Maintenance             | 18,319          |                 |
| 01-1040-13-00 Overtime                         |                 | 724             |
| 01-1060-13-00 Payroll Taxes                    |                 | 200             |
| 01-2020-13-00 Fuel                             |                 | 306             |
| 01-4030-13-00 General Insurance                |                 | 770             |
| 01-4040-13-00 Professional Fees                |                 | 740             |
| 01-4060-13-00 School & Travel                  |                 | 1,000           |
| 01-4071-13-00 Dues & Subscriptions             |                 | 435             |
| 01-5010-13-00 Communications                   |                 | 885             |
| 01-3817-00-00 FEMA Grant Reimb                 |                 | 16,064          |
| <b>Data Processing - Total Amendment</b>       | <u>21,124</u>   | <u>21,124</u>   |

Accrual 10 day at 9/30/2011, street dept fully staffed all year  
Additional retirement for accrual at 9/30/11

Increased fuel costs  
Rental for equipment being repaired  
Added costs to repair vehicles  
Added costs to repair equipment  
Additional traffic control for Cedar Drive  
Added internet and phone

Accrual 10 day at 9/30/2011  
Budget Error  
Accrual 10 day at 9/30/2011  
Budget Error  
Additional supplies  
Additional tools needed for I/T repairs  
FEMA grant to be received to cover Motorola tower

To reflect grant reimbursement

Fiscal Year 2011  
Budget Amendments

| <u>Fund</u>                              | <u>Increase</u> | <u>Decrease</u> |
|------------------------------------------|-----------------|-----------------|
| <b>Sanitation</b>                        |                 |                 |
| 01-3521-00-00 Sanitation Revenues        |                 | 142,996         |
| 01-6024-14-00 Residential                | 80,405          |                 |
| 01-6025-14-00 Mobile Homes               | 1,898           |                 |
| 01-6026-14-00 Apartments                 | 455             |                 |
| 01-6027-14-00 Duplex                     | 766             |                 |
| 01-6031-14-00 Container Collection       | 46,796          |                 |
| 01-6110-14-00 Special Clean Up           | 12,676          |                 |
| <b>Sanitation - Total Amendment</b>      | <u>142,996</u>  | <u>142,996</u>  |
| <b>Animal Control Contracts</b>          |                 |                 |
| 01-4071-15-00 Galveston County Contract  | 9               |                 |
| 01-4072-15-00 ACO Shelter Operations     |                 | 5               |
| 01-1070-99-00 Group Health               |                 | 4               |
| <b>Animal Control - Total Amendment</b>  | <u>9</u>        | <u>9</u>        |
| <b>Emergency Management</b>              |                 |                 |
| 01-2010-16-00 Operating Supplies         | 749             |                 |
| 01-3050-16-00 Emergency Equipment        | 14,350          |                 |
| 01-5010-16-00 Communications             | 55              |                 |
| 01-3060-16-00 Computer Repair            |                 | 300             |
| 01-4030-16-00 General Insurance          |                 | 84              |
| 01-3817-00-00 FEMA Grant Reimb           |                 | 14,770          |
| <b>Emergency Mgmt - Total Amendment</b>  | <u>15,154</u>   | <u>15,154</u>   |
| <b>Fire Marshal</b>                      |                 |                 |
| 01-1075-17-00 Worker's Comp              | 205             |                 |
| 01-2010-17-00 Operating Supplies         | 1,056           |                 |
| 01-2040-17-00 Uniforms & Safety Gear     | 748             |                 |
| 01-5010-17-00 Communications             | 375             |                 |
| 01-3040-17-00 Repair & Maint - Equipment |                 | 2,200           |
| 01-4071-17-00 Dues & Subscriptions       |                 | 184             |
| <b>Fire Marshal - Total Amendment</b>    | <u>2,384</u>    | <u>2,384</u>    |

142,996 Increase in revenues for Residential was actually \$192798.70  
 Increase in residential services  
 Increase in residential services  
 Increase in residential services  
 Increase in residential services  
 Increase costs in commercial containers  
 Added costs in cleaning up vacant lots

Supplies needed by new Fire Marshall  
 FEMA to reimburse  
 Replace/repair antennas  
 300  
 84  
 14,770 To reflect grant reimbursement

Added costs for new hire  
 Additional Supplies needed by Fire Marshal  
 New Uniforms for new hire  
 Added internet and phone costs

| <u>Fund</u>                                                | <u>Increase</u> | <u>Decrease</u>                                                       |
|------------------------------------------------------------|-----------------|-----------------------------------------------------------------------|
| <u>Utility Fund</u>                                        |                 |                                                                       |
| Finance - Utility Accounting                               |                 |                                                                       |
| 02-1010-21-00 Payroll                                      |                 | 1,675                                                                 |
| 02-1030-21-00 Extra Help                                   | 799             | Contract Meter Reader until new hire was processed                    |
| 02-1040-21-00 Overtime                                     | 638             | Overtime due to only one meter reader for several weeks               |
| 02-1060-21-00 Payroll Taxes                                |                 | 1,130                                                                 |
| 02-1065-21-00 Retirement (TMRS)                            | 123             | Increase due to overtime                                              |
| 02-1070-21-00 Group Health Insurance                       |                 | 7,090                                                                 |
| 02-1075-21-00 Workers' Compensation                        |                 | 505                                                                   |
| 02-2010-21-00 Operating Supplies/Misc Admin                | 2,190           | Additional office items needed for billing clerks                     |
| 02-2011-21-00 Envelope Mailing                             | 8,185           | Added mail costs for new accounts and postage machine                 |
| 02-2020-21-00 Fuel                                         | 207             | Fuel charge increases                                                 |
| 02-2040-21-00 Uniforms & Safety Gear                       | 0               |                                                                       |
| 02-2060-21-00 Small Tools                                  |                 | 300                                                                   |
| 02-3020-21-00 Repair/Maint - Building Furniture & Fixtures |                 | 600                                                                   |
| 02-3030-21-00 Repair & Maintenance - Equipment             |                 | 5,200                                                                 |
| 02-4030-21-00 General Insurance                            |                 | 1,950                                                                 |
| 02-3040-21-00 Software Maintenance                         | 1,699           | 92                                                                    |
| 02-4040-21-00 Professional Fees                            | 2,317           | Repairs & Upgrade to laptop for electronic readings                   |
| 02-5010-21-00 Communications                               | 2,384           | Additional software upgrades and filing liens on nonpaying accounts   |
|                                                            |                 | Increase costs of internet and phones                                 |
| <b>Utility Finance - Total Amendment</b>                   | <b>18,542</b>   | <b>18,542</b>                                                         |
| Utility Line Maintenance                                   |                 |                                                                       |
| 02-1020-22-00 Longevity                                    | 12              | Calculation error                                                     |
| 02-1070-22-00 Group Health                                 | 5,765           | Change in family health coverage for employees eligible for insurance |
| 02-2020-22-00 Fuel                                         | 15,442          | Increase costs of fuel                                                |
| 02-2070-22-00 Janitorial Supplies                          | 16              | Added supplies                                                        |
| 02-4060-22-00 School and Travel                            | 1,840           | Training for new hires                                                |
| 02-7030-22-00 10 Year Life Assets                          | 5,413           | New 20" saw to replace non-repairable equipment                       |
| 02-7020-22-00 20 Year Life Assets                          |                 | 24,488                                                                |
| 02-5020-22-00 Utilities                                    |                 | 4,000                                                                 |
| <b>Utility Line Maint - Total Amendment</b>                | <b>28,488</b>   | <b>28,488</b>                                                         |

| <u>Fund</u>                                    | <u>Increase</u> | <u>Decrease</u> |
|------------------------------------------------|-----------------|-----------------|
| <b>Water &amp; Sewer Operations</b>            |                 |                 |
| 02-1020-24-00 Longevity                        | 1,463           |                 |
| 02-1040-24-00 Overtime                         | 5,008           |                 |
| 02-1065-24-00 Retirement (TMRS)                | 457             |                 |
| 02-1070-24-00 Group Health Insurance           | 846             |                 |
| 02-2010-24-00 Operating Supplies - STP         |                 |                 |
| 02-2011-24-00 Operating Supplies - Well        | 5,339           |                 |
| 02-2020-24-00 Fuel                             | 1,870           |                 |
| 02-2040-24-00 Uniforms & Safety Gear           |                 |                 |
| 02-2060-24-00 Small Tools                      | 165             |                 |
| 02-3010-24-00 R&M - STP                        | 8,130           |                 |
| 02-3011-24-00 R&M - Wells                      |                 |                 |
| 02-3012-24-00 R&M - Lift Stations              | 71              |                 |
| 02-3040-24-00 Repair & Maintenance - Equipment | 511             |                 |
| 02-5020-24-00 Utilities - WWTP                 | 15,177          |                 |
| 02-5021-24-00 Utilities - Wells                |                 |                 |
| 02-5022-24-00 Utilities - Lift Stations        |                 |                 |
| 02-6011-24-00 GCWA Bulk Water Purchases        | 12,550          |                 |
| <b>Water &amp; Sewer - Total Amendment</b>     | <b>51,587</b>   | <b>51,587</b>   |
| <b>Utility Equip Maintenance</b>               |                 |                 |
| 02-1010-26-00 Regular Payroll                  | 385             |                 |
| 02-1020-26-00 Longevity                        | 18              |                 |
| 02-1065-26-00 Retirement (TMRS)                | 1,680           |                 |
| 02-2020-26-00 Fuel                             | 811             |                 |
| 02-2060-26-00 Small Tools                      | 55              |                 |
| 02-3020-26-00 R&M - Bldg                       | 612             |                 |
| 02-3030-26-00 R&M - Vehicles                   | 475             |                 |
| 02-3040-26-00 Repair & Maintenance - Equipment | 375             |                 |
| 02-4060-26-00 School and Travel                | 1,175           |                 |
| 02-1040-26-00 Overtime                         |                 |                 |
| 02-1070-26-00 Group Health Insurance           |                 |                 |
| <b>Utility Equip Maint - Total Amendment</b>   | <b>5,586</b>    | <b>5,586</b>    |

1/2 of P/W Director & Asst coded to General Fund, but P/R error  
Increased cost due to unexpected breaks and repairs  
Increase due to Overtime  
Change in health coverage for new hires  
Extra well repairs required during fiscal year  
Additional tools to complete maintenance and repairs  
Unexpected repairs to Sewer Treatment Plant  
Extra Lift Station repairs  
Equipment repairs  
Increased costs for WasteWater Treatment  
Additional water purchase during drought contingency stages

Increase for new hire  
Calculation error  
Increase for new hire  
Increase Fuel costs  
Additional tools needed  
Added repairs  
Added repairs  
Added repairs  
Additional training for staff

Fiscal Year 2011  
Budget Amendments

| <u>Fund</u>                                     | <u>Increase</u>  | <u>Decrease</u>                                         |
|-------------------------------------------------|------------------|---------------------------------------------------------|
| <u>Fund Expenditures</u>                        |                  |                                                         |
| 02-9008-99-00 Compensated Absences              |                  |                                                         |
| 02-1070-99-00 Group Health                      | 33,576.00        |                                                         |
| 02-5146-99-00 Issue Costs                       |                  | 27,576.00                                               |
|                                                 |                  | 6,000.00                                                |
|                                                 | <u>33,576.00</u> | <u>33,576.00</u>                                        |
| <b>Fund Expenditures - Total Amendment</b>      |                  |                                                         |
| <b>Utilities Debt Service</b>                   |                  |                                                         |
| 16-0110-25-00 Agent Fees                        |                  |                                                         |
| 16-0210-25-00 Agent Fees                        | 2,128.00         |                                                         |
| 16-2401-00-00 Fund Balance                      | 1,910.00         |                                                         |
|                                                 | <u>4,038.00</u>  |                                                         |
|                                                 |                  | Costs due to refunding bond issue and added fiscal fees |
|                                                 |                  | Costs due to refunding bond issue and added fiscal fees |
|                                                 |                  | <u>4,038.00</u>                                         |
|                                                 |                  | <u>4,038.00</u>                                         |
| <b>Equipment Maintenance Program</b>            |                  |                                                         |
| 30-3004-00-00 Administration                    |                  |                                                         |
| 30-2010-00-00 Payment to Specialty Underwriters | 590              |                                                         |
|                                                 |                  | Additional cost for Finance printer repairs             |
|                                                 |                  | <u>590</u>                                              |
| <b>Equip Maint Program - Total Amendment</b>    | <u>590</u>       | <u>590</u>                                              |

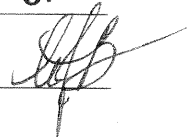


## CITY COUNCIL AGENDA FORM

Meeting Date: 2.13.2012

Agenda item: 8f

Prepared by: Karen Cooper

Reviewed by: 

Department: Finance

### AGENDA ITEM DESCRIPTION:

Discussion and possible action on approving expenditures for City vehicles and equipment in the amount of \$ 270,915.27

#### **6 Attachments for Reference**

#### Staff Briefing:

During the budget process several purchases for vehicles and equipment were approved for various City departments. Department Heads and Purchasing Coordinator made use of Texas Comptroller's Co-operative Purchasing Agreements with HGAC, which had been approved for formal bid processing and purchasing.

|                                                                                           |                  |
|-------------------------------------------------------------------------------------------|------------------|
| Alvin Equipment – Excavator, with trade in \$4,000                                        | \$ 33,862.31     |
| Philpott Motors – 3 Police Interceptors for Police and<br>1 Interceptor for City Marshall | 142,925.56       |
| Sam Pack 5 Star Ford - 2 F150 Ford Pick up                                                | 29,173.70        |
| Sam Pack 5 Star Ford - 1 F250 Ford Pick up                                                | 30,568.50        |
| Sam Pack 5 Star Ford – 1 F350 Ford Pick up                                                | 34,385.20        |
| <br>Total Expenditures                                                                    | <br>\$270,915.27 |

#### History (if applicable):

Prior history and assumptions by staff were if Council approved in the budget, then no need for 'Formal Approval' on the actual expenditures was needed. In following the current Purchasing Policy adopted by City Council, staff is asking for your approval on these expenditures. Actual savings of \$ 16,666.73 using Co-operative Purchasing and Finance/Purchasing Co-Ordinator will be realized.

Target Implementation: 2.13.2012 – Council Approval and Ratification

Significant Action Dates: N/A



## CITY COUNCIL AGENDA FORM

Action:

☐

Ordinance

☐

Resolution

☐

Proclamation

☐

Special Presentation

☐

Finance Report

☐

Public Hearing

☒

Other

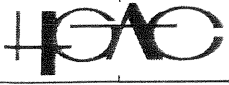
### Cost Details:

|                    |              |
|--------------------|--------------|
| <b>Budgeted</b>    | 287,582.00   |
| <b>Actual Bid</b>  | 270,915.27   |
| <b>Acct. Name</b>  | 10 Yr Assets |
| <b>Line Item #</b> | 02-7030-22   |
| <b>Amount</b>      | 33,862.31    |
| <b>Acct. Name</b>  | 10 Yr Assets |
| <b>Line Item #</b> | 01-7030-05   |
| <b>Amount</b>      | 116,531.67   |
| <b>Acct. Name</b>  | 10 Yr Assets |
| <b>Line Item #</b> | 01-7030-04   |
| <b>Amount</b>      | 26,393.89    |
| <b>Acct. Name</b>  | Vehicles     |
| <b>Line Item #</b> | 02-7030-21   |
| <b>Amount</b>      | 29,173.70    |
| <b>Acct. Name</b>  | 10 Yr Assets |
| <b>Line Item #</b> | 02-7030-24   |
| <b>Amount</b>      | 30,568.50    |
| <b>Acct. Name</b>  | 10 Yr Assets |
| <b>Line Item #</b> | 02-7030-22   |
| <b>Amount</b>      | 34,385.20    |

Staff's Recommended Motion:

Staff recommends approval of these expenditures as presented.

|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|-------------------------------|-----------------------------|------------------------------|------------------------|--|
| HGACBuy                                                                                                                                                                                                                                                     |                   | KUBOTA TRACTOR CORPORATION<br>NATIONAL ACCOUNT PRODUCT QUOTATION           |                                                                                                                                 |                                         |                               |                             |                              | EM06-11                |  |
| Contract Pricing Worksheet                                                                                                                                                                                                                                  |                   | PHONE: 310-370-3370 EXT. 1813 FAX: 310-370-3846 EMAIL: CBENNETT@KUBOTA.COM |                                                                                                                                 |                                         |                               |                             |                              | Quote # HGACEM24-11 R1 |  |
| Purchasing Party:                                                                                                                                                                                                                                           | City of La Marque |                                                                            |                                                                                                                                 |                                         | Dealer:                       | Alvin Equipment Company     |                              |                        |  |
| Contact:                                                                                                                                                                                                                                                    |                   |                                                                            |                                                                                                                                 |                                         | ADDRESS:                      | 3375 E. HWY. 6              |                              |                        |  |
| Phone #:                                                                                                                                                                                                                                                    |                   |                                                                            |                                                                                                                                 |                                         | CITY:                         | Alvin                       |                              | STATE: TX              |  |
| Fax #:                                                                                                                                                                                                                                                      |                   |                                                                            |                                                                                                                                 |                                         | CONTACT NAME:                 | Ricky Kubeczka              |                              | ZIP: 77511             |  |
| Email:                                                                                                                                                                                                                                                      |                   |                                                                            |                                                                                                                                 |                                         | PHONE:                        | 281-331-3177                |                              | FAX: 281-685-4012      |  |
| Comments: [REDACTED]                                                                                                                                                                                                                                        |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
| [REDACTED]                                                                                                                                                                                                                                                  |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
| [REDACTED]                                                                                                                                                                                                                                                  |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
| [REDACTED]                                                                                                                                                                                                                                                  |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
| ORDERING INFORMATION                                                                                                                                                                                                                                        |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
| QTY.                                                                                                                                                                                                                                                        | Product Code      | MODEL CODE                                                                 | Assembly Fees Apply                                                                                                             | UNIT LIST PRICE                         | NATIONAL ACCT. DISCOUNT PRICE | TOTAL LIST PRICE            | TOTAL NATIONAL ACCOUNT PRICE |                        |  |
| 1                                                                                                                                                                                                                                                           | K                 | U35R1S2                                                                    | Excavator, Rubber Tracks                                                                                                        | \$ 43,628.00                            | \$ 36,211.24                  | \$ 43,628.00                | \$ 36,211.24                 |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            | 4-Post ROPS/FOPS Canopy                                                                                                         | In Base Price                           |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            | Dozer Blade                                                                                                                     | In Base Price                           |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            | Dipper Arm, Counterweight                                                                                                       | In Base Price                           |                               |                             |                              |                        |  |
| 1                                                                                                                                                                                                                                                           | K                 | K7794                                                                      | 18 inch 3.20 cu. ft. Bkt                                                                                                        | \$ 1,090.00                             | \$904.70                      | \$ 1,090.00                 | \$ 904.70                    |                        |  |
| 2                                                                                                                                                                                                                                                           | K                 | RC418-66760                                                                | Bucket Pins                                                                                                                     | \$ 188.40                               | \$156.37                      | \$ 188.40                   | \$ 156.37                    |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 | \$ 44,906.40                            | \$37,272.31                   | \$ 44,906.40                | \$ 37,272.31                 |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 | \$ -                                    | \$0.00                        | \$ -                        | \$ -                         |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 | \$ (3,410.00)                           | \$ (3,410.00)                 | \$ (3,410.00)               | \$ (3,410.00)                |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            | Check: Total cost of Unpublished Options (B) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B) | For this transaction the percentage is: | 0%                            |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
|                                                                                                                                                                                                                                                             |                   |                                                                            |                                                                                                                                 |                                         |                               |                             |                              |                        |  |
| TOTAL= (A+B+C)                                                                                                                                                                                                                                              |                   |                                                                            |                                                                                                                                 | \$41,496.40                             | \$33,862.31                   | \$41,496.40                 | \$33,862.31                  |                        |  |
| AUTHORIZED SIGNATURE: X [Signature]                                                                                                                                                                                                                         |                   |                                                                            |                                                                                                                                 | DATE 11-8-11                            |                               |                             |                              |                        |  |
| HGAC order processing charge of 1.5 % on Section B items is the responsibility of the delivering dealer. Kubota will reimburse HGAC for the entire order processing charge and deduct the amount applicable to Section B from internal Kubota bid discounts |                   |                                                                            |                                                                                                                                 | \$ -                                    |                               |                             |                              |                        |  |
| All orders are subject to the terms and conditions as outlined in the National Purchase Agreement.<br>The Standard Kubota Warranty Applies, which does not include pick up or delivery.                                                                     |                   |                                                                            |                                                                                                                                 |                                         |                               | Payment Terms = Net 45 Days |                              |                        |  |
| FOR KTC INTERNAL USE:                                                                                                                                                                                                                                       |                   | Quote #: HGACEM24-11 R1                                                    |                                                                                                                                 | Quote Date: 12/07/2011                  |                               | Verified By: KMR            |                              |                        |  |

|                                                                                                                                                                                                                                                                                                             |                              |                                                                       |                                              |                                         |                                                |                |                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------|----------------------------------------------|-----------------------------------------|------------------------------------------------|----------------|------------------------------|
|                                                                                                                                                                                                                              |                              | <b>CONTRACT PRICING WORKSHEET</b><br>For Standard Equipment Purchases |                                              | Contract No.:                           | VE03-06                                        | Date Prepared: | 11/15/2011                   |
| <p><i>This Form must be prepared by Contractor and given to End User. The H-GAC administrative fee shall be shown in Section F. End User issues PO to Contractor, and MUST also fax a copy of PO, together with completed Pricing Worksheet, to H-GAC @ 713-993-4548. Please type or print legibly.</i></p> |                              |                                                                       |                                              |                                         |                                                |                |                              |
| Buying Agency:                                                                                                                                                                                                                                                                                              | CITY OF LAMARQUE             |                                                                       |                                              | Contractor:                             | PHILPOTT MOTORS                                |                |                              |
| Contact Person:                                                                                                                                                                                                                                                                                             | LT KIRK JACKSON              |                                                                       |                                              | Prepared By:                            | JARROD RUNNELS                                 |                |                              |
| Phone:                                                                                                                                                                                                                                                                                                      | 409 938 9251                 |                                                                       |                                              | Phone:                                  | 409 727 1451                                   |                |                              |
| Fax:                                                                                                                                                                                                                                                                                                        | 409 935 0002                 |                                                                       |                                              | Fax:                                    | 409 724 0934                                   |                |                              |
| Email:                                                                                                                                                                                                                                                                                                      | k.jackson@ci.la-marque.tx.us |                                                                       |                                              | Email:                                  | jarrod.runnels@philpottmotors.com              |                |                              |
| Product Code:                                                                                                                                                                                                                                                                                               | D07                          | Description:                                                          | 2011 FORD POLICE INTERCEPTOR                 |                                         |                                                |                |                              |
| <b>A. Product Item Base Unit Price Per Contractor's H-GAC Contract:</b>                                                                                                                                                                                                                                     |                              |                                                                       |                                              |                                         |                                                |                | \$ 20,516.00                 |
| <b>B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.</b><br>(Note: Published Options are options which were submitted and priced in Contractor's bid.)                                                                     |                              |                                                                       |                                              |                                         |                                                |                |                              |
| Description                                                                                                                                                                                                                                                                                                 |                              | Cost                                                                  | Description                                  |                                         | Cost                                           |                |                              |
| FLOOR PLAN INTEREST                                                                                                                                                                                                                                                                                         |                              | \$ 430.84                                                             | EXTERIOR--WHITE                              |                                         | \$ -                                           |                |                              |
| LOT INSURANCE                                                                                                                                                                                                                                                                                               |                              | \$ 61.55                                                              | INTERIOR--CHARCOAL CLOTH BUCKET VINYL REAR   |                                         | \$ -                                           |                |                              |
| 45C 3.27 LIMITED SLIP AXLE                                                                                                                                                                                                                                                                                  |                              | \$ 103.00                                                             | JOTTO DESK CONSOLE WITH ARMREST              |                                         | \$ 295.00                                      |                |                              |
| 53M RADIO SUPPRESSION                                                                                                                                                                                                                                                                                       |                              | \$ 90.00                                                              | 1/2 SLIDER PRISONER SCREEN FULL PLEXIGLASS   |                                         | \$ 425.00                                      |                |                              |
| 58F AMFM RADIO                                                                                                                                                                                                                                                                                              |                              | \$ -                                                                  | WHELEN TEXAS SPECIAL LIGHTBAR                |                                         | \$ 1,895.00                                    |                |                              |
| 51A LEFT SPOTLIGHT                                                                                                                                                                                                                                                                                          |                              | \$ 265.00                                                             | PUSH BUMPER                                  |                                         | \$ 255.00                                      |                |                              |
| 96B FRONT MOLDINGS LOOSE                                                                                                                                                                                                                                                                                    |                              | \$ 28.00                                                              | REAR PRISONER SEATING                        |                                         | \$ 395.00                                      |                |                              |
| 66F POWER DISTRIBUTION BOX (REQ 2009)                                                                                                                                                                                                                                                                       |                              | \$ 43.00                                                              | KUSTOM SIGNAL RAPTOR                         |                                         | \$ 1,600.00                                    |                |                              |
| 127 HD VINYL FLOORING                                                                                                                                                                                                                                                                                       |                              | \$ -                                                                  | 6 WAY LIGHTED SWITH BOX W/SLIDER & SIREN COM |                                         | INC                                            |                |                              |
| 59C POWER ADJUSTABLE PEDALS (REQ 2009)                                                                                                                                                                                                                                                                      |                              | \$ 56.00                                                              | MOTOROLLA XLT 2500 DIGITAL                   |                                         | \$ 4,200.00                                    |                |                              |
| 59M SIDE IMPACT AIRBAGS (REQ 2009)                                                                                                                                                                                                                                                                          |                              | \$ 284.00                                                             |                                              |                                         | <b>Subtotal From Additional Sheet(s):</b> \$ - |                |                              |
| 4.6L V8 E85                                                                                                                                                                                                                                                                                                 |                              | \$ -                                                                  |                                              |                                         | <b>Subtotal B:</b> \$ 10,426.39                |                |                              |
| <b>C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.</b><br>(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)                                                                                                                  |                              |                                                                       |                                              |                                         |                                                |                |                              |
| Description                                                                                                                                                                                                                                                                                                 |                              | Cost                                                                  | Description                                  |                                         | Cost                                           |                |                              |
| PDI CHARGE                                                                                                                                                                                                                                                                                                  |                              | \$ 80.00                                                              | HEADLIGHT FLASHERS & 4 CORNER LED'S          |                                         | \$ 675.00                                      |                |                              |
| REAR WINDOW BARRIERS                                                                                                                                                                                                                                                                                        |                              | \$ 210.00                                                             | SF VISION CAMERA 4 C DVR WR LESSUPLOAD       |                                         | \$ 4,200.00                                    |                |                              |
| EQUIPMENT SERVICES                                                                                                                                                                                                                                                                                          |                              | \$ 1,936.50                                                           |                                              |                                         | <b>Subtotal C:</b> \$ 7,101.50                 |                |                              |
| Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).                                                                                                                                                                            |                              |                                                                       |                                              |                                         | <b>For this transaction the percentage is:</b> |                | 23%                          |
| <b>D. Other Cost Items Not Itemized Above (e.g. Installation, Freight, Delivery, Etc.)</b>                                                                                                                                                                                                                  |                              |                                                                       |                                              |                                         |                                                |                |                              |
| Description                                                                                                                                                                                                                                                                                                 |                              | Cost                                                                  | Description                                  |                                         | Cost                                           |                |                              |
| CUSTOMER PICK UP                                                                                                                                                                                                                                                                                            |                              | INC                                                                   | GRAPHICS                                     |                                         | \$ 600.00                                      |                |                              |
|                                                                                                                                                                                                                                                                                                             |                              |                                                                       |                                              |                                         | <b>Subtotal D:</b> \$ 600.00                   |                |                              |
| <b>E. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C+D)</b>                                                                                                                                                                                                                |                              |                                                                       |                                              |                                         |                                                |                | \$ 38,643.89                 |
| Quantity Ordered:                                                                                                                                                                                                                                                                                           | 3                            | X Subtotal of A + B + C + D:                                          | \$ 38,643.89                                 | =                                       | Subtotal E:                                    | \$ 115,931.67  |                              |
| <b>F. H-GAC Fee Calculation (From Current Fee Tables)</b>                                                                                                                                                                                                                                                   |                              |                                                                       |                                              |                                         |                                                |                | <b>Subtotal F:</b> \$ 600.00 |
| <b>G. Trade-Ins / Other Allowances / Special Discounts</b>                                                                                                                                                                                                                                                  |                              |                                                                       |                                              |                                         |                                                |                |                              |
| Description                                                                                                                                                                                                                                                                                                 |                              | Cost                                                                  | Description                                  |                                         | Cost                                           |                |                              |
|                                                                                                                                                                                                                                                                                                             |                              |                                                                       |                                              |                                         | <b>Subtotal G:</b> \$ -                        |                |                              |
| <b>Estimated Delivery Date:</b>                                                                                                                                                                                                                                                                             |                              | IN STOCK 2-4 WEEKS ARO                                                |                                              | <b>H. Total Purchase Price (E+F+G):</b> |                                                | \$ 116,531.67  |                              |



# CONTRACT PRICING WORKSHEET

For Standard Equipment Purchases

Contract  
No.:

VE03-06

Date  
Prepared:

11/07/2011

*This Form must be prepared by Contractor and given to End User. The H-GAC administrative fee shall be shown in Section F. End User issues PO to Contractor, and MUST also fax a copy of PO, together with completed Pricing Worksheet, to H-GAC @ 713-993-4548. Please type or print legibly.*

|                 |                                 |              |                                   |
|-----------------|---------------------------------|--------------|-----------------------------------|
| Buying Agency:  | CITY OF LAMARQUE                | Contractor:  | PHILPOTT MOTORS                   |
| Contact Person: | KATHLEEN VAN STAVERN            | Prepared By: | JARROD RUNNELS                    |
| Phone:          | 409 938 9251                    | Phone:       | 409 727 1451                      |
| Fax:            | 409 935 0002                    | Fax:         | 409 724 0934                      |
| Email:          | k.vanstavern@ci.la.marque.tx.us | Email:       | jarrod.runnels@philpottmotors.com |
| Product Code:   | D07                             | Description: | 2011 FORD POLICE INTERCEPTOR      |

**A. Product Item Base Unit Price Per Contractor's H-GAC Contract:** \$ 20,516.00

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

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

| Description                            | Cost      | Description                                  | Cost        |
|----------------------------------------|-----------|----------------------------------------------|-------------|
| FLOOR PLAN INTEREST                    | \$ 430.84 | EXTERIOR--WHITE                              | \$ -        |
| LOT INSURANCE                          | \$ 61.55  | INTERIOR--CHARCOAL CLOTH BUCKET VINYL REAR   | \$ -        |
| 45C 3.27 LIMITED SLIP AXLE             | \$ 103.00 | JOTTO DESK CONSOLE WITH ARMREST              | \$ 295.00   |
| 53M RADIO SUPPRESSION                  | \$ 90.00  | 1/2 SLIDER PRISONER SCREEN FULL PLEXIGLASS   | \$ 425.00   |
| 58F AMFM RADIO                         | \$ -      |                                              |             |
|                                        |           |                                              |             |
| 96B FRONT MOLDINGS LOOSE               | \$ 28.00  | REAR PRISONER SEATING                        | \$ 395.00   |
| 66F POWER DISTRIBUTION BOX (REQ 2009)  | \$ 43.00  |                                              |             |
| 127 HD VINYL FLOORING                  | \$ -      | 6 WAY LIGHTED SWITH BOX W/SLIDER & SIREN COM | \$ 455.00   |
| 59C POWER ADJUSTABLE PEDALS (REQ 2009) | \$ 56.00  | SPEAKER                                      | \$ 195.00   |
| 59M SIDE IMPACT AIRBAGS (REQ 2009)     | \$ 284.00 |                                              |             |
| 4.6L V8 E85                            | \$ -      |                                              |             |
|                                        |           | <b>Subtotal From Additional Sheet(s):</b>    | \$ -        |
|                                        |           | <b>Subtotal B:</b>                           | \$ 2,861.39 |

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

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

| Description          | Cost        | Description                         | Cost        |
|----------------------|-------------|-------------------------------------|-------------|
| PDI CHARGE           | \$ 80.00    | HEADLIGHT FLASHERS & 4 CORNER LED'S | \$ 675.00   |
| REAR WINDOW BARRIERS | \$ 210.00   | REAR DECK LIGHT                     | \$ 225.00   |
| EQUIPMENT SERVICES   | \$ 1,826.50 |                                     |             |
|                      |             | <b>Subtotal C:</b>                  | \$ 3,016.50 |

**Check:** Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). For this transaction the percentage is: 13%

**D. Other Cost Items Not Itemized Above (e.g. Installation, Freight, Delivery, Etc.)**

| Description      | Cost | Description        | Cost |
|------------------|------|--------------------|------|
| CUSTOMER PICK UP | INC  |                    |      |
|                  |      | <b>Subtotal D:</b> | \$ - |

**E. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C+D)** \$ 26,393.89

|                   |   |                              |              |   |             |              |
|-------------------|---|------------------------------|--------------|---|-------------|--------------|
| Quantity Ordered: | 1 | X Subtotal of A + B + C + D: | \$ 26,393.89 | = | Subtotal E: | \$ 26,393.89 |
|-------------------|---|------------------------------|--------------|---|-------------|--------------|

**F. H-GAC Fee Calculation (From Current Fee Tables)** Subtotal F:

**G. Trade-Ins / Other Allowances / Special Discounts**

| Description | Cost | Description        | Cost |
|-------------|------|--------------------|------|
|             |      | <b>Subtotal G:</b> | \$ - |

|                                 |                        |                                         |              |
|---------------------------------|------------------------|-----------------------------------------|--------------|
| <b>Estimated Delivery Date:</b> | IN STOCK 2-4 WEEKS ARO | <b>H. Total Purchase Price (E+F+G):</b> | \$ 26,393.89 |
|---------------------------------|------------------------|-----------------------------------------|--------------|



**CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT**

Cars and Light Trucks

Team Members - Don McCormick -Paula Weiss-Cohen - Bill Dutton - Alan Rosner

Contract Name:HGAC - VE11-11

End User: City of La Marque Sam Pack's Rep: Bill Dutton/billd@spford.com  
 Contact: Jake Morales Date: 1/12/2012  
 Contact TN/Email j.morales@ci.la-marque.tx.us Phone # (409) 938-9213  
 Product Description: Ford F250 Extended Cab Pickup

A. Bid Series: HGAC - D22 Base Price: **\$ 17,758.15**

B. Published Options (Itemize Each Below)

| Code | Description              | Bid Price   | Code | Description             | Bid Price   |
|------|--------------------------|-------------|------|-------------------------|-------------|
|      | Automatic Transmission   | Included    | 17   | Tommygate 54-1040F11 TP | \$ 2,863.50 |
|      | Air Conditioning         | Included    | 21   | Headache Rack           | \$ 454.25   |
| 99T  | 6.7L Diesel              | \$ 7,835.00 | 18   | Spray Liner             | \$ 425.00   |
| 52B  | Trailer Brake Controller | \$ 230.00   |      |                         |             |
|      |                          |             |      |                         |             |
|      |                          |             |      |                         |             |
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|      |                          |             |      |                         |             |

Total of B. - Published Options **\$ 11,807.75**

C. Off Menu Options

| Code | Description | Bid Price | Code | Description | Bid Price |
|------|-------------|-----------|------|-------------|-----------|
|      |             |           |      |             |           |
|      |             |           |      |             |           |
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|      |             |           |      |             |           |

Off Menu Options limited to 25% of Published Price Current % 0% Total of C. - Off Menu Options **\$ -**

|    |                                          |                                |                     |
|----|------------------------------------------|--------------------------------|---------------------|
| F. | Delivery Charges                         | <u>296 Miles @ \$2.45/mile</u> | <b>\$ 725.20</b>    |
| G. | Option Discounts                         |                                | <b>\$ (322.60)</b>  |
| G. | Total of A + B + C + D + E = F           |                                | <b>\$ 29,968.50</b> |
| D. | Floor Plan Assistance                    |                                | <b>\$0.00</b>       |
| E. | Lot Insurance Coverages                  |                                | <b>\$0.00</b>       |
| H. | Quantity Ordered <u>1</u>                | X F =                          | <b>\$ 29,968.50</b> |
| I. | Administrative Fee                       |                                | <b>\$ 600.00</b>    |
| J. | Non-Equip Charges & Credits              |                                |                     |
| K  | TOTAL PURCHASE PRICE INCLUDING ADMIN FEE |                                | <b>\$30,568.50</b>  |

**CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT**

Cars and Light Trucks

Team Members - Don McCormick - Paula Weiss-Cohen - Bill Dutton - Alan Rosner

Contract Name: HGAC - VE11-11

End User: City of La Marque Sam Pack's Rep: Bill Dutton/billd@spford.com  
 Contact: Jake Morales Date: 1/12/2012  
 Contact TN/Email j.morales@ci.la-marque.tx.us Phone # (409) 938-9213

Product Description: Ford F350 Extended Cab Pickup

A. Bid Series: HGAC - D25 Base Price: **\$ 18,758.15**

B. Published Options (Itemize Each Below)

| Code | Description              | Bid Price   | Code | Description                           | Bid Price   |
|------|--------------------------|-------------|------|---------------------------------------|-------------|
|      | Automatic Transmission   | Included    | 34   | RKI T5680 Service Body                | \$ 5,968.50 |
|      | Air Conditioning         | Included    |      |                                       |             |
| 99T  | 6.7L Diesel              | \$ 7,835.00 | 18   | Spray Line Cargo area of Service Body | \$ 718.75   |
| 158  | 8' Bed                   | \$ 195.00   |      |                                       |             |
| 52B  | Trailer Brake Controller | \$ 230.00   |      |                                       |             |
|      |                          |             |      |                                       |             |
|      |                          |             |      |                                       |             |
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|      |                          |             |      |                                       |             |

Total of B. - Published Options **\$ 14,947.25**

C. Off Menu Options

| Code | Description                                | Bid Price | Code | Description | Bid Price |
|------|--------------------------------------------|-----------|------|-------------|-----------|
|      | Service Body Hitch Receiver & 7-pin wiring | \$ 285.00 |      |             |           |
|      |                                            |           |      |             |           |
|      |                                            |           |      |             |           |
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|      |                                            |           |      |             |           |

Off Menu Options limited to 25% of Published Price Current % 1% Total of C. - Off Menu Options **\$ 285.00**

|    |                                          |                                |                     |
|----|------------------------------------------|--------------------------------|---------------------|
| F. | Delivery Charges                         | <u>296 Miles @ \$2.45/mile</u> | <b>\$ 725.20</b>    |
| G. | Option Discounts                         |                                | <b>\$ (330.40)</b>  |
| G. | Total of A + B + C + D + E = F           |                                | <b>\$ 34,385.20</b> |
| D. | Floor Plan Assistance                    |                                | <b>\$0.00</b>       |
| E. | Lot Insurance Coverages                  |                                | <b>\$0.00</b>       |
| H. | Quantity Ordered <u>1</u>                | X F =                          | <b>\$ 34,385.20</b> |
| I. | Administrative Fee                       |                                | <b>\$ 600.00</b>    |
| J. | Non-Equip Charges & Credits              |                                |                     |
| K. | TOTAL PURCHASE PRICE INCLUDING ADMIN FEE |                                | <b>\$34,985.20</b>  |

- 600.00  
**34385.20**

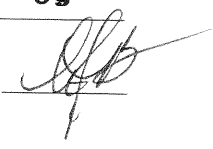


## CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2012

Agenda item: 8g

Prepared by: Michael Morgan

Reviewed by: 

Department: Public Works & Utilities

**AGENDA ITEM DESCRIPTION:** Authorize Approval of a Purchase Order in the Amount of \$29,000 to O'Reilly Auto Parts for Repair & Service Parts for all City Vehicles & Miscellaneous Supplies.

☒

**Attachments for Reference**

Accumulative Department Budget Totals

Buy Board Current Vendor List

Staff Briefing: O'Reilly Auto Parts is a member of Buy Board. This association is a Purchasing co-op. The City is a member of this co-op which is an alternative to entities wanting to buy already competitively procured products and services.

History (if applicable): The City of La Marque has utilized Standard Auto Parts as its primary parts provider. In the past years the purchase of individual parts was less than \$1000.00 per each purchase, which was allowed within the purchasing guidelines in the past years. Under further scrutiny of the policy the smaller purchases of less than \$1000.00 for various departments did not meet the aggregate purchasing requirements. As of December 2011, city staff started researching businesses through the approved purchasing co-ops of Buy Board & HGAC for approved repair & service parts vendors.

Target Implementation: February 13, 2012 City Council Meeting

Significant Action Dates: If O'Reilly's is approved on February 13, 2012, it will bring us back into compliance with the City's Purchasing Guidelines



## CITY COUNCIL AGENDA FORM

Action:

☐

Ordinance

☐

Resolution

☐

Proclamation

☐

Special Presentation

☐

Finance Report

☐

Public Hearing

☒

Other

### Cost Details:

|                              |                      |
|------------------------------|----------------------|
| <b>Budgeted</b>              | All City Departments |
| <b>Actual Bid</b>            |                      |
| <b>Estimated Expenditure</b> | \$29,000.00          |
| <b>Acct. Name</b>            | Various Departments  |
| <b>Line Item #</b>           | Various accounts     |
| <b>Other Funding</b>         |                      |

Staff's Recommended Motion: City staff recommends the acceptance of O'Reilly Auto Parts for \$29,000.00 as the City's Repair & Service Parts Supplier under the Buy Board Contract.

Fiscal Impact: No significant increases or decreases to the various departments budget.

AUTO PARTS  
EXPENDITURES  
BY LINE ITEM  
2011-2012

| ITEM<br>NUMBER | ACCOUNT<br>NUMBER | DESCRIPTION      | 6 MONTH<br>AVERAGE USE |
|----------------|-------------------|------------------|------------------------|
| 1              | 01-1030-00-00     | Auto Parts       | 3,783.84               |
| 2              | 01-3030-03-00     | Auto Parts       | 720.00                 |
| 3              | 01-3030-04-00     | Auto Parts       | 600.00                 |
| 4              | 01-3030-05-00     | Auto Parts       | 6,003.90               |
| 5              | 01-3030-06-00     | Auto Parts       | 624.30                 |
| 6              | 01-3030-09-00     | Auto Parts       | 120.48                 |
| 7              | 01-3040-09-00     | Equipment Parts  | 60.00                  |
| 8              | 01-2010-09-00     | Supplies         | 600.00                 |
| 9              | 01-2060-10-00     | Small Tools      | 1,200.64               |
| 10             | 01-3030-10-00     | Auto Parts       | 806.26                 |
| 11             | 01-3040-10-00     | Equipment Parts  | 240.00                 |
| 12             | 01-4060-10-00     | Training/Schools | 300.00                 |
| 13             | 01-3030-12-00     | Auto Parts       | 5,262.61               |
| 14             | 01-2010-13-00     | Supplies         | 36.00                  |
| 15             | 01-3030-13-00     | Auto Supplies    | 480.00                 |
| 16             | 02-3030-21-00     | Auto Parts       | 1,080.84               |
| 17             | 02-3030-22-00     | Auto Parts       | 1,762.50               |
| 18             | 02-2010-24-00     | Supplies         | 120.00                 |
| 19             | 02-3030-24-00     | Auto Supplies    | 2,945.86               |
| 20             | 02-3030-26-00     | Auto Supplies    | 538.90                 |
| 21             | 01-2010-12-00     | Supplies         | 240.00                 |
| 22             | 01-3040-12-00     | Equipment Parts  | 1,320.00               |
| 23             | 01-3030-18-00     | Auto Parts       | 30.00                  |
| 24             | 01-3040-18-00     | Equipment Parts  | 30.00                  |
| 25             | 01-3040-21-00     | Equipment Parts  | 30.00                  |
| 26             | 01-3040-22-00     | Equipment Parts  | 30.00                  |
| 27             | 01-3040-24-00     | Equipment Parts  | 30.00                  |
|                |                   | Total            | 28,996.13              |

## BuyBoard Current Vendors

| Vendor                                       | Address1                     | City          | State | Zip   | Effective | Expiration | Commodity                                                      |
|----------------------------------------------|------------------------------|---------------|-------|-------|-----------|------------|----------------------------------------------------------------|
| Olen Williams, Inc.                          | 1123 South Airport Circle    | Eules         | TX    | 76040 | 4/1/2010  | 3/31/2013  | Athletic Supplies & Equipment                                  |
| Olivas Music (formerly Capshaw Olivas Music) | 1320 N. Zaragosa             | El Paso       | TX    | 79936 | 9/1/2011  | 8/31/2014  | Music and Theater                                              |
| Olmsted Kirk Equipment and Supply Company    | 5280 Tex Oak St.             | Dallas        | TX    | 75235 | 5/1/2011  | 4/30/2014  | Paper & Toner                                                  |
| Olmsted Kirk Equipment and Supply Company    | 5280 Tex Oak St.             | Dallas        | TX    | 75235 | 8/1/2011  | 7/31/2014  | Custodial Supplies & Equipment                                 |
| One Source Commercial Flooring, Inc.         | 1701 Summit Avenue, Suite 10 | Plano         | TX    | 75074 | 3/1/2009  | 2/28/2012  | Floor Covering and Sports Surfaces                             |
| One Stop Bus Stop, Inc.                      | 1440 South Loop 12           | Irving        | TX    | 75060 | 10/1/2011 | 9/30/2014  | Vehicles/Trucks/Buses/Trailers                                 |
| Opal Booz and Associates                     | 213 Harrisburg Road          | Abilene       | TX    | 79602 | 6/1/2011  | 5/31/2014  | Library Books, Supplies and Equipment                          |
| O'Reilly Auto Parts                          | 233 S. Patterson             | Springfield   | MO    | 65802 | 12/1/2008 | 11/30/2011 | Automotive Parts/Tires/Equipment/Fuel                          |
| Oriental Trading Company                     | 4206 S 108 Street            | Omaha         | NE    | 68137 | 11/1/2009 | 10/31/2012 | Instructional/Teaching Aid Supplies & Equipment                |
| Oswalt Restaurant Supply                     | 1015 NW 68th St              | Oklahoma City | OK    | 73116 | 11/1/2010 | 10/31/2013 | Food Services Supplies & Equipment                             |
| Otto Environmental Systems, Inc.             | 12700 General Drive          | Charlotte     | NC    | 28273 | 4/1/2011  | 3/31/2014  | Public Works Supplies & Equipment                              |
| Overlooked Books                             | 694 Loop Road                | Killeen       | TX    | 76542 | 6/1/2011  | 5/31/2014  | Library Books, Supplies and Equipment                          |
| P&H Equipment, Inc.                          | 1707 Bench Mark Drive        | Austin        | TX    | 78728 | 6/1/2010  | 5/31/2013  | Building Maintenance, Repair & Operation                       |
| Pak-Mor LTD/Reliance Truck & Equipment LTD   | 7200 S. VW. White Road       | San Antonio   | TX    | 78222 | 10/1/2010 | 9/30/2013  | Public Works Supplies & Equipment                              |
| Palmer Hamilton, LLC                         | 143 S. Jackson St., Suite 1  | Elkhorn       | WI    | 53121 | 4/1/2010  | 3/31/2013  | Furniture                                                      |
| Palos Sports                                 | 11711 S. Austin Avenue       | Alsip         | IL    | 60803 | 4/1/2010  | 3/31/2013  | Athletic Supplies & Equipment                                  |
| Paradigm Traffic Systems, Inc                | 2201 E. Division St.         | Arlington     | TX    | 76011 | 4/1/2011  | 3/31/2014  | Public Safety Equipment/Police/Fire/EMS                        |
| Paragon Furniture, L.P.                      | 2224 E. Randol Mill Road     | Arlington     | TX    | 76011 | 4/1/2010  | 3/31/2013  | Furniture                                                      |
| Paragon Sports Constructors, LLC             | 5001 Saunders Road           | Fort Worth    | TX    | 76119 | 3/1/2009  | 2/28/2012  | Floor Covering and Sports Surfaces                             |
| Park Place Recreation Design, Inc.           | 4225 Woodburn                | San Antonio   | TX    | 78218 | 10/1/2010 | 9/30/2013  | Parks & Recreation Supplies & Equipment/Field Lighting         |
| Parker Sports                                | PO Box 683                   | Canyon        | TX    | 79015 | 6/1/2011  | 5/31/2014  | Grounds Maintenance/Fertilizer/Irrigation Equipment & Supplies |
| Parna Bissell and Associates, LLC            | 518 Park Lane                | Richardson    | TX    | 75081 | 6/1/2011  | 5/31/2014  | Library Books, Supplies and Equipment                          |
| Parts Express                                | 725 Pleasant Valley Dr       | Springboro    | OH    | 45066 | 4/1/2011  | 3/31/2014  | Public Safety Equipment/Police/Fire/EMS                        |



## CITY COUNCIL AGENDA FORM

Meeting Date: 2-13-12

Agenda item: 8h

Prepared by: zt

Reviewed by: [Signature]

Department: Administration

### AGENDA ITEM DESCRIPTION:

g. Discussion/possible action –Resolution No. **R-2012-1175** in support of the proposed The Tribute Apartments, approving an application for tax credits and home funds to finance such project, providing an effective date

☒ **Attachments for Reference**

### Staff Briefing:

Mr. Iglesias, President of QCT Properties, Inc./Generation Housing Development Corp, will be at the meeting to present their proposed development to City Council and to request a resolution in support of their funding application.

History (if applicable):

Target Implementation:

Significant Action Dates:

### Action:

☐

Ordinance

☒

Resolution

☐

Proclamation

☐

Special Presentation

☐

Finance Report

☐

Public Hearing

☐

Other

### **Cost Details:**

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

Staff's Recommendation

Fiscal Impact:

**RESOLUTION**  
**NO. R-2012-1175**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS IN SUPPORT OF THE PROPOSED THE TRIBUTE APARTMENTS, APPROVING AN APPLICATION FOR TAX CREDITS AND HOME FUNDS TO FINANCE SUCH PROJECT; PROVIDING AN EFFECTIVE DATE.**

Whereas, TX Bayou Apartments, Ltd has proposed a development for a new multifamily affordable rental located at 1720 & 1725 Gulf Freeway named the Tribute Apartments in the City of La Marque, Galveston County; and

Whereas, TX Bayou Apartments, Ltd intends to submit a joint application to the Texas Department of Housing and Community Affairs (TDHCA) for 2012 Housing Tax Credits and

HOME Investment Partnership Program funds for the Tribute Apartments; and  
Whereas, §50.9(b)(5), Texas Administrative Code, which gives Housing Tax Credit points for the commitment of development funding by the Unit of General Local Government, states that the TDHCA HOME Program funds will not qualify for points in this category “unless a resolution is submitted with the application from the Governing Body of the Unit of General Local Government authorizing that the Applicant act on behalf of the Unit of General Local Government in applying for HOME Program funds from TDHCA for the particular application”; and

Whereas, pursuant to §50.8(2)(A), Texas Administrative Code, we acknowledge that the City of La Marque has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds; and

Whereas, pursuant to §50.8(2)(B), Texas Administrative Code, we acknowledge that the proposed New Construction is located one linear mile or less from a Development that serves the same type of household as the new Development and has received an allocation of Housing Tax Credits for New Construction since December 19, 2008; therefore

BE IT RESOLVED that:

The City Council of the City of La Marque hereby supports the proposed Tribute Apartments, and have voted specifically to approve the construction of the Development and to authorize an allocation of Housing Tax Credits and TDHCA HOME Funds for the Development. The City of La Marque appoints TX Bayou Apartments, Ltd. to act on its behalf in applying for TDHCA HOME funds for The Tribute Apartments.

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_, 2012 at a Regular Meeting of the City Council of the City of La Marque, Texas.

CITY OF LA MARQUE

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

ATTEST:

\_\_\_\_\_  
Zina Tedford, Interim City Clerk



January 30, 2012

Carol Buttler – City Manager  
City of La Marque  
1111 Bayou Road  
La Marque, Texas 77568

**RE: The Tribute Apartments, La Marque, Texas**

Dear Ms. Buttler,

On behalf of Realtex Development Corporation and Generation Housing Development, LLC, I would like to thank you for giving us the opportunity to present our proposed development to Mayor Hocking, Councilmember Trube, key staff and yourself on Friday, January 20, 2012. As discussed in our meeting, we kindly request to be included on your agenda for the next City Council meeting scheduled February 13, 2012. We look forward to presenting our development to the entire City Council and to request a City Resolution of Support for our funding application.

For your review, I have attached the City Resolution of Support that our organization is seeking for our funding application. Our goal is to maximize the aesthetic appeal of the development; however, the City of La Marque does not participate in the HOME Investment Program. We need the resolution of support in order to apply for additional funds to make the enhancement of the development achievable in the State's pool of funds.

We are committed to providing the absolute best living environment and amenities to the residents of the Tribute. Our mission is to develop a sustainable community that residents can take pride in, and city leaders can be proud of.

Once again, I thank you for your time and consideration and look forward to providing any additional information necessary to obtain the City Resolution of support.

Sincerely,  
Generation Housing Development, LLC

A handwritten signature in dark ink, appearing to read "Adrian Iglesias", with a stylized flourish at the end.

Adrian Iglesias  
President



February 9, 2012

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

**RE: The Tribute Apartments, La Marque, Texas**

Dear Mayor Hocking:

On behalf of Realtex Development Corporation and Generation Housing Development, LLC, I would like to present the information requested in preparation for our City Council Agenda.

**Market Rate Units**

Re: Original proposal of 10% has been increased to 24% to accommodate the overflow of overqualified applicants in need of homes. **See exhibit: A**

- We have remodeled our financial pro forma to include a market rate component to our 112 unit development. A total of 24% of the units (27 Units) will be set for Market Rate Occupancy, making The Tribute Apartment a true mixed income development as discussed in our meeting.
- The new financial pro forma has been reviewed and approved by our nationally recongized financing insitution, Comerica Bank (formely Sterling Bank) out of Houston, Texas.

**Local Based Subcontractors**

Re: Our original development, Horizon Meadows, issued \$500,000 in local based subcontract pay. It is our intention to utilize local subcontractors for The Tribute Apartments as well.

- As a matter of internal policy, we have always strongly encouraged local subcontractors to bid on our projects. We believe that the use of local based subcontractors typically builds a much stronger labor force with expert craftsmanship at more reasonable pricing.
- Realtex Construction, LLC will invite local based sub-contractors to a public meeting for the Tribute. Such invitation will be advertised in the Local News Publications and public postings. The advertisements will announce the commencement of the job, scope of the job, and will list a time and place for the meeting. The meeting will provide an opportunity for the sub-contractors to become acquainted with the General Contractor's on-site staff. At this meeting, the bidders will have the opportunity to obtain clarification on all details of the job (including but not limited to scheduling, qualifications, plan details, etc.) and be able to submit bids for their respective scope of work.

- Horizon Meadows Apartments located at Main Street and Bayou Road in La Marque was completed in 2010. The construction of the development funded over \$500,000 dollars for labor and materials from locally qualified subcontractors and suppliers. Listed below is a sample of companies and/or organizations that participated in the successful construction of this development.
  - La Marque Off Duty Police Officers – Construction Site Security
  - Labor Finders
  - Allied
  - Pro Kill Pest Control

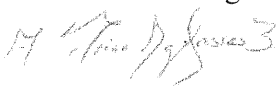
### Water Allocation / Conservation

Re: Evaluation needed on the impact The Tribute Apartments would have on the water allocation of La Marque. Based on the water reduction features described herein, the estimated domestic water consumption for this project is 11,398 gallons per day. The evaluation indicates that the city would have the capacity to service the future development.

- The City of Austin has one of the most aggressive water reduction programs in the country. We have used their program to analyze the water reduction opportunities for this project.
- The attached tables describe the usage, baseline case and proposed case. The baseline case establishes the anticipated domestic demand from the code standpoint based on flow and flush rate maximums stated in your plumbing code. The proposed case demonstrates the savings by utilizing reduced flow and flush fixtures up to 25%. Occupancy estimates are attached
- Our M.E.P. Engineer David E. Nichols with EN-Incorporated has outlined our proposed apartment home domestic water usage reduction analysis (See Exhibit "B"). By utilizing reduced flow and flush fixtures, we are conserving up to 25% less water than a typical apartment home designed with non-conserving plumbing fixtures. **See exhibit: B**

Once again, I thank you for your time and consideration and look forward to providing any additional information necessary to obtain the City Resolution of support.

Sincerely,  
Generation Housing Development, LLC

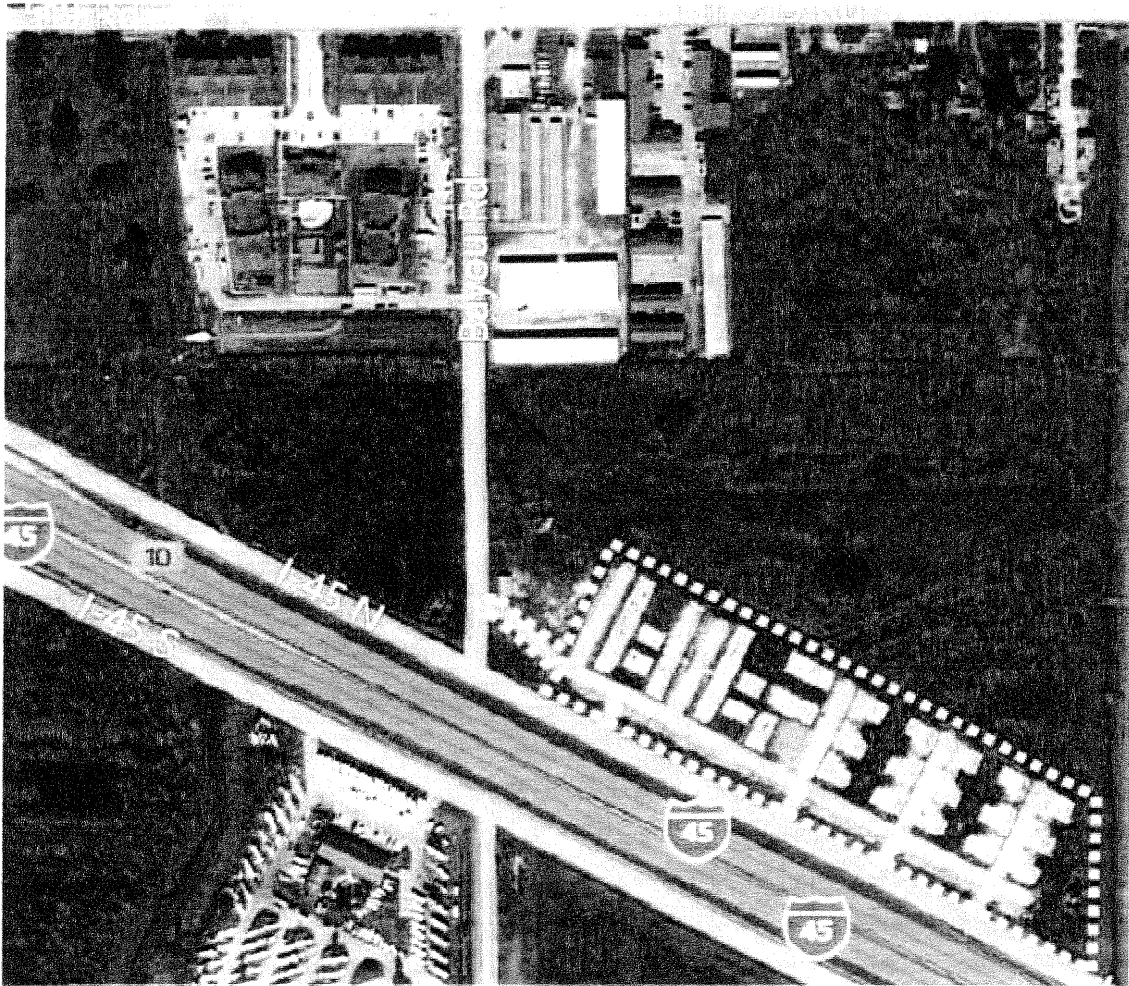


Adrian Iglesias  
President

CC: Councilmember Trube  
City of La Marque Staff

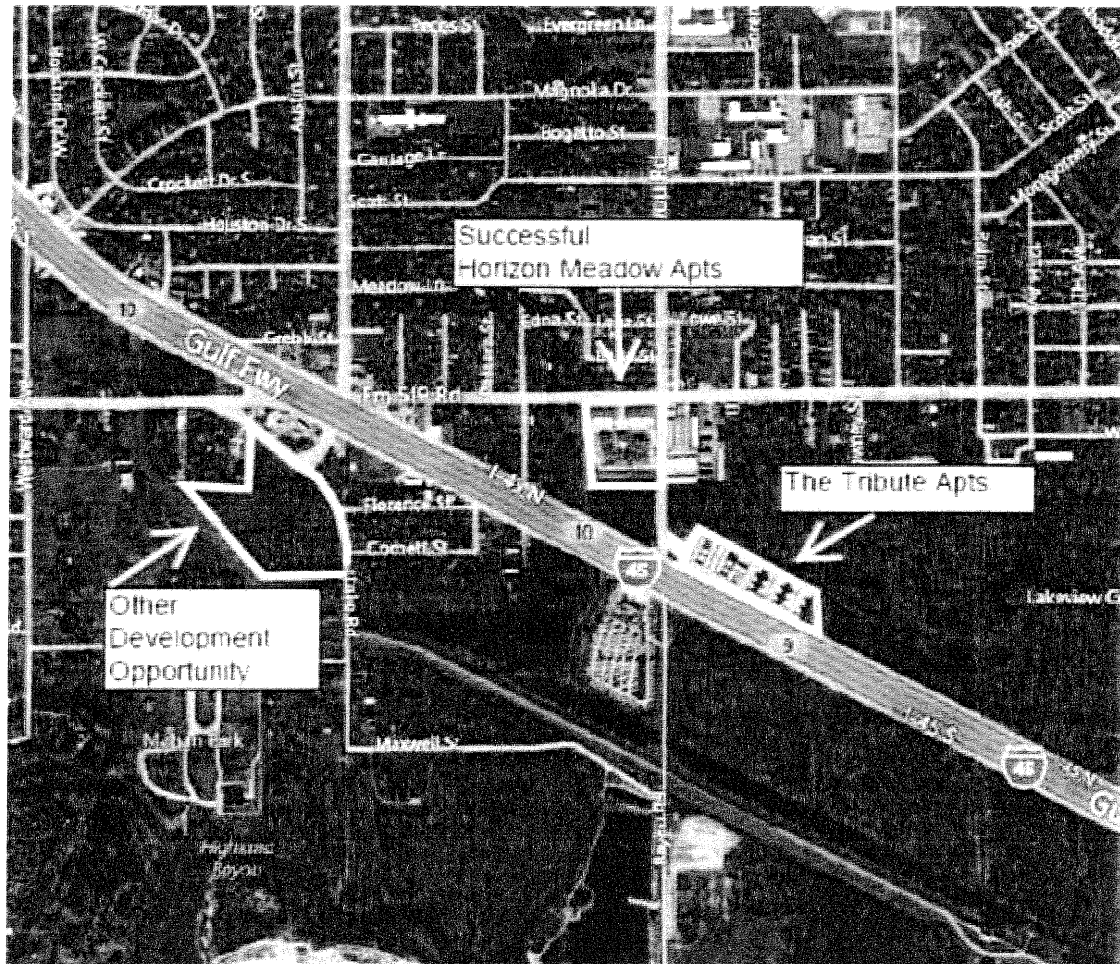
## The Tribute Apartments

### Aerial Location

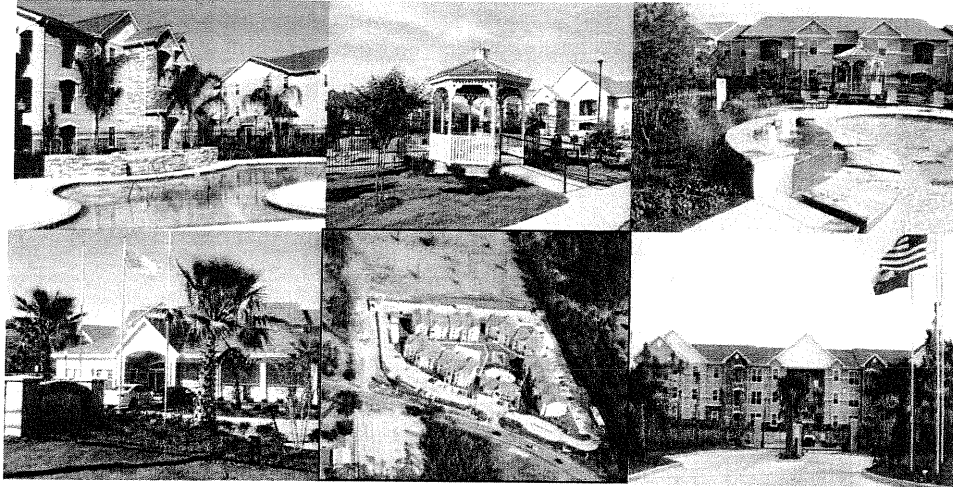


# The Tribute Apartments

## Aerial Overview



**Real**  
Development Corporation



**The Tribute Apartments**  
**1720 & 1725 Gulf Freeway**  
**La Marque, Texas 77568**

**"DEVELOPERS"**  
**Realtex Development Corporation**  
**Generation Housing Development**

**Leaders in the Creation of High-Quality  
Multifamily Communities**

**Contact Information:**

Adrian Iglesias –President  
[aiglesias@gctproperties.com](mailto:aiglesias@gctproperties.com)  
Generation Housing Development  
9600 Escarpment Blvd. Suite 745-101  
Austin, Texas 78749  
Phone: (512) 971-9127  
Fax: (512) 961-8048

Rick J. Deyoe – President  
[rdeyoe@realtexdevelopment.com](mailto:rdeyoe@realtexdevelopment.com)  
Realtex Development Corporation  
1101 S. Capital of Texas Hwy, STE. F-200  
Westlake, Texas 78746  
Phone: (512) 306-9206  
Fax: (512) 306-9010

**THE TRIBUTE APARTMENTS**  
**1720 & 1725 Gulf FWY**  
**La Marque, TEXAS**

**DEVELOPMENT NARRATIVE**

**PROPERTY TYPE:** As a contribution to the revitalization effort of the City of La Marque, a proposed newly master planned community consisting of 112 apartment homes to be known as The Tribute Apartments, will be developed. This new development will replace a pre-existing development that was demolished in 2008. The demolition was incomplete and left partial slabs as well considerable debris. The current condition is a detriment to the appeal of the community and the new development will include the completion of the demolition. The Tribute Apartments will increase the surrounding property values, as well as enhance the curb appeal to the community.

**LOCATION:** The site is located at 1720 & 1725 Gulf Freeway, La Marque, Galveston County, Texas.

**CURRENT CONDITIONS:** The existing property was a previous apartment complex which was partially demolished in 2008 leaving a deteriorated fencing, building concrete slabs, unusable concrete streets, as well as overgrown weeds and debris.

**IMPROVEMENTS:** The proposed newly developed 112 unit development will consist of 6 residential buildings that are two & three-story with masonry veneer and fiber cement siding with pitched composition shingle roofs. The property will also have a sizable community/leasing clubhouse, resource center, mail kiosk, a sparkling swimming pool and fitness center. The proposed residential unit mix consists of the following:

| <b>Quantity:</b> | <b>Type</b>          | <b>Mixed Income/Market Rate</b> | <b>Size</b> |
|------------------|----------------------|---------------------------------|-------------|
| 5                | 1 Bedroom/1 Bathroom | MKT RATE                        | 725         |
| 11               | 1 Bedroom/1 Bathroom | MIXED                           | 725         |
| 13               | 2 Bedroom/2 Bathroom | MKT RATE                        | 1,015       |
| 43               | 2 Bedroom/2 Bathroom | MIXED                           | 1,015       |
| 9                | 3 Bedroom/3 Bathroom | MKT RATE                        | 1,250       |
| 31               | 3 Bedroom/2 Bathroom | MIXED                           | 1,250       |
| 112 Units        |                      |                                 |             |

**CONSTRUCTION:** Foundation: Concrete Slab  
Walls: Wood Frame  
Exterior: Masonry Veneer and Fiber Cement Siding  
Roof: Composition Thirty Year Shingle  
Windows: Double Pane with Low E Hurricane Impact Glass  
Interior finish: Drywall with latex paint  
Heat: Electric  
Hot Water: Electric  
Cooking: Electric  
HVAC: Electric Central Air, 14 SEER Minimum  
Flooring: Carpeting and Vinyl/Ceramic Tile

**UNIT FEATURES:** The following features are included in each living unit:

- Phone and Cable TV access: All new construction units must be wired with RG-6 COAX or better and CAT5 phone cable or better, wired to each bedroom, dining room and living room
- Mini-blinds
- Energy-Star or equivalently rated appliances including frost-free refrigerators w/ icemakers, disposals, dishwasher, and water heaters
- Microwave ovens and self cleaning ovens with range top
- Exhaust/vent fans in bathrooms
- Energy-Star or equivalently rated efficient ceiling fans in living areas and bedrooms
- Energy-Star or equivalently rated efficient lighting fixtures in all units, which may include compact florescent bulbs
- R-15 Walls/R-30 Ceilings (rating of wall system)
- Washer/Dryer connections
- Water Conserving Fixtures
- Ceiling Fixtures in all rooms
- Fire Sprinklers in all Units
- Covered entries into every unit
- Covered patios/balconies
- Sub-Metered Water Utility Meters

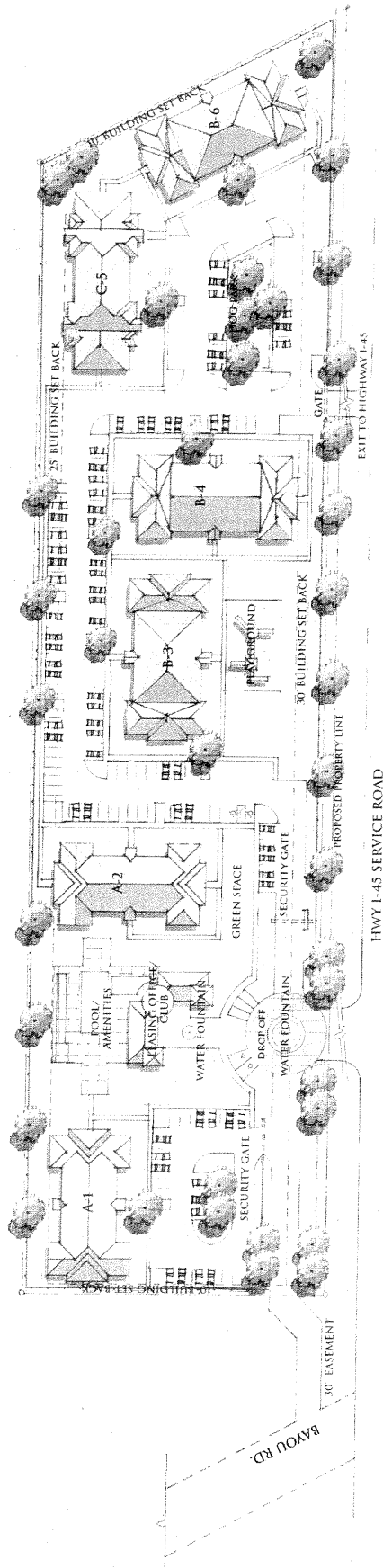
**PROPERTY  
FEATURES:**

The property will feature the following amenities:

- Full Perimeter Fencing & Controlled Gate Access
- Clubhouse/Leasing Facility
- Fully Furnished Community Room
- Fitness Center
- Business and Resource Center
- Swimming Pool
- Children's Playscape

**TENANT  
SERVICES:**

The Tribute Apartments will provide the following supportive services: monthly arts and craft, quarterly financial planning courses, annual health fair, scholastic tutoring, quarterly health and nutritional courses, and GED preparation. In addition to these services, the development will provide Public Notary Services at no cost to the residents.



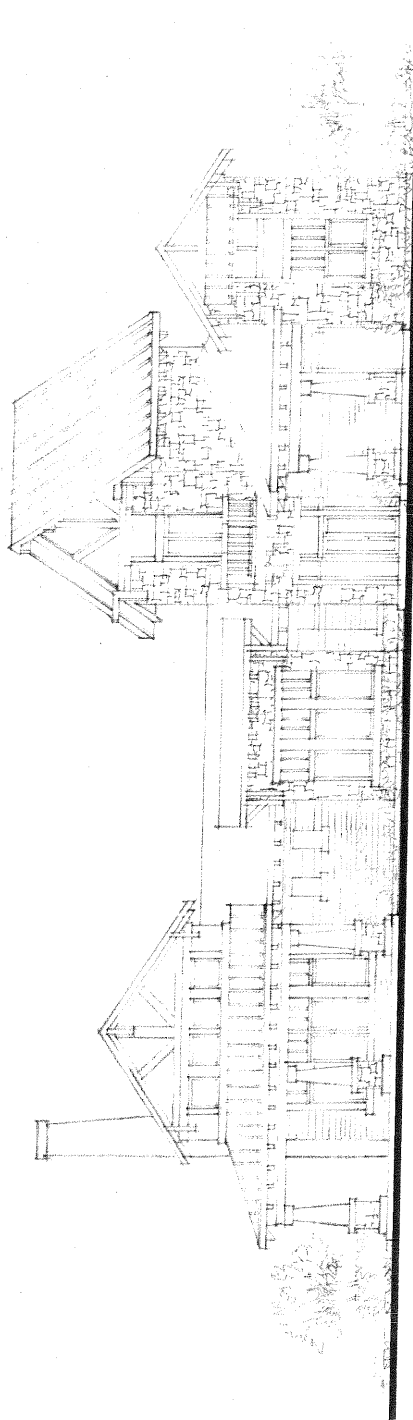
12/14  
02/09/2012  
REALTECH

# THE TRIBUTE APARTMENTS SCHEMATIC SITE PLAN

LA MARQUE, TEXAS

10' EASEMENT

BGO  
BENTLEY GROUP



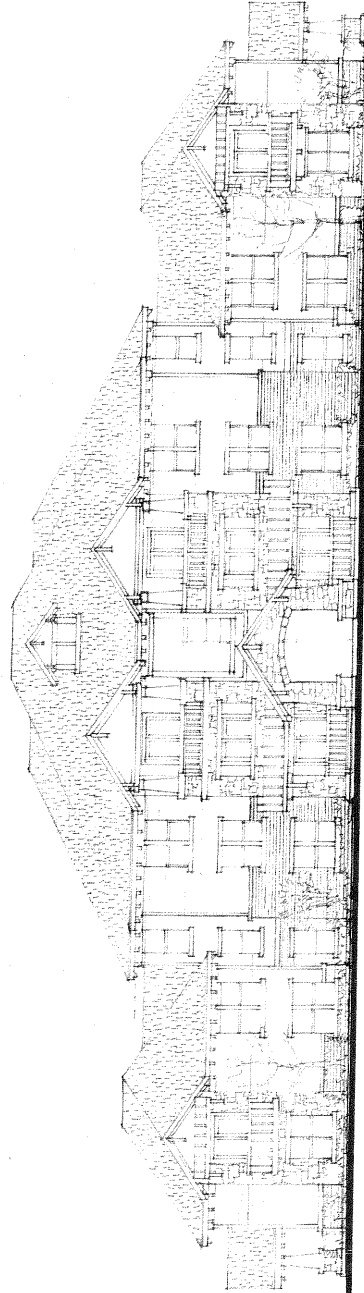
THE TRIBUTE APARTMENTS CLUB HOUSE CONCEPTUAL ELEVATION  
LA MARQUE, TEXAS

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500

SCALE 1/8" = 1'-0"

0 1 2 3 4  
5 6 7 8 9  
10 11 12  
FEET



THE TRIBUTE APARTMENTS CONCEPTUAL ELEVATION  
LA MARQUE, TEXAS

PROPERTY OF BGC GROUP, LLC. ALL RIGHTS RESERVED.

BGC  
ARCHITECTS

# 12114  
02/28/2012  
REPLATE

**Exhibit "B"**

February 07, 2012

Adrian Iglesias  
President  
QCT Properties, Inc./Generation Housing Development Corp.  
9600 Escarpment Blvd. Suite 745-101  
Austin, TX 78749

**RE: The Tribute Apartment – Domestic Water Savings Estimation**

Our office has utilized a tool developed by the City of Austin Green Building Program to demonstrate domestic water usage reduction. The attached tables describe the usage of the tool, baseline case and proposed case. The baseline case establishes the anticipated domestic demand from a code standpoint based on flow and flush rate maximums stated in the plumbing code. The proposed case demonstrates savings by utilizing reduced flow and flush fixtures. Occupancy is estimated as follows:

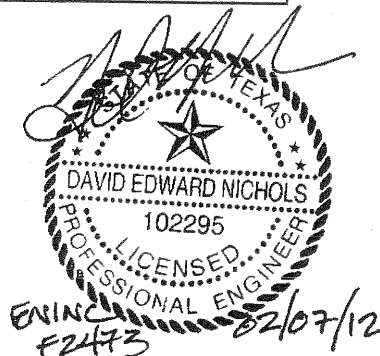
| Unit Type                        | Total | Occupants    | Total Site Occupancy |
|----------------------------------|-------|--------------|----------------------|
| 1 Bed / 1 Bath                   | 16    | 2            | 32                   |
| 2 Bed / 2 Bath                   | 56    | 2            | 112                  |
| 3 Bed / 2 Bath                   | 40    | 4            | 160                  |
| Total Units                      | 112   | Total People | 304                  |
| * Assume 50% Male / Female Ratio |       |              |                      |

Currently, the calculator is **predicting a savings of approximately 25%** reduction over the baseline case with the following items:

| Fixture        | Rate | Unit      |
|----------------|------|-----------|
| Kitchen Sink   | 1.5  | GPM       |
| Lavatory Sink  | 1.5  | GPM       |
| Shower         | 2.0  | GPM       |
| Toilet         | 1.28 | GPF       |
| Clothes Washer | 25   | GAL/Cycle |
| Dishwasher     | 8.0  | GAL/Cycle |

Sincerely,

David E. Nichols, PE, LEED AP  
Vice President  
EN, Incorporated





# GREEN BUILDING PROGRAM

## BUILDING WATER USE REDUCTION CALCULATOR

Design Case Table

|   | Flush Fixture       | Daily Uses | Flowrate [GPF] | Duration [flush] | Occupants | Water Use [gal] |
|---|---------------------|------------|----------------|------------------|-----------|-----------------|
| 1 | Conventional Toilet |            |                |                  |           |                 |
|   | Male                | 5          | 1.6            | 1                | 152       | 1,216           |
|   | Female              | 5          | 1.6            | 1                | 152       | 1,216           |
| 2 | Other               |            |                |                  |           |                 |
|   | Male                | 0          | 0.0            | 1                |           | 0               |
|   | Female              | 0          | 0.0            | 1                |           | 0               |
| 3 | Other               |            |                |                  |           |                 |
|   | Male                |            | 0.0            | 1                |           | 0               |
|   | Female              |            | 0.0            | 1                |           | 0               |
| 4 | Other               |            |                |                  |           |                 |
|   | Male                |            | 0.0            | 1                |           | 0               |
|   | Female              |            | 0.0            | 1                |           | 0               |

|   | Flow Fixture             |   | [GPM] | [sec] |     | [gal] |
|---|--------------------------|---|-------|-------|-----|-------|
| 1 | Low-Flow Lavatory (Sink) | 5 | 1.5   | 15    | 304 | 570   |
| 2 | Low-Flow Kitchen Sink    | 4 | 1.5   | 60    | 304 | 1,824 |
| 3 | Low-Flow Shower          | 1 | 2.0   | 300   | 304 | 3,040 |
| 4 | Other                    | 1 | 0.0   |       |     | 0     |
| 5 | Other                    | 1 | 0.0   |       |     | 0     |
| 6 | Other                    | 1 | 0.0   |       |     | 0     |
| 7 | Other                    | 1 | 0.0   |       |     | 0     |
| 8 | Other                    | 1 | 0.0   |       |     | 0     |

Total Daily Volume [gal] 7,866

Annual Work Days 365

Annual Volume [gal] 2,871,090

| Residential Appliance | Water Use [gal/load or gal/cycle] | Number of Units | Volume [gal/yr] |
|-----------------------|-----------------------------------|-----------------|-----------------|
| Clothes Washer        | 25                                | 112             | 1,096,368       |
| Dishwasher            | 8                                 | 112             | 192,640         |

Residential Appliance Annual Volume [gal] 1,289,008

Annual Graywater or Rainwater Reuse [gal]

TOTAL ANNUAL VOLUME [gal] 4,160,098

|                     |     |
|---------------------|-----|
| Water Use Reduction | 25% |
|---------------------|-----|

|                                 |                    |
|---------------------------------|--------------------|
| Daily Domestic Calculated Usage | 11,400 Gal per Day |
|---------------------------------|--------------------|



## GREEN BUILDING PROGRAM

### BUILDING WATER USE REDUCTION CALCULATOR

The **Reference Charts** below may be updated with project specific information in the green highlighted cells.

#### Flush Fixture Chart

| Flush Fixture Type     | Water Use<br>[GPF] |
|------------------------|--------------------|
| 1 Conventional Toilet  | 1.6                |
| 2 Reduced-Flow Toilet  | 1.3                |
| 3 Low-Flow Flush Valve | 1.1                |
| 4 Composting Toilet    | 0.0                |
| 5 Conventional Urinal  | 1.0                |
| 6 Low-Flow Urinal      | 0.5                |
| 7 Pint Urinal          | 0.1                |
| 8 Waterless Urinal     | 0.0                |
| 9 Other                |                    |
| 10 Other               |                    |
| 11 Other               |                    |
| 12 Other               |                    |

#### Flow Fixture Chart

| Flow Fixture Type              | Water Use<br>[GPM] @80 psi |
|--------------------------------|----------------------------|
| 1 Conventional Lavatory (Sink) | 2.5                        |
| 2 Low-Flow Lavatory (Sink)     | 1.5                        |
| 3 Kitchen Sink                 | 2.5                        |
| 4 Low-Flow Kitchen Sink        | 1.5                        |
| 5 Shower                       | 2.5                        |
| 6 Low-Flow Shower              | 2.0                        |
| 7 Other                        |                            |



# GREEN BUILDING PROGRAM

## BUILDING WATER USE REDUCTION CALCULATOR

**Daily Use Chart**

**Reference Table**

| Fixture Type                                       | Daily Uses         |                  |                 |          |
|----------------------------------------------------|--------------------|------------------|-----------------|----------|
|                                                    | Full time Occupant | Student/ Visitor | Retail Customer | Resident |
| 1 Toilet (Male)                                    | 1                  | 0.1              | 0.1             | 5        |
| 2 Toilet (Female)                                  | 3                  | 0.5              | 0.2             | 5        |
| 3 Urinal (Male)                                    | 2                  | 0.4              | 0.1             | 0        |
| 4 Lavatory Sink                                    | 3                  | 0.5              | 0.2             | 5        |
| 5 Kitchen Sink, non-residential (15 sec. duration) | 1                  | 0                | 0               | 0        |
| 6 Kitchen Sink, residential (60 sec. duration)     | 0                  | 0                | 0               | 4        |
| 7 Shower                                           | 0.1                | 0                | 0               | 1        |

**Duration Chart**

| Fixture Type                                      | Seconds |
|---------------------------------------------------|---------|
| 1 Lavatory Sink                                   | 15      |
| 2 Lavatory Sink with Electronic Controls          | 12      |
| 3 Kitchen Sink, non-residential                   | 15      |
| 4 Kitchen Sink (non-res) with Electronic Controls | 12      |
| 5 Kitchen Sink, residential                       | 60      |
| 6 Shower                                          | 300     |

**CITY OF LA MARQUE, TEXAS  
SPECIAL/GENERAL ELECTION  
CALENDAR  
MAY 12, 2012**

|                |                                                                                                                                                                                                                                                                                 |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Jan 30-Feb 14  | Recommended period for CALLING ELECTION AND POSTING NOTICE OF ELECTION on bulletin board                                                                                                                                                                                        |
| Jan 30-Feb. 17 | Recommended period to submit requests for PRECLEARANCE for any required matters                                                                                                                                                                                                 |
| Feb 4          | FIRST DAY FOR FILING APPLICATION for place on Ballot (Business hours are Monday-Friday, 8:00 a.m.- 5:00 p.m. First Day for filing will be Monday, February 6 <sup>th</sup> at 8:00 a.m.<br><br>FIRST DAY FOR FILING DECLARATION OF WRITE-IN CANDIDACY                           |
| Mar 5          | LAST DAY FOR FILING APPLICATION FOR PLACE ON BALLOT (must be received by the City Clerk by 5:00 p.m.)<br><br>LAST DAY FOR WRITE-IN CANDIDATE to declare candidacy in the GENERAL AND SPECIAL ELECTION                                                                           |
| Mar 6          | LAST DAY for write-in candidate to withdraw in general election and have name removed from write-in list                                                                                                                                                                        |
| Mar 8          | LAST DAY FOR A CANDIDATE in general election to withdraw (withdrawal request by be received by 5:00 p.m.                                                                                                                                                                        |
| Mar 9          | Recommended last day to POST 72 HOUR NOTICE OF DRAWING for order of names on ballot                                                                                                                                                                                             |
| Mar 12-14      | Recommended period to CONDUCT DRAWING FOR ORDER OF NAMES ON BALLOT. Prepare ballot format and send to printer                                                                                                                                                                   |
| Mar 13         | FIRST DAY TO ACCEPT APPLICATIONS FOR EARLY BALLOTS TO BE VOTED BY MAIL BALLOT                                                                                                                                                                                                   |
| Apr 12         | Last day for submitting voter registration application in time to vote at the election or for requesting transfer of registration in time to vote in new precinct not in the same county and territory<br><br>1 <sup>st</sup> Report of campaign contributions and expenditures |
| Apr 30         | FIRST DAY FOR EARLY VOTING BY PERSONAL APPEARANCE                                                                                                                                                                                                                               |
| May 2          | LAST DAY FOR PUBLICATION OF NOTICE OF ELECTION                                                                                                                                                                                                                                  |
| May 4          | 2nd Report of campaign contributions and expenditures                                                                                                                                                                                                                           |

|           |                                                                                                                                                                                          |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| May 4     | Last day to receive application by mail for a ballot to be voted by mail, by 12 noon or close of business whichever is later                                                             |
| May 8     | LAST DAY OF REGULAR EARLY VOTING BY PERSONAL APPEARANCE                                                                                                                                  |
| May 12    | <b><u>ELECTION DAY</u></b> . ** Polls are open 7:00 a.m. to 7:00 p.m.<br><br>UNOFFICIAL TABULATION OF RESULTS.                                                                           |
| May 15-23 | PERIOD FOR OFFICIAL CANVASS. Provide Official Oath and Statement of Elected Officials to candidates who appear to have won, or may win. Drawing for place on runoff ballot, if necessary |

# Gulf Coast Water Conservation Symposium

## *The Business Case for Water Conservation*

Friday, March 2<sup>nd</sup>, 2012

Johnnie Arolfo Civic Center  
400 West Walker Street  
League City, TX 77573

---

### **PROGRAM**

- 8:30 – 9:00    **Registration**
- 9:00 – 9:10    **Welcome: Ken Kramer, Sierra Club, Lone Star Chapter**
- 9:10- 9:30    **Keynote Speaker – Carlos Rubinstein, TCEQ Commissioner**
- 9:30 – 10:15    **Water Conservation Myths, the Fear Factor, and the National Picture**  
Carole Baker, Texas Water Foundation, Executive Director
- 10:15- 10:30    **Break**
- 10:30 – 11:15    **The Business Case for Water Conservation and its Impact on Rates**  
Karen Guz, San Antonio Water System
- 11:15 – 12:00    **“Easy” Water Conservation during Hard Times**  
Drema Gross, Water Conservation Manager, Austin Water
- 12:00 – 1:00    **Lunch**  
**Welcome by Mayor Tim Paulissen, League City**
- 1:00 – 2:00    **Tools to Start Saving Water Today**  
Moderator: Jennifer Walker, Sierra Club, Lone Star Chapter  
Panelists:    David Martinez, Harris-Galveston Subsidence District  
                 Jay Hartley and Doug Goodwin, WISE Guys  
                 Speaker TBD
- 2:00 – 2:30    **Central Texas Water Efficiency Network: Working Together for Solutions**  
Jessica Woods, Water Conservation Specialist, City of Round Rock
- 2:30 – 2:45    **Wrap-up**  
Scott Jones, Galveston Bay Foundation

# Gulf Coast Water Conservation Symposium: **THE BUSINESS CASE FOR WATER CONSERVATION**

**Friday, March 2, 8:30 am - 3:00 pm**

**at the Johnnie Arolfo Civic Center Ballroom, 300 West Walker Street, League City, TX 77573**

## WHAT YOU WILL LEARN:

Attendees will acquire an understanding of:

- The business case for water conservation, cost-effective approaches to water conservation, and methods for ensuring an economically viable water utility while implementing water conservation programs.
- Conservation strategies that reduce demand while enabling communities to pay for their infrastructure investments.
- Strategies to start and develop an effective water conservation program.

- How to incorporate water conservation into long-term water supply plans.

## WHO SHOULD ATTEND?

- Mayors, City Council Members, County Commissioners, board members of MUD's and other water providers.
- City managers, water utility directors, water conservation program staff and other relevant staff, finance directors/CFO's and sustainability officers.
- Business and Community leaders.

**LUNCH PROVIDED - \$35 REGISTRATION FEE**

For agenda and registration information go to: [www.texaswater.org](http://www.texaswater.org)

## SPONSORS:

Texas Water Foundation, Sierra Club-Lone Star Chapter, Alliance for Water Efficiency, Galveston Bay Foundation, City of Houston, National Wildlife Federation, Save Water Texas, Houston-Galveston Area Council, Harris-Galveston Subsidence District

**City Clerk**

**From:** Texas Municipal League [tmladmin@tml.ccsend.com] on behalf of Texas Municipal League [tmladmin@tml.org]  
**Sent:** Wednesday, January 25, 2012 1:46 PM  
**To:** City Clerk  
**Subject:** TML Region 14 Meeting Schedule

***SAVE THE DATES!***

**TML REGION 14 SPRING MEETING**

The spring meeting will be held at 6:30 p.m. on **Thursday, March 22, 2012**, at the Four Seasons Hotel, located at 1300 Lamar Street in Houston.

***Registration packets will be mailed and posted in February.***

**TML REGION 14 FALL MEETING**

The fall meeting will be held on Friday and Saturday, **August 17-18, 2012**, at the Moody Gardens Hotel, located at Seven Hope Boulevard in Galveston.

***Registration packets will be mailed and posted in June.***

Check the H-GAC Web site at <http://www.h-gac.com/go/TMLWorkshop> for information as it becomes available.

If you do not wish to receive information about TML regional meetings, please reply with the words NO TML REGIONAL MEETINGS on the subject line, or e-mail tmladmin@tml.org with NO TML REGIONAL MEETINGS on the subject line.

Texas Municipal League  
1821 Rutherford Lane  
Austin, Texas 78754

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