

AGENDA

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Regular Meeting on Monday, June 25, 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

(4) MINUTES (3-8)

a. Workshop, June 11, 2012

b. Regular City Council Meeting, June 11, 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) PRESENTATION (9-11)

a. Introduction – New City Employees

b. Presentation – City of La Marque historical poster

(7) PUBLIC HEARING

a. Public Hearing - Ordinance No. **O-2012-1060**- An Ordinance of the City of La Marque, Texas, amending Chapter 2, Administration, City Departments, of the Code of Ordinances, City of La Marque, Texas by repealing Ordinance No. 1032, which added a new Section 2-39A to create the Office of Public Safety Director

(8) OLD BUSINESS (12-52)

a. Discussion/possible action - Ordinance No. **O-2012-1060**- An Ordinance of the City of La Marque, Texas, amending Chapter 2, Administration, City Departments, of the Code of Ordinances, City of La Marque, Texas by repealing Ordinance No. 1032, which added a new section 2-39A to create the Office of Public Safety Director. This is the second reading

b. Discussion/possible action - the City of La Marque Comprehensive Emergency Management Plan

c. Discussion/possible action - Ordinance No. **O-2012-1059** of the City Council of the City of La Marque, Texas providing for the vacating, abandonment, and closing of a portion of a 60-foot street right-of-way, lying north of FM519, out of the Greb Addition. This is the first reading.

d. Discussion/possible action -Change Order #4 Long & Son LJA - Project No. E019-090D Replacement of Magnolia Water Plant for \$98,841.68

(9) NEW BUSINESS (53-91)

a. Discussion/possible action - adopting the Official City of La Marque Historical poster

b. Discussion/possible action - appointment(s) to the Animal Services Advisory Committee

c. Discussion/possible action - the City of La Marque entering into an agreement with the Galveston Fire Firefighters Association on behalf of the La Marque Fire Department for training and equipment

d. Discussion/possible action - Resolution No. **R-2012-1181** authorizing the City Manager to execute a contract with Texas Coalition for Affordable Power (TCAP) for the city's electricity needs through December 31, 2017

- e. Discussion - City of La Marque Code of Ordinances, Chapter 5, Alarm Systems
- f. Discussion/possible action – Guarantee/Warranty from AAA Asphalt Paving, Inc. for Newman Road and release of total payment Estimate 1 Project I in the amount of \$104,113.00
- g. Review and discuss proposed calendar for future City Council budget meetings

(10) CITY MANAGER REPORT – No Council Action Necessary (92-184)

(11) 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

(12) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas before 5:00 p.m. on this 22nd day of June 2012

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized the Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development)

Zina Tedford, Interim City Clerk

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

MINUTES
WORKSHOP
Monday, June 11, 2012

(1) CALL MEETING TO ORDER

Mayor Hocking called the meeting to order at 4:30 p.m.

(2) ROLL CALL

PRESENT:

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

(3) WORKSHOP

a. Discussion of Change Order #4 Long & Son LJA - Project No. E019-090D

Replacement of Magnolia Water Plant

City Manager Buttler stated that after the last City Council Meeting, it came to her attention that this project is new to several councilmembers. In order to bring a level of comfort and due to the amount of money being expended, LJA and staff is presenting this item as if it were a new project. If the City does not proceed and complete the project as outlined in the grant, the city would have to repay the funds. Engineer Wallace E. Trochesset, P.E. will answer any questions. Public Works Director Mike Morgan presented Council with the history of the Magnolia Water Plant and the TECQ rules and regulations that are required for all entities.

Councilmember Osteen asked if there are any requirements to retest wells on regular basis. PW Director Morgan stated that the well was changed to emergency status and Council was informed there are no requirements to test. As part of the grant project, an environmental study was required ensure that there are no violations.

In 1994, the City applied for a waiver from TECQ based on drilling logs and waiver was granted that deemed well water safe.

The well is off demand status and no longer need to report.

PW Director Morgan stated that the well is in emergency status, if the city continues to grow, we may need to change to demand status.

A GEO search radius report conducted in 2010 located 15 different locations identified as potential leaking underground storage tanks, many of these have been remediated and removed.

Greg Hahn, Senior Design Engineer, addressed Council regarding concerns on the liner. Mr. Hahn stated that there is a concrete plug. The liner will go 200 feet in depth.

Councilmember Osteen stated that there will be a gap between the casing and the liner. The existing casing has holes and the area in between will be filled with gravel. These holes will need to be sealed off in order to avoid contamination. Mr. Hahn stated that this is a 63 year old well and it is in great shape. There are no holes in the area in question.

Councilmember Brown asked about the thickness of the liner. It is currently a 10 inch area; the new casing will be 6 inch. There will be a loss in velocity and a screen will be added to capture some of the loss. There will be an approximate loss of 20-25% of the velocity.

Councilmember Osteen stated that he needed to assured that there are no holes below concrete. Mr. Hahn stated that the well is in very good condition for its age.

Councilmember Brown asked several questions regarding piping, screening, and pump.

Councilmember Osteen asked if the well will be x-rayed. Mr. Hahn informed Council that the well will not be x-rayed.

Public Works Director Morgan informed Council that the State had given the City until the end of 2012 to complete the project.

(4) ADJOURNMENT

Councilmember Osteen moved to adjourn the meeting. Councilmember Trube seconded. The meeting adjourned at 5:23 p.m.

Bobby Hocking, Mayor

Zina Tedford, Interim City Clerk

**MINUTES
REGULAR CITY COUNCIL MEETING
JUNE 11, 2012**

(1) CALL MEETING TO ORDER

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

(2) ROLL CALL

PRESENT:

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

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Bell led the Invocation and Mayor Hocking followed with the Pledge of Allegiance to the Flag.

(4) MINUTES

- a. Regular City Council Meeting, May 14, 2012
- b. Special Meeting, May 15, 2012
- c. Special City Council Meeting, May 21, 2012

Councilmember Trube made a motion to approve the minutes of the Regular City Council Meeting, May 14, 2012, the Special Meeting, May 15, 2012 and the Special City Council Meeting, May 21, 2012. Councilmember Osteen seconded the motion. The minutes were approved as written.

(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.

Steven Mikulencak, Texas A & M Program Coordinator, informed City Council that he is an employee of A&M University and working with TECQ to assist communities in developing a water quality plan for Highland Bayou and its tributaries. The water quality plan is voluntary program administered by the State of Texas to help communities clean up water ways. For over a decade, water quality tests have shown that bacteria and nutrient levels in Highland Bayou have exceeded state standards. Pollutants from storm water are the major cause. This is water flowing from roads, lawns, fields, as well wastewater from treatment plan and septic systems. Impacts could result in algae blooms, fish kills, odors and public health concerns. Process is guided by Local Solutions to Local Issues. TECQ could mandate, but recognize that plans are more effective through local voluntary participation. We are working with Texas City, Bayou Vista, Hitchcock, Santa Fe, Dickinson, League City, and Galveston County.

(6) PRESENTATION

- a. Presentation - City of La Marque 2012 Election Judges

Mayor Hocking presented plaques of appreciation to Charlotte Westerlage, Presiding Judge, Martha Woolridge, Alternate Judge, and Election Clerks Catherine Polk, Felicitas Jaramillo, Dorothy Jeffcoat and Marilyn Richardson.

- b. Presentation – Fifty Club Officer of the Year

zt

bh

Mayor Hocking and Chief Aragon presented ID Officer Auzston, Fifty Club Officer of the Year with a certificate of appreciation.

c. Presentation - Telecommunicators of the Year -Galveston County Emergency Communication District
Mayor Hocking and Chief Aragon presented Tina Crawford and Teresa Scott with certificates of appreciation for receiving Telecommunicators of the Year-Galveston County Emergency Communication District.

(7) OLD BUSINESS

- a. Discussion/possible action -Change Order #4 Long & Son LJA - Project No. E019-090D
Replacement of Magnolia Water Plant for \$98,841.68

Mayor Hocking made a motion to table this item until the Regular Meeting scheduled for June 25th. Councilmember Trube seconded the motion. Motion passed unanimously.

(8) NEW BUSINESS

a. Discussion/possible action on the City of La Marque Emergency Management Plan
Jennifer Pierce, Office of Emergency Management presented this item.
The document submitted for approval is the base of the City's complete Comprehensive Emergency Management Plan. The City has been following Galveston County's Emergency Management Plan.

While this practice has been acceptable in the past, each City within the County is now required to adopt a plan specific to their City to be compliant with the National Incident Management System (NIMS) and for federal grant opportunities.

Once approved, all departments and City Council will receive a copy of the approved plan with all supporting documents (employee list, resource list, phone numbers, any other information likely to change often, etc.) that will be updated as needed.

The base plan will not be amended at any time without City Council's approval.

Councilmember Osteen asked if this plan is in conflict with the county. OEM Pierce responded that the county/state can supersede but it would depend on the situation. The current county-wide evacuation plan is in place, the proposed plan is a more direct plan for the City.

Mayor Pro-Tem Bell asked if Council is adopting the plan tonight. Mayor Pro-Tem Bell continued by stating that an agenda item this detailed and important to the City, should have had a workshop. If it is the consensus of the Council to move forward, Mayor Pro-Tem Bell stated that he would approve. Mayor Pro-Tem Bell suggested that in the future, that Council have workshops on any items that are detail specific.

Councilmember Trube made a motion to approve the City of La Marque Emergency Management Plan. Mayor Pro-Tem Bell seconded the motion.

Councilmember Trube stated that it is the middle of June and would not like to prolong this item too long.

Councilmember Osteen asked if anyone had seen the County plan.

Councilmember Trube withdrew the motion to approve the City of La Marque Emergency Management Plan. Mayor Pro-Tem Bell withdrew his second to the motion.

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

zt

bh

b. Discussion/possible action on proposed amendments to the Animal Services Interlocal Agreement with Galveston County

Councilmember Osteen is on the Animal Services Board and stated that the Board met several times to discuss the agreement. Councilmember Osteen continued by stating that there are 10 entities involved and based on discussions, the Board made a few changes to current agreement.

Mayor Pro-Tem Bell

Councilmember Osteen made a motion to approve proposed amendments to the Animal Services Interlocal Agreement. Councilmember Trube seconded the motion.

Mayor Pro-Tem Bell had a question on page 38 of the proposed amendments regarding the formula calculating the city's portion. Mayor Pro-Tem Bell asked if the Board had taken into consideration the rural areas and call volume as it relates to population. Councilmember Osteen stated that the Board had taken these concerns into consideration.

Mayor Pro-Tem Bell stated that staff's recommendation is unknown until the County budget is prepared.

City Manager Buttler indicated that the agreement has an effective date of October 1st. The proposed amendments allow Council to review and make recommendations which are due at the end of the week. The final agreement should be ready by the end of July.

Mayor Pro-Tem Bell asked about the number of units operating on a daily basis. Councilmember Osteen stated that there are 2 daily and weekends are call-out.

Councilmember Osteen also stated that there are a lot of concerns regarding weekends; the budget does not have any extra money to cover expenses. Councilmember Osteen stated that Animal Services will come out for an emergency.

Councilmember Trube stated that Animal Services built a new facility and did not budget any new employees. Councilmember Trube asked how the city knows that Animal Services is responding to calls within La Marque. City Council has not been provided any reports on how many calls are reported and what action, if any, was taken.

Mayor Pro-Tem Bell responded by commenting that these concerns could be solved by:

1. Requesting a quarterly report for Council
2. Address nights/weekends

We should be able to call Animal Services for emergencies and there will be a response.

Councilmember Osteen informed Council that he has seen the report and there are a substantial number of calls within the city. Councilmember Osteen also informed Council that Animal Services is geared toward domestic animals.

The motion passed unanimously.

c. Discussion/possible action of Ordinance No. O-2012-1060- An Ordinance of the City of La Marque, Texas, amending Chapter 2, Administration, City Departments, of the Code of Ordinances, City of La Marque, Texas by repealing Ordinance No. 1032, which added a new section 2-39A to create the Office of Public Safety Director. This is the first reading.

Councilmember Trube made the motion to approve Ordinance No. O-2012-1060 for the first reading. Councilmember Osteen seconded the motion. Mayor Hocking stated that Councilmember Trube had requested this item to be placed on the agenda and asked Councilmember Trube to elaborate on the request. Councilmember Trube stated that the reason that the ordinance creating the Office of Public Safety Director no longer exists. The City recently hired a new fire chief and he is doing a great job. Discussion followed and the

Fire Chief answered several questions regarding his position and probationary period. Mayor Pro-Tem amended the motion to approve Ordinance No. O-2012-1060 with an effective date of September 1, 2012. Mayor Hocking seconded the amended motion. The amended motion passed unanimously. Mayor Hocking called on the vote on Ordinance No. O-2012-1060 as amended. The motion passed unanimously.

- d. Discussion/possible action on an order declaring the charter amendments adopted as approved by voters May 12, 2012

Councilmember Trube made a motion on an order declaring the charter amendments adopted as approved by voters May 12, 2012. Mayor Pro-Tem Bell seconded the motion. Motion passed unanimously.

- e. Discussion/possible action of appointment(s) to Negotiating Committee for Police Collective Bargaining Negotiations

Mayor Hocking nominated Mayor Pro-Tem Bell to the Negotiating Committee for Police Collective Bargaining. Councilmember Trube seconded the motion. Motion passed unanimously.

(9) CITY MANAGER REPORT – No Council Action Necessary

Mayor Pro-Tem Bell asked Building Official Tims about the charts on page 79. Building Official Tims stated that the numbers for each district on the top of the chart were correct; there was an error within the chart itself.

Mayor Pro-Tem Bell asked Chief Aragon about the chain of review process in regards to an officer involved incident. Chief Aragon informed Council that the incident is under investigation and appropriate action will be taken.

(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 Trube – appreciates everyone being at the meeting

Councilmember Brown – congratulated the police department on the successful police raid and fire department on doing a great job. City Council is moving forward and looking forward to being part of this group.

Councilmember Osteen – asked City Manager Buttler about the red light at Cedar/Lake. City Manager Buttler stated that this is a contractor issue and will keep Council abreast of the situation.

Mayor Pro-Tem Bell-extended special congratulations to Aunty Vera Bell Gary. A dedication ceremony of the Bell Museum was held Friday. The house was restored to its original design.

Mayor Hocking – also extended his congratulations on the recent dedication ceremony. Mayor Doyle and the community did a great job in the restoration. Mayor Hocking also stated that thanked City Council for their dedication to moving the city forward.

(11) ADJOURNMENT

Councilmember Trube made a motion to adjourn the meeting. Councilmember Osteen seconded. The meeting adjourned at 7:23 p.m.

Bobby Hocking, Mayor

Zina Tedford, Interim City Clerk

zt

bh



CITY COUNCIL AGENDA FORM

Meeting Date: 6-25-12

Agenda item: 6a

Prepared by: BB

Reviewed by: CJB

Department: Human Resources

AGENDA ITEM DESCRIPTION:

Introduction – New City Employees

Edna Ornelas began employment with the city on June 18, 2012, in the Inspections Department as part-time Code Enforcement Clerk.

☐

Attachments for Reference

Staff Briefing:

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:



CITY COUNCIL AGENDA FORM

Meeting Date: 6-25-12

Agenda item: 6b & 9a

Prepared by: C Buttler

Reviewed by: CJB

Department: City Manager

AGENDA ITEM DESCRIPTION:

Presentation – City of La Marque Historical Poster

☒ **Attachment(s) for Reference**

Staff Briefing:

- The proposed City of La Marque Historical Poster will be unveiled by Ms. Tina Gomez, graphic arts student, and Ms. Coleena Jackson, Associate Dean of Graphic Arts at College of the Mainland.
- The Graphics Arts Department has participated on various projects for other non-profit entities.
- The goal of the poster is to provide the public with an official poster dedicated to the City of La Marque's unique history.
- Copies will be displayed at each City facility.
- Several local dignitaries have been invited to attend the Council meeting.

History (if applicable):

Target Implementation: June 26, 2012

Significant Action Dates:

February 2012 – Texas Municipal League (TML) began collecting historical photos for display at the annual conference to commemorate the 100th Anniversary of TML.

Library staff scanned photos for City Manager to send to TML.

April 2012 – The City of La Marque contacted College of the Mainland for assistance to build on the photo project.

Ms. Jackson and Ms. Gomez began researching material for a graphic arts project and indicated they would be willing to design a historical poster for La Marque.

May 2012 – Staff presents a draft of the proposed historical poster to City Council at the goal setting retreat.

June 2012 – City and college representatives worked together to finalize the proposed historical poster.

City Manager met with Dr. Larry Durrence, Interim President College of the Mainland, to discuss the opportunity to partner on such a positive project and presentation of the poster to City Council.



CITY COUNCIL AGENDA FORM

Action:

☐

Ordinance

☐

Resolution

☐

Proclamation

☒

Special Presentation

☐

Finance Report

☐

Public Hearing

☐

Other

Cost Details:

Budgeted	
Actual Bid	No cost for design
Estimated Expenditure	
Acct. Name	
Line Item #	
Other Funding	

Staff's Recommendation: Motion to adopt the presented poster as the official City of La Marque Historical Poster.

Fiscal Impact: To cover printing costs, City staff is considering a reasonable fee if the public is would like to purchase copies of the poster.



CITY COUNCIL AGENDA FORM

Meeting Date: 6-25-12

Agenda item: 8a

Prepared by: zt

Reviewed by: CJB

Department: Administration

AGENDA ITEM DESCRIPTION

Discussion/possible action - Ordinance No. **O-2012-1060**- An Ordinance of the City of La Marque, Texas, amending Chapter 2, Administration, City Departments, of the Code of Ordinances, City of La Marque, Texas by repealing Ordinance No. 1032, which added a new section 2-39A to create the Office of Public Safety Director. This is the second reading

☒ Attachments for Reference

Staff Briefing:

- Ordinance No. **O-2012-1060** was passed on the first reading at the Regular City Council Meeting held June 11, 2012, with an amendment reflecting an effective date of September 1, 2012. The vote was unanimous.
- Per City Charter, Section 2.17- Procedure for passage of ordinances:
Every ordinance shall be introduced in writing in the form in which it is to be finally passed. 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 first such publication shall be at least one week prior to the time set for the public hearing. The ordinance as amended was published Friday, June 15, 2012.

History (if applicable):

Target Implementation: September 1, 2012

Significant Action Dates: First reading of Ordinance – June 11, 2012

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: n/a

ORDINANCE NO. 0-2012-1060

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE II, CITY DEPARTMENTS, OF THE CODE OF ORDINANCES OF THE CITY OF LA MARQUE, TEXAS, BY REPEALING ORDINANCE NO. 1032, WHICH ADDED A NEW SECTION 2-39A TO CREATE THE OFFICE OF PUBLIC SAFETY DIRECTOR.

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

Section 1. That Ordinance No. 1032, of the Code of Ordinances of the City of La Marque, Texas, which amended Chapter 2, Administration, Article II, City Departments, by adding a new Section 2-39A, to create the office of Public Safety Director, is hereby repealed.

Section 2. This Ordinance will take effect September 1, 2012.

PASSED AND APPROVED on first reading this 11th day of June, 2012.

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

Bobby Hocking, Mayor
City of La Marque, Texas

ATTEST:

Zina Tedford, City Clerk

ao;6/5/2012;Z:\Cities\La Marque\ordrepealpsd.doc



CITY COUNCIL AGENDA FORM

Meeting Date: 6-25-12

Agenda item: 8b

Prepared by: Jennifer Pierce

Reviewed by: CJP

Department: Office of Emergency Management

AGENDA ITEM DESCRIPTION

Discussion/possible action -City of La Marque Comprehensive Emergency Management Plan

☒ **Attachments for Reference**

Staff Briefing:

This item was tabled at the Regular City Council Meeting held June 11, 2012. A Workshop Meeting is scheduled for June 25, 2012 at 4:30 p.m.

The document submitted for approval is the base of the City's complete Comprehensive Emergency Management Plan. Each department has reviewed and offered comments.

History (if applicable):

The City has been following Galveston County's Emergency Management Plan.

While this practice has been acceptable in the past, each City within the County is now required to adopt a plan specific to their City to be compliant with the National Incident Management System (NIMS) and for federal grant opportunities.

Once approved, all departments and City Council will received a copy of the approved plan with all supporting documents (employee list, resource list, phone numbers, any other information likely to change often, etc.) that will be updated as needed.

Target Implementation: Immediately

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	



CITY COUNCIL AGENDA FORM

Staff's Recommendation – Staff recommends approving the Comprehensive Emergency Management Plan as written. The base plan will not be amended at any time without City Council's approval.

Fiscal Impact: n/a



The City of La Marque Comprehensive Emergency Management Plan

BASIC PLAN

I. INTRODUCTION

Chapter 418 of the Texas State Statute allows for the preparation of this document. This Plan enables the City of La Marque Government to prevent or mitigate the impact of, prepare for, respond to, and recover from a variety of disasters that may affect the citizens of the City of La Marque. The Comprehensive Emergency Management Plan (CEMP) provides a framework that is consistent with the National Incident Management System (NIMS) and utilizes the Incident Command System (ICS) through which the City of La Marque may prevent, prepare for, respond to, recover from and mitigate the impact of various disasters. Responsibilities for the City, divisions, and departments through an Emergency Support Function (ESF) approach to planning and operations are clearly defined in this Plan. Each Emergency Support Function has a standard operating guideline which incorporates the NIMS and ICS structure.

In February, 2003 Homeland Security Presidential Directive 5 (HSPD-5), Management of Domestic Incidents was issued. In that directive, the President directed the Secretary of Homeland Security to develop, submit for review to the Homeland Security Council and administer a National Incident Management System (NIMS). In March 2004, the Secretary of Homeland Security released the National Incident Management System (NIMS). Homeland Security Presidential Directive 5 (HSPD-5), Management of Domestic Incidents, requires all Federal, State, Local and Tribal agencies to adopt and implement the NIMS and requires these entities to implement the NIMS to receive Federal preparedness funding. On May 23, 2005 the City of La Marque City Council adopted the NIMS. The City of La Marque adopted NIMS prior to the October 1, 2005 deadline.

The CEMP is operations oriented and addresses coordinated City evacuation, shelter, post-disaster response and recovery, rapid deployment and pre-deployment of resources, communications and warning systems, and annual exercises to determine the ability of the local government to respond to emergencies. The CEMP describes the basic strategies, assumptions and mechanisms through which the City will mobilize resources and conduct activities to guide and support local emergency management efforts through prevention, preparedness, response, recovery and mitigation. To facilitate effective inter-governmental operations, the CEMP adopts a functional approach that groups the type of assistance to be provided under Emergency Support Functions (ESFs). Each ESF is headed by a lead agency, which has been selected based on its expertise, authorities, resources and capabilities in the functional area.

A. Purpose

The purpose of the CEMP is to establish uniform policies and procedures for effective coordination of response to a wide variety of natural, man-made, and technological disasters using an all hazard approach. These emergencies may differ in size and severity and affect the health, safety and general welfare of the citizens of the City of La Marque. To this end, the City of La Marque has incorporated the concepts and principles of the NIMS including Incident Command System (ICS) characteristics such as common terminology, modular organization, management by objectives, incident action planning, manageable span of control, pre-designated incident facilities, comprehensive resource management, integrated

communications, transfer of command, unity of control, unified command, personnel and resource accountability and information and intelligence management. Inclusion of the NIMS and ICS structure in the CEMP provides for the following:

- Ensures common and proven incident management doctrine, practices, and principles are used to plan for, protect against, respond to, and recover from emergency incidents and preplanned events;
- Maintains a response operation capable of expanding to meet an escalating situation and the ability to integrate resources and equipment from intrastate and interstate mutual aid agreements, State-provided assistance, and Federal government response;
- Enables ordering and tracking of response assets using common resource typing and definitions and draw on mutual aid agreements for additional assistance;
- Establishes staging and allocation plans for the re-distribution of equipment, supplies and aid coming into the area from other localities, States, or the Federal government through mutual aid agreements;
- Provides the ability to conduct situational assessments and establish the appropriate ICS organizational structure to effectively manage the incident; and
- Establishes communication processes, procedures and protocols that will ensure effective interoperable communications among emergency responders and multi-agency coordination systems – Emergency Operations Center.

The CEMP is designed to accomplish the following specific purposes:

1. Reduce the vulnerability of people and communities of this City to damage, injury and loss of life and property resulting from natural, technological or man-made emergencies, acts of terror, catastrophes, or hostile military or paramilitary action.
2. Prepare for prompt and efficient response and recovery to protect lives and property affected by emergencies.
3. Respond to emergencies using all systems, plans and resources necessary to preserve the health, safety and welfare of the citizens and visitors to the City of La Marque.
4. Recover from emergencies by providing for the rapid and orderly start of restoration and rehabilitation of persons and property affected by the emergencies.
5. Provide an emergency management system embodying all aspects of pre-emergency preparedness and post-emergency response, recovery and mitigation.
6. Minimize damage to property, material shortages and service system disruption, which would have an adverse impact on the residents, the economy and the well being of the City.

7. Manage emergency operations within the City by coordinating the use of resources available from County government, private industry, civic and volunteer organizations and State and Federal agencies.

B. Scope

The Basic Plan describes the various types of emergencies and disasters that are likely to occur in the City of La Marque. The plan further provides procedures for disseminating warnings; provides procedures for determining, assessing and reporting the severity and magnitude of such disasters. The Basic Plan establishes the concepts under which City, County and State Governments will respond to disasters by:

1. Defining the responsibilities of City officials and other governmental officials.
2. Defining the emergency roles and functions of City and municipal departments and agencies, private industry, volunteers and civic organizations.
3. Establishing a unified framework for the expeditious and efficient deployment of City resources using the Emergency Support Function (ESF) concept.
4. Outlining the type of recovery assistance available to individuals, businesses and public entities.

C. Methodology

Initial input was through the operationalism of the functional and systematic approach to management of emergencies used in the City of La Marque Comprehensive Emergency Management Plan. Input was provided through the development of the Emergency Support Functions (ESFs) as defined in the National Response Framework and in the State of Texas Emergency Management Plan. The development of the ESFs has been an ongoing process; each ESF will incorporate NIMS and the Incident Command structure into their emergency operations plans.

All operations under this Plan will be undertaken in accordance with the Division's mission statement: *Provide a resilient emergency management structure to improve the quality of life in the community through mitigation, preparedness, response and recovery.* Local, State, and Federal emergency plans will integrate the National Incident Management System (NIMS) in their emergency management plans and programs in order to provide effective and timely support to the citizens of the City of La Marque in the event of a major disaster or emergency. As such, the CEMP establishes a framework for the effective coordination of preparedness, prevention, response, recovery, and mitigation actions at all levels of government. Recognizing that the local emergency response is primary during an emergency or disaster, the City will coordinate with local officials to augment local emergency resources as needed.

In accordance with efforts to create a county-wide Continuity of Operations (COOP) Plan, all agencies and local governments must be prepared to respond to emergencies and disasters even when government facilities, vehicles, personnel, and political/decision-making authorities are affected.

When deemed necessary, the City of La Marque Emergency Management Division will initiate requests for assistance from both Federal Government, and the County, through the State of Texas, Division of Emergency Management. All activities taken under the CEMP will reflect the use of the Incident Command System (ICS) and the National Incident Management System (NIMS). The plan will be reviewed on an annual basis and changes will be incorporated into the plan on a regular basis. As the plan is improved through exercises or actual incidents, each ESF, the City of La Marque department heads, and the City Council will be issued the current update and the date and revision number will be listed.

II. SITUATION

This section of the CEMP provides a summary of the City's population, the major hazards the City is vulnerable to, and several planning assumptions that were considered in the planning process.

A major or catastrophic emergency will overwhelm the capabilities of the City of La Marque and its employees to provide prompt and effective emergency response and emergency short-term recovery measures. Numerous separate hazardous conditions and other emergencies as a result of a major event can be anticipated. Thousands of emergency victims may be forced from their homes and a large number of injured and deceased victims could be expected. Transportation infrastructures will be damaged and local transportation services will be disrupted. Widespread damage to commercial telecommunication facilities will be experienced and the ability of governmental response and emergency response agencies to communicate will be impaired.

Homes, public buildings and other critical facilities and equipment will be destroyed or severely damaged. Debris may make streets and highways impassable. The movement of emergency supplies and resources will be seriously impeded. Public utilities will be damaged and either fully or partially inoperable. Emergency personnel may become victims of the emergency, preventing them from performing their duties. Numerous separate hazardous conditions and other emergencies, as a result of the major event, can be anticipated. Many victims will be in life-threatening situations requiring immediate rescue and medical care. There will be a shortage of a wide variety of supplies necessary for emergency survival. Hospitals, nursing homes, pharmacies and other health and medical facilities will be severely damaged or destroyed. Medical and health care facilities that do remain in operation will be overwhelmed by the number of victims requiring medical attention. Medical supplies will be in short supply.

Damage to fixed facilities, which generate, produce, use, store or dispose of hazardous materials could result in releases of hazardous materials into the environment. Food processing and distribution capabilities will be severely damaged or destroyed. There will be near total disruption of energy sources and prolonged electrical power failure.

There are a number of Special Facilities and populations that should be considered when doing an analysis. Special Facilities are those that would be, in effect, more vulnerable to the effects of given hazards than the general inventory of facilities or the general population. This could include portable or mobile buildings, which are unable to withstand the effects of a natural disaster such as a hurricane or tornado winds, or a population that is not able to protect themselves without assistance, such as a hospital or nursing homes.

A. Hazard Analysis

Hazard Analysis is the degree to which the City is vulnerable to disasters. Identifying the hazards is the first step in any effort to reduce community risk. Hazard analysis involves identifying all of the hazards that potentially threaten a community and analyzing them individually to determine the degree of threat that is posed by each. Hazard analysis determines:

- What hazards can occur.
- How often they are likely to occur.
- How severe the situation is likely to get.
- How these hazards are likely to affect the community.
- How vulnerable the community is to the hazard.

This information is used in the development of emergency response plans, mitigation plans, and recovery plans. It indicates which hazards merit special attention, what actions might be taken to reduce the impact of those hazards, and what resources are likely to be needed. Hazard analysis requires completion of five steps:

1. Identifying the hazard.
2. Profile each hazard.
3. Develop a community profile.
4. Compare and prioritize risk.
5. Create and apply scenarios.

The first step in hazard analysis is to put together a list of hazards that may occur in the City of La Marque. A community hazard analysis considers all types of hazards. Categories of hazards include natural hazards, such as tropical storms and geological events; technological hazards, such as power disruption, oil or gas pipelines and other hazardous materials facilities; and man-made events, such as civil or political hazards, rioting, or large demonstrations. Cascading emergencies occur when one hazard triggers others in a cascading fashion. For example, a tropical storm that ruptured natural gas pipelines could result in fires and explosions that dramatically escalate the type and magnitude of events.

Many residents and visitors of the City of La Marque are unaware of, or complacent about, the potential for severe disasters or accidents. All parts of the City of La Marque are subject to these disasters or accidents at any time, sometimes with little or no warning. The City of La Marque is vulnerable to the following destructive forces:

1. Aircraft Accident
2. Civil Disorder
3. Communication Disruption
4. Critical Infrastructure Disruption
5. Disease and Pandemic
6. Droughts and Water Shortages
7. Exotic Pests and Disease
8. Extreme Heat
9. Flooding

10. Fires
11. Hazardous Materials
12. Hurricanes/Tropical Storms
13. Lightning
14. Major Transportation
15. Mass Migration/Repatriation
16. Nuclear
17. Radiological
18. Sinkholes
19. Special Events
20. Technological
21. Terrorism (CBRNE)
22. Tornadoes and Thunderstorms
23. Utility Interruption
24. Winter Storm

Aircraft Accident

The City of La Marque sits in close proximity to a private airstrip located in Hitchcock along with a heliport located at Mainland Medical Center. Additionally, the City of La Marque sits directly in the flight path of both commercial and military planes traveling to other airports or airstrips.

Civil Disorder

Although the federal government recognizes that the United States has entered the post-cold war era, planning guidelines on military threats is a critical function of local, State, and Federal entities. For hazard analysis purposes, it is prudent to scale back on the magnitude of nuclear events for other more likely scenarios. For threats of armed violence, riots, protests, and threats against military or government, it is very likely that joint jurisdictional management of the operations will take effect, coordinated at the County level between the Sheriff's Office, the La Marque Police Department and the Division of Emergency Management. For any of these scenarios, some degree of State and Federal involvement is most likely to occur.

Critical Infrastructure Disruption

There are numerous facilities in The City of La Marque that are listed as critical infrastructures. The disruption of activities could severely impact the economic and social well being of the citizens and guests of the City of La Marque. These disruptions could occur in manners of threats, cyber attacks, protests, armed attacks, bomb devices, and acts of terror. A majority of these types of attacks will be discussed in greater detail using the City of La Marque Terrorism Annex. ESF #2, *Communications*, in coordination with Central Services – Information Technology and Public Safety – Radio Communications, will be responsible for Cyber-Terrorism events. ESF #4, *Firefighting*, ESF #10, *Hazardous Materials*, and ESF #16, *Law Enforcement* will use specialized personnel and equipment to deal with hazardous incidents.

Communication Disruption

The City of La Marque relies on communication equipment to coordinate preparedness, response and recovery efforts during times of disaster. The City maintains an 800 megahertz radio system that is interoperable with surrounding municipalities and counties. During times of disaster, standard phone lines may become overloaded or systems may be damaged. Special phones that allow calls to be made via the internet have been purchased to provide redundant communication in the event that standard telephone systems are disrupted. Through the use of the internet, communication systems are further enhanced to provide additional levels and forms of communication with the County, the State of Texas and the Federal government.

Disease and Pandemic Outbreaks

The Department of Health is the lead agency if an outbreak occurs. The Galveston County Health District (ESF-8 Health / Medical) has been training employees on their duties to include epidemiology surveillance, public outreach, distribution of pharmaceuticals, and tracking the trends of possible outbreaks throughout the Country and World. The Department of Health has plans in place, including; the use of the Strategic National Stockpile, how to identify the outbreak, and how to determine the particular diseases. A Memorandum of Understanding (MOU) has been signed with The City of La Marque Government and the School Board on the use of the schools as Points of Distribution. These facilities would be used if a major distribution of pharmaceuticals were required to prevent the spread of a disease or assist persons if an outbreak has already occurred. The City of La Marque Office of Emergency Management and the Department of Health continue to monitor pandemic and disease outbreaks for their potential to harm the citizens of the City of La Marque.

Quarantine and isolation are both methods that may be utilized to help decrease the potential for spread of any disease. Public outreach is a major component of this activity. The Department of Health as the lead agency would provide oversight for a Joint Information System to provide isolation and quarantine information.

Drought and Water Shortages

In the past, most of Texas suffered from droughts to the extent that unnecessary water use has been curtailed by legislation. This curtailment, imposed by local governments and the local Water Management Districts, was accomplished by water restriction use during designated hours and alternate days. The Division of Emergency Management regularly monitors the National Oceanographic and Atmospheric Administration, National Weather Service, United States Geological Survey, and the West Gulf River Forecast Center for water, river, and lake levels. Activation of public information messages may be necessary if water levels become dangerously low.

Exotic Pests and Diseases

The Division of Emergency Management and the Texas Cooperative Extension Service maintain vigilance and careful watch of trends for exotic pests and diseases. This includes constant communication with the Institute of Food and Agriculture Sciences at the University of Florida and the University of Central Florida in partnership with Texas A&M University. Historically, the most notable pest infestation in the City of La Marque is the mosquito. Mosquito spraying and treatment are performed routinely to prevent the spread of diseases such as encephalitis and West Nile Virus.

Extreme Heat

Heat-related deaths and illness are preventable yet annually many people succumb to extreme heat. Historically, from 1979-2003, excessive heat exposure caused 8,015 deaths in the United States. During this period, more people in this country died from extreme heat than from hurricanes, lightning, tornadoes, floods, and earthquakes combined. In 2001, 300 deaths were caused by excessive heat exposure. People suffer heat-related illness when their bodies are unable to compensate and properly cool themselves. The body normally cools itself by sweating. But under some conditions, sweating just isn't enough. In such cases, a person's body temperature rises rapidly. Very high body temperatures may damage the brain or other vital organs. Temperatures that hover 10 degrees or more above the average high temperature for the region and last for several weeks are defined as extreme heat. Humid or muggy conditions, which add to the discomfort of high temperatures, occur when a "dome" of high atmospheric pressure traps hazy, damp air near the ground. Excessively dry and hot conditions can provoke dust storms and low visibility. Droughts occur when a long period passes without substantial rainfall. A heat wave combined with a drought is a very dangerous situation.

Fires

The City of La Marque is susceptible to wildfires throughout the year, particularly during the months with minimal rainfall amounts. The major cause of brush fires and forest fires is due to residents not conforming to the burning regulations in effect and not considering the conditions as they exist (dry or windy conditions). The spring is the highest period for lightning caused fires fueled by strong spring winds and lack of rainfall during the same period. In recent years, homes and businesses have been threatened by encroaching wildfires. Due to the extremely hot and dry conditions during 2011, Texas became engulfed in wild fires unlike it had ever experienced before. Wildfires destroyed nearly 4 million acres and 4,000 homes and other structures, making it the most destructive season ever. Ten people died. The City of La Marque remains at high risk for brush fires.

Occasionally, the Southeast United States experiences unusually long drought caused by the "La Nina" weather pattern. The City of La Marque and the surrounding areas have experienced increases in severe brush fire activity during these weather cycles. The City of La Marque Fire Department, Texas Forest Service, and local fire departments continue to provide public education to prevent forest fires.

Flooding

Since much of The City of La Marque is flood prone, it is greatly affected by heavy rains. In September 2008, the City of La Marque suffered the effects of Hurricane Ike. Because of the storm's devastating rains, damaging winds, and extensive property and public damages, the City of La Marque received a Presidential Disaster Declaration on September 13, 2008. The Hurricane Ike event engaged a large number of agencies, organizations, and individuals from all levels of government and the private sector.

The City of La Marque was dramatically affected by the Hurricane Ike event. Damage included localized flooding, trees in homes, debris, major power outages, and roadway washouts during the initial event. Localized flooding was reported throughout the area. The large amount of rain from the Hurricane Ike event exceeded the ability of the existing drainage systems to move water away from neighborhoods.

Due to the potential danger of flooding, wind damage, power outages and road closures in our City, all residents, especially those in our water front locations, shall be considered for mandatory evacuations in preparation for any potential land-falling hurricane. The time needed to notify these residents plus complete the evacuation process makes for critical Public Safety considerations.

The City of La Marque has several systems for notification to residents for flood threats, as well as other significant events. Some of these are as follows: National Weather Service notices, Emergency Satellite Communications link with the Texas Division of Emergency Management, Connect CTY, Doppler radar, emergency sirens and media releases.

The City of La Marque is also protected by a levee system with 15.7 miles of earthen levees as high as 23 feet, 1.3 miles of concrete walls 20 feet high, three large pump stations and a flood gate, the system has withstood every storm since 1961. While the levee system sustained about \$2 million in damage and significant erosion during Hurricane Ike, its performance has been praised.

At its peak, storm surge came within 2 of feet of topping the levee near Dollar Point, a few miles north of the Texas City Dike. The levee is 23 feet high there. The storm surge reached 21 feet. Still, the damage did not compromise the integrity of the system, which also protects much of La Marque.

Without the levee system, much of Texas City, including an estimated \$4.6 billion in oil refineries, chemical plants and other petrochemical service facilities, would have been at risk and may have exposed the residents of La Marque to additional hazards.

Hazardous Materials

There are numerous hazardous materials facilities and plants throughout The City of La Marque. A majority of these facilities are water treatment facilities and some construction and building facilities. In addition, there are hazardous materials located in minor quantities at schools, hospitals, and some of the telecommunication facilities throughout The City of La Marque.

The City of La Marque has an aggressive hazardous materials inspection and cataloguing program. The information collected from the facilities is placed into a State-wide system for easy access by emergency responders. The Emergency Operations Center monitors planning and training activities, spills, chemical releases, and hazardous materials events.

The City of La Marque may not be directly affected by a coastal oil spill, but could feel the effects from a spill into the Highland Bayou or a spill affecting other infrastructure in the surrounding areas.

The movement of people and materials throughout the City of La Marque has greatly increased. Accompanying this increased movement of people and materials is the increased risk of a disaster involving hazardous materials, such as petroleum products, volatile and toxic chemicals, radioactive materials, and explosives. Transportation of some of these materials and people is accomplished by the use of the railway system. In addition to rail systems, hazardous materials are transported through the City of La Marque by use of Interstate 45 and Highway 3. Cleanup of these spills are coordinated through the City of La Marque Office of Emergency Management and the Texas Department of Transportation.

Hurricanes/Tropical Storms

With an approaching hurricane or tropical storm, a tremendous amount of attention is devoted to the coastal areas that will be affected by winds and surge -- and rightly so. Cities, such as the City of La Marque, face a triple threat as well: damaging winds, flooding rains, and tornadoes.

The City of La Marque sits just a few short miles from the coast. Damaging winds can continue well inland. This can be from fast-moving storms that get significantly inland before they weaken enough to drop their winds below damaging speeds. Damage can also come from gusts within thunderstorm bands accompanying the storm. The destruction dealt by the devastating winds can result in destroyed buildings, downed trees and power outages. However, the greatest damage is usually due to the impact of flooding. For inland flooding, it doesn't take a hurricane to produce a disaster. A tropical storm may stall out over the area -- resulting in a massive flood.

The 2004 and 2005 hurricane seasons showed just how many tornadoes that hurricanes and tropical storms can spawn: more than 300 and 200, respectively across numerous states. In 2008, Hurricane Ike spawned 115 tornadoes across southeast Texas.

In September of 2008, Hurricane Ike impacted the City of La Marque. The Emergency Operations Center was fully activated and a Local State of Emergency was declared. City offices and schools were closed. Executive Orders were signed issuing a mandatory evacuation as well as a mandatory curfew.

Lightning

In the United States, there are an estimated 25 million cloud-to-ground lightning flashes each year. Lightning can be fascinating to watch, but it is also extremely dangerous. Texas has more lightning-related deaths and injuries than many other states.

Because lightning strikes usually claim only one or two victims at a time and don't cause mass destruction like tornadoes and hurricanes, lightning generally receives less attention than it should. Although documented lightning injuries in the United States average about three hundred per year, undocumented injuries caused by lightning are likely much higher.

Lightning is a dangerous threat to people in the United States, particularly those outside in the summer. With common sense, we can greatly reduce the number of lightning deaths. Texas also has one of the highest density lightning flashes in the world. The number one area for fatalities is in open fields, followed by water related areas, under trees, and driving equipment like farm tractors. These occurred mostly in the months of June and July in the afternoon averaging at about 4:00 p.m. Being struck by lightning does not mean it is always fatal. There are many survivors of lightning strikes.

Major Transportation

The City of La Marque is intersected by Interstate 45; a high speed limited access highway. In the past we have had major incidents that have closed the highways down, completely. Major bus transportation through the County is provided by Connect Transit. In addition to

Connect Transit, there are numerous chartered bus providers, cab services, limo companies and medical transport providers that shuttle persons through the City of La Marque.

Mass Migration/Repatriation

Pockets of migrant workers in the City of La Marque remain very low. These workers are drawn from the local work force and migrants, if any, are transported into the area on a daily basis to work in the farmlands of the City of La Marque.

Nuclear

The nearest nuclear power plant facility is in Matagorda County, which is approximately 100 miles from The City of La Marque. It is important to note that nuclear waste from hospitals as well as commercial railways may travel through the County. This is a major concern as most railways in the City of La Marque travel through populated areas.

Radiological

Currently there are 3 threat scenarios for radiological terrorism. The most probable scenario for the near future would be a radiological dispersion device. Such a weapon can be developed and used by any terrorist with conventional weapons and access to radionuclides. A terrorist attack could also be made on a nuclear power plant using a commercial jet, heavy munitions, or internal sabotage. Although this would not directly affect the City of La Marque, officials would still have to prepare to be a host City for those evacuating from the “hot-zone”. The worst scenario, and the least likely, is an organization diverting an existing nuclear device or procuring enough material and expertise to manufacture a nuclear device. Following an event with uncontrolled radioactive material, such as a dirty bomb, public health officials need to answer three questions to guide their response: what were people exposed to or contaminated with, who was exposed or contaminated, how much exposure or contamination did each person have, and did it enter the body? Contamination can be primarily internal (that is, inside the body), primarily external (outside the body), or a combination of both. Handheld radiation detectors, like Geiger counters, generally are used for assessing externally deposited contamination by certain radioactive materials and are useful for prioritizing people for external decontamination. These detectors can be used to assess internal contamination in some specific cases. Internal contamination cannot be reliably quantified by clinical assessment of early symptoms. The decision to medically treat people will depend on our ability to rapidly and accurately identify and quantify internal contamination. To direct appropriate medical treatment to the truly affected, we need a method to rapidly and accurately assess internal contamination for a broad array of radionuclides. The new methods for measurement of radionuclides are being developed to meet this need for internal contamination and dose assessment.

Sinkholes

Texas, Florida and Alabama have more sinkholes than any other states in the nation. They are an obvious feature of the natural topography of Texas. Sinkholes provide a primary pathway for rainwater to replenish subsurface groundwater; they are an important part of the aquifer system that supplies drinking water.

Appreciation and conservation of sinkholes is essential to ensure the future of Texas' freshwater supply. If left unprotected, polluted surface water can drain into sinkholes and easily contaminate the aquifers. Unfortunately, their bad reputation for property destruction frequently overshadows the vital role sinkholes play in the state's natural environment.

The City of La Marque is susceptible to sinkhole and subsidence conditions. These conditions are monitored but, if the occurrence occurs on private property, it is the citizen's responsibility to repair the damage. If the condition exists on public property, the Public Works Department will take control of the situation. When citizens call, we request that they call E-911 to report the situation.

Special Events

There are numerous special events in the City of La Marque that bring a large number of persons together in one venue. Of these, the largest event is the annual "Bayou Fest" celebration in the City of La Marque. This event draws thousands of people to enjoy the community celebration. Other special events are normally located in the various parks and recreational centers throughout the City of La Marque. In addition to "Bayou Fest", thousands of people travel through the City of La Marque to visit Galveston for the many special events held there.

Technological

Technological disasters are those that stem from our reliance on technology, industry and machinery. They are caused by human-designed technology, though they may be exacerbated by weather and natural forces. As technologies have been developed over the past century, so has the threat they pose to our communities. The City of La Marque has experienced the following:

Spills or release of hazardous materials at the site of a manufacturer or use, or during transportation

Structural fires and explosions

Wide-spread power outages

Commercial carrier transportation accidents

Terrorism (CBRNE)

State and Local governments have primary responsibility in planning for and managing the consequences of a terrorist incident using available resources in the critical hours before Federal assistance can arrive. The terrorist threat may represent Chemical, Biological, Radiological, Nuclear, Explosive (CBRNE) hazards, and/or other threats or a combination of several hazards. The initial detection of a Weapons of Mass Destruction (WMD) attack will likely occur at the local level by either first responders or private entities (e.g., hospitals, corporations, etc.). The detection of a terrorist incident involving covert biological agents will most likely occur through the recognition of similar symptoms or syndromes by clinical in-hospital or clinical settings. It is incumbent upon all county and municipal responders to be as well trained as possible in WMD response. The intricacies of the effective response demand the utmost cooperation among all responders, Federal, State, County and Municipalities.

Terrorism is a serious issue in Texas. Terrorism increases the likelihood of mass casualty and mass evacuation from a target area. For threats of armed violence, it is likely that joint jurisdictional management of the operation will take effect and will be coordinated at the County level between the Sheriff, Fire/Rescue, the Galveston County Health District and the Department of Public Safety. In 2003, the U.S. Department of Homeland Security (DHS) created the Urban Areas Security Initiative (UASI) Grant Program to support the planning,

equipment, training and exercise needs of high-threat, high-density urban areas around the country.

The Houston UASI was designed to assist the Houston-Galveston area in building an enhanced and sustainable capacity to prevent, protect against, respond to and recover from acts of terrorism and other hazards. The Federal UASI program provides "financial assistance to address the unique planning, equipment, training, and exercise needs of high-threat, high-density urban areas, and to assist them in building an enhanced and sustainable capacity to prevent, respond to, and recover from threats or acts of terrorism."

Tornadoes and Thunderstorms

Tornado activity in the City of La Marque is slightly above the Texas state average and 130% greater than the overall US average. Because of the unpredictable pattern of storms and tornadoes and the relatively high reoccurrence frequency, all of the State, including the City of La Marque is vulnerable to damage. As the number of structures and people increase, the potential damage and injury rates increase. Mobile and modular homes, poorly constructed and substandard housing apartment complexes, and low rent housing projects are extremely susceptible to damage and destruction.

Utility Interruption

There are two major power companies that service the City of La Marque, CenterPoint Energy and Texas New Mexico Power. Major disruption to power service could be caused by severe weather or damage to the power grid. In this event, officials would have to coordinate response to critical infrastructures and persons with special needs. Shelters may be required for special needs clients during long term outages. The City of La Marque Office of Emergency Management maintains a critical infrastructure list for priority power restoration.

Additional utilities in The City of La Marque include: water facilities, sewer/solid waste, cable providers, telephone companies and cellular phone carriers.

Winter Storms

Extreme cold can immobilize an entire region. Even areas, such as The City of La Marque, that normally experience mild winters can be hit with a major extreme cold winter event. Winter storms can result in ice, localized flooding, closed highways, and blocked roads, downed power lines and hypothermia.

B. Geographic Information

The City of La Marque is situated in the south central portion of Galveston County and is bounded on the north and east by Texas City, south by Bayou Vista and Hitchcock and west by unincorporated Galveston County. Due to its unique geographical setting, The City of La Marque is vulnerable to a wide array of hazards that threaten its communities, businesses, and environment. To determine the hazards that pose the greatest threat, a "*Hazard and Risk Assessment by Population*" was made. (Refer to *Figure 1*).

FIGURE 1**THE CITY OF LA MARQUE HAZARD AND RISK ASSESSMENT****By POPULATION HAZARD and RISK ASSESSMENT MATRIX**

HAZARD CATEGORY	*SIGNIFI CANCE of EVENT L M H	FREQUENCY OF EVENT 1 YR 5 YR 10 YR			POPULATION AFFECTED
AIR TRANSPORTATION	X	X			ALL
CIVIL DISORDER	X	X			ALL
COMMUNICATION DISRUPTION	X	X			ALL
CRITICAL INFRASTRUCTURE DISRUPTION	X	X			ALL
DISEASE AND PANDEMIC	X	X			ALL
DROUGHTS AND WATER SHORTAGE	X	X			ALL
EXOTIC PESTS AND DISEASE	X	X			ALL
EXTREME HEAT	X	X			ALL
FIRES	X	X			ALL
FLOOD	X	X			ALL
HAZARDOUS MATERIALS (FIXED FACILITIES)	X	X			ALL
HAZARDOUS MATERIALS (TRANSPORTATION)	X	X			ALL
HURRICANE/TROPICAL STORMS	X	X			ALL
LIGHTNING	X	X			ALL
MAJOR TRANSPORTATION	X	X			ALL
MASS MIGRATION/REPATRIATION	X	X			ALL
NUCLEAR	X	X			ALL
POWER FAILURE	X	X			ALL
SINKHOLES	X	X			ALL
SPECIAL EVENTS	X	X			ALL
TECHNOLOGICAL	X	X			ALL
TERRORISM (CBRNE)	X	X			ALL
TORNADO	X	X			ALL
UTILITY INTERRUPTION	X	X			ALL
WINTER STORM	X	X			ALL



CITY COUNCIL AGENDA FORM

Meeting Date: June 25, 2012

Agenda item: 8c

Prepared by: Ana Tims

Reviewed by: CJB

Department: Development Services

AGENDA ITEM DESCRIPTION:

This item was tabled at the April 9, 2012, Regular City Council Meeting

Discussion/possible action - Ordinance No. **O-2012-1059** of the City Council of the City of La Marque, Texas providing for the vacating, abandonment, and closing of a portion of a 60-foot street right-of-way, lying north of FM519, out of the Greb Addition. This is the first reading.



Attachments for Reference

1. City of La Marque Ordinances Sections 56-4 & 56-5
2. Proposed Ordinance No. O-2012-1059 and reviewed by City Attorney
3. Abandonment of Street, Alley, easement etc Checklist.
4. City of La Marque release form including signed certified receipt from all abutting property owners
5. E-mail informing Ton Vaught representative of Paul cover of the Planning and Zoning Commission meeting scheduled on February 18, 2012
Application submitted on January 3, 2012 for the abandonment of part of a 60 foot Street Right of Way, Lying North of F.M. 519 out of Greb Addition.
6. Minutes for the Planning and Zoning Special Meeting held on February 28, 2012
7. E-mail from TxDot representative Alex Galvan stating that a request for a driveway has not been submitted.

Staff Briefing:

The City of La Marque received a petition to abandon part of a 60 foot right of way Lying North of F.M. 519 out of Greb Addition. The request was heard and approved by the Planning and Zoning commission on the special meeting of February 28, 2012.

History (if applicable):

1. On January 3, 2012, the city of La Marque received a petition proposing the abandonment of part of a 60 foot Street Right of Way, Lying North of F.M. 519 out of Greb Addition.
2. On February 16, 2012 City Attorney Ellis Ortego reviewed a release form to be sent to all abutting, and non-abutting property owners.
3. On February 16, 2012 Tom Vaught representative of Paul Covey owner of two parcels that are adjacent to the portion of ROW that is NOT proposed to be abandoned was notified of the Planning and Zoning Commission hearing that was held on February 28, 2012.



CITY COUNCIL AGENDA FORM

4. On February 21, 2012 the release forms were sent out to both abutting property owners of the right-of-way. RJR realty abutting to both sides of the part that is to be abandoned and on one side of the portion that is to remain open and Paul Covey abutting one side of the portion that is to be open.
5. On February 24, 2012 a representative for RJR realty signed certifying the delivery of the release form and notice of the hearing.
6. On February 28, 2012 a representative for Paul Covey signed certifying the delivery of the release form and notice of the hearing.
7. On February 29, 2012 City Attorney Ellis Ortego reviewed and approved proposed ordinance.
8. On April 9, 2012 City Council heard the proposed abandonment ordinance and the ordinance was tabled.
9. On June 13, 2012 TxDot stated the following "To my knowledge a curb cut has not been asked for either of these locations. I would have to see the plan sheets, or meet again on job sites with center/lines on the property to submit for an official response from us, back to you"

Target Implementation:
June 26, 2012

Significant Action Dates:
Action:

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

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

Staff's Recommended Motion:

Staff recommends an action to be taken on the proposed abandonment of part of a 60 foot Street Right of Way, Lying North of F.M. 519 out of Greb Addition.

Fiscal Impact: Appraisal of area proposed for abandonment is pending results of Council action on first reading.



CITY COUNCIL AGENDA FORM

Sec. 56-4. - Abandonment, etc., of streets and alleys.

(a)

All persons desiring to have the city exercise its powers regarding abandoning, altering, closing and vacating streets, alleys and other public ways and portions thereof, shall file their petition with the city clerk, in writing, directed to the city council. Such petition shall contain a description of the street, alley or portion thereof, and attached to said request shall be a list of all owners abutting said street, alley or portion thereof, together with the last known address of all such owners. In the event that all abutting property owners do not join in said petition, a statement shall be attached to said request showing the reason for nonparticipation of those who have not signed. The city clerk shall make the city tax rolls available to any petitioner under this section for the purpose of determining the names and address of all abutting property owners, and the tax rolls shall be conclusive as to the names of the abutting property owners for the purpose of this section.

(b)

Upon filing of such request and payment of the fee as hereinafter provided, the city clerk shall mail notices of said request and release forms by certified mail, return receipt requested, to all abutting property owners, and all utility companies (phone, electric, gas, cable, water and sewer). Any person filing such petition shall deposit with the city clerk, upon said filing, a sum of money in the amount as is determined from time to time by ordinance. Said sum shall be used to pay for the mailing of notices of said request and release forms. The requirements of this subsection shall apply equally to section 56-5, concerning the abandonment of easements.

(c)

In the event the petition requests that only a portion of a through street, alley or public way which is open to public access from either direction is to be abandoned, altered, closed or vacated, then it shall be necessary for the petitioner to provide the city clerk with the names and last known mailing addresses of all abutting property owners both for the portion to be closed and for that portion which is to remain open in either direction up to the next intersection with another street, alley or public way. Notices and release forms will be mailed to all such abutting property owners for the closed and open portions of said street, alley or public way as provided in subsection (b) above.

(d)

Said petition shall be submitted to the planning commission for its recommendation to the city council at its next regularly scheduled meeting, provided at least 30 days have lapsed from the date said request was filed. The planning commission shall be allowed no more than 30 days to formulate its recommendation to council.

(e)

Streets or alleys, whether owned by the city or whether such streets or alleys are designated by easements only, when abandoned shall then belong properly to the owner or owners of the abutting property. In order to abandon any street or alley, all property owners abutting said street or alley shall have consented to the abandonment, or such abandonment shall not be approved by the city council. No street or alley shall be abandoned until payment of a fee as determined from time to time by ordinance or the appraised market value of the street or alley based upon at least one bona fide appraisal selected by the city at the petitioner's expense, whichever is greater; and after abandonment of such street or alley the city will deliver a quitclaim deed to the owners as to their proportionate ownership interest, upon payment of their proportionate share of the market value of the street, alley or public way. The determination of market value or proportionate ownership going to the abutting property owner of any street or alley shall ultimately be determined by the city council, and such determination shall be final. The preparation of all transfer documents shall be at the expense of petitioner. Recipients of such deeds shall be required to record their deeds with the county clerk and to render the acquired property to the central appraisal district.

(f)

This section shall not be construed to give any person the vested right to compel the city to abandon or vacate a street or alley.



CITY COUNCIL AGENDA FORM

(Code 1972, § 16-4; Ord. No. 564; Ord. No. 713, § 1)

Sec. 56-5. - Abandonment of easement.

(a)

Upon the payment of (i) a fee in an amount as determined from time to time by ordinance or (ii) the appraised market value of the easement based on not less than one appraisal, whichever is greater, and after abandonment of the easement, the city will deliver a quitclaim deed to the owners of the fee simple title thereto. The determination of market value of any easement as fixed by city council shall be final.

(b)

This section shall not be construed to give any person the vested right to abandon or dispose of any easement.

(Code 1972, § 16-5; Ord. No. 564)

ORDINANCE NO. 0-2012-1059

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, PROVIDING FOR THE VACATING, ABANDONEMENT, AND CLOSING OF A PORTION OF A 60-FOOT STREET RIGHT-OF-WAY, LYING NORTH OF F.M. 519, OUT OF THE GREB ADDITION

WHEREAS, The City Council of City of La Marque, Texas, finds that said portion of a 60 foot right-of- way as a street lying North of F.M. 519 described in Exhibit A was dedicated as a street right-of-way but never opened; and

WHEREAS, there is no longer any public need for the City of La Marque, Texas to retain ownership of nor perform maintenance on said portion of a 60 foot right, of way, lying North of F.M. 519; and

WHEREAS, on January 3, 2012 R.J.R. Realty, Inc filed a petition for abandonment with the City of La Marque, Texas, in accordance with La Marque Code of Ordinances Section 56-4 and 56-5; and

WHEREAS, on February 28, 2012, the Planning and Zoning Commission of the City of La Marque, Texas recommended approval of the petition filed by R.J.R. Realty, Inc; and

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; and

WHEREAS, R.J.R. Realty, Inc .Has agreed to fulfill it's obligations under Section 56-4 and 56-5 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 portion of a 60-foot right-of-way, lying North of F.M. 519 as a precondition of its receipt of a quit claim deed memorializing the abandonment.

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

That the portion of a 60-foot right-of-way, lying North of F.M. 519 is hereby vacated, abandoned and closed to be sold to R.J.R. Realty, Inc via quitclaim deed in exchange for payment to the City of La Marque, Texas an amount equal to the fair market value of portion of a 60-foot right-of-way, lying North of F.M. 519.

PASSED AND APPROVED by the City Council of the City of La Marque,
Texas, on the first reading this the____day of _____, 2012.

PASSED AND APPROVED by the City Council of the City of La Marque,
Texas, on the second and last reading this the____day of
_____, 2012.

Bobby Hocking
City of La Marque, Texas

ATTEST:

Zina Tedford, Interim-City Clerk

Approved as to form:

Ellis Ortego, City Attorney

EXHIBIT A
TRACT DESCRIPTION

DESCRIPTION OF A 60 FOOT IN WIDTH ROAD RIGHT OF WAY LYING BETWEEN THE SOUTH 97.335 FEET OF LOTS 60 AND 61, OF GREB ADDITION, A SUBDIVISION IN GALVESTON COUNTY, TEXAS, AND BEING THE SOUTH 97.335 FEET OF A 60 FOOT IN WIDTH ROAD RIGHT OF WAY, LYING IN NORTH OF THE NORTHE RIGHT OF WAY LINE OF F.M. 51, 80 FOOT RIGHT OF WAY;

BEGINNING at the Southwest corner of Lot 60, of Greb Addition, a Subdivision in Galveston County, Texas, according to the Map recorded in Volume 238, Page 70, in the Galveston County Records, said point lying in the North Right of Way line of F.M. 519, 80 foot Right of Way and said point lying in the East Right of Way line of a 60 foot in width Road Right of Way;

THENCE S89°17'W, across said 60 foot Right of Way and along the North Right of Way and along the North Right of Way line of F.M. 519 (Main Street), 80 foot Right of Way, a distance of 60.00 feet to a point for corner, said point being the southeast corner of Lot 61, of Greb Addition and said point lying in the West Right of Way line of said 60 foot Right of Way;

THENCE N00°43'W, along the West right of way line of said 60 foot Road and the East line of Lot 61, a distance of 97.335 feet, to a point for corner;

THENCE N89°17'00"E, across said 60 foot Road, a distance of 60.00 feet, to a point for corner, in the East Right of Way line of said 60 foot Road and the West line of Lot 60, of Greb Addition;

THENCE $SO0^{\circ}43'E$, along the East Right of Way line of said 60 foot Road and along the West line of Lot 60, of Greb Addition, a distance of 97.335 feet, to the Place of Beginning and containing 5.840.10 square feet, more or less.

1016730043 - 20, MK1TC

STEWART TITLE COMPANY



2010030233

13 PGS

GENERAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS:

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

Date:

June 17 2010

Grantor:

Mileane Ohlund

1124 First St
LA MARQUE, TX 77568

Charles G. Robinson

8026 Center St
HITCHCOCK, TX 77563

Theodore E. Robinson

8201 Center St
HITCHCOCK, TX 77563

Harry W. Robinson

7306 Woodlawn Dr
HITCHCOCK, TX 77563

Annie Mae Robinson Gustafson

8121 Center St
HITCHCOCK, TX 77563

Grace Cambiano

7521 Memorial Dr.
HITCHCOCK, TX 77563

John B. Gibson, Jr.

401 Dallas St S.E.
GRAVETTE, AR 72736

Mileane Elizabeth Gibson Cato

P.O. Box 502
HITCHCOCK, TX 77563

Dewey Norton Gibson

7913 N. Martin Luther King
HITCHCOCK, TX 77563

1016730043

1

2010030233



CITY COUNCIL AGENDA FORM

Meeting Date: 6-25-12

Agenda item: 8d

Prepared by: Cyndi Efird

Reviewed by: CJB

Department: Public Works & Utilities

AGENDA ITEM DESCRIPTION:

This item was tabled at the Regular Meeting held June 11, 2012, pending water sample results

b. Discussion/possible action -Change Order #4 Long & Son LJA - Project No. E019-090D
Replacement of Magnolia Water Plant for \$98,841.68

☒ **Attachments for Reference:** Change Order (7pgs);
LJA's recommendation letter

INFORMATION

LJA Briefing: After reviewing the video of the existing well casing and screens it appears that the condition of the casing below 620 feet is in need of repair. The repair would entail the insertion of a liner with a reduced diameter to be placed within the existing casing and the placement of a gravel pack between the liner and casing. If not repaired, the existing casing could collapse which would greatly limit the production of the well. If the casing collapses, the liner option may not be possible and the need for a new well may be required at an approximate cost of 5 to 8 times the repair cost of the existing well.

Staff Briefing: City staff has reviewed the video tape and concurs with LJA's recommendation. The video indicates the screen slots were corroded and after the cleaning of the slots, there were several areas where rust holes were 2-3 inches in diameter through the casing. If the well is not rehabilitated, we will not have the capability of filling the tank for emergency back-up water. The ground storage tank located at this site only receives well water.

History (if applicable): The well was originally drilled July 8, 1949. Some minor repairs were completed April 9, 1971.

Target Implementation:

Significant Action Dates:

June 1, 2012 – Staff anticipated the system would be operational before June 2012 (Hurricane Season)

June 20, 2012 – Staff has received only partial results of the testing process. Remaining results should arrive before the weekend. Staff is trying to reach LJA to attend the Council meeting.



CITY COUNCIL AGENDA FORM

Action:

☐

Ordinance

☐

Resolution

☐

Proclamation

☐

Special Presentation

☐

Finance Report

☐

Public Hearing

☒

Other – Contract Change Order

Cost Details:

Total Project Bid	\$1,115,000.00
Well Line Phase of Project Bid	\$119,300.00
Change Order	\$98,481.68
Remaining Grant Funds	\$41,406.41
City Contributions	\$57,075.27
Account Name	Utility Repair & Maintenance
Account #	02-3010-22-00

Staff's Recommended Motion: Staff recommends approval of Change Order # 4 in the amount of \$98,481.68 and use of Utility funds in the amount of \$57,075.27 (02-3010-22-00) to offset the remaining costs for LJA Project 019-090D Water Well Screen Liner Repair.

Fiscal Impact: Approximately \$57,000.00 will need to be utilized from the Utility Department Repair & Maintenance line item to repair or replace water lines. The City will not be able to do any proposed scheduled up-grades the remainder of this fiscal year due to the use of funds for this project.

11821 East Freeway
Suite 400
Houston, Texas 77029

Phone 713.450.1300
Fax 713.450.1385
www.ljaengineering.com

May 3, 2012

Mr. Mike Morgan
Director of Public Works
City of La Marque
1500 Municipal Drive
La Marque, TX 77568

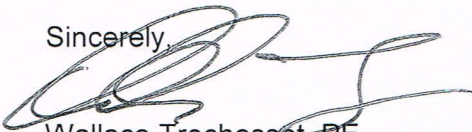
RE: City of La Marque
Magnolia Water Well Project
Water Well Screen Liner Repair
LJA Project No. E019-090D

Dear Mr. Morgan,

After reviewing the video of the existing well casing and screens it appears that the condition of the casing below 620 feet is in need of repair. The repair that we would recommend is the insertion of a liner with a reduced diameter to be placed within the existing casing and then the placement of a gravel pack between the liner and casing. If the City decides not to repair the casing the existing casing could collapse which could greatly limit the production of the well. If the casing collapses the liner option may not be possible and the need for a new well may be required at a cost of approximately 5 to 8 times the repair cost of the existing well. We have already received the costs from the contractor to repair the existing well and have prepared a change order in the amount of \$98,841.68.

Please give me a call if you have any questions at 713-657-6030.

Sincerely,



Wallace Trochesset, PE
Vice President

cc: David Baker, Public Management, Inc.
Construction File 16.4

CHAPTER 9

Form 9-4 Construction Contract Change Order Approval Request

Owner (Contractor Locality): City of La Marque 1111 Bayou Road La Marque, Texas 77568 Phone #: 409-938-9200	Contract For (project description): Replacement of Magnolia Water Plant	Date May 1, 2012, 2012 Project No. E019-090D
Contractor: Long & Son, Inc. 13014 Queensbury Lane Houston, TX 77079 Agreement Date: 04/08/2011 Phone #: 713-461-7032	Engineer: LJA Engineering, Inc. 11821 East Freeway, Suite 400 Houston, Texas 77029 Phone #: 713-450-1300 Engineer's Project No. E019-090D	DRS Contract No. 010094 Change Order No. 4

You are hereby requested to comply with the following changes from the contract plans and specifications:

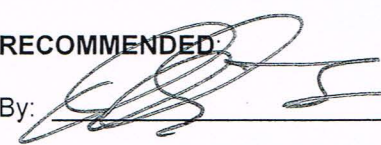
Item No.	Description of Changes-Quantities, Units, Unit Prices, Change in Completion Scheduled, Etc.	Decrease in Contract Price	Increase in Contract Price
1	Water Well Screen Liner Repair		\$98,841.68

CHAPTER 9

<u>Change in Contract Price</u>	<u>Change in Contract Time</u>
Original Contract Price: \$1,115,000.00	Original Contract Time: 225 W.D.
Previous Change Order(s) No. 1 to No. 3 \$(10,836.47)	Net Change From Previous Change Orders 0 W.D.
Contract Price Prior to this Change Order \$1,104,163.53	Contract Time Prior to this Change Order 225 W.D.
Net <u>Increase</u> /Decrease of this Change Order \$ 98,841.68	Net Increase/Decrease of this Change Order 90 W.D.
Contract Price With all Approved Change Orders \$1,203,005.21	Contract Time With all Approved Change Orders 315 W.D.
Cumulative % Change in Contract Price: % 8.95 CE.	

DR Division reimbursement of costs approved by this change order is subject to approval by TDRA.

RECOMMENDED:

By: 
ENGINEER (Authorized Signature)

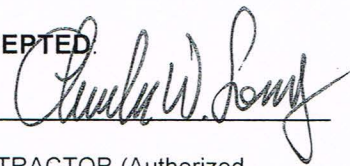
Date: 5-2-12

APPROVED:

By: _____
OWNER (Authorized Signature)

Date: _____

ACCEPTED:

By: 
CONTRACTOR (Authorized Signature)

Date: 5/2/12

JUSTIFICATION FOR CHANGE

Grantee: City of La Marque

DRS Contract No.:

Change Order No. 4

CHAPTER 9

1. Will this Change Order increase or decrease

the number of beneficiaries?

☐ Increase

☐ Decrease

☒ No Change

If there is a change, how many beneficiaries will be affected?

Total ____ L/M ____

2. Effect of this change on scope of work:

☐ Increase

☐ Decrease

☒ No Change

3. Effect on operation and maintenance costs:

☐ Increase

☐ Decrease

☒ No Change

4. Are all prices in the change order dependent upon unit prices

found in the original bid?

Yes

☒ No

If "No", explain: **Original water well screen liner was found to have numerous hole and in serious need of repair.**

5. Will this change be completed within the contract period?

☒ Yes

☐ No

If "No", expected completion date: _____

(completion date)

6. Has this change created new circumstances or environmental

conditions which may affect the project's impact, such as

concealed or unexpected conditions discovered during actual

construction?

☐ Yes

☒ No

If "Yes", is an Environmental Re-assessment required?

☐ Yes

☐ No

CHAPTER 9

7. Is the Texas Commission on Environmental Quality (TCEQ) clearance still valid?	☒ Yes	☐ No
8. Is the TCEQ permit approval still valid? (sewer projects only)	☐ Yes	☐ No
9. Are the handicapped access requirements/approval still valid (if applicable)? NA	☐ Yes	☐ No
10. Are other Disaster Recovery contractual special condition clearance still valid?	☒ Yes	☐ No
(If no, specify):		

NOTE:

- * Generally, a cumulative change in the contract price in excess of 25% cannot be approved.
- * Generally, items not included or identifying unit costs in the original bid documents cannot be approved as change order items.

LONG & SON, INC.

General Contractor

13014 Queensbury Houston, TX 77079
Phone 713.461.7032 Fax 713.935.9278

April 3, 2012

City of La Marque
C/o LJA Engineering, Inc.
11821 East Freeway, Suite #400
Houston, Texas 77029

RE: Magnolia Water Plant

Gentlemen:

We are forwarding a Request for a Change Order for the Water Well Screen Liner Repair for your consideration and approval.

1. Weisinger Inc. cost to repair the Water Well Screen	\$89,632.00
2. Long & Son, Inc. 10% Mark-Up	\$8,963.20
3. 2 ½% Bond Cost	\$246.48
Total Change Order	\$98,841.68

If we can be of any further service, please advice.

Very Truly Yours,

Charles W. Long

Weisinger Incorporated

Water Resource Professionals

2200 East Davis

Conroe, Texas 77301

936-756-7721 281-353-8484

936-756-7723 fax

April 3, 2012

Mr. Charley Long.
Long & Son
13014 Queensbury Ln.
Houston, TX 77079

Re: City of La Marque Magnolia Street Well – Well Video Survey

Dear Mr. Long:

We have brushed and jetted the well and performed another video survey. We were able to run a small amount of water in the well, so the view is not as cloudy as the first video. A copy of the video is enclosed.

On this survey, holes in the screen were noted at 620 to 622 feet, 625 feet, 816 feet, 818 feet, 828 feet, 830 feet, and 838 feet. At 398 feet, 495 feet, 527 feet, and 700 feet, the screen slots were enlarged. Pitting was note at several places in the screen.

Because of the numerous holes, we recommend relining the well. A six inch liner and screen section would be installed from the top of the liner (208 feet) to the bottom viewed on the survey (852 feet). The liner pipe would be standard wall steel, and the screens would be pipe – base wire wrap screen. Gravel would be installed between the inside of the old screen and the outside of the new screen/liner.

After installing the screen, a test pump would be installed and a pumping test performed to verify the performance to determine if the new pump is adequately size.

The price for this work is \$89,632.00, and could be completed within 3 weeks of approval.

Please let us know if you have any questions or require any additional information.

Best Regards,

Mark S. Harkness



Weisinger Incorporated

LaMarque Relining						
Description	UOM	No Units	\$/unit	Cost	Mult	Price
6" liner	ft	644	\$ 15.37	\$ 9,900.00	2.00	\$ 19,800.00
hauling	hr	10	\$ 200.00	\$ 2,000.00	1.00	\$ 2,000.00
6" screen	ft	206	\$ 36.00	\$ 7,416.00	2.00	\$ 14,832.00
misc	ls	1	\$ 1,300.00	\$ 1,300.00	2.00	\$ 2,600.00
welder	hr	40	\$ 50.00	\$ 2,000.00	2.00	\$ 4,000.00
gravel	cy	8	\$ 200.00	\$ 1,600.00	2.00	\$ 3,200.00
crew	hr	40	\$ 350.00	\$ 14,000.00	1.00	\$ 14,000.00
hauling	hr	20	\$ 200.00	\$ 4,000.00	1.00	\$ 4,000.00
set pump	hr	30	\$ 350.00	\$ 10,500.00	1.00	\$ 10,500.00
pumping test	hr	12	\$ 350.00	\$ 4,200.00	1.00	\$ 4,200.00
remove pump	hr	30	\$ 350.00	\$ 10,500.00	1.00	\$ 10,500.00
						\$ 89,632.00



CERTIFICATE OF ANALYSIS

CLIENT: City of La Marque

LAB NUMBER: AD22473

DATE COLLECTED: 11-June-12

DATE RECEIVED: 11-June-12

DATE COMPLETED:

SAMPLED BY: JH

LOCATION:

Raw Water
@1300

PARAMETERS:		EPA METHOD #	LIMITS (mg/l)
pH (Units)	8.24	SM 4500-H B	6.50 - 8.50
TOTAL HARDNESS as CaCO ₃ (mg/l)	33.8	SM 2340 C	N/A
TOTAL ALKALINITY as CaCO ₃ (mg/l)	275.0	SM 2320 B	N/A
BICARBONATE (mg/l)	335.5	N/A	N/A
CARBONATE (mg/l)	<1.0	N/A	N/A
TOTAL DISSOLVED SOLIDS (mg/l)	776.0	SM 2540 C	1,000.0
SILICA (mg/l)	1380.00	SM 4500-SiO ₂ D	N/A
CYANIDE (as Free mg/l)	< 0.02	SM 4500-CN E	0.2
CALCIUM as CaCO ₃ (mg/l)	22.1	200.7	N/A
MAGNESIUM as CaCO ₃ (mg/l)	11.4	200.7	N/A
SODIUM (mg/l)	262.6	200.7	N/A
POTASSIUM (mg/l)	2.1	200.7	N/A
TOTAL IRON (mg/l)	0.397	200.7	0.30 *
TOTAL MANGANESE (mg/l)	0.032	200.7	0.05 *
TOTAL ZINC (mg/l)	0.011	200.7	5.0 *
TOTAL ANTIMONY (mg/l)	<0.002	200.7	0.006
TOTAL ALUMINUM (mg/l)	0.035	200.7	0.05 - 0.20*
TOTAL ARSENIC (mg/l)	0.006	200.7	0.01
TOTAL BARIUM (mg/l)	0.120	200.7	1.0
TOTAL BERYLLIUM (mg/l)	<0.001	200.7	0.004
TOTAL COPPER (mg/l)	0.003	200.7	1.00
TOTAL SILVER (mg/l)	<0.001	200.7	0.05
TOTAL CADMIUM (mg/l)	<0.001	200.7	0.010
TOTAL CHROMIUM (mg/l)	<0.001	200.7	0.05
TOTAL LEAD (mg/l)	<0.003	200.7	0.015
TOTAL MERCURY (mg/l)	< 0.0002	245.1	0.002
TOTAL SELENIUM (mg/l)	<0.003	200.7	0.01
TOTAL THALLIUM (mg/l)	<0.003	200.7	0.002
SULFATE (mg/l)	<2	ASTM D516-90	300.0 *
CHLORIDE (mg/l)	244.9	SM 4500-Cl B	300.0 *
NITRATE (mg/l)	<0.5	SM 4500-NO ₃ E	10.0
NITRITE (mg/l)	<0.05	HACH 8507	1.00
FLUORIDE (mg/l)	Pending	SM 4500-F C	2.00
ODOR (THRESHOLD #)	< 1.0	N/A	3.0
TEMPERATURE (C/F)	25/77	N/A	N/A
LANGELIER INDEX	+0.23	N/A	N/A

* DENOTES: Secondary Standards (Recommended)

CERTIFIED BY

Name: City of LaMarque
Address: 1111 Bayou Rd
City: LaMarque, TX 77568
Contact: Jason Hubbe l Phone: 409-938-9289 Fax:

Analysis Request and Chain of Custody Record

Project No.		Client/Project					City of LaMarque		pH	D.O.	Temp.	Analysis Time
Lab ID No.	Field Sample No./ Identification	Date & Time	Grab	Comp	Sample Container (Size/Mat'l)	Sample Type (Liquid, Sludge, etc.)	Preservative	ANALYSIS REQUESTED				
2-222305	Raw Water	6/11/12 1:10PM	✓		1 gal/cubie	Liquid	Ice	Water pkg				
	Raw Water	6/11/12 1:00PM	✓		500 ml/p	Liquid	HNO3	Metals				
	Raw Water	6/11/12 1:08PM	✓		1 gal/cubie	Liquid	HNO3	Gross alpha, Gross beta, T. Uranium, Ra226-2				
	Raw Water	6/11/12 1:23PM	✓		2-40 ml/vials	Liquid		Radon				
	Raw Water	6/11/12 1:20PM	✓		2-1 Lt/Amb	Liquid	Ice	SOC				
	Raw Water	6/11/12 1:30PM	✓		4-40 ml/vials	Liquid	Ice, HCl	VOC, BTEX, MTBE				
	RAW WATER	6/11/12 1:25PM	✓		2-40 ml/vials	Liquid	ICE, HCl	TPH				
Samplers: (Signature)		Relinquished by: Jason Hubbe l		Date: 6/11/12		Received by: Brian Tey		Date: 6/11/12		Seal Intact?		
		(Signature)		Time: 1:56PM		(Signature)		Time: 1:57				
Affiliation		Relinquished by:		Date:		Received by:		Date:		Seal Intact?		
		(Signature)		Time:		(Signature)		Time:				
Remarks:		Relinquished by: Brian Tey		Date: 6/11/12		Received by Lab:		Date: 6/11/12		Seal Intact?		
		(Signature)		Time: 1:40		(Signature)		Time: 1:40				
		FLOW: _____		Arrival Temp. 3		Data Results To:				Laboratory No.		
		Meter Reading: _____		52R 1		Site Representative:		Date:				
		Cl ₂ Residual: _____						Time:				
		Mn Correction: _____										
		Cl ₂ Corrected										



CITY COUNCIL AGENDA FORM

Meeting Date: 6-25-12

Agenda item: 9b

Prepared by: zt

Reviewed by: CJB

Department: Administration

AGENDA ITEM DESCRIPTION:

Discussion/possible action -appointment(s) to the Animal Services Advisory Committee

☐

Attachments for Reference

Staff Briefing:

Per Health and Safety Code, Title 10. Health and Safety of Animals, Chapter 23. Animal Shelters, Sect. 823.005. Advisory Committee.

- (a) The governing body of a county or municipality in which an animal shelter is located shall appoint an advisory committee to assist in complying with requirements of this chapter.
- (b) The advisory committee must be composed of at least one licensed veterinarian, one county or municipal official, one person whose duties include the daily operation of an animal shelter, and one representative from an animal welfare organization.
- (c) The advisory committee shall meet at least three times a year.

History (if applicable):

At the Animal Services Advisory Committee meeting, several member terms are set to expire on September 30, 2012. The names of the appointees will have to be submitted to the United Board of Health for ratification at their July meeting. In order to meet the deadline, the Animal Services Advisory Committee is requesting written confirmation of continued representation or the name(s) of the new appointees no later than July 10th.

Currently, Councilmember Osteen serves as the City of La Marque's appointment. Councilmember Osteen indicated that he would be willing to be considered for re-appointment.

Target Implementation: October 1, 2012

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	



CITY COUNCIL AGENDA FORM

Staff's Recommendation: Motion to re-appoint Councilmember Osteen to represent the City of La Marque or appoint a new representative.

Fiscal Impact: N/A



CITY COUNCIL AGENDA FORM

Meeting Date: 06/18/12

Agenda item: 9c

Prepared by: Todd Weidman, Fire Chief

Reviewed by: *CJB*

Department: Fire Department

AGENDA ITEM DESCRIPTION:

Discussion/possible action - the City of La Marque entering into an agreement with the Galveston Firefighters Association on behalf of the La Marque Fire Department for training and equipment.



Attachments for Reference

Staff Briefing: The Galveston County Firefighter's Association has submitted the attached agreement for Council consideration.

The purpose of the agreement is to provide a documented relationship outlining the expectations and benefits to each.

1. This agreement shall be effective from 6/1/12 through 5/31/13.
2. The Association shall provide to the Department classroom training seminars at no cost in fire protection techniques, and Critical Incident Stress Debriefing services.
3. The Association shall make a cash distribution to the Department in the amount of \$8,800.00 upon signing of this agreement for the purchase of firefighting equipment. The Department will provide its records showing compliance with the money usage.
4. The Department will complete an annual survey – ALREADY COMPLETED
5. The Department will provide an activity report – ALREADY COMPLETED
6. The Department shall meet the “Five Point Contract Requirements” – MET
7. The Department remains solely responsible for its operations.

History: The current contract expired on 5/31/12.

Target Implementation: Upon city council approval

Significant Action Dates: Typically, this contract is signed prior to June 1st. Fire Chief Weidman was not made aware of this requirement until May. Upon receiving the survey, it was completed and all supporting/ requested documents were submitted. The contract was written and received by Fire Rescue. The Association is aware of our transition and is maintaining flexibility for us to submit our contract.



CITY COUNCIL AGENDA FORM

Action:

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

Cost Details:	
Budgeted	N/A
Actual Bid	N/A
Estimated Expenditure	\$8,800.00
Acct. Name	N/A
Line Item #	N/A
Other Funding	\$8,800.00

Staff's Recommended Motion: Staff is recommending that City Council approve entering into an agreement with the Galveston Firefighters Association on behalf of the La Marque Fire Department for training and equipment.

Fiscal Impact: This agreement does not create any financial burden on the City; we are already required to maintain the records they are requesting. Money received from the Association will be used to purchase needed equipment, reducing the financial impact of the City.

STATE OF TEXAS §

COUNTY OF GALVESTON §

AN AGREEMENT
BETWEEN THE GALVESTON COUNTY FIRE FIGHTER'S ASSOCIATION
AND THE La MARQUE FIRE DEPARTMENT

WHEREAS the Galveston County Firefighter's Association, a Texas Corporation, hereinafter called "the Association", and the La Marque Fire Department, hereinafter called "the Department" desire to make this agreement, and,

WHEREAS the Association has entered into a contract with the County of Galveston to administer funds which the County has earmarked for the purchase of firefighting equipment for residents of the county that live outside municipalities within the county, pursuant to §352 of the Texas Local Government Code, and,

WHEREAS the Association wishes to further its goal of improving the education and training of firefighters within Galveston County, and,

WHEREAS the Department wishes to avail itself of the opportunities for training and equipment purchases.

THEREFORE the Association and the Department agree to the following terms.

1 - TERM OF AGREEMENT

- 1.1 This agreement shall be effective from June 1, 2012 through May 31, 2013.
- 1.2 The portions of this agreement which require reporting of activities shall remain in effect for a reasonable period after the term of this contract, to allow compilation of the necessary information.

2 - RESPONSIBILITIES OF THE ASSOCIATION

- 2.1 The Association shall administer the funds provided by the County as recited in the contract made effective October 1, 2011 between the Association and the Galveston County Commissioners' Court.
- 2.2 The Association shall administer the capital improvement fund created by the above-noted contract. The Association will promulgate a policy and procedure for requests for grants from this capital improvement fund.

2.3 The Association shall provide to the Department classroom training seminars at no cost in fire protection techniques, "new member training" for new volunteer members, and Critical Incident Stress Debriefing services.

2.4 The Association shall make a cash distribution to the Department in the amount of Eight Thousand Eight Hundred Dollars (\$8,800.00) upon the signing of this agreement. This cash distribution is limited to use for purchase of firefighting equipment pursuant to §352 of the Texas Local Government Code.

2.5 The Association will provide the Department with appropriate forms to comply with reporting requirements of this agreement.

3 - RESPONSIBILITIES OF THE DEPARTMENT

3.1 The Department will maintain adequate records to provide the Association with an annual report by April 1, 2013.

3.2 The Department will report to the Association in a format specified by the Association, a list of all equipment purchased with the (\$8,800.00) cash distribution.

3.3 The Department will complete an annual survey form provided by the Association.

3.4 The Department will provide an activity report to the Association which includes operating expenses, revenues and response data. This report shall be made in the format provided by the Association.

3.5 The Department shall meet the "Five Point Contract Requirements" that are attached to this agreement as Exhibit A.

4 - RELATIONSHIP BETWEEN THE PARTIES

4.1 It is agreed and understood between the parties that the Association shall have no right at any time to supervise, manage, direct or control the Department or its members in the performance of its services. The Department shall be solely responsible for the manner, means and methods by which it operates.

4.2 It is further agreed and understood between the parties that the acts of any agent, employee, volunteer, or member of the Department, or any person assisting the Department while fighting fires, traveling to and from calls for service, training, or in any manner providing fire protection services to citizens in the unincorporated areas of the county, may not be considered an agent of the Association or County in any respect.

4.3 The Association shall not be held liable for the acts of the Department, any of its agents, employees, volunteers, members, or any person assisting it at any time.

5 - MISCELLANEOUS ITEMS

5.1 This Agreement is not binding until it is executed by all parties to this Agreement.

5.2 This Agreement represents the entire agreement by and between the parties except as otherwise provided in this Agreement. It may not be changed except by written agreement duly executed by all of the parties.

5.3 Neither party shall have the right to transfer or assign his or her interest in this Agreement without the prior written consent of the other party. The parties agree that such consent shall not be unreasonably withheld.

5.4 The captions, numbering sequences, titles, paragraph headings, punctuation, and organization used in this Agreement are for convenience only and shall in no way define, limit or describe the scope or intent of this Agreement or any part of it.

5.5 Use of the neuter or the singular to refer to the parties described in this Agreement shall be deemed a proper reference whether a party is an individual, partnership, corporation, association, trust, a group of two or more individuals, partnerships, or corporations, or a joint venture.

5.6 Any grammatical changes required to make the provisions of this Agreement applicable to corporations, associations, partnerships, trusts, individuals, or groups of individuals, and changes required to make the provisions apply to females as well as males shall, in all instances be assumed as though each case were fully expressed. The agreement may contain the wording "he or she" or "his or her". The use of such expressions shall allow the agreement too apply to the masculine or feminine gender as the individual circumstances may require.

5.7 If any word, phrase, clause, or paragraph, or other provision of this Agreement is adjudicated or otherwise found to be against public policy, void, or unenforceable, then those words or provisions shall be deleted or modified in keeping with the express intent of the parties as necessary to render this Agreement valid and enforceable. All such deletions or modifications shall be the minimum required to effect the foregoing and the intent of the parties to this Agreement.

5.8 By execution of this Agreement, the parties acknowledge that they have read and understood each provision, term and obligation contained in this Agreement. This Agreement, although drawn by one party, shall be construed fairly and reasonably and not more strictly against the drafting party than the nondrafting party.

5.9 If any party to this Agreement is a legal entity, including, but not limited to, an association, corporation, joint venture, limited partnership, partnership, or trust, that party represents to the other that this Agreement and the transactions contemplated in this Agreement and the execution and delivery hereof have been duly authorized by all necessary corporate, partnership, or trust proceedings and actions including, but not limited to, action on the part of the directors, officers and agents of the entity. Furthermore, a corporate party represents that all appropriate corporate meetings were held to authorize the aforementioned obligations and certified copies of all corporate meetings or minutes and corporate resolutions authorizing this transaction have been delivered to all parties to this agreement prior to or at the time of execution of this Agreement.

5.10 This Agreement shall become effective upon its execution by all of the parties. Thereafter, all obligations contained in this Agreement shall be conclusive and binding upon all of the parties. Accordingly, this Agreement shall no longer be considered executory as of the date that all parties have affixed their signatures to it.

5.11 It is the specific and express intent and the agreement of the parties that in the event one party should cause, either directly or indirectly, damage, loss, destruction, liability, or claims against the other party as a result of intentional conduct, negligence or otherwise, the offending party shall hold harmless and indemnify the other party from any and all obligations, liabilities, causes of action, lawsuits, damages, and assessments, including legal fees, etc., that result from the offending party's intentional actions or negligence. This indemnification clause shall survive this Agreement and be enforceable as a separate agreement in the event the same becomes necessary.

5.12 Neither party shall be liable or responsible to the other party for any delay, damage, loss, failure, or inability to perform caused by "force majeure." The term "force majeure," as used in this Agreement, shall include the following: an act of God, strike, act of a public enemy, war, mines or other items of ordinance, blockage, public rioting, lightning, fire, storm, hurricane, flood, explosions, inability to obtain materials, supplies, labor permits, servitudes, or rights of way, acts or restraints of any governmental authority, epidemics, landslides, lightning storms, earthquakes, washouts, arrests, restraints of rulers and peoples, civil disturbances, explosions, breakage or accident to machinery or lines of equipment, temporary failure of equipment, freezing of equipment, and any other cause, whether of the kinds specifically enumerated above or otherwise, which is not reasonably within the control of the parties and which by the exercise of due diligence could not reasonably be prevented or overcome. Events reasonably within the control of the party having the difficulty shall not constitute "force majeure" and shall be remedied with the exercise of due diligence. In the event time limits are not met under this Agreement as a result of "force majeure," the parties agree to an extension of the time limit or deadline for the number of days for which the "force majeure" condition existed. After the "force majeure" condition has ended, the contract shall continue under the same operations and circumstances as existed prior to the "force majeure" event.

5.13 Each party further agrees that it shall take any and all necessary steps and sign and execute any and all necessary documents or agreements required to implement the terms of the agreement of the parties contained in this contract, and each party agrees to refrain from taking any action, either expressly or impliedly, which would have the effect of prohibiting or hindering the performance of the other party to this Agreement.

5.14 It is agreed and understood that any work requested by the parties to this agreement shall be performed under the terms of the Agreement and that all parties are considered independent contractors. Each party is interested only in the results obtained hereunder and has the general right of inspection and supervision in order to secure the satisfactory completion of the work. Neither party shall have control over the other party with respect to its hours, times, employment, or the like. Under no circumstances shall either party be deemed an employee of the other, nor shall either party act as an agent of the other party. Furthermore, the parties to this Agreement warrant that all obligations imposed on them by this Agreement shall be performed with due diligence in a safe, competent, workmanlike manner and in compliance with any and all applicable statutes, rules and regulations. Any and all joint venture or partnership status is hereby expressly denied and the parties expressly state that they have not formed, either expressly or impliedly, a joint venture or partnership.

5.15 This Agreement may be executed in several counterparts, each of which shall be deemed an original and all of which when taken together shall constitute but one and the same Agreement. In the event that a comparison of the multiple agreements reveals that the Agreements contain differences or inconsistencies, then the Agreement which is first executed and signed by all of the parties shall be deemed the original Agreement and all other agreements, although duly signed by the parties, shall be deemed inferior and subordinate to the first signed Agreement.

5.16 The failure or delay of either party in the enforcement of the rights detailed in this Agreement shall not constitute a waiver of the rights nor shall it be considered as a basis for estoppel either at equity or at law. That party may exercise its rights under this Agreement despite any delay or failure to enforce those rights at the time the cause of action or right or obligation arose.

5.17 Any and all notices or other communications required or permitted to be given pursuant to this agreement shall be in writing and shall be considered as properly given if sent by facsimile transmission or mailed by certified mail, return receipt requested, postage prepaid, and addressed as follows:

To: The Galveston County Firefighter's Association
P.O. Box 549
La Marque, Texas 77568

To: La Marque Fire Department
1111 Bayou Road
La Marque, Texas 77568

Either party hereby reserves the right to designate in writing to the other party any change of name, change of person, or address to which the notices shall be sent.

5.18 This Agreement and the exhibits attached hereto and incorporated herein, if any, contain the entire Agreement of the parties and there are no representations, inducements, promises, agreements, arrangements or undertakings, oral or written, between the parties to this Agreement other than those set forth herein and duly executed in writing. No agreement of any kind shall be binding upon either party unless and until the same has been made in writing and duly executed by both parties. Upon execution of this Agreement by all parties, all previous agreements, contracts, oral understandings, representations, arrangements, or undertakings of any kind relative to the matters contained in this Agreement are hereby superseded and canceled and all claims and demands not contained in this agreement are deemed fully completed and satisfied.

5.19 This Agreement shall be binding upon and inure to the benefit of the parties, their respective heirs, executors, administrators, legal representatives, successors and assigns. The parties to this Agreement expressly agree that in the event a party seeks to or does transfer part or all of its assets to a separate entity, not a party to this Agreement, the party shall be liable under this Agreement as if the transfer had not occurred.

5.20 No representations, promises, guarantees or warranties were made to induce either party to execute this Agreement other than those stated in the Agreement.

5.21 If any provision of this Agreement is for any reason held violative of any applicable law, governmental rule or regulation, or if the provision is held to be unenforceable or unconscionable, then the invalidity of that specific provision shall not be held to invalidate the remaining provisions of this Agreement. All other provisions and the entirety of this Agreement shall remain in full force and effect unless the removal of the invalid provision destroys the legitimate purposes of this Agreement, in which event this Agreement shall be cancelled and terminated.

5.22 This Agreement shall be subject to and governed under the laws of the State of Texas. Any and all obligations and payments are due and performable and payable in Galveston County, Texas. The parties agree that venue for purposes of any and all lawsuits, causes of action, arbitrations, or other disputes shall be in Galveston County, Texas.

This Agreement is signed, accepted and agreed to by all parties by and through the parties or their agents or authorized representatives. All parties hereby acknowledge that they have read and understood this Agreement and the attachments and exhibits hereto. All parties further acknowledge that they have executed this legal document voluntarily and of their own free will.

Galveston County Firefighter's Association

By:

Mike Wisko, *Chairperson* Date

ATTEST:

Joel Sumrall, *Secretary*

La Marque Fire Department

By:

Bobby Hocking, *Mayor* Date

Carol Butler, *City Manager* Date

Todd Weidman, *Fire Chief* Date

ATTEST:

Zina Tedford, *Interim City Clerk*

FIVE POINT CONTRACT REQUIREMENTS EXHIBIT "A"

POINT 1: Active Internal Training Program

- Equivalency: Training program must be equivalent to the certification program offered by the State Firemen's and Fire Marshal's Association of Texas.
- Progress Report: The Fire Chief shall submit to the Association an annual progress report of training activities.
- Minimum Number of Drills: The Fire Department must provide a minimum of two (2) drills per month for a minimum of two (2) hours each.

POINT 2: Liability Insurance

- Automobile Liability Insurance: The Fire Department shall provide emergency vehicle insurance coverage for each fire apparatus or vehicle owned and/or operated by the fire department.
- Personal Injury Insurance: The Fire Department shall provide personal injury insurance for all members.
- Certificate of Insurance: The Fire Department shall provide the Association a certificate of insurance as proof of liability insurance.

POINT 3: Annual Report

- Emergency Responses: Provide the Association with a calendar year report of fire responses. Such report shall include a separate report for both incorporated and unincorporated responses.
- Annual Survey: Each department shall complete an annual survey of equipment and resources on a form provided by the Association.
- Annual Financial Report: Each department shall annually provide the Association with a financial cost of services report.
- Projected Budget: Each department shall provide a fiscal projected budget. Such budget shall be divided into EMS and Fire Service.
- Tax Exemption: Each department shall provide the Association with a certification of tax exempt status.

POINT 4: Active in the County Association

- Attendance: Each department shall attend 50% of Association monthly meetings and not be absent more than three (3) consecutive meetings during the term of this contract.
- Third Party Training: Each department shall provide the Association proof of training by a person or organization not a member of the or associated with

the Department. Such training shall be approved by the Training commissioner.

- **New Member Training:** Each department shall implement training to all new members within one year of hire date, an introductory firefighter course that is equivalent to the "Introductory Firefighter" from the State Firemen's and Fire Marshals' Association (SFFMA). Proof of compliance shall be in the form of a certificate of completion from the College of the Mainland, a certificate of completion from an approved training academy, or a certificate issued by the SFFMA or Texas Commission on Fire Protection.

POINT 5: Firefighter Safety

- **Incident Command:** Each department shall implement and provide a current copy of the department's SOG for incident command at emergency incidents.
- **Two-In-Two Out:** Each department shall implement and provide a current copy of the department's SOG for two-in-two out at emergency incidents.
- **Accountability:** Each department shall implement and provide a current copy of the department's SOG for personnel accountability at emergency incidents.
- **Safety Officer:** Each department shall implement and provide a current copy of the department's SOG for safety officers at emergency incidents.



CITY COUNCIL AGENDA FORM

Meeting Date: June 25, 2012

Agenda item: 9d

Prepared by: Carl Wessels

Reviewed by: CJB

Department: Finance

AGENDA ITEM DESCRIPTION:

Discussion/possible action - Resolution No. **R-2012-1181** authorizing the City Manager to execute a contract with Texas Coalition for Affordable Power (TCAP) for the City's electricity needs thru December 31, 2017.



Attachments for Reference

Staff Briefing:

As you may recall, the City of La Marque is a member of the Texas Coalition for Affordable Power (TCAP). The current "pricing" contract expires December 31, 2013.

There are over 160 local governments (primarily cities) in TCAP and we believe we have saved tens of thousands of dollars over the years by purchasing electricity as part of this aggregation group. Now TCAP has recommended we lock in current low pricing through 2017.

Electricity is our 4th most expensive budgeted item. It falls in line with personnel, debt service, and wholesale water cost. In fiscal year 2011, we spent over \$630,000 for electricity; three times as much as gasoline.

TCAP has a proven record of acting in its member cities best interest. We believe the City of La Marque would be better off financially by taking TCAP's recommendation – instead of bidding on our own.

Our current rate for electricity thru TCAP is 8.43¢ per kWh. Pricing of the new rate will be locked in on July 2, 2012. It is expected to be in the range of 5.5¢. To take advantage of this option, the Council should designate the City Manager to sign the contract on July 3, 2012.



CITY COUNCIL AGENDA FORM

History:

<http://tcaptx.com/>

TCAP was authorized when the Texas Legislature took action to deregulate the state's electricity market in 2001, the Texas Coalition for Affordable Power is a unique alliance of cities and other political subdivisions that have joined together to purchase electricity for their own governmental use.

The more than 160 cities and other political subdivisions that comprise TCAP purchase in excess of 1.3 billion kilowatt/hours of power each year, making it the largest coalition of its type in the state. Using the strength of its numbers, TCAP negotiates terms and conditions for electric service that may be unavailable to a single city acting alone. This promotes healthier city budgets and benefits taxpayers.

TCAP was originally two separate non-profit corporations, the Cities Aggregation Power Project and the South Texas Aggregation Project, which merged in 2010. TCAP membership is open to all Texas cities (and other political subdivisions such as water districts) that purchase electricity in the deregulated market. It is run entirely by its members. The voluntary 15-person TCAP board of directors is made up of city officials and executives who meet once a month.

TCAP members enjoy a wide array of services that include professional consultant advice on electric load management and billing issues and access to legal counsel regarding electric utilities.

Over the past nine years, member cities have saved as much as 20 percent off the average energy rate that they would have paid without TCAP, often amounting to tens of thousands of dollars that can be used for other city services vital to residents.

Significant Action Dates:

June 25, 2012 – City Council considers attached resolution authorizing the City Manager to accept the final pricing obtained by TCAP and sign a Commercial Electricity Supply Agreement (CESA).

Friday, June 29 – Deadline for those cities obtaining a resolution.

July 2, 2012 – pricing refreshed and a contract provided for signature.



CITY COUNCIL AGENDA FORM

Action:

☐

Ordinance

☒

Resolution

☐

Proclamation

☐

Special Presentation

☐

Finance Report

☐

Public Hearing

☐

Other

Cost Details:

Budgeted	FY2012 \$589,410	
Actual Bid	n/a	
Expenditures	FY2011	\$630,418
	FY2010	\$630,329
	FY2009	\$585,212
	FY2008	\$537,393
Acct. Name	Utilities	
Line Item #	FF-5020-DD	
Other Funding	n/a	

Staff's Recommended Motion:

Move to approve resolution...

Fiscal Impact:

Failure to participate in this process could result in much higher electric rates in future.

RESOLUTION NO. R-2012-1181

A RESOLUTION OF THE CITY OF LA MARQUE, TEXAS, AUTHORIZING THE TEXAS COALITION FOR AFFORDABLE POWER (TCAP) TO SEEK BIDS TO COVER THE ELECTRIC POWER NEEDS OF THE CITY FOR THE PERIOD JANUARY 1, 2014 - DECEMBER 31, 2017 AND TO NEGOTIATE AN EXTENSION OF THE CITY'S POWER SUPPLY AND RETAIL ELECTRIC PROVIDER CONTRACTS FOR THE SAME PERIOD; AUTHORIZING THE CITY MANAGER TO SIGN A BLEND AND EXTEND OR FIXED PRICE CONTRACT WITH TCAP FOR THE CITY'S ELECTRICITY NEEDS FOR THE PERIOD EXTENDING UP TO DECEMBER 31, 2017; COMMITTING TO BUDGET FOR ENERGY PURCHASES AND TO HONOR THE CITY'S COMMITMENTS TO PURCHASE POWER THROUGH TCAP FOR ITS ELECTRICAL NEEDS THROUGH DECEMBER 31, 2017, IF CITY AGREES TO ACCEPT THE CONTRACT OFFER.

WHEREAS, the City of La Marque, Texas (City) is a member of Texas Coalition for Affordable Power (TCAP), a nonprofit political subdivision corporation dedicated to securing electric power for its 162 political subdivision members in the competitive retail market; and

WHEREAS, the City's current contract for power with Next Era as supplier and Direct Energy Business Services (DEBS) as Retail Electric Provider (REP) arranged through TCAP expires December 31, 2013; and

WHEREAS, the TCAP Board of Directors has authorized its consultants to seek market-based bids for 14 members that did not agree to the 2011 blend and extend opportunity to cover the period January 1, 2014 through December 31, 2017; and

WHEREAS, TCAP and its members must be able to commit contractually to price offers within a 24-hour period in order to lock-in favorable prices; and

WHEREAS, experiences in contracting for TCAP load since 2002 have demonstrated that providers demand immediate response to an offer and may penalize delay with higher prices; and

WHEREAS, it is necessary for the City to designate a specific individual who can sign a power purchase agreement within 24 hours of receiving a proposal that economically benefits the City; and

WHEREAS, suppliers demand assurance that TCAP will pay for all contracted load; and

WHEREAS, the City must assure TCAP that it will budget for energy purchases and honor its commitments to purchase power for its electrical needs through TCAP for the period beginning January 1, 2014 and extending through December 31, 2017; therefore,

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

Section 1:

That the TCAP Board and its consultants and advisors are agents authorized to solicit proposals and to negotiate for the City's electricity needs as a member of TCAP and to offer the City an extension to the current supply agreement through December 31, 2017.

Section 2:

That the City Manager may execute a blend and extend (that reduces current contract price terms) or fixed price contract for power supply and sign a Commercial Electricity Supply Agreement (CESA) for the City's electricity needs and related, necessary services beginning August or September 2012 (if blend and extend option is selected) or January 1, 2014 (if blend and extend is rejected) and extending up to December 31, 2017, as a member of TCAP and the City commits its load for the same period, provided that the energy price to be paid per kWh results in savings over the current contract that expires December 31, 2013 and otherwise is satisfactory to the City Manager.

Section 3:

That the City will budget and approve funds necessary to pay electricity costs proportionate to the City's load under the supply agreement arranged by TCAP, if a power supply agreement is signed by the City Manager for the designated contract term.

Section 4:

That a copy of this resolution shall be sent to Randy Moravec, Executive Director, Texas Coalition for Affordable Power, 1323 Dunbarton Drive, Richardson, Texas 75081 and Geoffrey M. Gay, legal counsel to TCAP, 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PRESENTED AND PASSED on this _____ day of _____, 2012, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of _____, Texas.

Bobby Hocking
Mayor

ATTEST:

Zina Tedford
Interim City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: 6-25-12

Agenda item: 9e

Prepared by: zt

Reviewed by: CJB

Department: Administration

AGENDA ITEM DESCRIPTION:

Discussion - City of La Marque Code of Ordinances, Chapter 5, Alarm Systems

☒ **Attachments for Reference-** Ordinance 1018

Staff Briefing:

Councilmember Osteen requested that this item be placed on the agenda for Council discussion.

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:

ORDINANCE NO. 1018

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, REPEALING CHAPTER 5, ALARM SYSTEMS, OF THE CODE OF ORDINANCE, CITY OF LA MARQUE, TEXAS, AND ADOPTING IN ITS PLACE A NEW CHAPTER 5, ALARM SYSTEM STATING ITS PURPOSE; PROVIDING FOR DEFINITIONS; REQUIRING A PERMIT, REQUIRING PERMIT REGISTRATION; REQUIRING AN APPLICATION; REQUIRING CERTAIN AMENDMENTS TO AN APPLICATION; PROVIDING FOR CONFIDENTIALITY; PROVIDING FOR PERMIT REGISTRATION, DURATION AND RENEWAL TERM; ESTABLISHING THE DUTIES OF A PERMIT HOLDER; REQUIRING CERTAIN REPAIRS TO AN ALARM SYSTEM; ESTABLISHING REQUIREMENTS ON THE OPERATION OF AN ALARM SYSTEM; ESTABLISHING REBUTTABLE PRESUMPTIONS OF FALSE ALARMS; PROHIBITING FALSE ACTIVATION OF AN ALARM SYSTEM; PROVIDING FOR SERVICE FEES FOR PERMITS AND RESPONSES TO FALSE ALARM; PROVIDING FOR DENIAL OF A PERMIT OR REVOCATION OF A PERMIT FOR CERTAIN REASONS; REGULATING THE OPERATION OF MONITORING STATIONS OR ANSWERING SERVICES FOR ALARM SYSTEMS; REQUIRING COMPLIANCE WITH THE TEXAS PRIVATE SECURITY ACT; AND PROVIDING FOR A PENALTY FOR EACH VIOLATION.

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

That Chapter 5, Alarm Systems, of the Code of Ordinances, City of LaMarque, Texas is hereby repealed and in its place the following is adopted:

“Chapter 5 Alarm Systems

Sec. 5-1. Purpose.

(a) The purpose of this chapter is to encourage security alarm users and alarm businesses (sales, installation, customer service and/or monitoring) to maintain the operational reliability and the proper use of alarm systems in limiting unnecessary police and fire emergency responses to false alarms/alarm malfunctions.

(b) This chapter governs fire, burglary, and robbery systems; requires permits; establishes fees; provides for penalties for violations; and creates a system of administration.

Sec. 5-2. Definitions.

The following words, terms, and phrases, when used in this chapter shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm site means the specific property or area of the premises upon or within which an alarm system is or is to be installed.

Alarm system means a fire alarm protective service or any electrical, mechanical or electronic device or assembly of equipment that emits, transmits, or relays a signal intended to summon or that would reasonably be expected to summon, by direct means, the aid of the police or fire department of the city. For purposes of this chapter, the following types of alarm systems are exempt:

- (1) An alarm system installed on a motor vehicle not used for a habitation at a permanent site.
- (2) An alarm system designed so that no notification is given to the police by direct means until after the occupants or an agent of the owner or lessee have inspected the alarm site and determined that there is physical evidence at the site showing that the alarm was the result of criminal activity or the kind for which the alarm system was designed to give notice and does so notify the police, if a person who is able to grant access to the alarm site remains at such site until police arrive whenever the police are notified after an alarm has been activated, and such person renders access and such other assistance as he is able to give and that is needed by the police to properly investigate the situation.
- (3) Any alarm system designed for residential use solely to detect and give residents notice of fire or smoke.
- (4) An alarm system operated owned or maintained by the United States government, the state, the city, or any County government or school district situated within the corporate limits of the city.

Alarm dispatch request is a notification to the city's police department or fire department that an alarm, whether manual or automatic, has been activated at a particular alarm site indicating a response of the police department or fire department to the said alarm site.

Alarm system business means the business of any individual, partnership, corporation or other entity engaged in selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing any alarm system to be sold, leased, maintained, serviced, repaired, altered, replaced, moved or installed in or on any building, structure or facility.

Alarm user means the person, firm, partnership, association, corporation, company or organization, structure, or facility or portion thereof wherein an alarm system is monitored, repaired, installed, or maintenance service from an alarm system business for an alarm system, or who owns or operates an alarm system which is not monitored, repaired, installed, or maintenance service under contract.

Applicant means the person who seeks to be the permit holder by completing an alarm registration form issued by the City of La Marque.

Automatic dialing device means any device connected to an alarm system, which automatically sends a prerecorded message or coded signal indicating the activation of the alarm system to a predetermined location.

Burglar alarm system means any alarm system intended to prevent or detect an unauthorized entry or attempted entry thereof into or upon the alarm site.

Alarm system business monitoring station means a division of the alarm system business designed to receive or intercept signals from an alarm system indicating the activation of an alarm device and relays this information by live voice to the city police department or fire department for the purpose of summoning law enforcement or the fire department to the alarm site.

Chief of police means the chief of the City police department and any employee(s) of the police department assigned by the police chief to perform the duties prescribed by this chapter.

City means the City of La Marque, Texas including its various departments and divisions such as the police department and the fire department.

City official means any employee or agent of the city who implements, inspects, or enforces all or a portion of this chapter.

Disconnect means to render an alarm system disabled so as to prevent any direct or indirect notification to the police or fire department by silent or local alarm.

Excused false alarm any activation of any alarm system caused by violent conditions of nature or other extraordinary circumstances.

False alarm means any alarm dispatch request that is or was not the result of an emergency or threat of an emergency of the kind for which the alarm system was designed to give notice where the alarm system activates a signal indicating to the police or fire department the system has been violated, thereby causing a response by the police or fire department when, in fact, a situation requiring a response does not or did not exist.

The responding police department or fire department personnel finds no evidence of fire, or smoke, or a criminal offense or attempted criminal offense after having completed a timely investigation of the alarm site.

This definition does not include violent conditions of nature, nor does it include other extraordinary circumstances not reasonably subject to control by the alarm user.

Fire alarm protective service means any service whereby any person provides and employs electronic or mechanical means to detect the presence of fire on any premises in the city, the report of which is then transmitted to or through the communication system of the police or fire department or which the system is in any manner connected with the fire alarm

communication system of the police or fire department.

The term also means the activity of maintaining, servicing, repairing, altering, replacing, moving or installing in or on any building, place or premises any device designed or used for detection of fire.

Fire chief means the chief of the city fire department and any employee(s) of the city fire department assigned by the fire chief to perform the duties prescribed by this chapter.

Holdup alarm system means any system designed to be activated to give notification of a robbery, attempted robbery, or summons the aid of the police department for any other perceived life-threatening reasons.

Local alarm system means any alarm system emitting audible and/or visual signals in, at, or on the alarm site when activated and which causes notification to be made directly or indirectly to the city police department or city fire department.

Permit means a certificate of authorization issued by the city to the applicant authorizing the operation of the alarm systems for which the permits issued.

Permit holder means the person to who a city alarm system permit is issued.

Telephone answering service means any business, other than an alarm system business, which receives or intercepts signals from an alarm system indicating the activation of an alarm system and relays this information by live voice to the city police department or city fire department for the purpose of summoning police or fire personnel to the alarm site.

Thirty minute shutoff means an automatic device associated with an alarm system, which automatically causes the alarm to shut off and discontinue the emission of an audible signal after a period of time not to exceed 30 minutes of continuous operation.

Sec. 5-3. Permit required.

(a) No person shall operate, cause to be operated, or allow the operation of an alarm system or local alarm system, unless a valid permit has been issued for that system or as otherwise allowed by law. However, this section shall not be applicable to an alarm system business that monitors, services, or monitors and services, an alarm system installed and designed to protect property under the control of the person other than the alarm system business; but the person in control of the property which the alarm system is designed to protect shall be subject to misdemeanor prosecution if he permits the operation of such system without a valid permit. Any person who operates, causes to be operated, or allows the operation of an alarm system without a valid permit shall be subject to misdemeanor prosecution.

(b) A response, if any, made by the police or fire department upon proper notification, by an alarm system business shall be subject to the policies and procedure of the police

and/or fire department governing, but not limited to, the priorities for police or fire responses.

(c) An applicant may apply for a separate permit for each alarm system, or may obtain a single permit for all alarm systems, on so much of one premises to which the person to whom a permit is to be issued has legal rights of ownership or possession.

(d) The issuance of a permit authorizing the use of an alarm system is not intended to, nor shall it create a contract, either expressed or implied, creating a duty or guarantee of response. Any and all liability and consequential damages resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained.

(e) The city may refuse to issue a permit if the alarm site to which such permit certificate relates has an alarm system that is not permitted or is in violation pursuant to this chapter.

Sec. 5-4. Permit registration.

(a) No person shall operate, cause to be operated, or allow the operation of an alarm system or local alarm system, unless a valid permit has been issued for that system through the city. Any person who operates, causes to be operated, or allows the operation of an alarm system without a valid permit shall be subject to misdemeanor prosecution.

(b) Permit is not a contract to guarantee a response from the police or fire departments.

(c) The city may refuse to issue a permit under exigent circumstances.

Sec. 5-5. Application for permit.

(a) Application for a permit authorizing the operation of an alarm system shall be made by a person who has control over the property, such as a person who owns, leases, uses, resides at, or manages the property upon which the alarm system is installed.

(b) The application should contain the following information;

(1) The name, address, (home, work, and cellular) telephone numbers, and driver's license number of the permit applicant. A copy of the driver's license attached to the application form.

(2) Copies of the assumed name registration, if any, and the names, addresses, (home, work, cellular) telephone numbers of all general partners if the permit holder is to be a partnership; or the corporate charter with the names, addresses, and (home, work, cellular) telephone numbers of corporate officers and registered agents or the certificate of authorization to do business from the Secretary of State if the permit holder is to be a corporation.

(3) The street address and telephone number of the property on which the alarm system is to be installed and operated. Including the particular suite or apartment number, if applicable.

(4) Any business name used for the premises on which the alarm system is to be installed and operated.

(5) Whether the alarm system is a local alarm and whether it is designated to give notice of a burglary, robbery, or any other life-threatening emergency.

(6) The name, address and telephone numbers of the alarm system business that has installed or will install the alarm system.

(7) The names, addresses, (work, home, cellular) telephone numbers of two persons (the alarm system business that installed the alarm system may be used as one of these two persons under these guidelines) who are able to and have agreed to:

- a. Receive notification at any time; and
- b. Come to the alarm site within one hour upon receiving a request from a city official to do so; and
- c. Provide access to the alarm site and to deactivate the alarm system if such becomes necessary. The permit holder shall authorize the alarm system business to provide the names listed with that business pursuant to this section to a city official whenever such official has requested that information in order to obtain assistance after an alarm has been activated.

(8) Any application for a permit shall demonstrate compliance with all provisions of the City Code of Ordinances and that all charges owed to the city have been paid.

(9) The names of the other individual residents over the age of eighteen.

(10) Any hazardous conditions at the alarm site such as explosives, dangerous chemicals, guard dogs, etc.

(11) The application shall be signed and dated by the applicant acknowledging he/she has read the application, affirming the correctness and accuracy of the information given on the application and authorizing the release of information to the city. The city shall issue a permit upon receipt of the application, payment of fee and upon determining compliance with the provisions of this chapter.

The alarm permit fee must be payable to the city and shall be as follows:

- Residential shall be in the amount of \$20.00.

·Business shall be in the amount of \$100.00.

(c) Permit holder(s) shall maintain a current mailing address and telephone number with the city. Permit holder(s) shall have 30 days to notify the city of any changes or updates concerning the information on their permit application.

Sec. 5-6. Amendments to application.

Whenever a person or company listed on the application or listed on the amendment to the application is unable or unwilling to perform their respective duties as set forth in this chapter, the permit holder shall file an amendment to the permit application listing a person or company who is able and willing to perform those duties so that at all times the application on file with the city will be current and correct.

Sec. 5-7. Confidentiality.

(a) To the extent allowed by law, the city shall treat all information on the application for a permit as confidential; provided, however, nothing in this chapter shall prohibit the use of such information for legitimate purposes relating to the health, safety, and well-being of the community and for enforcement of the terms\ and provisions of this chapter.

(b) Notwithstanding the above, records maintained by the city concerning the location of an alarm system, the name of the occupant of an alarm system location, or the type of alarm system use are confidential by law pursuant to § 1702.284 of the Texas Occupations Code.

Sec. 5-8. Permits registration duration and renewal term.

(a) Each permit issued shall be valid for a period of 12 months from the date of issuance.

(b) If the permit holder relinquishes control of the alarm site before the expiration of the permit, then the permit extinguishes on the date of relinquishment.

(c) A renewal alarm permit fee will be the same as the initial alarm permit fee, and must be renewed on or before the expiration date (September 30), and payable to the city and shall be as follows:

·Residential shall be in the amount of \$20.00.

·Business shall be in the amount of \$100.00.

Permit holder(s) shall be responsible for renewing their alarm permits on or before September 30 of each year.

(d) Each permit issued shall be valid only for the premises and person(s) permitted and is not transferable to another person or other premises. Upon transfer from the permit holder of control over the premises to which the permit relates, a new permit must be applied

for.

Sec. 5-9. Duties of permit holder.

(a) The permit holder shall ensure that he or any person listed with the city for purposes of notification is able to:

- (1) Receive notification at any time; and
- (2) Come to the alarm site within one hour after receiving a request from the city to do so to assist the city with respect to the premises and the alarm system at such premise; and
- (3) Provide access to the alarm site and to deactivate the alarm system if such becomes necessary.

(b) The permit holder shall train all persons who may activate or deactivate the alarm system in the proper operation of the alarm system.

(c) The permit holder will be responsible for all fees associated with the permit or the operation of the alarm system.

Sec. 5-10. Repairing of alarm system.

(a) The permit holder shall ensure that the alarm system is repaired within 72 hours of the time written notification is made from the city that such system is malfunctioning or causing potential excessive alarms; or

(b) The permit holder may cause such alarm system to be deactivated rather than having such system repaired upon notification from the city that such system is malfunctioning or causing potential excessive alarms.

(c) If the permit holder does deactivate the alarm system he shall so notify the city and such system shall not be reactivated until it is repaired.

Sec. 5-11. Requirements on the operation of alarm system.

The following requirements are mandatory for the installation of an alarm system:

(1) An alarm system that may be activated as a result of different types of emergency situations shall give a silent alarm, if so equipped, that is unique to designate activation as a result of a holdup, a burglary, a fire, or any other different type of emergency situation, so that the proper notification and response can be made.

(2) An alarm system designed to emit an audible signal or sound intended to be heard from the exterior of the alarm site shall have a 30-minute shutoff from the time of activation and must not sound similar to that of a siren, an emergency vehicle, or a civil defense warning system.

(3) No holdup alarm shall include any device that can cause activation inadvertently, and

any holdup alarm shall be designed so that it may be activated only by intentional and deliberate human action.

(4) No person shall use or permit the use of any telephone device or telephone attachment that automatically selects any telephone line leading into the communication center of the city police department or city fire department or any number leading into the offices of the city and then transmits any pre-recorded message or signal.

(5) No person shall use or permit the use of any system that gives notification of the activation of the alarm system directly to the city police department, city fire department or other offices of the city by any means other than live human voice.

(6) The chief of police and/or the fire chief may set reasonable standards and procedures to be followed by any alarm system business or telephone answering service when giving notice to their respective department of activation of an alarm system. Such standards and procedures shall be set out in writing and made available to any person requesting same.

Sec. 5-12. Determination of false alarm.

For the purpose of this chapter, there is a rebuttal presumption that the following determinations made by the chief of police or by the police department officer on the scene of the premises reporting an alarm signal are correct:

(1) There is no evidence of a crime or other activity that would warrant a call for immediate police or fire assistance at the premises;

(2) No individual who was on or, near the premises or who has viewed a video communication from the premises called for a police or fire department dispatch or verified a need for an immediate emergency response; and

(3) There is no evidence that violent conditions of nature or other extraordinary circumstances caused the activation of the alarm.

Sec. 5-13. False activation prohibited.

(a) No person shall knowingly, intentionally, or with reckless disregard activate an alarm system for any purpose other than an emergency or threat of emergency of the kind for which the alarm system was designed to give notice; provided, however, it shall be an affirmative defense to prosecution under this section that the alarm system was activated solely for the purpose of testing the system and the person who tested the alarm system took reasonable precautions to void any request being made to the city to respond to such alarm.

(b) This section shall not apply to conduct which is in violation of section 42.06 of the Texas Penal Code, as presently enacted and as may be subsequently amended.

Sec. 5-14. Service for permit and city response to an alarm.

- (a) The city may charge service fees for its permits and responses to false alarms in accordance with this chapter.
- (b) Except as may be hereinafter set forth, service fees for issuance of permits, false alarms and any other charges and penalties arising pursuant to this chapter shall be in such amounts as may be established in this chapter and as may, from time to time, be adopted by the city commission.
- (c) Service fees will be billed to the permit holder at the current address listed on the application by the city.
- (d) With respect to alarm systems, no penalty or service fees will be assessed for signaling of a false alarm by an alarm system shall be made unless:
 - (1) It is a residential alarm system and at least ten other false alarms have occurred during the fiscal year (October 1 through September 30).
 - (2) It is a business alarm system and at least seven other false alarms have occurred during the fiscal year (October 1 through September 30).
- (e) The service fee may be assessed to the person(s) who is the registered permit holder(s) where the alarm system is located. The amount assessed for a false alarm of a residential alarm system after ten previous false alarms during the fiscal year will be \$30.00 per response thereafter. The amount assessed for a false alarm of a business alarm system after 7 previous false alarms during the fiscal year will be \$30.00 per response thereafter.
- (f) The permit holder may appeal and file a request for hearing with the La Marque Municipal Court to dispute the service fee within ten business days of receipt of a notification of service fee.
- (g) The city acknowledges that newly installed alarm systems may incur false alarms during installation and adjustment period, therefore false alarms made or caused as a result of installation or adjustment during a period of 10 business days from the initial installation or permit date, will not be charged against the permit holder as false alarms for the purpose of service fees as set forth in this chapter.
- (h) For purposes of calculating the service fees set out in this chapter an alarm system shall mean and include all alarm systems operating or being operated under one permit.
- (i) A reinstated permit as provided for elsewhere in this chapter shall retain its original issuance date for the purposes of the commencement of the "fiscal year" when assessing service fees under this chapter, and shall not have any excusable false alarm responses available in addition to those already used during that period for an alarm system.
- (j) Following the reinstatement, responses made prior to the date of revocation but not part of the basis for the revocation shall be included in computations, however, responses

from the date of revocation through the date of reinstatement shall be chargeable, such charges must be paid before reinstatement becomes effective.

(k) Reinstatement of the permit shall be the only means of restoration of the lawful use of the alarm system hereunder after the permit has been revoked, provided however, that a new permit must be applied for and issued before operation of the alarm system if the ownership or possessor rights to the alarm site have changed since the most recent application or amendment thereof.

Sec. 5-15. Refusal to permit and revocation.

(a) The city may deny an application to permit or revoke a permit for an alarm system for the following reasons:

(1) The applicant or permit holder has failed to make payment in full to the city for any service fees assessed pursuant to this chapter within 60 calendar days of the date the city has made notification of service fees owed by way of the permit holder's water bill notice or other means. The filing of an appeal shall toll the 60-day period.

(2) The alarm system of the applicant or permit holder has or is of the type that has had a history of unreliability.

(3) For purposes of this chapter, an alarm system shall be presumed to be unreliable if the applicant or permit holder accrues more than 15 false alarms during the fiscal year (October 1 through September 30), excluding any false alarms which may have formed the basis for a prior revocation during that same fiscal year. In the event a permit is issued or reinstated despite such presumption of unreliability, revocation shall occur if the permit holder accrues more than five false alarms from the date of reinstatement.

(4) The chief of police and or the fire chief, or designees, may establish additional standards to determine reliability or unreliability of alarm systems as may be needed.

(b) *Procedure-refusal to permit or revocation.*

(1) There shall be no refusal, termination, revocation or failure to renew a permit for an alarm system except as set forth herein.

(2) The city shall give at least 30 days' notice prior to revoking, failing to renew or otherwise terminating a permit, during which time a request for a hearing may be made.

(3) With respect to an application for a permit which the city refuses to permit, the applicant shall be given at least 30 calendar days within which to request a hearing

regarding such determination by the city to refuse to permit.

(4) The notice of refusal to permit or notice of revocation shall specify the reason therefore.

(5) If a hearing is requested, the permit holder or applicant shall be advised as to the date, time and place of such hearing. The hearing shall be before the La Marque Municipal Judge.

(c) All hearings shall be conducted under rules consistent with the nature of the proceedings, provided that the following rules shall apply to such hearings:

(1) All parties shall have the right to representation by a licensed attorney although an attorney is not required;

(2) Each party may present witnesses in their own behalf;

(3) Each party has the right to cross-examine all witnesses;

(4) All the evidence presented before the hearing officer at such hearing may be considered in a final report; and

(5) The municipal court judge may adjust the amount of any service fees owed upon a showing of good cause by the applicant or permit holder. The decision of the municipal court judge shall be final.

(d) If the permit holder or applicant fails to appear at the hearing at the date, time and place specified, the city shall present sufficient evidence to establish a prima facie case showing that grounds existed for the revocation or refusal to permit as provided for in this chapter.

(e) If the municipal court judge finds that no grounds exist for reinstatement of the permit or issuance of the permit for the alarm system, he shall refuse to authorize the reinstatement or to issue such permit and shall give written notice to the permit holder or applicant of such finding. Upon receipt of such notice the permit holder or applicant shall disconnect such alarm system immediately and shall surrender his permit, if any, to the city.

(f) If the municipal court judge finds that there are insufficient grounds for revoking or for denying issuance of a permit for an alarm system exist, he shall give written notice of such finding to the permit holder or applicant.

(g) *Reinstatement.*

(1) A permit can be reinstated if the revoked permit holder has failed to request a hearing within the specified time for filing an application for reinstatement, pays the application fee which is the same as that for a new permit application, and

shows:

- a. That the cause of the chargeable false alarms has been corrected; and
- b. The service fees assessed have been paid.

(2) If a permit holder has had a permit revoked twice during the term of the permit, then that person must wait a period of one year from the date of the second revocation or, if one has been requested, the date of the denial issued pursuant to a reinstatement hearing before applying for a new permit of that alarm site.

(3) If a reinstated permit is denied pursuant to this section, a hearing may be requested if received in writing within ten business days of the date of notice of denial.

Sec. 5-16. Operation of monitoring stations or answering service.

Any alarm systems business, which operates a monitoring station, and any telephone answering service shall: I

(1) *Responding to alarm.* Have sufficient personnel trained in the procedures to be followed in receiving and relaying notice of the activation of any alarm system on duty at all times to ensure that emergency messages or alarm signals received by such business can be relayed immediately to the city. Notification to the city of the activation of an alarm system shall include:

- a. The street address of the alarm site, including the particular suite or apartment number, if applicable;
- b. The name of the permit holder and the permit number;
- c. The type of alarm activated; and
- d. The names and local telephone numbers of the persons to notify, if so authorized by the permit holder.

(2) *Notification.* Notify the person in control of the property or his designee of the activation of the alarm system within 24 hours of the time the alarm was activated not to include weekends and holidays, by telephone or by placing written notice in the mail, addressed to the person in control of the premises.

(3) *Records.* Keep a written record of the date and time each notification of the activation of an alarm system is received and the date, time, and method by which the person in control of the property was notified. Such records shall be retained for at least two years and shall be made available for inspection by a city representative during regular business hours.

(4) *Periodic testing for correction of defects.* Test or cause to be tested all equipment used by the monitoring station or telephone answering service to the receipt of notifications of

the activation of any alarm system and the equipment used in relaying those notifications of the activation of any alarm system and the equipment used in relaying those notifications to the city at least one time in every 12-month period and, where a test result is unsatisfactory, correct of cause to be corrected within a reasonable period time not to exceed seven days from the date of testing the cause of the unsatisfactory test result;

(5) *Evidence of test results.* Produce evidence of the results of tests conducted pursuant to this section upon request of the city. The requirements of this section shall be satisfied if such results are made available at the central station or telephone answering service on the next regular business day after request is made; and

(6) *Providing service licensed businesses only.* Not provide answering service for any alarm system business that is not licensed by the State of Texas. A violation under this subsection shall only be enforceable according to state law and the remedies, policies and procedures provided for therein.

Sec. 5-17. Compliance with the Texas Private Security Act.

All persons are subject to Chapter 1702 of the Texas Occupations Code (Texas Private Security Act) and are required to comply with all provisions of the act, as presently enacted and may be subsequently amended.

Sec. 5-18. Misdemeanor violation.

(a) Any person, who violates any provision of this chapter or causes, allows, or permits another to violate any provision of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500.00.

(b) Each day such violation shall be permitted to exist shall constitute a separate offense.

(c) The owner, occupant, or resident of the premises or part thereof where anything in violation of this chapter shall be placed or shall exist, or any lessee, tenant, employee, agent, or corporation employed in connection therewith who may have assisted in the commission of such violation shall be guilty of a separate offense and, upon conviction shall be subject to the penalties stated above.”

PASSED AND APPROVED on the first reading this the 23rd day of March, 2009.

PASSED AND ADOPTED on the second and final reading this the 13th day of April, 2009.

W. Charbonneau,
Mayor

ATTEST:

David G. Pennington,
City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: June 25, 2012

Agenda item: 9f

Prepared by: Cyndi Efird

Reviewed by: CJB

Department: Public Works & Utilities

AGENDA ITEM DESCRIPTION: Consider Possible Action - Guarantee / Warranty from AAA Asphalt Paving, Inc. for Newman Road and Release of Total Payment Estimate 1, Project 1 in the amount of \$104,113.00

☒ **Attachments for Reference:** 2-Year Guarantee / Warranty

Staff Briefing: Enclosed, is AAA Asphalt Paving, Inc. 2-Year warranty letter pertaining to Newman Road. After completion of Newman Road, City Council was concerned with construction methods resulting in multiple meetings and site visits with LJA Engineering, Councilmember Osteen and city staff. As a result of the meetings, LJA agreed to request a 2-Year Warranty from the contractor extending the standard 1-year warranty.

History (if applicable): On February 17, 2012, a meeting was scheduled with all parties involving Newman Road and we reviewed photographs of construction methods used on Newman Road supplied by Councilmember Osteen. On February 22, 2012, asphalt concrete coring at various locations on Newman Road was performed to determine the asphalt pavement section layer thicknesses of asphalt surface and base course. Pay Estimate 1, Project 1 to AAA Asphalt Paving, Inc. was submitted for payment in April. Only fifty percent of this payment was paid out to the contractor due to the construction concerns.

Target Implementation: June 25, 2012

Significant Action Dates: Warranty began June 1, 2012



CITY COUNCIL AGENDA FORM

Action:

☐

Ordinance

☐

Resolution

☐

Proclamation

☐

Special Presentation

☐

Finance Report

☐

Public Hearing

☒

Other

Cost Details:

Total Project Bid	\$532,581.95
Pay Estimate 1 Total	\$208,226.61
Pay Estimate 1 Total Amount Paid to Date	\$104,113.61
Remaining Amount to be Paid	\$104,113.00

Staff's Recommended Motion: Staff recommends approval of the 2-Year Guarantee / Warranty and full payment of Estimate 1 Project in the amount of \$104,113.00 for Newman Road.

Fiscal Impact: None at this time

GUARANTEE / WARRANTY

STATE OF TEXAS §

COUNTY OF HARRIS §

KNOW ALL MEN BY THESE PRESENTS:

Michael D. Hoffman, President of AAA Asphalt Paving, Inc., being first duly sworn, deposes and says that he is the Contractor who supplied, installed and/or erected the work described below, and that he is duly authorized to make this Guaranty/Warranty for the:

Repair Work on Newman St. in City of La Marque

The undersigned Contractor warrants to the Owner and Engineer that materials and workmanship furnished under the Contract are of good quality and new and that Work conforms with the requirements of the Contract Documents. The Contractors warranty excludes remedy for damage or defect caused by abuse, modifications not executed by the Contractor, improper or insufficient maintenance, improper operation, or normal wear and tear under normal usage.

In the event of failure of materials or workmanship, during the specified warranty periods, the Contractor shall take appropriate measures to assure correction or replacement of the defective items, whether notified by the Owner and Engineer.

The Contractor warrants the work performed for a period of Twenty-Four (24) months from the date of June 1, 2012.

AAA Asphalt Paving, Inc.

By: Michael D. Hoffman President
Michael D. Hoffman, President



CITY COUNCIL AGENDA FORM

Meeting Date: June 25, 2012

Agenda item: 9g

Prepared by: Carl Wessels

Reviewed by: CJB

Department: Finance

AGENDA ITEM DESCRIPTION

Review and discuss calendar for budget meetings with City Council.

☒ **Attachments for Reference**

Staff Briefing:

Staff would appreciate Council's comments about the tentative schedule for upcoming meetings that are required to adopt a budget for the fiscal year that begins October 1st.

Technically, the budget could be adopted in 3 meetings all in September. However, in this transition year we are suggesting a number of workshops – to give Council extra time to review and we can answer any questions you may have. We are here to serve you.

History (if applicable):

Charter Section 6.02. - Preparation and submission of budget.

The city manager, at least sixty days prior to the beginning of each budget year, shall submit to the city council a budget and an explanatory budget message in the form and with the contents provided by Sections 6.13 to 6.16. For such purpose, at such date as he shall determine, he, or an officer designated by him, shall obtain from the head of each office, department or agency estimates of revenue and expenditure of that office, department or agency, detailed by organization units and character and objects of expenditure, and such other supporting data as he may request; together with an estimate of all capital projects pending or which such department head believes should be undertaken (a) within the budget year and (b) within the five next succeeding years. In preparing the budget, the city manager shall review the estimates, shall hold hearings thereon and may revise the estimates, as he may deem advisable

Current and previous year budgets are available by clicking here:

http://www.ci.la-marque.tx.us/index.php?option=com_content&view=article&id=1048:city-budget&catid=85:financial-transparency-reporting&Itemid=759



CITY COUNCIL AGENDA FORM

Significant Action Dates:

06/25/2012 06:00 PM	Monday	Regular Meeting	Council to review calendar
07/09/2012 06:00 PM	Monday	Regular Meeting	Draft of budget due to City Council
07/16/2012 10:00 AM	Monday	Special Meeting	Budget Workshop
07/18/2012 10:00 AM	Wednesday	Special Meeting	Budget Workshop (if necessary)
07/23/2012 06:00 PM	Monday	Regular Meeting	Budget Workshop (if necessary)
07/25/2012	Wednesday	Chief Appraiser	Deadline to certify tax rolls
08/06/2012 06:00 PM	Monday	Special Meeting	Formal Presentation of Budget and Schedule Charter 6.04 Public Hearing
08/13/2012 06:00 PM	Monday	Regular Meeting	First Public Hearing on Tax Rate (if necessary)
			PUBLIC HEARING on Proposed Budget as required by City Charter 6.04
08/27/2012 06:00 PM	Monday	Regular Meeting	Second Public Hearing on Tax Rate (if necessary)
			Adopt the Tax Rate
09/10/2012 06:00 PM	Monday	Regular Meeting	Adopt the budget

Staff's Recommended Motion:

n/a comments and a consensus on calendar requested

Fiscal Impact:

tbd

**CITY OF LA MARQUE
INTER-DEPARTMENTAL
COMMUNICATION**

TO: Honorable Mayor Hocking and City Councilmembers
FROM: Carol Buttler, City Manager
DATE: June 25, 2012
SUBJECT: City Manager Report – May 2012

Council indicated a preference to receive a report at both Council meetings each month. At the first meeting of the month, staff will provide you narratives of information acquired since the previous meeting. At the second meeting of the month, staff will continue to provide you the data charts plus narratives of information that occurred between Council meetings.

a. Development Services

- **Inspections**

The Development Services Department staff concentrated this month on training. Code Enforcement Officer attended training on windstorm regulations, as well as illegal dumping. Development Services Director completed re-certification training as a Backflow Prevention Assembly Tester and also attended a Flood Plain Manager conference which was possible through a FEMA grant. With summer here, there has been an increase in mechanical and building permits. This is due to new roofs being installed damaged by the heavy hail storm that occurred in April.

The Planning and Zoning Commission, Board of Adjustments held meetings in May. The Building Standards Commission could not meet due to lack of quorum. The Board of Adjustments denied a variance to erect a billboard at 701 Newman after a public hearing where there was opposition from a citizen and the petitioner was not present. The Planning and Zoning Commission reviewed Section 71-20 of the City ordinances during their regular meeting.

- **Code Enforcement**

During the month of April, there have been some trends that are indicated in the report. Initially we would like to praise our citizens for increased abatements by owners. By owners completing the abatement of nuisances, there is a decrease in extensions for compliance and a decrease in citations issued by our department as well. In addition to property owners abating these nuisances, the city-wide clean up organized by Clean City Commission enabled us to close additional complaints.

Due to warmer weather, there is an increase in the number of pools being installed. According to International Property Maintenance Code 2003, Section 303.2: Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when

release from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier. In addition Bodies of Water need to be maintained in a Sanitary Manner to prevent mosquito infestations.

In our trends, you will see an increase in inspections in District C. Although some nuisance violations were investigated, the increase is due largely to construction regulation enforcement, (i.e. a verification of working permits and licenses).

b. Judicial

- Court Clerk continues searching database for old warrants without identifiers. She is currently working on the letter “P” and hopes to finish this project soon.
- Court Clerk and Deputy Court Clerks have completed their annual 12 hours of continuing education and the City Marshal has also completed her training hours.
- On May 25, 2012 there was an incident that occurred during court where the City Marshal was instructed by the Judge to place a defendant under arrest. The defendant was disorderly and resisting as the City Marshal attempted to place handcuffs on the defendant. The City Marshal was assisted by a LMPD officer and the defendant continued to resist. Once the defendant was handcuffed, he was removed from the courtroom and transported to jail. The City Marshal sustained minor injuries, consequently the District Attorney accepted two felony charges for assault on a peace officer and resisting arrest. The case went to the Grand Jury on Thursday, June 14, 2012 where the defendant was true billed.

c. Public Safety

- **Personnel:**

LMPD:

No vacancies exist.

LMFD:

One (1) Firefighter vacancy exists. Position is posted and interviews are being conducted.

- **Training:**

LMPD: Telecommunicator Melissa Lockhart will be attending the following training courses: 6-20-12 the Telecommunicator Emergency Response Task Force (TERT) Course (8-hours); 6-25-12, Cultural Diversity Training (8-hours); 6-26-12 Sexual Assault Family Violence Course for Telecommunicators (8-hours). On 6-25-12 Officer Shelby Samuelson (our department’s “Gang Specialist”) will be attending a Gang Conference Training Course (40-hours in San Antonio).

LMFD: Firefighter Gabino Rivera (B-Shift) completed his “in-house” Paramedic OJT program and is now released for “solo” EMS operations.

Operations:

LMPD:

On June 6, 2012, La Marque Special Response Team (SRT Team) assisted Texas City Police Department's Field Investigative Team (FIT Team) with the execution of a narcotics search warrant at 201 Taft Street in La Marque. The operation resulted in two arrests and the seizure of illegal narcotics. (See commendatory letter from Texas City Police Chief Robert Burby which provides additional details of activities.)

LMFD:

Chief Weidman has completed his "Assessment of Departmental Operations." His presentation to Council will take place at a Council meeting in July.

The monthly Hydrant Inspections started in April of 2012:

April 2012: Hydrant inspections: 40 hydrant inspections completed and 2 hydrants requiring maintenance.

May 2012: Hydrant Inspections: 36 hydrant inspections completed and 4 hydrants requiring maintenance.

TOTAL TO DATE: 76 hydrant inspections: April-May 2012

TOTAL TO DATE: 6 requiring maintenance: April-May 2012

Medic 1 was out of service for approximately one week due to a clogged catalytic converter (now repaired). Engine 1 had annual maintenance and visual inspection completed. Back to service as a "front line" unit.

Enclosure: Letter of Appreciation from Chief Robert Burby in Police Section of CMR Report.

d. Library

- Children's services were the focus for May. Ms. Little performed two outreach presentations for students and parents at the Early Childhood Learning Center, to a total of 45 children and adults. Preparations were finalized for the Summer Reading Club, and registration began May 22. Due to reductions in grant funding, this year's program was reduced from six weeks to four. Mrs. Little did an excellent job of recruiting new sponsors, so we are able to offer bicycles again this year as door prizes for the reader's party in June.
- The Volunteer of the Year party was May 17th, and Xiomara Cardona, daughter of Building Official, Ana Tims, was recognized for the many selfless hours she gave to the Library.
- The circulation of books is up 31% over the same time last year, while overall circulation is up 25%. Computer usage statistics skyrocketed, due to automatic tracking by our new software. Our door count is down by 2%, which seems it is due to the new computer software, which makes it impossible for people to loiter for hours on the computers, or even log on to a computer without a library card or asking a staff member. This has dramatically changed the environment at the Library, giving staff more control and more options when there is a problem patron.

e. Office of Emergency Management

The Office of Emergency Management continues to prepare the City for any impending tropical weather. Multiple training classes and exercises are being conducted to insure the proper level of readiness for both the City as well as in cooperation with the County and State Emergency Management Groups.

The City must submit the NIMS Compliance documentation to the Federal Government by July 31, 2012. EMC Pierce, required with support from the City Manager, is working to obtain proof of certification from all staff. Compliance is mandatory and federal funds may be withheld if the City fails to show compliance on an annual basis.

f. Grants

EMC Pierce is scheduled to meet with FEMA auditors on June 21, 2012 to discuss findings and future La Marque payments due to the City as we continue to close out with Hurricane Ike documentation.

There are currently multiple applications in various stages of review. EMC will continue to update the City as funds are awarded for various departments and projects.

g. Public Works

- **GLO Round 1.0 Grant Projects**
- **Alsay Equipment – GLO Grant Project Water Well Contract Take Point #2**–Final documentation was prepared and submitted to the GLO for release of funds to close out the project.
- **Long & Son - GLO Grant Project Magnolia Water Plant** – Staff prepared Agenda Submission form requesting a Change Order to install liners within the well casing. Agenda Submission forms was submitted to Council for approval on May 14th in the amount of \$98,841.68. The item was tabled and City Council requested to run additional tests on the well water quality prior to approval of funds. Change Order was prepared by LJA Engineering for Long & Son to install a test pump. The test pump will flush the well for a period of four hours and City staff will draw water quality samples around the first week of June. The GLO has approved the contract amendment as of May 30th to extend the contract completion time to the end of the year.
- **Generators of Houston - GLO Grant Project Fire Station Generator** – The Final documentation was prepared and submitted to the GLO for release of funds to close out the project.
- **C.F. McDonald Electric - GLO Grant Project Waste Water Treatment Plant, Volney & Delany Generators** – The Final documentation was prepared and submitted to the GLO for release of funds to close out the project.
- **GLO Round 2.1 Grant Projects** – The 30 % design phase of the water and sewer project was submitted to HMTB Engineering on May 17th for their contracting department for review. At that time, the review process was forwarded to the GLO on May 31st. The GLO issued a work order and contract to the ESP for signatures. This process takes approximately one month.
- **GLO Round 2.2 Grant Projects** – Modified project performance statements were submitted to the GLO and approved. This change is adding additional sewer line reconstruction work in place of the Fire Station bay door project. The bay door project was rejected by the GLO as an ineligible project.

- **2010 -2011 Street Improvement Program Projects 1, 2 & 3** – LJA is preparing closeout documents for Projects 1, 2 & 3 as requested by City staff. Final walk through will be scheduled for the month of June. The contractor is preparing the extended warranty letters for Newman Road.
- **Administrative Review by TCEQ** – The City’s Drought Contingency Plan that was submitted in September 2009 was reviewed by the state. The submitted plan meets the minimum requirements for retail water use as defined in the TCEQ Rules, Title 30 TAC Chapter 288 and is declared administratively complete. The next revision of drought contingency plans shall be updated, adopted and submitted to TCEQ no later than May 1, 2014.
- **KSA Drainage Study** – The drainage study was completed and submitted on May 1st. The study consisted of four problem areas.

The drainage area 1 at Jeridona – KSA recommends the City re-grade the 1050 foot FM 519 ditch bottom. The area is extremely flat. Survey elevation shots in the FM 519 ditch at Jeridona and Westward will determine the feasibility of the re-grading. A 2 foot concrete pilot channel could be installed at the bottom of the ditch to facilitate the drainage, if deemed necessary.

The drainage area 2 at Oleander – The existing drainage infrastructure at Oleander is adequate in terms of capacity and meets the current engineering design standards. No improvements are proposed for Drainage System 2. The problem residence is significantly below the street level and might need to be elevated in order to drain water away from the house and be protected from potential flood hazards.

The drainage area 3 at Maple/Shady Lane – Drainage System 3 is adequate in terms of capacity and meets the current design standards. No improvements are proposed to improve Drainage System 3.

The drainage area 4 at Ross/Maple – It should be noted that the newly installed two 6’ x 4’ box culverts along Ross have significantly improved the drainage condition in the area including the problem residence. Based on the analysis, it is determined that existing Drainage System 4 at Ross and Maple is adequate and meets the current design standards. As such, no improvements are proposed for the City.

- **Waste Water Discharge Permit Application** – The City of La Marque’s existing 3 million gallon per day 5 year permit is coming up for renewal. City staff has prepared the required application and effluent testing requirements to TCEQ for review. The permit application was deemed administrative complete on May 23rd. As part of the permit renewal process, public notifications will be posted in local newspaper and City bulletin boards in the month of June.
- **Galveston County Health District** – The County Health District has developed their Storm Water Management Program for the unincorporated areas in the County. This program was forwarded to the city for comment. On May 23rd, staff and the LJA Storm Water representative reviewed the proposed plan and deemed it was adequate. The adoption of this program by the GCHD will greatly enhance the monitoring and enforcement of the MS4 Guidelines within the jurisdiction of the Galveston County Health District.
- **Meetings**
May - conducted weekly staff meeting with supervisors
May 1st – Meeting at City Hall - Christmas lights

May 2nd – Meeting with Jason Hubbell – Waste Water Permit
 May 3rd – Review of Recycling contract for Republic Waste
 May 4th – Meeting with LJA – CDBG Programs
 May 8th – Meeting with Jake Morales @ City Hall – Department Budgets
 May 9th – Meeting with City Manager on update of police issues
 May 10th – Webinar – Blackboard Connect @ EOC
 May 14th – Commercial Recycling meeting
 Town Hall meeting
 May 16th – Chamber of Commerce Hurricane Preparedness Luncheon
 Engineering RFQ's @ City Hall
 Christmas Parade meeting – Route & TNMP for lights
 May 17th – Meeting with Zach Stark – Maple Well
 May 21st – Meeting with Bob Beagan
 May 22nd – Meeting with Badger Meter
 May 23rd – Meeting with Jessica/LJA on Storm Water
 May 25th – Meeting with Jason Hubbell – TCEQ request for information on Waster
 Water permit
 Ribbon cutting at La Marque Aide & Guidance
 May 29th – TML training seminar – New Park Regulations
 May 30th – Bayou Fest meeting
Stage 1 Drought – The City of La Marque is maintaining Stage 1 Drought Contingency Plan.
 May 1 - 31, 2012 Water Usage Amounts
 31 day average 2.504 million gallons a day- 90% of capacity
 Peak day usage was 2.792 million gallons a day- 100% of capacity
 Minimum day usage was 2.168 million gallons a day- 78% of capacity

- Parks Board Meeting May 17, 2012-** Staff supplied to Board members a quote from A to Z Fence Co. on extending a 4 foot overhang to the existing backstop at Lagana Park. The bid was in the amount of \$960.00. The members voted and the motion passed unanimously. DePelchin is trying to schedule the waterproofing of the Bird Observation Deck towards the end of June; no exact date has been determined. Staff updated members that the field measurements have been laid out for the Lagana Park Soccer Field. Chairman gave members update on the progress for the improvements to the baseball fields by the “Hustlers” select league baseball program at Mahan Park. Infields are clean, fields are mowed and a new sign has been put up by the “Hustlers”. Staff gave members a written quote on the electrical improvements around the Tennis/Basketball Courts for \$5,420.63. The members voted and the motion passed unanimously. Chairman then solicited the Board for the approval to appropriate \$2,000.00 to supplement the cost involved with extending a 2 inch water line at Highland Bayou Park and the benefits it would have for looping in the system and also for the Bayou Fest Bar-B-Que cook-off; members voted and the motion pass unanimously.
- Public Works & Utility Activity Report Recap**
 Public Works Administrative Assistant – For the month of May, call volume and work performed is in line with the last four months of operations.

Parks – In week one, the department was able to utilize more man hours with part-time summer help and Community Service workers at Mahan Park. In weeks two and four, at

the Cemetery, more time was utilized with part-time employees weed-eating around head stones and fence line.

Right-of-Way Maintenance – In week five, the department repaired a larger number of utility patches. Due to this increase of work, it pulled employees away from other job duties. Throughout the month within weeks one and four, more man hours were dedicated to patching pot holes. We corrected 41 potholes this year compared to none at this time last year. We have had an increase in mowing man hours due to the increased rain fall for the summer.

Utility 22 - Water & Sewer Maintenance – The department is short three employees and several employees were on vacation this month; thus has reduced the amount of work being completed. The existing personnel have spent most of their time emphasizing on dress-ups from prior jobs in citizen's yards.

Utility 24 – Water & Waste Water – There was a 39% increase in flow at the Waste Water Plant due to a wetter summer than last year. The high flows contributed to a 20% increase in chemicals used for treatment. Since the City has reduced to Stage 1 Drought Contingency; we have used 11 million gallons more compared to last year due to flushing dead end lines and the Fire Department maintaining fire hydrants.

Utility 26 – Water & Waste Water Maintenance – The department has shown an increase in repairing and rebuilding of rotation assemblies for sewage pumps.

h. EDC

- The prospect the EDC Director met with several weeks ago regarding his boat engine maintenance and repair business has completed the purchase of property in La Marque. The buyer is looking forward to breaking ground on his new building very soon.
- Affinity Immediate Care is moving into the space formerly occupied by Blockbuster Video. They will handle urgent care and family medical needs
- Sam's Club is working towards breaking ground. The date has been pushed back a couple of weeks due to the bid schedule

FINANCE DEPARTMENT

FINANCE DEPARTMENT Monthly Report

Attached:

1. General Fund Revenue Report
2. General Fund Department Expenditure Report
3. Finance Directors to do list

Coming soon:

4. Reports on all funds
5. Narrative on budget to-date
6. Sales tax detail report
7. Investment report
8. Budget transfer reports

glprev CWESSELS
06/20/2012 9:17
Fund: 1 GENERAL FUND

City of La Marque, Texas
REVENUE REPORT
Period Ending: 05/2012

Account	Description	2012					2011		
		ANNUAL BUDGET	CURRENT MONTH ACTUAL	YTD ACTUAL	YTD % COLLECTED 66.7	BUDGET BALANCE	PRIOR YR BUDGET	PRIOR YR ACTUAL	PRIOR YR BALANCE
01-3100-00-00	CURRENT YEAR PROPERTY TAXES	2,350,000	34,667	2,264,498	96.4	(85,502)	2,350,000	2,361,348	11,348
01-3101-00-00	DELINQUENT TAXES	116,500	6,938	60,799	52.2	(55,701)	235,000	119,451	(115,549)
01-3102-00-00	PENALTY AND INTEREST	35,000	4,950	34,142	97.5	(858)	70,000	60,735	(9,265)
01-3205-00-00	SALES AND USE TAX	2,395,000	220,797	1,581,531	66.0	(813,469)	2,405,500	2,267,498	(138,002)
01-3200-00-00	TEXAS-NEW MEXICO 4% FRANCHISE	518,500		214,946	41.5	(303,554)	509,000	515,384	6,384
01-3201-00-00	CENTERPOINT/ENTEX GROSS RCP 3%	110,800		37,084	33.5	(73,716)	98,000	63,954	(34,046)
01-3202-00-00	RELIANT/ HL&P FRANCHISE 2%	12,500	2,680	5,259	42.1	(7,241)	13,000	15,068	2,068
01-3203-00-00	COMCAST CABLE FRANCHISE FEES	182,900	47,471	94,428	51.6	(88,472)	180,000	178,352	(1,648)
01-3204-00-00	HB1777 TELEPHONE LINE FEES	75,750	17,166	34,586	45.7	(41,164)	83,000	73,538	(9,462)
01-3103-00-00	VIT-Vehicle Inventory Tax			9,250		9,250		1,613	1,613
01-3206-00-00	BINGO TAX	55,400	14,928	28,066	50.7	(27,334)	57,250	55,426	(1,824)
01-3207-00-00	MIXED DRINK SALES TAX	20,400		10,570	51.8	(9,830)	22,250	19,949	(2,301)
	Sub-total Taxes	5,872,750	349,596	4,375,160	74.5	(1,497,590)	6,023,000	5,732,315	(290,685)
01-3400-00-00	MUNICIPAL COURT FINES	695,000	54,630	429,139	61.7	(265,861)	760,000	575,711	(184,289)
01-3215-00-00	15> GGP ADMISSION FEE	30,500	2,243	13,551	44.4	(16,949)	31,500	23,847	(7,653)
01-3402-00-00	SPC COURT FEE (DSC) \$10 (CITY)	4,500	200	2,100	46.7	(2,400)	7,800	3,770	(4,030)
01-3405-00-00	CRT SECURITY FEE \$3	9,300	760	5,674	61.0	(3,626)	13,000	7,591	(5,409)
01-3408-00-00	\$5.00 ARREST FEE 100% TO CITY	22,500	1,506	11,466	51.0	(11,034)	22,500	15,731	(6,769)
01-3707-00-00	REIMB - SECURITY FUND	5,000	417	3,333	66.7	(1,667)	5,000	0	(5,000)
01-3323-00-00	COIN OPERATED MACHINE LICENSE	155,500	60	154,155	99.1	(1,345)	153,500	147,499	(6,001)
01-3300-00-00	RE-ZONING FEES	3,200	275	750	23.4	(2,450)	1,100	1,842	742
01-3307-00-00	PLAT FEES	800		200	25.0	(600)	550	800	250
01-3301-00-00	WRECKER PERMIT FEE	4,000		2,600	65.0	(1,400)	4,000	2,050	(1,950)
01-3304-00-00	PIPELINE PERMITS	1,200				(1,200)	800	900	100
01-3306-00-00	ALCOHOLIC BEVERAGE PERMITS	3,900		5,551	142.3	1,651	5,500	4,902	(598)
01-3308-00-00	GASOLINE PERMITS	2,000		550	27.5	(1,450)	3,000	1,000	(2,000)
01-3309-00-00	BURIAL PERMITS	3,600	465	615	17.1	(2,985)	2,500	4,364	1,864
01-3311-00-00	MOBILE HOME PERMIT	200	15	490	245.0	290	400	1,089	689
01-3312-00-00	BUILDING PERMITS	110,500	12,929	43,635	39.5	(66,865)	118,500	78,892	(39,608)
01-3313-00-00	PLUMBING PERMITS	43,500	1,147	10,680	24.6	(32,820)	19,500	15,897	(3,603)
01-3314-00-00	ELECTRICAL PERMITS	23,500	1,235	8,074	34.4	(15,426)	21,500	14,939	(6,561)
01-3315-00-00	MECHANICAL PERMITS	3,800	414	1,820	47.9	(1,980)	4,500	3,512	(988)
01-3316-00-00	OIL & GAS PERMITS			80		80		20	20
01-3317-00-00	SOLICITORS VENDOR PERMIT	1,000		100	10.0	(900)	900	550	(350)
01-3318-00-00	JUNK YARD PERMITS	500	25	275	55.0	(225)	400	250	(150)
01-3319-00-00	ABANDONMENTS	50				(50)	50		(50)
01-3320-00-00	SEISMIC TESTING PERMIT			60		60		20	20
01-3321-00-00	ALARM Reg/Permit Fees	700	300	2,100	300.0	1,400		2,180	2,180
01-3325-00-00	PLAN REVIEW FEE	38,750	1,840	18,096	46.7	(20,654)	40,000	27,096	(12,904)
01-3326-00-00	CONTRACT PERMITS		70	474		474		20	20
01-3327-00-00	Temp Operating Permit-Bldg					-	450		(450)
01-3535-00-00	FIRE CODE PLAN REVIEW REVENUE	15,000	1,405	3,258	21.7	(11,742)	16,500	3,595	(12,905)
01-3536-00-00	FIRE CODE INSPECTION SERV REV	17,000	1,670	3,655	21.5	(13,345)	17,800	4,525	(13,275)
01-3537-00-00	TEMPORARY OPERAT PERMIT REV	8,000		280	3.5	(7,720)	600	6,040	5,440
	Sub-total Fees & Permits	281,200	21,791	103,343	36.8	(177,857)	258,550	174,482	(84,068)

FINANCE

1a

glprev CWESSELS
06/20/2012 9:17
Fund: 1 GENERAL FUND

City of La Marque, Texas
REVENUE REPORT
Period Ending: 05/2012

Account	Description	2012					2011		
		ANNUAL BUDGET	CURRENT MONTH ACTUAL	YTD ACTUAL	YTD % COLLECTED	BUDGET BALANCE	PRIOR YR BUDGET	PRIOR YR ACTUAL	PRIOR YR BALANCE
01-3533-00-00	SANITATION	1,607,000	128,342	968,807	60.3	(638,193)	1,639,746	1,526,708	(113,038)
	AMBULANCE FEES	395,000	27,102	301,802	76.4	(93,198)	375,000	397,488	22,488
	TRANSFER IN EDC	144,000	12,000	96,000	66.7	(48,000)	110,300	110,300	-
	TRANSFER IN UTILITY FUND	160,600	13,383	107,064	66.7	(53,536)	160,000	151,600	(8,400)
	TRANSFER IN EQUIP REPLACEMENT	392,575	-	229,002	58.3	(163,573)	57,836	57,836	-
	TRANSFER IN HOTEL TAX	20,000	-	-	0.0	(20,000)	20,000	20,000	-
	TRANSFER IN DEBT SERVICE	100,000	8,333	66,664	66.7	(33,336)	20,000	20,000	-
01-3605-00-00	INTEREST ON INVESTMENTS	6,500	74	479	7.4	(6,021)	23,200	1,046	(22,154)
01-3717-00-00	INSURANCE CLAIM PYMNT	30,000	-	6,756	22.5	(23,244)	79,500	-	(79,500)
01-3620-00-00	DEMOLITION	25,550	125	926	3.6	(24,624)	72,950	900	(72,050)
	Other	179,102	4,918	82,615	46.1	(96,487)	812,505	566,648	(245,857)
Total General Fund Revenue		10,136,577	625,482	6,958,036	68.6	(3,178,541)	10,645,887	9,533,473	(1,112,414)
Total General Fund Expenditures		10,136,577	877,027	6,014,925	59.3	4,121,652	10,846,043	10,401,649	444,394
		-	(251,545)	943,112			(200,156)	(868,176)	

Finance 16

City of LaMarque
EXPENDITURE REPORT BY DEPT

Dept No	Description	2012 Period Ending: 05/2012					2011	
		ANNUAL BUDGET	CURRENT MONTH ACTUAL	YTD ACTUAL	YTD % SPENT	BUDGET BALANCE	PRIOR YR BUDGET	PRIOR YR ACTUAL
Department number: 1	ADMINISTRATION	563,771.00	32,615.75	286,491.15	50.817	277,279.85	517,496.00	466,100.50
Department number: 2	FINANCE/ACCOUNTING/TAX	398,443.00	22,982.11	254,914.02	63.978	143,528.98	427,191.00	423,621.07
Department number: 3	INSPECTION	328,608.00	22,143.55	135,330.79	41.183	193,277.21	287,988.00	206,498.98
Department number: 4	JUDICIAL	329,666.00	23,544.79	213,494.31	64.761	116,171.69	334,113.00	279,580.67
Department number: 5	POLICE	3,112,823.00	352,519.15	2,027,393.06	65.130	1,085,429.94	3,209,178.00	3,129,103.73
Department number: 6	FIRE	1,815,781.00	117,448.49	1,162,721.90	64.034	653,059.10	2,339,271.00	2,292,618.76
Department number: 7	CITY CLERK	113,890.00	15,137.52	84,470.87	74.169	29,419.13	120,370.00	120,079.24
Department number: 8	LIBRARY	295,113.00	23,504.92	151,953.50	51.490	143,159.50	305,909.00	291,817.85
Department number: 9	PARKS	202,011.00	11,583.80	67,765.61	33.546	134,245.39	149,275.00	129,093.46
Department number: 10	SHOP/SERVICE FACILITY	176,113.00	11,250.10	100,504.26	57.068	75,608.74	165,669.00	150,877.22
Department number: 11	PUBLIC WORKS ADMINISTRATION	84,641.00	4,845.54	39,884.84	47.122	44,756.16	66,644.00	64,453.60
Department number: 12	STREET	981,542.00	81,438.24	552,404.92	56.279	429,137.08	1,049,196.00	1,021,100.69
Department number: 13	DATA PROCESSING	102,758.00	8,314.51	58,981.87	57.399	43,776.13	123,541.00	123,385.84
Department number: 14	SANITATION	1,265,500.00	116,852.76	691,229.43	54.621	574,270.57	1,385,996.00	1,384,689.94
Department number: 15	ANIMAL CONTROL CONTRACTS	73,450.00		33,914.50	46.174	39,535.50	62,454.00	62,452.76
Department number: 16	EMERGENCY MANAGEMENT SRVCS.	36,100.00	14,456.09	16,602.53	45.990	19,497.47	33,370.00	37,768.34
Department number: 17	Fire Marshal	76,017.00	6,031.03	44,470.26	58.500	31,546.74	90,536.00	71,909.04
Department number: 99	FUND EXPENDITURES	180,350.00	12,358.47	92,396.71	51.232	87,953.29	177,846.00	146,497.41
Fund number: 1 GENERAL FUND		10,136,577.00	877,026.82	6,014,924.53	59.339	4,121,652.47	10,846,043.00	10,401,649.10

***** End of Report *****

Frankie 2

TO DO LIST

Fund	Div.	Dept.	Section	Priority	Description	Est. Hours	Target Date to complete
Gen	Adm	Fin	UB	A1	Contract with Water Bill Printer	2	06/21/2012
Gen	Adm	Fin	AP	A1	Order printer and supplies for new AP checks	2	06/21/2012
Gen	Adm	Fin	Acct	A2	Develop a better Bank Reconciliation process	4	06/30/2012
Gen	Adm	Fin	Acct	A3	Clear all due to/from	3	06/30/2012
Gen	Adm	Fin	Acct	A3	Clear all prior year due to/from	3	06/30/2012
Gen	Adm	Fin	Budget	A4	Prepare Schedule A for Prop Tax Calculations	4	06/30/2012
Gen	Adm	Fin	Budget	A5	Develop a Capital Asset Replacement Plan	8	06/30/2012
Gen	Adm	Fin	Budget	A5	Work monthly budget transfers	8	07/15/2012
Gen	Adm	Fin	Budget	A6	Develop a better City Council Monthly Budget Report	4	07/15/2012
Gen	Adm	Fin	All	A8	STW Software Conversion	40	05/31/2012
Gen	Adm	Fin	Acct	A9	Contract with Financial Advisor	2	06/30/2012
Gen	Adm	Fin	Budget	A9	Water Rate Study	20	06/30/2012
Gen	Adm	Fin	Acct	A9	Add a department to STW for HR	2	06/30/2012
Gen	Adm	Fin	Acct	A9	Prepair paperwork for Texas Windstorm Litigation	6	08/31/2012
Gen	Adm	Fin	Acct	A9	Consolidate the Logic & TxPool Accounts	8	06/30/2012
Gen	Adm	Fin	Acct	A9	Redo the investment report	8	06/30/2012
Gen	Adm	Fin	Budget	A9	Review fees (e.g. only \$10 now for non pay reconnect)	6	06/30/2012
Gen	Adm	Fin	Acct	B	Review the JE for the last Bond Sale	2	08/30/2012
Gen	Adm	Fin	Audit	B	Prepare Schedule of Federal Financial Assistance	10	08/30/2012
Gen	Adm	Fin	Audit	B	Prepare Land Inventory List for LEDC	10	08/30/2012
Gen	Adm	Fin	UB	B	Water Bill Bank Draft Program	10	08/30/2012
Gen	Adm	Fin	UB	B	Review Utility Billing Collection Policy	8	08/31/2012
Gen	Adm	Fin	All	B	Review Job Descriptions	8	08/31/2012
Gen	Adm	Fin	UB	B	Review Tree Limb Billing Policy	8	08/31/2012
Gen	Adm	Fin	Payr.	B	Texas Workforce Commission form C6a	3	10/31/2012
Gen	Adm	Fin	Budget	B	Find budget money for Pot Hole Repair, Library, Court	2	06/30/2012
Gen	Adm	Fin	All	B	McLain News Service Email Rules	3	08/31/2012
Gen	Adm	Fin	Acct	B	Block Grant Review and Reclassifications	16	08/31/2012
Gen	Adm	Fin	Payr.	B	Standard fraud review (not likely, but we still check)	3	05/31/2012
Gen	Adm	Fin	Acct	B	Consider adding a Valero Fleet account	8	08/31/2012
Gen	Adm	Fin	Acct	B	Develop Banking Positive Pay Procedures	3	06/30/2012
Gen	Adm	Fin	UB	B	Update all policies related to customer service	8	07/31/2012
					Review cut off policy and reprioritize the work schedule		
Gen	Adm	Fin	MR	B	to include more time for meter repair.	20	07/31/2012
Gen	Adm	Fin	Acct	C	Fuel Bid	8	07/31/2012
Gen	Adm	Fin	Acct	C	Submit unclaimed property report to State	8	06/30/2012
Gen	Adm	Fin	Acct	C	Submit claim for unclaimed property	8	06/30/2012
Gen	Adm	Fin	Budget	C	Review all liability policies	8	06/30/2012
Gen	Adm	Fin	Acct	C	Fixed Assets Physical Inventory	20	08/31/2012
Gen	Adm	Fin	Payr.	C	Review Health Insurance Options	8	06/30/2012

Completed work

Gen	Adm	Fin	A/P	done	New Banking Check Signature Cards
Gen	Adm	Fin	A/P	done	Change A/P bank account to a "Sweep" account
Gen	Adm	Fin	Acct	done	Redo 6 years of PID management payments
Gen	Adm	Fin	Budget	done	Issue Budget Calendar
Gen	Adm	Fin	Budget	done	Issue Budget Worksheets
Gen	Adm	Fin	Acct	done	Reconcile STW Balance Sheets to Audit Report
Gen	Adm	Fin	Acct	done	Fiscal Year Close Out
Gen	Adm	Fin	Acct	done	Continuing Disclosure Reports to MAC
Gen	Adm	Fin	Acct	done	TexPool and Logic Resolutions
Gen	Adm	Fin	Court	done	Review Court collection procedures
Gen	Adm	Fin	Acct	done	Verify CAFR set to Bond Insurers
Gen	Adm	Fin	Acct	done	Follow up on new Excel Travel Report
Gen	Adm	Fin	A/P	done	Review internal controls on A/P checks

DEVELOPMENT SERVICES

Nov 2011 - May 2012	May 2012	April 2012	May 2011	Fiscal Year To Date
Plumbing Inspections				
Gas Test	12	28	No data available	189
Plumbing Final	3	5	No data available	53
Plumbing Top-Out	15	8	No data available	91
Plumbing Underground	4	8	No data available	47
Sewer Line	4	10	No data available	60
Water Heater	1	0	No data available	6
Water Line	2	5	No data available	42
Total	41	64	No data available	488
Electrical inspections				
Electric Underground	0	0	No data available	0
Electrical Final	3	8	No data available	52
Electrical Meter Loop	23	18	No data available	63
Electrical Pool Bonding	0	0	No data available	77
Electrical Rough-In	14	6	No data available	15
generators	0	0	No data available	2
Temporary poles	0	0	No data available	2
Total	40	32	No data available	211
Mechanical Inspections				
Mechanical Rough In	9	5	No data available	66
Mechanical Final	8	8	No data available	49
Total	17	13	No data available	115

Nov 2011 - May 2012	May 2012	April 2012	May 2011	Fiscal Year To Date
Building Inspections				
Brick Ties	3	0	No data available	60
Building Final	5	6	No data available	65
Bulkhead	0	0	No data available	34
Deck	0	0	No data available	52
Driveways	5	2	No data available	7
Foundation Slab/Pier	5	10	No data available	7
Framing	10	6	No data available	11
House leveling	0	0	No data available	2
Pool Seal	0	0	No data available	3
Sign	0	0	No data available	3
Total	28	24	No data available	244
Service Inspections				
Service Inspections (C of O)	2	6	No data available	19
			Total	19
Total Inspections				1077

Building Permits

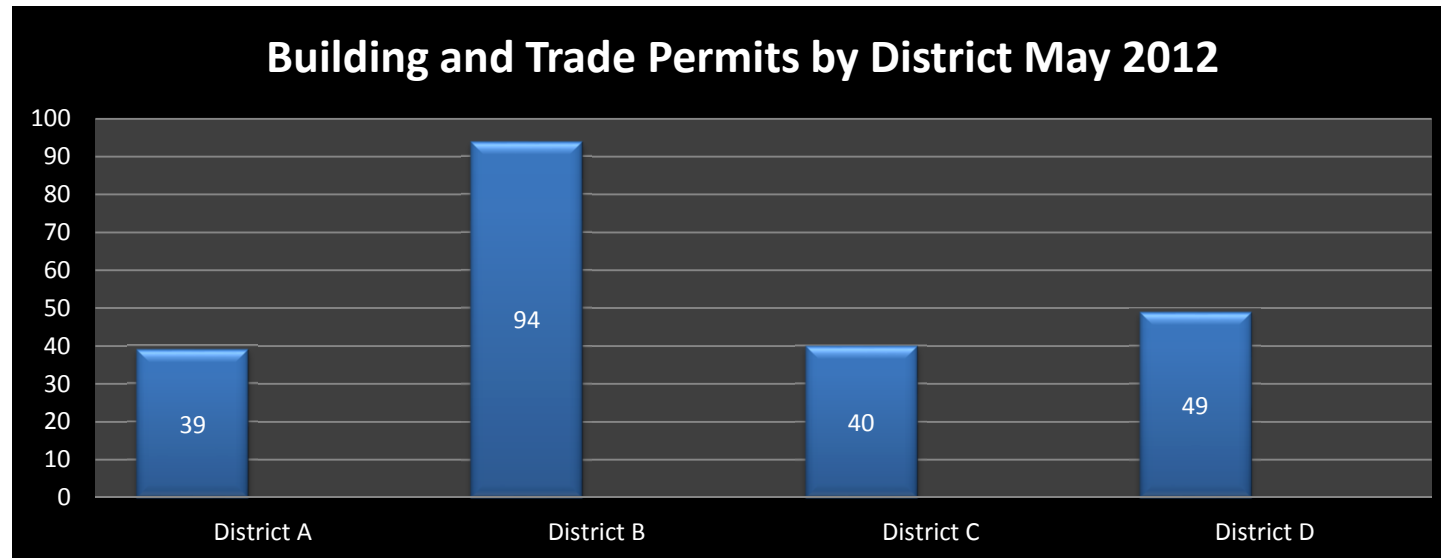
Nov 2011 - May 2012	May 2012	April 2012	May 2011	Fiscal Year To Date
Flammable Fluids	0	0	No data available	4
Building	140	40	No data available	319
Burial	0	0	No data available	3
Community Room	0	0	No data available	2
Culvert Setting	1	1	No data available	9
Demolition	2	2	No data available	8
Electrical	32	23	No data available	171
Fire Code Plan review	0	1	No data available	3
Fire protection	0	1	No data available	2
Highland Bayou Park	2	1	No data available	13
Irrigation	0	1	No Data Available	1
Junkyard	0	0	No data available	1
Liquor License	0	3	No data available	24
Mechanical	21	14	No data available	86
Mobile Home Parks/Mobile Home	0	0	No data available	4
Plan Reviews	11	7	No data available	53
Plumbing	28	24	No data available	235
Public Information	1	3	No data available	9
Replat Fee	2	0	No data available	4
Rezone	1	1	No data available	5
Service Inspection	4	3	No data available	27
Sign	0	0	No data available	1
Solicitor	0	0	No data available	2
Temporary Operation	11	11	No data available	76
Wrecker Permit	0	0	No data available	1
Total	256	136	No data available	
			Total Building Permits	1063

Building and trade permits by district for May 2012

	District A	District B	District C	District D
Building permits	20	57	27	36
Electrical permits	10	13	6	3
Mechanical Permits	4	12	3	2
Plumbing Permits	5	12	4	8
Total	39	94	40	49

Special Projects

During the month of May the department concentrated on Training



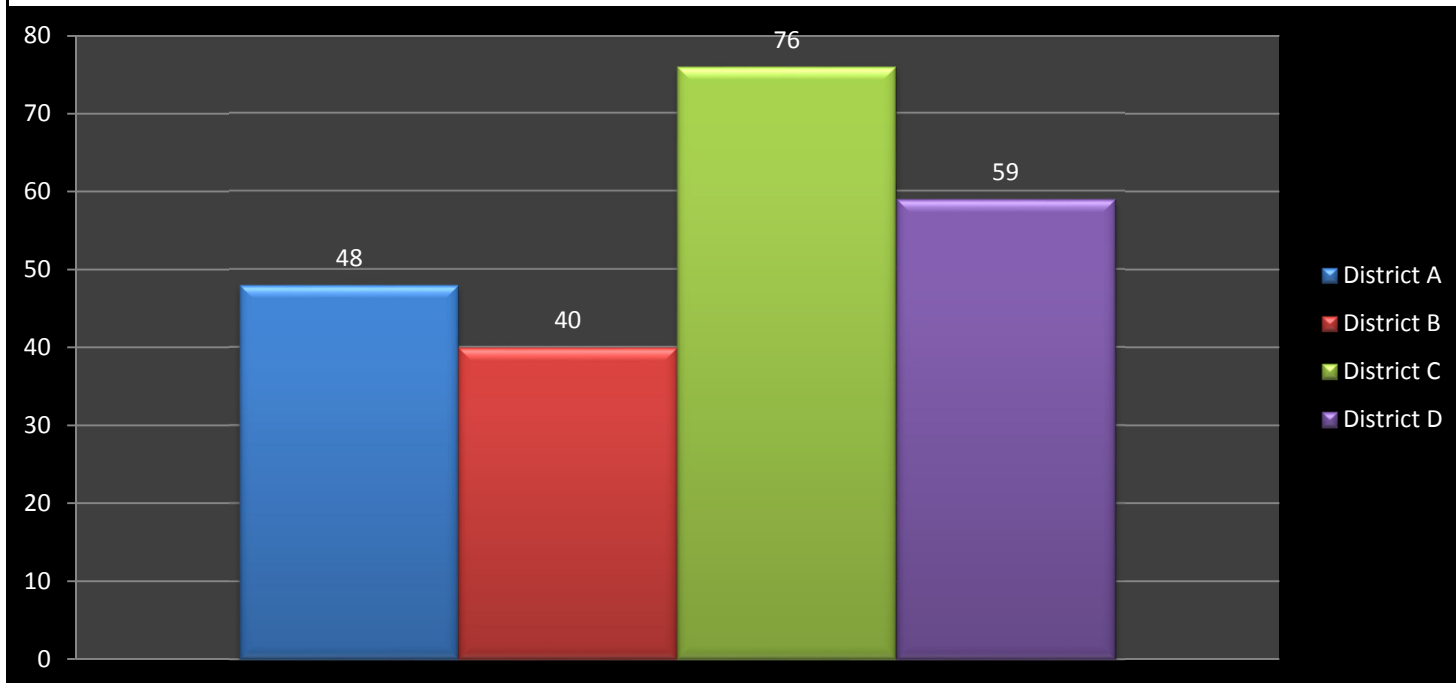
Nov 2011 - May 2012	May 2012	April 2012	May 2011	Fiscal Year To Date
Code Enforcement Violations (properties may have more than one violation)				
Abandoned Premises	3	1	No data available	9
Accumulation of Rubbish or Garbage	13	8	No data available	27
Disposal of Rubbish or Garbage	3	21	No data available	34
Garbage,Rodents,Refuse & Other W	2	16	No data available	28
Graffiti	3	1	No data available	10
High Grass	32	40	No data available	254
Junk Vehicles	7	2	No data available	47
Junkyard Applications	0	0	No data available	1
Junkyard Enclosure	0	0	No data available	1
Keeping of swine, fowl, etc	0	1	No data available	4
Peddlers Licence/ Liquor Lic required	0	0	No data available	3
Plumbing Hazards	5	2	No data available	9
Prohibited home occupations	0	0	No data available	1
Property owner responsibility	8	15	No data available	31
Removal of Rubble & Haz-Mat	0	0	No data available	1
Required RV Park License/RV parking	1	2	No data available	6
RV Parks Rules & Regulations	0	0	No data available	2
Sanitation	3	8	No data available	19
Security of Vacant Premises	0	4	No data available	12
Stop Work Order	0	1	No data available	1
Unlawful Deposits	29	21	No data available	86
Vacant Premises	5	3	No data available	13
Water Heater T & P Discharge	0	0	No data available	2
Water Systems/Dirty pools	0	3	No data available	5
Zoning District Violations	0	0	No data available	0

Nov 2011 - May 2012	May 2012	April 2012	May 2011	Fiscal Year To Date
Code Enforcement Violations (properties may have more than one violation)				
Industrial Business without a Dwelling	0	0	No data available	1
Accessory Buildings	0	2	No data available	3
Barking Dogs as a public nuisance	0	0	No data available	1
Comercial Trash Containers	0	0	No data available	1
Commercial containers Garb inside	0	0	No data available	1
Dangerous Conditions	7	3	No data available	12
Electrical Licensing Required	0	0	No data available	1
Exterior Structural Maintenance	2	14	No data available	18
Fire Protection	0	2	No data available	3
Flexible Chords where permitted	0	0	No data available	2
Human water consumption	0	0	No data available	0
Illegal Dumping	1	5	No data available	17
Interior surfaces in disrepair	0	3	No data available	3
Kennels	0	1	No data available	2
No ceiling voids allowing fire ext.	0	2	No data available	2
Occupant responsible for exterminati	2	9	No data available	12
Refrig. / Containers Acces. To Child	5	8	No data available	18
Removal of combustibles	0	3	No data available	4
Screening Required/ not up to code	0	1	No data available	3
Street Address Placement	2	0	No data available	2
Subst./Delapidted Bldg.	2	5	No data available	15
Tires Illegal dumping	3	3	No data available	7
Underground Storage Tank	0	0	No data available	1
Unsafe Electrical Systems	0	7	No data available	10
Unsafe Structures	13	11	No data available	35
Walking Surfaces/Drainage	1	4	No data available	5
Working Without Permit/License	0	2	No data available	11
TOTAL	152	234	No data available	796

Nov 2011 - May 2012	May 2012	April 2012	May 2011	Fiscal Year To Date
Abatement of property				
10 day Compliance extn	6	20	No data available	64
30 day compliance extn	2	3	No data available	41
Abated by City	4	4	No data available	25
Abated by Owner	43	18	No data available	227
Court No Show	7	0	No data available	16
Charges Dismissed	2	0	No data available	2
Court Reset	6	3	No data available	12
Gave Initial Notice	74	63	No data available	305
Letter sent to City Attorney	0	0	No data available	2
Obtained bid to abate	16	15	No data available	74
Recheck / Follow Up	17	15	No data available	58
Retake & Request Pictures	0	2	No data available	7
Sent to Court	7	26	No data available	60
TOTAL	184	169	No data available	819

Code Enforcement Inspections - Complaint Driven

	District A	District B	District C	District D
Property Inspections	48	40	76	59
Total Insp			223	



JUDICIAL DEPARTMENT

Narrative
Judicial Dept
May 2012 Monthly Report

Total cases pending first of the month should **always** match the prior month's total cases pending end of the month.

You will notice the new cases filed this month are down by 65 cases filed last month however court staff still managed to collect more revenue than last month.

You will also notice the amount of cases dismissed by prosecution is high due to many factors. Court Clerk continues to search database for old cases with no identifiers to be dismissed, defendants who are deceased, insufficient evidence to convict, plea bargaining, and officers who fail to appear for trial.

**Judicial
Monthly Report
May 2012**

	Non- Parking	Traffic Parking	Traffic City Ordinance	Penal Code	Non- Traffic State Law	City Ordinance	Total this Month	Fiscal yr to date	Total Prior Month	Prior Fiscal yr to date
Total Cases Pending First of Month	4055	0	4	1413	1514	401	7387		7533	
Active Cases	624	0	1	119	72	187	1003		1295	
Inactive Cases	3431	0	3	1294	1442	214	6384		6238	
New Cases Filed	423	0	1	67	25	38	554	3913	488	5728
Cases Reactivated	225	0	0	101	91	11	428		47	
All Other Cases Added	0	0	0	0	0	0	0	0	0	
Total Cases on Docket	1272	0	2	287	188	236	1985		1830	
Dispositions Prior to Trial:										
Uncontested Dispositions	4	0	0	30	11	0	45	553	100	
Dismissed by Prosecution	67	0	0	18	39	0	124	392	65	
Dispositions at Trial:										
Convictions:										
Guilty Plea or Nolo Contendere	128	0	1	20	10	11	170	2176	219	3164
By the Court	103	0	0	15	3	6	127	371	89	
By the Jury	0	0	0	0	0	0	0	0	0	2
Acquittals:										
By the Court	0	0	0	0	0	0	0	0	0	3
By the Jury	0	0	0	0	0	0	0	0	0	0
Dismissed by Prosecution	33	0	0	6	5	6	50	485	54	
Compliance Dismissals:										
After Driver Safety Course	26						26	213	23	289
After Deferred Disposition	30	0	0	2	3	2	37	324	38	318
After Proof of Financial Responsibility	14						14	60	7	95

**Judicial
Monthly Report
May 2012**

	Non-Parking	Traffic Parking	Traffic City Ordinance	Penal Code	Non-Traffic State Law	City Ordinance	Total this Month	Fiscal yr to date	Total Prior Month	Prior Fiscal yr to date
All Other Transportation Code Dismissals	27	0	0	0	0	0	27	125	15	
All Other Dispositions	15	0	0	3	10	1	29	320	24	
Total Cases Disposed	447	0	1	94	81	26	649	5006	634	
Cases Placed on Inactive Status	111	0	0	73	28	24	236	1220	193	
Total Cases Pending End of Month:	4031	0	4	1386	1458	413	7292		7387	
Active Cases	714	0	1	120	79	186	1100		1003	
Inactive Cases	3317	0	3	1266	1379	227	6192		6381	
Show Cause Hearings Held	41	0	0	10	5	3	59	77	18	
Cases Appealed:										
After Trial	4	0	0	0	1	0	5	26	4	35
Without Trial	0	0	0	0	0	0	0	6	1	

Courtesy Letters Mailed:							116	991	141	925
Courtesy Phone Calls Made:							142	790	104	

City Marshal Activity:	Total This Month	Fiscal Year to Date	Prior Fiscal Year to Date	Total Month Prior
Door Hangers Issued	267	535	0	15
Arrests	35	221	0	32
Collection Phone Calls	438	2860	0	425
Warrant Amounts Collected	28,316.11	232,867.57	0.00	15,766.29
Letters Mailed	155	352	0	35
Holds Placed	59	273	0	42
Non-Cash Credit Amount	51,207.00	456,129.00	0.00	53,407.25

**Judicial
Monthly Report
May 2012**

	<i>Total this Month</i>	<i>Fiscal yr to date</i>	<i>Total Prior Month</i>	<i>Prior Fiscal yr to date</i>
<i>Juvenile/Minor Activity:</i>				
Transportation Code Cases Filed	3	21	3	
Non-driving Alcoholic Beverage Code Cases Filed	1	4	0	
Driving Under Influence of Alcohol Cases Filed	0	0	0	
Drug Paraphernalia Cases Filed	0	5	1	
Tobacco Cases Filed	1	1	0	
Failure to Attend School Cases Filed	0	0	0	
Education Code Cases Filed (except fail to attend)	0	0	0	
Curfew Violation Cases Filed	0	12	3	
All Other Non-traffic Fine-only Cases Filed	0	24	1	
<i>Additional Activity:</i>				
Magistrate Warnings:				
Class C Misdemeanors	4	41	3	
Class A and B Misdemeanors	39	186	18	
Felonies	18	77	10	
Arrest Warrants Issued:				
Class C Misdemeanors	147	1931	265	3179
Capias Pro Fine Issued:				
Class C Misdemeanors	112	804	117	
Emergency Protection Orders Issued	3	21	5	34
Stolen Property Hearings Held	0	2	0	
Cases Satisfied by Jail Time Credit	125	1139	125	
Fines, Court Costs and Other Amounts Collected:				
	<i>Total this Month</i>	<i>Fiscal yr to date</i>	<i>Total Prior Month</i>	<i>Prior Fiscal yr to date</i>
<i>Kept by City</i>	\$ 61,141.98	\$ 480,310.55	\$ 45,876.17	
<i>Remitted to State</i>	\$ 25,356.28	\$ 195,728.69	\$ 19,072.34	
<i>Total</i>	\$ 86,498.26	\$ 676,039.24	\$ 64,948.51	\$ 912,143.28

Beginning Date.....: 05/01/2012
Ending Date.....: 05/31/2012
by Citation date

Agency.....: POLICE DEPARTMENT
Officer.....: All

Type of Offense.....: All

Special Flag.....:

Total by Race/Sex.....: Yes

PD POLICE DEPARTMENT

532 MONTANEZ, DOMINGO

Totals for Officer

Number of Citations for Officer.....	1
Number of Violations for Officer.....	1
Amount of Fines/Fees Assessed.....	\$297.00
Amount of Paid/Bond Applied.....	\$297.00
Amount Outstanding.....	\$0.00
Number of Citations to Juveniles.....	0
Number of Citations to Minors.....	1
Number of Citations by Sex	
Male	1
Female	0
Unknown	0
Number of Citations by Race	
White	1

538 WALTON, H

Totals for Officer

Number of Citations for Officer.....	8
Number of Violations for Officer.....	10
Amount of Fines/Fees Assessed.....	\$3,608.50
Amount of Paid/Bond Applied.....	\$479.50
Amount Outstanding.....	\$3,129.00
Number of Citations to Juveniles.....	0
Number of Citations to Minors.....	1
Number of Citations by Sex	
Male	3
Female	5
Unknown	0
Number of Citations by Race	
White	5
Black	3

548 CAMPBELL, J

Totals for Officer

Number of Citations for Officer.....	10
Number of Violations for Officer.....	12
Amount of Fines/Fees Assessed.....	\$3,348.69
Amount of Paid/Bond Applied.....	\$624.69
Amount Outstanding.....	\$2,724.00

Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	1
Number of Citations by Sex	
Male	4
Female	6
Unknown	0
Number of Citations by Race	
White	3
Black	7

547 KELEMEN,CHRIS

Totals for Officer

Number of Citations for Officer.....:	8
Number of Violations for Officer.....:	8
Amount of Fines/Fees Assessed.....:	\$1,910.00
Amount of Paid/Bond Applied.....:	\$0.00
Amount Outstanding.....:	\$1,910.00
Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	2
Number of Citations by Sex	
Male	7
Female	1
Unknown	0
Number of Citations by Race	
White	4
Black	4

539 SOLO,D

Totals for Officer

Number of Citations for Officer.....:	38
Number of Violations for Officer.....:	63
Amount of Fines/Fees Assessed.....:	\$17,870.42
Amount of Paid/Bond Applied.....:	\$1,362.42
Amount Outstanding.....:	\$16,508.00
Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	3
Number of Citations by Sex	
Male	24
Female	14
Unknown	0
Number of Citations by Race	

Citation Date: 5/01/2012 - 5/31/2012 Summary

White	8
Black	27
HISPANIC	2
Unknown	1

530 KELEMEN,MIKE

Totals for Officer

Number of Citations for Officer.....:	37
Number of Violations for Officer.....:	45
Amount of Fines/Fees Assessed.....:	\$14,603.00
Amount of Paid/Bond Applied.....:	\$1,327.00
Amount Outstanding.....:	\$13,276.00
Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	4
Number of Citations by Sex	
Male	19
Female	18
Unknown	0
Number of Citations by Race	
White	11
Black	26

544 LIVELY,AMBER

Totals for Officer

Number of Citations for Officer.....:	2
Number of Violations for Officer.....:	2
Amount of Fines/Fees Assessed.....:	\$829.00
Amount of Paid/Bond Applied.....:	\$0.00
Amount Outstanding.....:	\$829.00
Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	1
Number of Citations by Sex	
Male	2
Female	0
Unknown	0
Number of Citations by Race	
White	2

537 GANDY,FORREST

Totals for Officer

Number of Citations for Officer.....:	23
Number of Violations for Officer.....:	28

Citation Date: 5/01/2012 - 5/31/2012 Summary

Amount of Fines/Fees Assessed.....:	\$8,643.62
Amount of Paid/Bond Applied.....:	\$780.62
Amount Outstanding.....:	\$7,863.00
Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	5
Number of Citations by Sex	
Male	15
Female	8
Unknown	0
Number of Citations by Race	
White	13
Black	10

543 RODRIGUEZ,G

Totals for Officer

Number of Citations for Officer.....:	6
Number of Violations for Officer.....:	8
Amount of Fines/Fees Assessed.....:	\$3,094.00
Amount of Paid/Bond Applied.....:	\$0.00
Amount Outstanding.....:	\$3,094.00
Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	0
Number of Citations by Sex	
Male	4
Female	2
Unknown	0
Number of Citations by Race	
White	4
Black	2

545 SAMUELSON,SHELBY

Totals for Officer

Number of Citations for Officer.....:	18
Number of Violations for Officer.....:	27
Amount of Fines/Fees Assessed.....:	\$8,198.00
Amount of Paid/Bond Applied.....:	\$375.00
Amount Outstanding.....:	\$7,823.00
Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	3
Number of Citations by Sex	
Male	12
Female	6

Unknown	0
Number of Citations by Race	
White	4
Black	13
HISPANIC	1

531 RAMER,M

Totals for Officer

Number of Citations for Officer.....:	9
Number of Violations for Officer.....:	10
Amount of Fines/Fees Assessed.....:	\$3,638.00
Amount of Paid/Bond Applied.....:	\$0.00
Amount Outstanding.....:	\$3,638.00
Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	1
Number of Citations by Sex	
Male	5
Female	4
Unknown	0
Number of Citations by Race	
White	3
Black	6

551 CLARK,JESSICA

Totals for Officer

Number of Citations for Officer.....:	11
Number of Violations for Officer.....:	12
Amount of Fines/Fees Assessed.....:	\$3,695.82
Amount of Paid/Bond Applied.....:	\$796.82
Amount Outstanding.....:	\$2,899.00
Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	1
Number of Citations by Sex	
Male	6
Female	5
Unknown	0
Number of Citations by Race	
White	7
Black	4

516 CAGNON,KENNETH

Totals for Officer

Number of Citations for Officer.....:	1
Number of Violations for Officer.....:	1
Amount of Fines/Fees Assessed.....:	\$164.00
Amount of Paid/Bond Applied.....:	\$0.00
Amount Outstanding.....:	\$164.00
Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	0
Number of Citations by Sex	
Male	1
Female	0
Unknown	0
Number of Citations by Race	
HISPANIC	1

534 KING, CONAN

Totals for Officer

Number of Citations for Officer.....:	12
Number of Violations for Officer.....:	19
Amount of Fines/Fees Assessed.....:	\$5,267.21
Amount of Paid/Bond Applied.....:	\$316.21
Amount Outstanding.....:	\$4,951.00
Number of Citations to Juveniles.....:	1
Number of Citations to Minors.....:	1
Number of Citations by Sex	
Male	11
Female	1
Unknown	0
Number of Citations by Race	
White	3
Black	5
HISPANIC	4

540 GUZMAN, JESSE

Totals for Officer

Number of Citations for Officer.....:	23
Number of Violations for Officer.....:	32
Amount of Fines/Fees Assessed.....:	\$9,720.84
Amount of Paid/Bond Applied.....:	\$1,315.84
Amount Outstanding.....:	\$8,405.00
Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	6

Number of Citations by Sex		
Male		15
Female		8
Unknown		0

Number of Citations by Race		
White		11
Black		10
HISPANIC		1
American Indian		1

536 HUNTER,DAVID

Totals for Officer

Number of Citations for Officer.....	41
Number of Violations for Officer.....	57
Amount of Fines/Fees Assessed.....	\$14,611.00
Amount of Paid/Bond Applied.....	\$985.00
Amount Outstanding.....	\$13,626.00
Number of Citations to Juveniles.....	0

Number of Citations to Minors.....	9
------------------------------------	---

Number of Citations by Sex		
Male		28
Female		13
Unknown		0

Number of Citations by Race		
White		14
Black		25
HISPANIC		2

Totals for Agency

Number of Citations for Agency.....	248
Number of Violations for Agency.....	335
Amount of Fines/Fees Assessed.....	\$99,499.10
Amount of Paid/Bond Applied.....	\$8,660.10
Amount Outstanding.....	\$90,839.00
Number of Citations to Juveniles.....	1

Number of Citations to Minors.....	39
------------------------------------	----

Number of Citations by Sex		
Male		157
Female		91
Unknown		0

Number of Citations by Race		
White		93

Black	142
HISPANIC	11
Unknown	1
American Indian	1

Grand Totals

Total Number of Citations.....:	248
Total Number of Violations.....:	335
Total Amount of Fines/Fees Assessed:	\$99,499.10
Total Amount of Paid/Bonds Applied..:	\$8,660.10
Amount Outstanding.....:	\$90,839.00
Total Number of Citations Juveniles.:	1
Total Number of Citations Minors.....:	39
Total Number of Citations by Sex	
Male	157
Female	91
Unknown	0
Total Number of Citations by Race	
White	93
Black	142
HISPANIC	11
Unknown	1
American Indian	1

Beginning Date.....: 05/01/2012
Ending Date.....: 05/30/2012
by Citation date

Agency.....: POLICE DEPARTMENT
Officer.....: All

Type of Offense.....: All

Special Flag.....:

Total by Race/Sex.....: Yes

PD POLICE DEPARTMENT

539 SOLO,D

Totals for Officer

Number of Citations for Officer.....	1
Number of Violations for Officer.....	1
Amount of Fines/Fees Assessed.....	\$0.00
Amount of Paid/Bond Applied.....	\$0.00
Amount Outstanding.....	\$0.00
Number of Citations to Juveniles.....	0
Number of Citations to Minors.....	0
Number of Citations by Sex	
Male	0
Female	1
Unknown	0
Number of Citations by Race	
White	1

545 SAMUELSON,SHELBY

Totals for Officer

Number of Citations for Officer.....	3
Number of Violations for Officer.....	4
Amount of Fines/Fees Assessed.....	\$0.00
Amount of Paid/Bond Applied.....	\$0.00
Amount Outstanding.....	\$0.00
Number of Citations to Juveniles.....	0
Number of Citations to Minors.....	0
Number of Citations by Sex	
Male	1
Female	2
Unknown	0
Number of Citations by Race	
White	1
Black	2

531 RAMER,M

Totals for Officer

Number of Citations for Officer.....	2
Number of Violations for Officer.....	2
Amount of Fines/Fees Assessed.....	\$0.00
Amount of Paid/Bond Applied.....	\$0.00
Amount Outstanding.....	\$0.00

Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	1
Number of Citations by Sex	
Male	1
Female	1
Unknown	0
Number of Citations by Race	
Black	2

551 CLARK,JESSICA

Totals for Officer

Number of Citations for Officer.....:	1
Number of Violations for Officer.....:	1
Amount of Fines/Fees Assessed.....:	\$0.00
Amount of Paid/Bond Applied.....:	\$0.00
Amount Outstanding.....:	\$0.00
Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	0
Number of Citations by Sex	
Male	0
Female	1
Unknown	0
Number of Citations by Race	
White	1

Totals for Agency

Number of Citations for Agency.....:	7
Number of Violations for Agency.....:	8
Amount of Fines/Fees Assessed.....:	\$0.00
Amount of Paid/Bond Applied.....:	\$0.00
Amount Outstanding.....:	\$0.00
Number of Citations to Juveniles.....:	0
Number of Citations to Minors.....:	1
Number of Citations by Sex	
Male	2
Female	5
Unknown	0
Number of Citations by Race	
White	3
Black	4

Grand Totals

Total Number of Citations.....:	7
Total Number of Violations.....:	8
Total Amount of Fines/Fees Assessed:	\$0.00
Total Amount of Paid/Bonds Applied..:	\$0.00
Amount Outstanding.....:	\$0.00
Total Number of Citations Juveniles.:	0
Total Number of Citations Minors.....:	1
Total Number of Citations by Sex	
Male	2
Female	5
Unknown	0
Total Number of Citations by Race	
White	3
Black	4

PUBLIC SAFETY



TEXAS CITY POLICE DEPARTMENT

ROBERT J. BURBY
FBI N.A. Graduate - Session 229
Chief of Police



6-12-12

Chief Randall Aragon
La Marque Police Department
431 Bayou Rd
La Marque, Texas 77568

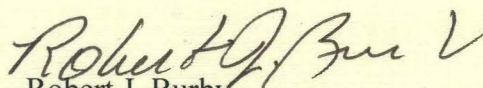
On Thursday, June 6, 2012, at approximately, 1450 hours members of the Texas City Field Investigative Team (FIT Team), assisted by members of the La Marque Police Department S.R.T. executed a Narcotics Search Warrant at 201 Taft, La Marque, Texas.

Prior to entry to the residence, one of the defendants fled inside the residence and barricaded themselves inside while warning the other occupants of police presence. One of the defendants was able to successfully flush narcotics down the toilet into the water system in an effort to destroy the narcotics evidence.

Chief, please extend our thanks and appreciation to members of your S.R.T. unit which participated in the execution of the warrant. There are Sgt. Reggie Rodriguez and Officer Mike Kelleman. Also, Sergeant Rodriguez was instrumental in contacting the City of La Marque Public Works for assistance in recovering the narcotics that were flushed by one of the defendants into the water system. The Public Works personnel were successful in recovering the drug evidence by digging up the pipes on the property. Please convey our thanks to the Public Work crew, Mike Morgan, Rodney Gamble, George Megrass, Kevin Nolley and Dwanna Jones.

The surrounding residents expressed their appreciation for the police action that was taken to prevent the unwanted distribution of narcotics in their quiet neighborhood. The hard work of all of those involved resulted in two defendants being charged with Felony Tampering with Evidence and a Second Degree Felony Possession of Controlled Substance in a Drug Free Zone (within 1000 feet of a school). This is a prime example of **"Team Work"** not only between two police agencies but also between different departments within those agencies. Job well done!

Sincerely,


Robert J. Burby,
Chief of Police

Cc: Ms. Carol Butler, La Marque City Manager

"Leaders Among Leaders"
1004 9th Avenue North, Texas City, TX 77590-7407
www.texas-city-tx.org (409) 948-2525

City of La Marque
Monthly and Year
To Date

Police Department
Month: May
Year: 2012

	CURRENT MONTH (May12)	CURRENT MO. PREV. YR. (May11)	PREV. MONTH (Apr12)	YR. TO DATE 2012	PREV. YR. TO DATE 2011
<u>PART I CRIMES:</u>					
Homicide	0	1	0	0	2
Rape	2	0	0	4	2
Robbery	2	1	1	6	9
Assault (*includes simple)	26	36	34	161	138
Burglary	16	18	12	74	76
Theft	48	37	47	188	197
M.V. Theft	6	4	2	13	13
<u>PART II CRIMES:</u>	222	158	179	959	949
<u>CALLS FOR SERVICE:</u>	2,085	1,711	1,792	9,511	9,168
<u>ACCIDENTS:</u>	27	30	22	116	107
Injuries	5	5	8	34	30
Non-injury	22	25	14	82	77
Fatalities	0	1	0	0	1
Alcohol Related	0	0	1	2	2
<u>ADULT ARRESTS:</u>	154	114	134	720	839
<u>JUVENILE DETENTIONS:</u>	0	1	1	7	11
<u>TRAFFIC STOPS:</u>	340	224	221	1,435	1,388
Citations	248	208	162	1,041	1,143
Violations	335	283	241	1,459	1,572
Warnings	8	10	9	41	56
<u>DISTURBANCES:</u>	92	109	123	549	485

This month, the Police Department arrested **45** people on municipal warrants, serving **137** warrants.

To date, the Police Department has arrested **235** people on municipal warrants, serving **641** warrants.



**2012 LA MARQUE POLICE DEPT.
CRIME STATS**



	2008				2009				2010				2011				2012						
	January - December				January - December				January - December				January - December				January - May						
	OFF	% +/-	CL	% CL	OFF	% +/-	CL	% CL	OFF	% +/-	CL	% CL	OFF	% +/-	CL	% CL	Offense 2011	Offense 2012	% +/-	Clearance 2011	Clearance 2012	% CL 2011	% CL 2012
Murder	1	-67%	1	100%	4	400%	2	50%	3	-25%	2	67%	2	-33%	2	100%	2	0	-100%	1	0	50%	100%
Rape	26	24%	13	50%	22	-15%	10	45%	6	-73%	3	50%	5	-17%	2	40%	2	2	0%	2	2	100%	100%
Robbery	44	69%	17	37%	39	-11%	11	28%	34	-13%	16	47%	28	-18%	12	43%	9	4	-44%	5	1	55%	25%
Aggravated Assault	74	4%	39	53%	98	32%	53	54%	39	-60%	23	59%	29	-26%	18	62%	12	14	17%	7	8	58%	57%
La Marque Violent Crime Total	145	20%	70	48%	163	12%	76	47%	82	-50%	44	54%	64	-22%	34	53%	26	20	-24%	15	11	58%	55%
Texas Violent Crime Total	123,621	#DIV/0!	52,303	41%	121,789	-2%	53,587	44%	113,300	-7%	49,852	44%	*	*	*	*	*	*	*	*	*	*	*
Burglary	241	-17%	35	15%	236	-2%	26	11%	202	-16%	77	38%	203	0%	16	8%	77	74	-4%	8	8	10%	11%
Theft	337	25%	96	28%	382	13%	112	29%	478	23%	159	33%	443	-7%	97	22%	192	188	-2%	40	68	21%	36%
Motor Vehicle Theft	49	0%	23	47%	45	-8%	27	60%	29	-37%	15	52%	33	18%	8	24%	13	13	0%	4	6	31%	46%
Arson	7	40%	1	14%	9	29%	1	11%	4	400%	0	0%	2	-50%	1	50%	0	5	500%	0	0	0%	0%
La Marque Property Crime Total	634	3%	155	24%	672	6%	166	25%	713	5%	251	35%	681	-4%	122	18%	281	280	0%	52	82	19%	29%
Texas Property Crime Total	969,807	-2%	146,350	15%	995,150	3%	149,272	15%	951,971	-4%	142,796	15%	*	*	*	*	*	*	*	*	*	*	*
	RATE		% +/-		RATE		% +/-		RATE		% +/-		RATE		% +/-		RATE		% +/-				
La Marque Violent Crime Rate	1,164		12%		1,182		2%		594		-50%		441		-26%		138		-13%				
Texas Violent Crime Rate	508		-1%		491		-3%		451		-8%		*		*		*		*				
La Marque Property Crime Rate	4,800		6%		4,872		1%		5,169		5%		4,894		-5%		1,930		0%				
Texas Property Crime Rate	3,987		-3%		4,016		1%		3,786		-6%		*		*		*		*				
Calls For Service	24,209				28,249				25,017				22,549				9,511						
Population Estimate	14,236				13,794				13,794				14,509				14,509						
Officers per 1,000 pop.	2.0				2.0				2.1				2.0				2.0						
DWI	46				23				39				69				46						
Traffic Citations	3,413				3,872				1,917				2,874				1,041						
Drug Arrests	106				115				90				198				93						

*Data unavailable

LA MARQUE POLICE DEPARTMENT

USE OF FORCE / DEFENSIVE ACTION REPORT

Incident / Case No.: 12000812

Date of Incident: 05/13/2012

Time: 20:34hrs.

Location: 1020 Hwy 3

REPORTING OFFICER: C.KING

ID#: 534

Assignment: PATROL

TYPE OF DEFENSIVE ACTION:

☒ Physical Control Techniques / "Hard Hands" ☐ Baton ☐ OC Spray ☐ Firearm Discharge
☐ TASER ☐ Other (describe): _____

PERSON(S) ARRESTED:

Name: J. [REDACTED]

DOB: 05/01/1992

Name: N/A

DOB: N/A

Name: N/A

DOB: N/A

WITNESSES:

Name: N/A Address: N/A

Name: N/A Address: N/A

Name: N/A Address: N/A

*Note: Defensive Action Report:

1. Will be completed by each Officer involved in a reportable incident (as per Written Directive 700-2).
2. Will be stapled (as cover pages) to a copy of the applicable Incident Report.
3. Will be reviewed and signed by the Officer's immediate Shift Leader: prior to departing from shift duty (see Written Directive 700-2 for exceptions). Completed packet will be hand carried by Shift Leader to reporting Officer's applicable Division Commander. If incident is serious/sensitive Shift Leader will immediately provide oral/telephonic briefing to appropriate Division Commander and Chief of Police.
4. Applicable Division Commander will review packet then hand deliver packet to the Office of Professional Responsibility (OPR) Manager.
5. OPR Manager will review packet and hand deliver packet to the Chief of Police.

SUMMARY OF INCIDENT (Specifically address the type of defensive action used):

This officer observed a subject walking away from Officer Gandy. This officer observed the suspect failing to stop as instructed by Officer Gandy. This officer assisted Officer Gandy in placing the suspect under arrest by grabbing the suspects right arm and placing it behind his back. This officer assisted Officer Gandy in restraining the suspect who refused to follow all verbal commands to get on the ground and had to be physically placed on the ground for the suspects and officers safety. Once the suspect was placed on the ground handcuffs were applied.

Explain why it was necessary to use defensive action specified above:

The suspect failed to follow all verbal commands by this officer and Officer Gandy.

Explain why defensive action used was reasonable:

Only force used was force required to maintain control of the suspect and effect the arrest.

Explain consequences (injury, damage, etc.) that resulted from the use of defensive action:

No damage or injury resulted ^{from} the force applied.

Post Care Action Performed by Reporting Officer:

No post care required as suspect and officers were uninjured.

If subject was not injured, document observations and/or any statements made by suspect, that indicate subject was not injured:

No visible signs of injuries observed on the suspect and suspect stated he was uninjured.

(Attach copies of Incident Reports, Arrest Reports, statements, and other documentation as necessary)

Chain of Command Review

WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

Shift Leader's Name Marcus Cravens Signature SCF. m. Cravens Date 5-14-12

Comments:

2. WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

Applicable Division Cdr's Name LT. G. Gilchrist Signature [Signature] Date 06/07/2012

Comments:

N/A

3. WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

OPR Name C. Wiggone #13 Signature [Signature] Date 06/07/12 Manager's

Comments: N/A

Review by Chief of Police

Comments:

Actions taken by officer appear to be aligned w/ W.D. System

Chief of Police Name Carla H. Ay Signature [Signature] Date 6/7/12

LA MARQUE POLICE DEPARTMENT

USE OF FORCE / DEFENSIVE ACTION REPORT

Incident / Case No.: 12-000812

Date of Incident: 05/13/2012

Time: 2028HRS

Location: 1020 Hwy 3, La Marque, TX 77568

REPORTING OFFICER: Officer F. Gandy

ID#: 37

Assignment: Patrolman

TYPE OF DEFENSIVE ACTION:

☒ Physical Control Techniques / "Hard Hands" ☐ Baton ☐ OC Spray ☐ Firearm Discharge
☐ TASER ☐ Other (describe): _____

PERSON(S) ARRESTED:

Name: [REDACTED]

DOB: 05/01/1992

Name: _____

DOB: _____

Name: _____

DOB: _____

WITNESSES:

Name: _____ Address: _____

Name: _____ Address: _____

Name: _____ Address: _____

*Note: Defensive Action Report:

1. Will be completed by each Officer involved in a reportable incident (as per Written Directive 700-2).
2. Will be stapled (as cover pages) to a copy of the applicable Incident Report.
3. Will be reviewed and signed by the Officer's immediate Shift Leader: prior to departing from shift duty (see Written Directive 700-2 for exceptions). Completed packet will be hand carried by Shift Leader to reporting Officer's applicable Division Commander. If incident is serious/sensitive Shift Leader will immediately provide oral/telephonic briefing to appropriate Division Commander and Chief of Police.
4. Applicable Division Commander will review packet then hand deliver packet to the Office of Professional Responsibility (OPR) Manager.
5. OPR Manager will review packet and hand deliver packet to the Chief of Police.

SUMMARY OF INCIDENT (Specifically address the type of defensive action used):

Subject was involved in a criminal incident. This officer attempted to stop him to investigate. Subject refused to stop and rapidly walked away from this officer. Subject displayed clenched fists and an aggressive disposition towards this officer. Officer attempted to detain in handcuffs, subject pulled away from officer and turned aggressively towards officer. This officer struggled with the subject for several moments before securing him against the ground.

Explain why it was necessary to use defensive action specified above:

Subject refused to stop when lawful detention was attempted. Subject pulled away from officer and made aggressive movements towards the officer.

Explain why defensive action used was reasonable:

Subject was detained against the ground to prevent any injury to the officer or the subject. Minimum amount of force necessary to effect the arrest.

Explain consequences (injury, damage, etc.) that resulted from the use of defensive action:

No injuries to officer or subject. No damage to property.

Post Care Action Performed by Reporting Officer:

None, subject taken into custody without further incident.

If subject was not injured, document observations and/or any statements made by suspect, that indicate subject was not injured:

Visual check of the subject showed no injuries. Subject advised this officer that he was not injured and did not want medical treatment.

(Attach copies of Incident Reports, Arrest Reports, statements, and other documentation as necessary)

Shift Leader's Name Marcus Cravens Signature Sgt Marcus Cravens Date 5-14-12

Comments: minimum force used to effect law ^{for the} arrest. No injuries to officer or subject.

2. WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

Applicable Division Cdr's Name LT. G. ENCHIST Signature LT G Enchist Date 05/15/2012

Comments: use of force appears to be in compliance with policy. coll

3. WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

OPR Name C. Waggner (#17) Signature C. Waggner Date 06/07/12 Manager's

Comments:

Comments: **Review by Chief of Police**
actions taken by Officer appear to be
aligned w/ WPD System.

Chief of Police Name Karol Ray Signature K. Ray Date 6-7-12

LA MARQUE POLICE DEPARTMENT

USE OF FORCE / DEFENSIVE ACTION REPORT

Incident / Case No.: 12-000882

Date of Incident: 05-23-12 Time: 1859

Location: 1000 Vauthier

REPORTING OFFICER: Mike Kelemen ID#: 530

Assignment: Patrol

TYPE OF DEFENSIVE ACTION:

☒ Physical Control Techniques / "Hard Hands" ☐ Baton ☐ OC Spray ☐ Firearm Discharge
☐ TASER ☐ Other (describe): _____

PERSON(S) ARRESTED:

Name: [REDACTED] DOB: 07-21-94
Name: _____ DOB: _____
Name: _____ DOB: _____

WITNESSES:

Name: Macchell Smith (Spouse) Address: 1727 FM 519 #17 LM, TX 77568
Name: _____ Address: _____
Name: _____ Address: _____

*Note: Defensive Action Report:

1. Will be completed by each Officer involved in a reportable incident (as per Written Directive 700-2).
2. Will be stapled (as cover pages) to a copy of the applicable Incident Report.
3. Will be reviewed and signed by the Officer's immediate Shift Leader: prior to departing from shift duty (see Written Directive 700-2 for exceptions). Completed packet will be hand carried by Shift Leader to reporting Officer's applicable Division Commander. If incident is serious/sensitive Shift Leader will immediately provide oral/telephonic briefing to appropriate Division Commander and Chief of Police.
4. Applicable Division Commander will review packet then hand deliver packet to the Office of Professional Responsibility (OPR) Manager.
5. OPR Manager will review packet and hand deliver packet to the Chief of Police.

SUMMARY OF INCIDENT (Specifically address the type of defensive action used):

Writer attempted to detain a wanted felon suspect and when writer tried to grab the suspect by the right wrist, the suspect swung at writer in an aggressive manner and he attempted to flee on foot. The suspect was taken to the ground with the minimal amount of force necessary and he was placed in custody.

Explain why it was necessary to use defensive action specified above:

The suspect resisted arrest and attempted to flee the scene on foot. The suspect was a danger to writer and the community.

Explain why defensive action used was reasonable:

The suspect resisted arrest and swung at writer in an aggressive manner. The suspect was tackled and taken to the ground. Once on the ground the suspect was placed in handcuffs and escorted to a marked patrol unit once an assisting Officer arrived on scene. Writer could have used a higher level of force but used a level of force lower than what the suspect used.

Explain consequences (injury, damage, etc.) that resulted from the use of defensive action:

The suspect sustained a small abrasion under his left eye. He did not request medical attention and writer had La Marque EMS treat the suspect for his injuries. The suspect sustained the abrasion when he fell on the ground. Writer sustained a jammed right thumb during the incident. Writer did not seek medical attention after the incident.

Post Care Action Performed by Reporting Officer:

The suspect was treated for his injury and it was documented in the offense report.

If subject was not injured, document observations and/or any statements made by suspect, that indicate subject was not injured:

Subject was injured as previously documented.

(Attach copies of Incident Reports, Arrest Reports, statements, and other documentation as necessary)

Chain of Command Review

AS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

Shift Leader's Name Sgt. K. Cagnew #516 Signature [Signature] Date 5-24-12

Comments: Subject had small scratch to his face just under his right eye. He also complained that his shoulder was bothering him but did not request medical attention. Subject was evaluated by Ems in jail at officer Kelemen's request. Photos were taken of subject.

2. WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

Applicable Division Cdr's Name LT. G. GURCHIAST Signature [Signature] Date 05/24/2012

Comments:

N/A

3. WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

OPR Name [Signature] Signature [Signature] Date 06/07/12 Manager's

Comments:

Review by Chief of Police

Comments:

Actions taken by Officer appear to be
aligned w/ W.D. Section

Chief of Police Name [Signature] Signature [Signature] Date 6-7-12

LA MARQUE POLICE DEPARTMENT

USE OF FORCE / DEFENSIVE ACTION REPORT

Incident / Case No.: 12-000900

Date of Incident: 05/25/2012 Time: 0944 HRS

Location: 1109-B BAYOU RD

REPORTING OFFICER: J. GUZMAN ID#: 540

Assignment: PATROL

TYPE OF DEFENSIVE ACTION:

☒ Physical Control Techniques / "Hard Hands" ☐ Baton ☐ OC Spray ☐ Firearm Discharge
☐ TASER ☐ Other (describe): _____

PERSON(S) ARRESTED:

Name: _____ DOB: 05/14/1967
Name: _____ DOB: _____
Name: _____ DOB: _____

WITNESSES:

Name: K. VAN STAVERN Address: 1111 BAYOU RD
Name: _____ Address: _____
Name: _____ Address: _____

*Note: Defensive Action Report:

1. Will be completed by each Officer involved in a reportable incident (as per Written Directive 700-2).
2. Will be stapled (as cover pages) to a copy of the applicable Incident Report.
3. Will be reviewed and signed by the Officer's immediate Shift Leader: prior to departing from shift duty (see Written Directive 700-2 for exceptions). Completed packet will be hand carried by Shift Leader to reporting Officer's applicable Division Commander. If incident is serious/sensitive Shift Leader will immediately provide oral/telephonic briefing to appropriate Division Commander and Chief of Police.
4. Applicable Division Commander will review packet then hand deliver packet to the Office of Professional Responsibility (OPR) Manager.
5. OPR Manager will review packet and hand deliver packet to the Chief of Police.

SUMMARY OF INCIDENT (Specifically address the type of defensive action used):
SUBJECT WAS IN ATTENDANCE FOR HIS COURT DATE. UPON COMPLETION, THE JUDGE ORDERED HE BE TAKEN INTO CUSTODY. WHILE ATTEMPTING TO SECURE THE SUBJECT INTO HANDCUFFS, SUBJECT BEGAN TO RESIST BY PULLING AWAY FROM THIS OFFICER AND THE CITY MARSHAL. SUBJECT WAS GIVEN VERBAL COMMANDS BY BOTH OFFICERS TO WHICH SUBJECT REFUSED TO COMPLY. SUBJECT CONTINUED TO PULL AWAY FROM BOTH OFFICERS WHICH RESULTED IN THIS OFFICER UTILIZING HARD HANDS TO PROPERLY SECURE AND REMOVE SUBJECT FROM THE COURTROOM.

Explain why it was necessary to use defensive action specified above:
THE NECESSITY FOR THE ABOVE ACTIONS TAKEN WERE BASED ON THE SUBJECTS ARGUMENTATIVE STATE AND LACK OF COMPLIANCE TO VERBAL COMMANDS GIVEN.

Explain why defensive action used was reasonable:

THIS OFFICER DECIDED TO INITIATE THE NEXT LEVEL OF USE OF FORCE DUE TO THE NUMBER OF CIVILIANS PRESENT AS WELL AS THE SUBJECTS LOCATION IN RELATION TO THE JUDGE. IT WAS ALSO DEEMED SUFFICIENT DUE TO THE CITY MARSHAL BEING UNABLE TO HANDLE THE SUBJECT WITHOUT ASSISTANCE DUE TO THE STATURE OF THE SUBJECT.

Explain consequences (injury, damage, etc.) that resulted from the use of defensive action:

NO DAMAGES WERE RECEIVED BY THE SUBJECT BUT THE ASSISTING CITY MARSHAL RECEIVED AN INJURY TO HER LEFT POSTERIOR FOREARM AND RIGHT POSTERIOR ELBOW.

Post Care Action Performed by Reporting Officer:

THE CITY MARSHAL WAS REFERED TO THE NEARBY BY FIRE DEPARTMENT FOR TREATMENT BY ON DUTY MEDICS FOR HER MINOR INJURIES. THIS OFFICER ALSO COLLECTED DIGITAL PHOTOGRAPHS OF THE INJURIES SUSTAINED BY THE CITY MARSHAL.

If subject was not injured, document observations and/or any statements made by suspect, that indicate subject was not injured:

SUBJECT SHOWED NO VISIBLE SIGNS OF INJURY BUT CLAIMED TO HAVE CHEST PAINS UPON ENTERING THE JAIL AND THE INITIATION OF THE BOOKING PROCESS. MEDICS WERE CONTACTED AND FOUND NO LIFE THREATENING AILMENTS SUFFERED BY SUBJECT.

(Attach copies of Incident Reports, Arrest Reports, statements, and other documentation as necessary)

Chain of Command Review

1. AS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

Shift Leader's Name [Signature] Signature [Signature] Date 5/25/12

Comments:

2. WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

Applicable Division Cdr's Name LT. G. GUCHRIST Signature [Signature] Date 05/30/2012

Comments:

N/A

3. WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

OPR Name C. Waggner Signature [Signature] Date 06/04/12 Manager's

Comments:

Comments:

Review by Chief of Police

Actions taken by Officer appear to be aligned w/ W.D. Section

Chief of Police Name Randall Arj Signature [Signature] Date 6-7-12

LA MARQUE POLICE DEPARTMENT

USE OF FORCE / DEFENSIVE ACTION REPORT

Incident / Case No.: 12-000914

Date of Incident: 05/26/2012 Time: 2156

Location: 1 N. Heights La Marque, Texas 77568

REPORTING OFFICER: C. Kelemen ID#: 547

Assignment: Patrol

TYPE OF DEFENSIVE ACTION:

☒ Physical Control Techniques / "Hard Hands" ☐ Baton ☐ OC Spray ☐ Firearm Discharge
☐ TASER ☐ Other (describe): _____

PERSON(S) ARRESTED:

Name: [REDACTED] DOB: 11/15/1962
Name: _____ DOB: _____
Name: _____ DOB: _____

WITNESSES:

Name: Res. Officer D. Kelemen 562 Address: 431 Bayou Road
Name: Sergeant M. Cravens 515 Address: 431 Bayou Road
Name: Officer F. Gandy 537 Address: 431 Bayou Road

*Note: Defensive Action Report:

1. Will be completed by each Officer involved in a reportable incident (as per Written Directive 700-2).
2. Will be stapled (as cover pages) to a copy of the applicable Incident Report.
3. Will be reviewed and signed by the Officer's immediate Shift Leader: prior to departing from shift duty (see Written Directive 700-2 for exceptions). Completed packet will be hand carried by Shift Leader to reporting Officer's applicable Division Commander. If incident is serious/sensitive Shift Leader will immediately provide oral/telephonic briefing to appropriate Division Commander and Chief of Police.
4. Applicable Division Commander will review packet then hand deliver packet to the Office of Professional Responsibility (OPR) Manager.
5. OPR Manager will review packet and hand deliver packet to the Chief of Police.

SUMMARY OF INCIDENT (Specifically address the type of defensive action used):

On 05/26/2012 at approximately 2156 hours, this officer was dispatched to a large party at the above listed address. Officers arrived to see approximately 200 hundred subjects walking around in the roadway and in front yards of residents. This officer came in contact with [REDACTED] in the roadway on N. Heights. [REDACTED] was advised that everyone needed to leave and that the party was over do to the numerous 911 calls. [REDACTED] was argumentative and advised everyone just to remain on his property. [REDACTED] had a strong odor of alcohol emitting from his person and breath. [REDACTED] also had slurred speech and red glassy eyes. Based on what this officer observed and [REDACTED] standing in the roadway escalating the situation this officer questioned [REDACTED] about his alcohol intake. [REDACTED] pulled away from this officer and was taken to the ground. It took three officer to secure [REDACTED] in hand restraints.

Explain why it was necessary to use defensive action specified above:

The suspect was actively resisting officer and attempting to walk away.

Explain why defensive action used was reasonable:
The amount of force used was equal to the force used by [REDACTED].

Explain consequences (injury, damage, etc.) that resulted from the use of defensive action:
[REDACTED] wasn't injured in the struggle. This officer was scratched in the face from [REDACTED] falling on this officer's glasses.

Post Care Action Performed by Reporting Officer:
No care was needed. No injuries reported by [REDACTED].

If subject was not injured, document observations and/or any statements made by suspect, that indicate subject was not injured:
Subject made no complaints about being injured while on scene or at the police department. No injuries observed.

(Attach copies of Incident Reports, Arrest Reports, statements, and other documentation as necessary)

Chain of Command Review

1. WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

Shift Leader's Name Sgt. M. Cravens Signature Sgt. M. Cravens Date 5-26-12

Comments: subject resisted OFFICERS attempt to conduct lawful Arrest.

2. WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

Applicable Division Cdr's Name LT. G. GUCHART Signature [Signature] Date 05/29/2012

Comments:

3. WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

OPR Name C. Waggoner #17 Signature [Signature] Date 06/04/12

Manager's

Comments:

Comments:

Review by Chief of Police

Actions taken by Officer appear to be aligned w/ W.D. System.

Chief of Police Name [Signature] Signature [Signature] Date 6-7-12

LA MARQUE POLICE DEPARTMENT

USE OF FORCE / DEFENSIVE ACTION REPORT

Incident / Case No.: 12-000945

Date of Incident: 05/30/2012 Time: 2215hrs

Location: 431 Bayou, La Marque, TX 77568

REPORTING OFFICER: F. Gandy  ID#: 37

Assignment: Patrol

TYPE OF DEFENSIVE ACTION:

☒ Physical Control Techniques / "Hard Hands" ☐ Baton ☐ OC Spray ☐ Firearm Discharge
☐ TASER ☐ Other (describe): _____

PERSON(S) ARRESTED:

Name: [REDACTED] DOB: 02/03/1958
Name: _____ DOB: _____
Name: _____ DOB: _____

WITNESSES:

Name: _____ Address: _____
Name: _____ Address: _____
Name: _____ Address: _____

*Note: Defensive Action Report:

1. Will be completed by each Officer involved in a reportable incident (as per Written Directive 700-2).
2. Will be stapled (as cover pages) to a copy of the applicable Incident Report.
3. Will be reviewed and signed by the Officer's immediate Shift Leader: prior to departing from shift duty (see Written Directive 700-2 for exceptions). Completed packet will be hand carried by Shift Leader to reporting Officer's applicable Division Commander. If incident is serious/sensitive Shift Leader will immediately provide oral/telephonic briefing to appropriate Division Commander and Chief of Police.
4. Applicable Division Commander will review packet then hand deliver packet to the Office of Professional Responsibility (OPR) Manager.
5. OPR Manager will review packet and hand deliver packet to the Chief of Police.

SUMMARY OF INCIDENT (Specifically address the type of defensive action used):

Subject was in custody for public intoxication and found to be in possession of a crack pipe once at the jail. Subject refused to relinquish the crack pipe and began to destroy evidence by eating the glass. This officer provided the subject with verbal commands to cease the destruction, with negative results. This officer attempted to gain control of the wrists, with negative results. This officer grasped the subjects upper body and placed him on the ground. Subject continued to be combative until this officer was able to control his person against the ground. This officer was able to gain control of his wrists and secure him in handcuffs.

Explain why it was necessary to use defensive action specified above:

Subject was destroying evidence and more importantly potentially harming himself by eating the broken glass.

Explain why defensive action used was reasonable:

Minimum amount of force used to gain control of the subject and stop him from potentially harming himself.

Explain consequences (injury, damage, etc.) that resulted from the use of defensive action:

Subject received minor cuts or scratches to his right hand as a result of breaking the glass crack pipe in his hand. Subject caused the injuries to himself, not a result of the struggle.

Post Care Action Performed by Reporting Officer:

La Marque EMS was contacted and responded. The minor injury was treated and determined to be fit to be incarcerated.

If subject was not injured, document observations and/or any statements made by suspect, that indicate subject was not injured:

n/a, injuries were a result of actions prior to the use of force.

(Attach copies of Incident Reports, Arrest Reports, statements, and other documentation as necessary)

Shift Leader's Name Sgt. M. Cravens Signature Sgt. M. Cravens Date 5-31-12

Comments: _____

2. WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

Applicable Division Cdr's Name LT. G. Gilchrist Signature et S. Gilchrist Date 05/31/2012

Comments: _____

N/A

3. WAS REPORTED USE OF DEFENSIVE ACTION JUSTIFIED? ☒ YES ☐ NO

OPR Name C. Waggoner Signature C. Waggoner Date 06/04/12

Manager's

Comments: _____

Review by Chief of Police

Comments: _____

Actions taken by Officer appear to be
signed w/ WD system.

Chief of Police Name K. de la Riva Signature K. de la Riva Date 6-7-12

FIRE DEPARTMENT

City of La Marque

Fire Department
Month: May
Year: 2012

Current Month May 2012	Current Mo. Previous Year (May 2011)	Prev. Month (April 2012)	Fiscal Yr to Date 2011-2012	Fiscal Prev. Yr. to Date 2010-2011
<u>Fires</u>				
5	13	14	58	59
<u>Overpressures, Explosions</u>				
0	0	0	4	4
<u>Rescue & EMS</u>				
136	147	106	980	1,035
<u>HAZMAT</u>				
4	2	4	36	18
<u>Good Intent</u>				
16	14	9	102	104
<u>False Alarm</u>				
2	6	11	46	63

La Marque Fire / Rescue

Incident Type Report (Summary)

Alarm Date Between {05/01/2012} And {05/31/2012}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
1 Fire				
111 Building fire	3	1.78%	\$0	0.00%
131 Passenger vehicle fire	1	0.59%	\$0	0.00%
151 Outside rubbish, trash or waste fire	1	0.59%	\$0	0.00%
	<u>5</u>	<u>2.97%</u>	<u>\$0</u>	<u>0.00%</u>
3 Rescue & Emergency Medical Service Incident				
311 Medical assist, assist EMS crew	6	3.57%	\$0	0.00%
321 EMS call, excluding vehicle accident with	118	70.23%	\$0	0.00%
322 Motor vehicle accident with injuries	6	3.57%	\$0	0.00%
323 Motor vehicle/pedestrian accident (MV Ped)	1	0.59%	\$0	0.00%
324 Motor Vehicle Accident with no injuries	5	2.97%	\$0	0.00%
	<u>136</u>	<u>80.95%</u>	<u>\$0</u>	<u>0.00%</u>
4 Hazardous Condition (No Fire)				
412 Gas leak (natural gas or LPG)	2	1.19%	\$0	0.00%
440 Electrical wiring/equipment problem, Other	1	0.59%	\$0	0.00%
442 Overheated motor	1	0.59%	\$0	0.00%
	<u>4</u>	<u>2.38%</u>	<u>\$0</u>	<u>0.00%</u>
5 Service Call				
500 Service Call, other	1	0.59%	\$0	0.00%
510 Person in distress, Other	1	0.59%	\$0	0.00%
531 Smoke or odor removal	1	0.59%	\$0	0.00%
551 Assist police or other governmental agency	2	1.19%	\$0	0.00%
	<u>5</u>	<u>2.97%</u>	<u>\$0</u>	<u>0.00%</u>
6 Good Intent Call				
600 Good intent call, Other	4	2.38%	\$0	0.00%
611 Dispatched & cancelled en route	7	4.16%	\$0	0.00%
622 No Incident found on arrival at dispatch	4	2.38%	\$0	0.00%
651 Smoke scare, odor of smoke	1	0.59%	\$0	0.00%
	<u>16</u>	<u>9.52%</u>	<u>\$0</u>	<u>0.00%</u>
7 False Alarm & False Call				
733 Smoke detector activation due to	1	0.59%	\$0	0.00%
735 Alarm system sounded due to malfunction	1	0.59%	\$0	0.00%

La Marque Fire / Rescue

Incident Type Report (Summary)

Alarm Date Between {05/01/2012} And {05/31/2012}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
	2	1.19%	\$0	0.00%

Total Incident Count: 168

Total Est Loss:

\$0

CALL STATISTICS FY 2010- 2011
La Marque Fire/Rescue

PATIENT DISPOSITION BY MONTH													
Disposition		OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
Encounters		139	139	132	116	102	128	109	137	125	108	109	122
Transports		98	94	90	94	80	94	84	104	97	93	77	90
Aeromedical		0	0	0	0	0	0	0	0	0	0	0	0
Dead On Scene		1	0	1	1	1	0	0	2	0	1	3	2
Refusals		40	45	41	21	21	34	25	31	28	13	29	30
RESPONSE TIMES PER MONTH (minutes)													
Unit Status		OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
Dispatch - Location		5	5	5	4	5	4	5	4	4	5	5	5
Location - To Hospital		16	17	19	16	15	15	16	15	15	15	16	16
To Hospital - At Hospital		11	11	12	10	10	9	10	10	9	9	11	9
At Hospital - In Service		25	29	30	27	29	27	30	27	28	29	31	25
Location - At Hospital		26	26	29	24	25	25	25	24	23	23	25	22
Dispatch - At Hospital		31	31	35	29	30	30	29	29	28	29	31	28
Dispatch - In Service		48	51	53	52	52	48	53	48	52	55	53	47

CALL STATISTICS FY 2011- 2012

La Marque Fire/Rescue

PATIENT DISPOSITION BY MONTH												
Disposition	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
Encounters	150	102	104	110	120	112	110	125				
Transports	113	78	85	93	104	92	87	101				
Aeromedical	0	0	0	0	0	0	0	0				
Dead On Scene	0	1	1	0	1	0	0	0				
Refusals	37	23	18	17	15	20	23	24				
RESPONSE TIMES PER MONTH (minutes)												
Unit Status	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
Dispatch - Location	5	5	5	5	7	5	5	5				
Location - To Hospital	17	16	15	15	15	16	17	17				
To Hospital - At Hospital	11	8	9	9	11	11	10	11				
At Hospital - In Service	28	25	32	31	29	34	33	34				
Location - At Hospital	26	23	24	24	25	25	25	26				
Dispatch - At Hospital	31	28	30	30	31	30	30	32				
Dispatch - In Service	54	49	57	57	58	58	58	60				

CALL STATISTICS 2012
La Marque Fire/Rescue

PATIENT TRANSPORTS BY RECEIVING FACILITY													
Facility Code	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
CStJoseph	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
MD	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
WomenTx	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
MHSE	0 0%	0 0%	1 1%	0 0%	3 3%	0 0%							4 0%
UTMBHosp	8 8%	14 13%	18 19%	12 13%	18 18%	0 0%							70 14%
MHPB	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
MHCH	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
CLRH	7 7%	8 7%	8 8%	5 5%	9 9%	0 0%							37 7%
St John	1 1%	1 0%	1 1%	2 2%	2 2%	0 0%							7 1%
SanJac	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
Mainlnd	77 82%	80 77%	64 69%	67 77%	68 68%	11 100%							367 75%
Bellaire	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
Hermann	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
ShrinrBH	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
St Luke	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
TXChld	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
Methodist	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
TOTAL	93	103	92	86	100	11							485

	100%	100%	100%	100%	100%	100%							100%
--	------	------	------	------	------	------	--	--	--	--	--	--	------

PATIENT DISPOSITION BY MONTH													
Disposition	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
Encounters	111	120	114	110	125	16							596
Transports	94 84%	104 86%	93 81%	87 79%	101 80%	11 68%							490 82%
Aeromedical	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
Dead On Scene	0 0%	1 0%	0 0%	0 0%	0 0%	0 0%							1 0%
Unfounded	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
Refusals	17 15%	15 12%	21 18%	23 20%	24 19%	5 31%							105 17%

CALLS BY TIME OF DAY													
Time	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
0600-1159	35 31%	38 31%	25 21%	30 27%	32 25%	4 25%							164 27%
1200-1759	28 25%	38 31%	43 37%	40 36%	45 36%	4 25%							198 33%
1800-2359	28 25%	24 20%	32 28%	24 21%	30 24%	2 12%							140 23%
0000-0559	20 18%	20 16%	14 12%	16 14%	18 14%	6 37%							94 15%

PATIENT AGE BY MONTH													
Years Old	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
<1	0 0%	0 0%	1 0%	1 0%	1 0%	0 0%							3 0%
1-8	1 0%	0 0%	6 5%	0 0%	0 0%	0 0%							7 1%
9-12	1 0%	0 0%	2 1%	2 1%	3 2%	0 0%							8 1%

13-17	2 1%	5 4%	2 1%	2 1%	3 2%	0 0%							14 2%
18-25	4 3%	13 10%	12 10%	14 12%	9 7%	2 12%							54 9%
26-50	24 21%	27 22%	32 28%	30 27%	47 37%	7 43%							167 28%
51-75	44 40%	43 35%	37 32%	37 33%	42 33%	4 25%							207 34%
76-100	33 30%	32 26%	22 19%	23 21%	19 15%	3 18%							132 22%
>100	1 0%	0 0%	0 0%	0 0%	1 0%	0 0%							2 0%

DISPATCHED CALL TYPES PER MONTH													
Call Type	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
Abd Pain	3 2%	1 0%	2 1%	0 0%	7 5%	1 6%							14 2%
Allergic Rx	1 0%	0 0%	1 0%	0 0%	0 0%	0 0%							2 0%
Animal Bite	0 0%	0 0%	0 0%	0 0%	1 0%	0 0%							1 0%
Assault	1 0%	2 1%	3 2%	0 0%	0 0%	3 18%							9 1%
Auto Ped	0 0%	1 0%	1 0%	1 0%	1 0%	0 0%							4 0%
Back Pain	0 0%	3 2%	0 0%	2 1%	4 3%	0 0%							9 1%
Burns	0 0%	1 0%	0 0%	1 0%	0 0%	0 0%							2 0%
CO Poison	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
CPR	1 0%	1 0%	0 0%	0 0%	0 0%	0 0%							2 0%
Cardiac	12 10%	13 10%	11 9%	15 13%	21 16%	0 0%							72 12%
Childbirth	0 0%	0 0%	0 0%	1 0%	1 0%	0 0%							2 0%
Choking	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%

DOS	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
Diabetic	7 6%	5 4%	7 6%	3 2%	7 5%	1 6%							30 5%
Drowning	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
Electrocution	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
Eye Injury	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
Falls	6 5%	11 9%	5 4%	9 8%	9 7%	0 0%							40 6%
Fire/Hazmat	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
GSW/Stab	1 0%	1 0%	0 0%	0 0%	1 0%	0 0%							3 0%
Headache	1 0%	1 0%	0 0%	0 0%	1 0%	0 0%							3 0%
Heat/Cold	0 0%	0 0%	0 0%	0 0%	1 0%	0 0%							1 0%
Hemorrhage	4 3%	0 0%	1 0%	3 2%	0 0%	0 0%							8 1%
Ind Accident	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%							0 0%
MVA	3 2%	10 8%	13 11%	13 11%	12 9%	3 18%							54 9%
Medical	25 22%	26 21%	33 28%	19 17%	19 15%	1 6%							123 20%
Other	4 3%	4 3%	6 5%	8 7%	8 6%	2 12%							32 5%
Overdose	1 0%	1 0%	1 0%	3 2%	2 1%	0 0%							8 1%
Person Down	1 0%	2 1%	0 0%	0 0%	1 0%	0 0%							4 0%
Psych	1 0%	0 0%	0 0%	0 0%	2 1%	0 0%							3 0%
Respiratory	18 16%	14 11%	9 7%	14 12%	9 7%	2 12%							66 11%
Seizures	7 6%	6 5%	9 7%	6 5%	5 4%	2 12%							35 5%
Service Call	2	0	0	1	0	0							3

	1%	0%	0%	0%	0%	0%							0%
Stroke	1 0%	0 0%	2 1%	2 1%	1 0%	0 0%							6 1%
Trauma	6 5%	7 5%	8 7%	6 5%	8 6%	1 6%							36 6%
Unconscious	5 4%	8 6%	2 1%	2 1%	4 3%	0 0%							21 3%
Unknown	0 0%	2 1%	0 0%	1 0%	0 0%	0 0%							3 0%

CALL LOCATIONS BY MONTH													
Map Page	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
38C													
563													
563A													
565A													
699G													
736A													
736V													
737J													
737K													
737L													
737N													
737P													
737T													
737U													
737Z													
738H													
999999999													
NONE													
PATIENT 1													
PATIENT 2													

RESPONSE TIMES PER MONTH (minutes)													

Unit Status	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVG
Dispatch - Location	5	7	5	5	5	6							5
Location - To Hospital	15	15	16	17	17	18							16
To Hospital - At Hospital	9	11	11	10	11	8							10
At Hospital - In Service	31	29	34	33	34	36							32
Location - At Hospital	24	25	25	25	26	24							25
Dispatch - At Hospital	30	31	30	30	32	31							30
Dispatch - In Service	57	58	58	58	60	56							58

LIBRARY DEPARTMENT

LA MARQUE PUBLIC LIBRARY	Current Month	Last Month	Current Month, Last Year	This YTD	Last YTD
May 2012					
SERVICES					
Books Loaned	1894	890	1070	10192	7772
Audio Books Loaned	22	16	27	131	215
Music CDs/Cassettes Loaned	8	9	6	66	96
Videos/DVDs Loaned	679	597	600	4416	3743
Other Materials Loaned	0	0	0	1	7
Total Circulation Transactions	2603	1512	1,703	14806	11833
Juvenile Transactions (a part of total circulation transactions)	1223	318	n/a	4122	n/a
Materials Used in House	583	660	484	3742	3446
New Patrons Registered	87	35	84	412	490
Reference Transactions	411	244	396	3697	2876
Adult Programs	0	0	1	2	25
Attendees	0	0	17	8	126
Children's Programs	4	2	3	50	54
Attendees	57	38	153	1294	1670
Number of Visits (Door Count)	3700	2984	4115	30125	30610
Volunteer Hours	13.5	9.5	52	163	380.25
INTERNET AND ELECTRONIC SERVICES					
Internet Users	1222	635	678	6422	7060
Internet Hours	733	1025	780	6337	8964
RESOURCE SHARING					
<u>ILL</u> borrowed from other libraries outside of Galveston Co.	10	6	15	87	112
<u>ISL</u> borrowed from other public libraries in Galveston Co.	0	0	0	0	0
Total ILL & ISL borrowed from other libraries	10	6	15	87	112
Total ILL & ISL requests loaned to libraries for our users	0	0	0	0	0

PUBLIC WORKS DEPARTMENT

June 25, 2012

Public Works & Utility Activity Report Recap

Public Works Administrative Assistant – For the month of May, call volume and work performed is in line with the last four months of operations.

Parks – In week one, the department was able to utilize more man hours with part-time summer help and Community Service workers at Mahan Park. In weeks two and four, at the Cemetery, more time was utilized with part-time employees weed-eating around head stones and fence line.

Right-of-Way Maintenance – In week five, the department repaired a larger number of utility patches. Due to this increase of work, it pulled employees away from other job duties. Throughout the month within weeks one and four, more man hours were dedicated to patching pot holes. We corrected 41 potholes this year compared to none at this time last year. We have had an increase in mowing man hours due to the increased rain fall for the summer.

Utility 22 - Water & Sewer Maintenance – The department is short three employees and several employees were on vacation this month; thus has reduced the amount of work being completed. The existing personnel have spent most of their time emphasizing on dress-ups from prior jobs in citizen's yards.

Utility 24 – Water & Waste Water – There was a 39% increase in flow at the Waste Water Plant due to a wetter summer than last year. The high flows contributed to a 20% increase in chemicals used for treatment. Since the City has reduced to Stage 1 Drought Contingency; we have used 11 million gallons more this time compared to last year due to flushing dead end lines and the Fire Department maintaining fire hydrants.

Utility 26 – Water & Waste Water Maintenance – The department has shown an increase in repairing and rebuilding of rotation assemblies for sewage pumps.

PUBLIC WORKS ADMINISTRATION
ACTIVITY REPORT

Cyndi Efird

2012 / May	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY
	5/1-5/5	5/6-5/12	5/13-5/19	5/20-5/26	5/27-5/31	TOTALS
Calls / Customers						
Water Leaks	6	8	5	4	3	26
Sewer Stops	9	12	17	7	8	53
Leak at Meter	1	1	1	1	0	4
Low Pressure / No Water	0	1	3	4	1	9
Dress-Ups	0	0	2	0	2	4
Billing Department	11	21	23	17	17	89
Blue Cart / Trash Pick Up	4	2	4	4	8	22
Wednesday Pick Up	1	3	0	2	5	11
Bulk Pick Up	0	2	0	2	2	6
Co-Compliance	2	0	0	2	2	6
Pot Holes	0	0	0	0	1	1
Street Repair	0	0	1	0	0	1
Driveway Repair	1	2	2	0	0	5
Dirt Request	0	1	1	0	0	2
Culverts	1	3	2	3	2	11
Mowing / Mowers	2	0	0	3	3	8
Street Signs	0	0	0	0	0	0
Traffic Lights	0	0	0	0	0	0
Street Light Outage	0	2	0	1	0	3
Street Light Request	0	0	0	0	0	0
Director	3	11	7	10	7	38
Assistant Director	1	4	4	1	0	10
PW/Utility Dept Supervisors	12	18	17	13	4	64
City Manager	0	1	0	0	0	1
City Hall Admin Assist.	2	1	1	0	0	4
Human Resource	0	0	0	1	1	2

1 of 2

PUBLIC WORKS ADMINISTRATION
ACTIVITY REPORT

Cyndi Efird

2012/ May	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY
	5/1-5/5	5/6-5/12	5/13-5/19	5/20-5/26	5/27-5/31	TOTALS
Calls / Customers						
City Clerk	0	0	0	1	0	1
Inspections	0	4	4	1	2	11
Animal Control	0	0	0	0	0	0
Mosquito Spray	0	0	0	1	0	1
Locates	0	1	2	1	0	4
LM's	0	0	0	0	0	0
Customer at Window	7	6	4	6	4	27
Recycling	0	0	0	0	0	0
Community Service	0	2	2	0	0	4
Gas Company	0	0	0	0	0	0
Miscellaneous Calls	8	11	7	16	5	47
					TOTAL	475

5/3 - Typed & submitted April Parks Board Minutes

5/10 - Typed & submitted May Cemetery Board Minutes

5/14 - Attend Town Hall Meeting

5/16 - Attended Hurricane Awareness Luncheon

CITY OF LA MARQUE
PARKS DEPARTMENT MONTHLY REPORT

Dwanna Jones

2012 / May

SCHEDULED WORK

COMPLETED WORK

PARK MAINTENANCE	WK 1	WK 2	WK 3	WK 4	WK 5	DESCRIPTION OF WORK
	5/1-5/5	5/6-5/12	5/13-5/19	5/20-5/26	5/27-5/31	
Bayou City Park	4	4	4	4	4	mow & weed-eat
Bird Sanctuary	4	4	4	4	4	mow & weed-eat
Highland Bayou Park	4	4	4	4	4	weed-eat, clean restrooms,p/u trash
Jaycee Park	4	4	4	4	4	mow & weed-eat
Lagana Park	4	4	4	4	4	mow & weed-eat
Martin Luther King Jr. Park	4	4	4	4	4	mow & weed-eat, empty trash cans
Mahan Park	36	4	4	4	4	mow, weed-eat, clean restrooms
Walter Feigle Park	4	4	4	4	4	mow & weed-eat
Westlawn Park	4	4	4	4	4	mow & weed-eat
GENERAL MAINTENANCE						DESCRIPTION OF WORK
City Hall	4	4	4	0	0	weed-eat & trimmed hedges
Library	4	4	4	4	4	mow & weed-eat
Police Department	4	4	4	4	4	mow & weed-eat
La Marque Cemetery	4	36	4	32	4	mow & weed-eat, empty trash cans
La Marque Sign @ Hwy 3	4	4	4	4	4	mow & weed-eat
Kirsten esplanade	4	4	4	4	4	mow & weed-eat
LM property / Aid & Guidance	4	4	4	4	4	mow & weed-eat
Bus Stops	4	4	4	4	4	weed-eat & empty trash cans
WEEKEND DUTIES						DESCRIPTION OF WORK
Highland Bayou Park	0	8	0	0	4	Pavilion rental clean-up
						clean & disinfect restrooms, pick up
						trash & empty trash cans, wash
						down pavilion
Weekly Total Hours	100	108	68	92	68	
Comments:						
Clean easement on Crockett						
Cleared brush from drainage ditch on Vauthier						

1 of 1

RIGHT-OF-WAY & ROAD MAINTENANCE DIVISION
ACTIVITY REPORT
DWANNA JONES

2012 / May

	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	May
	5/1-5/5	5/6-5/12	5/13-5/19	5/20-5/26	5/27-5/31	TOTALS	2011
STREETS							
Utility Patch	0	0	0	0	7	7	0
Man Hours	0	0	0	0	40	40	0
Culverts-Linear Feet Set	0	44	0	68	24	136	110
Man Hours	64	24	0	48	2	138	80
Trimming Tree Limbs-Man Hours	16	0	88	8	0	112	72
Driveway Tie In-Man Hours	0	0	0	8	0	8	32
Traffic Sign Repair - Man Hours	16	8	24	16	8	72	112
Potholes Filled	23	0	0	18	0	41	0
Man Hours	12	0	0	14	0	26	0
Repaired Driveways	3	2	12	1	0	18	4
Man Hours	24	12	12	8	0	56	40
Grading Ditch - Linear Feet Cut	749	607	120	266	0	1742	0
Man Hours	64	64	16	32	0	176	0
Mowing Man Hours	120	144	128	120	96	608	446
Sweeping - Man Hours	16	32	0	24	0	72	*
Grate Repair - Man Hours	0	0	0	0	0	0	*
Weed-eat - Man Hours	72	64	64	32	16	248	*
Dress-up - Man Hours	16	0	2	12	0	30	*
Check Drains & Ditches	0	16	0	0	0	16	*
Man Hours	0	12	0	0	0	12	*

* No available information for 2011

1 of 2

RIGHT-OF-WAY & ROAD MAINTENANCE DIVISION
ACTIVITY REPORT
DWANNA JONES

2012 / May

	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	May
	5/1-5/5	5/6-5/12	5/13-5/19	5/20-5/26	5/27-5/31	TOTALS	2011
BFI							
Brush Letters Sent Out	10	0	0	0	0	10	0
Special Pickup's	0	7	0	0	0	7	45
Man Hours	2	4	0	0	0	6	20

Safety Meetings	1	1	1	0	1	4	*
-----------------	---	---	---	---	---	---	---

* No available information for 2011

SPECIAL PROJECTS

Community Service workers picked up trash on ROW on Lake Road from FM 1765 to Main & First Street
Picked up brush on the ROW in the big ditches at Lee Addition, Newman Garrett & Holman
Two employees worked on the traffic light for two days - Cedar Drive @ Lake Road

WATER & SEWER MAINTENANCE DIVISION ACTIVITY REPORT

2012 / May

	WEEK 1 5/1-5/5	WEEK 2 5/6-5/12	WEEK 3 5/13-5/19	WEEK 4 5/20-5/26	WEEK 5 5/27-5/31	MONTHLY TOTALS	MAY 2011
WATER							
Water leaks repaired	10	5	11	9	2	37	31
Residential Water Taps	1	0	0	0	1	2	1
Commercial Water Taps	0	0	0	0	0	0	0
Remote Read Meters Installed	0	0	0	0	0	0	0
Low Pressure Problems City Side	0	1	0	0	0	1	1
Low Pressure Problems Customer Side	0	0	0	1	0	1	4
Meter Boxes & Lids Replaced	0	0	0	0	0	0	4
Water Turned On/Off for Citizens	0	0	0	0	0	0	1
Rusty Water Inquires	0	0	0	0	0	0	0
Bad Taste/Smelly Water Inquiries	1	0	0	0	0	1	0
Fire Hydrants							
Fire Hydrants Installed	0	0	0	0	0	0	1
Fire Hydrants Repaired	0	0	0	0	0	0	0
Fire Hydrants Serviced	0	0	0	0	0	0	0
SPECIAL PROJECTS							
Built box around clean-out around newly installed main line on 4th Street							
Repaired sewer tap							

WATER & SEWER MAINTENANCE DIVISION ACTIVITY REPORT

2012 / May

	WEEK 1 5/1-5/5	WEEK 2 5/6-5/12	WEEK 3 5/13-5/19	WEEK 4 5/20-5/26	WEEK 5 5/27-5/31	MONTHLY TOTALS	MAY 2011
SEWER							
Sewer Stoppages Resolved	17	18	21	8	2	66	54
Sewer Lines Repaired	0	0	0	1	1	2	5
Residential Sewer Taps	1	0	0	0	0	1	0
Commercial Sewer Taps	0	0	0	0	0	0	0
Clean-Out Tops Replaced	0	0	0	1	0	1	10
Clean-Outs Installed	0	0	0	2	0	2	3
Sewer Lines Installed	0	0	0	0	0	0	0
Manhole Repaired	0	0	0	0	0	0	0
Manhole Installed	0	0	0	0	0	0	0
Lines Locate, Water & Sewer	0	0	0	0	0	0	3
Miscellaneous							
Dress-Ups	3	5	13	6	2	29	9
Saw Cuts	0	0	0	6	0	6	4
Valves Replaced	0	0	0	0	0	0	0
TOTAL WORK ORDERS						149	
Projects by LF							
Feet of Water Mains Installed (LF)	0	0	0	0	0	0	0
Sewer Lines Cleaned (LF)	0	0	0	0	0	0	2285
Feet of Sewer Line T.V.'d (LF)	0	0	0	0	0	0	250
Feet of Sewer Main Replaced (LF)	0	0	0	0	0	0	0
Smoke Testing Done (LF)	0	0	0	0	0	0	0
Culverts Cleaned (LF)	0	0	0	60	0	60	100

2 of 2

**WATER & WASTE WATER
ACTIVITY REPORT**
Supervisor Jason Hubbell

2012 / May	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	MAY
Utility 24	5/1-5/5	5/6-5/12	5/13-5/19	5/20-5/26	5/27-5/31	TOTALS	2011
WWTP							
Rain Fall	0	5	0	0	0.2	5.2	0.2
Flow Total MG/D	7.605	24.375	16.037	11.097	7.552	66.666	40.130
Lb. of CL2 used	545	1390	1015	705	475	4130	3,315
Lb. of SO2 used	315	870	645	404	266	2500	1,806
Plant Man Hours	67	85	84	84	52	372	348
Bio Solids Removed/Tons	0	0	0	0	0	0	0.000
Raw TSS Avg. mg/1						88.8	79.3
Raw BOD tes/Avg.						107.6	108.7
Raw Total Cu Avg.mg/l						0.0204	0.016
Raw NH3-3 Avg. mg/l						22.4	23.270
Effluent CBOD test/Avg.						2	2.5
Effluent TSS Avg. mg/1						2	2.4
Effluent NH-3N Avg.mg/L						0.298	0.103
Raw Total CU mg/L						0.0029	0.0030
Route Wells & Lift Stations							
Distribution System-Total Surface Water MG/D	12.76	17.138	17.194	17.978	12.985	78.055	67.710
Total Well Water MGD	0	0.001	0.002	0.001	0.015	0.019	0.774
Lb. of CL2 used	24	23	48	82	36	213	348
Lb. of Ammonia Used	7	7	13	25	10	62	94
Total # of CL2 Residual Samples	55	77	77	77	55	341	433
Number of Water Bacteriology Samples	0	0	0	15	0	15	15

WATER & WASTE WATER
ACTIVITY REPORT
Supervisor Jason Hubbell

2012 / May	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	MAY
Utility 24	5/1-5/5	5/6-5/12	5/13-5/19	5/20-5/26	5/27-5/31	TOTALS	2011
Collection System - Total Lift Station Pump Hours	429.5	1123.4	695.8	629.1	443.7	3321.5	2000.0
Man Hours Wells Station	22.5	31.5	31.5	31.5	22.5	139.5	250
Safety Meetings	1	0	0	0	0	1	1
Dead ends Flushed	0	0	0	0	0	0	210
Fire Hydrants Painted	0	0	0	0	0	0	0

CL2 = CHLORINE

MGD = MILLION GALLON DAY

SO2 = SULFUR DIOXIDE

BOD = BIOCHEMICAL OXYGEN DEMAND

CU = COPPER

NH-3N = AMMONIA

UTILITY 26 MAINTENANCE DIVISION
WATER WELLS, LIFT STATIONS & WASTE WATER TREATMENT PLANT
ACTIVITY REPORT
Steve Gassaway

2012 / May	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	MAY
	5/1-5/5	5/6-5/12	5/13-5/19	5/20-5/26	5/27-5/31	TOTALS	2011
PREVENTATIVE MAINTENANCE							
Lift Pumps	2	1	1	0	0	4	6
Valves	2	2	2	2	14	22	19
Electric Motors	0	0	3	0	1	4	10
Electric Panels	0	9	1	0	7	17	9
Vent Fans	0	0	1	0	1	2	19
Blowers	2	0	1	1	0	4	2
Belts	5	3	8	6	9	31	8
Floats	18	20	18	9	19	84	22
Well Sites	2	1	0	0	5	8	4
Clean Up or Remove Grease @ Well Sites	0	0	2	0	3	5	*
Troubleshoot Problems	5	10	11	5	6	37	*
Corrective Maintenance							
Replace Rotation	3	3	0	0	0	6	
Replaced Belts	0	6	0	0	0	6	6
Replaced Bearings	0	6	0	0	0	6	0
Replaced Motors	0	0	0	0	1	1	0
Replaced Seals	0	11	2	2	0	15	3
Replaced Pumps	0	0	0	0	0	0	0
Replace wear Parts	3	8	2	1	10	24	7
Replace Valves	0	0	0	0	0	0	0
Replace Floats	0	0	0	0	0	0	3
Replace Gauges	0	0	0	0	0	0	3
Replace Electrical Parts	0	4	2	3	1	10	16
Change Oil in Pumps	10	5	11	0	4	30	*
Degrease & Wash Down Lift Stations	6	6	9	5	4	30	*
*No available information for 2011					TOTAL	346	
SPECIAL PROJECTS							
Repair gates at WTP, replace a/c at WTP & 6th Street Lift Station, replace seals on Clarifier Drive @ WTP							

EDC DEPARTMENT

City of La Marque
Month and Year
To Date

EDC
Month: June
Year: 2012

	CURRENT MONTH	CURRENT MO. PREV. YR.	PREV. MONTH	YR. TO DATE 2012	PREV. YR. TO DATE 2011
<u>*ShopsQA Businesses Register</u>	0	None	0	8	None
<u>**ShopsQA Businesses Listed</u>	0	None	66	66	None

*Registered businesses have officially joined the program

**Listed businesses have been added by ShopsQA

***The staff at ShopsQA is working to import an additional list of La Marque businesses